

# FINAL Environmental Impact Statement

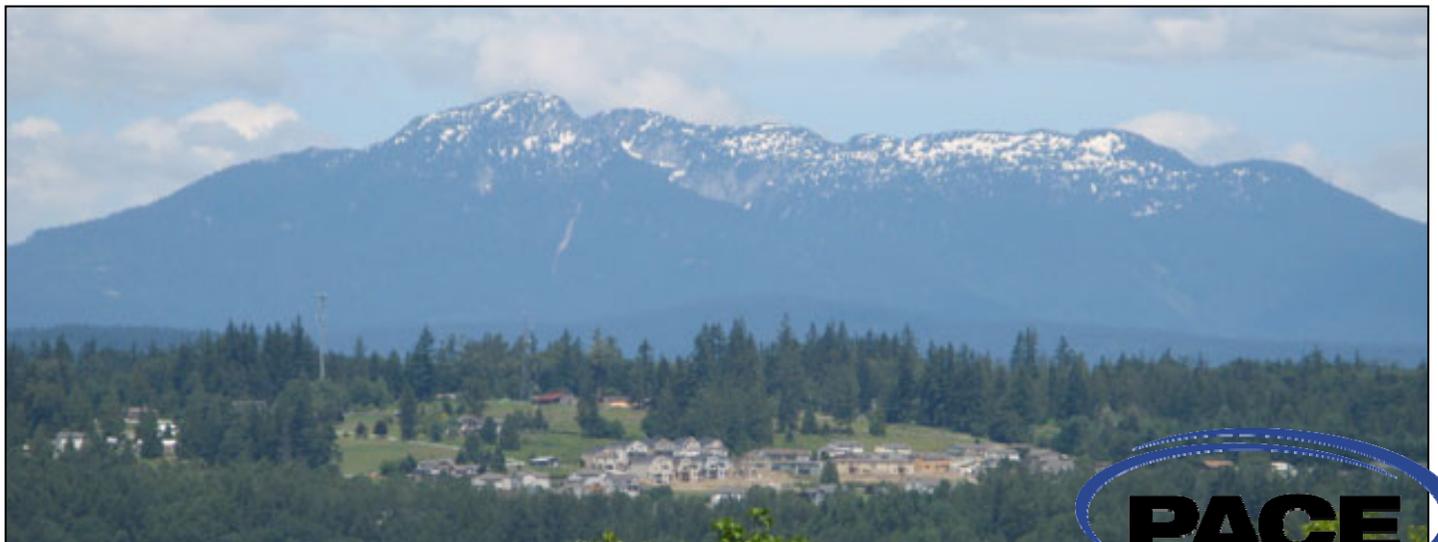
## VOLUME I

East Monroe  
Comprehensive Plan  
Amendment and  
Rezone

*Issued September 27, 2013*



2013



*Prepared by:*



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September 27, 2013

To Affected Tribes, Interested Agencies and Members of the Public:

The City of Monroe, as Lead Agency under the State Environmental Policy Act (SEPA), is issuing this Final Environmental Impact Statement (FEIS) for the proposed East Monroe Comprehensive Plan Amendment and Rezone. The proponent, Heritage Baptist Fellowship, has requested an amendment to the Monroe Comprehensive Plan to change the subject property land use designation from Limited Open Space (LOS) to General Commercial (GC). The subject property is comprised of five parcels of land (42.81 acres) located within the eastern portion of the City of Monroe north of the Skykomish River along the north side of State Route 2.

No specific development proposal is under application and this is a non-project action. The FEIS evaluates the environmental impacts of three alternatives, which are discussed in detail in the FEIS. The FEIS describes environmental impacts and potential mitigation measures for the following elements of the environment:

- Earth
- Groundwater
- Surface Water
- Plants
- Animals
- Noise
- Land & Shoreline Use
- Aesthetics
- Light & Glare
- Transportation
- Public Services
- Utilities

The Final EIS also responds to comments received from agencies and the public on the Draft EIS. As required by SEPA, responses to comments include changes to the text of the EIS and additional analysis of impacts.

Following publication of the FEIS, the City of Monroe Planning Commission will hold a public hearing on the Comprehensive Plan amendments on October 28th, 2013. The Planning Commission will then forward a recommendation on the amendments to the City Council in November. Final action on the amendments is scheduled for December 17, 2013. Please note that all dates listed are subject to change.

Sincerely,

Melissa Sartorius, AICP, Senior Planner  
SEPA Responsible Official  
City of Monroe

**THE ADVENTURE  
STARTS HERE!**

City of Monroe  
806 West Main Street, Monroe, WA 98272  
Phone (360) 794-7400 Fax (360) 794-4007  
[www.monroewa.gov](http://www.monroewa.gov)



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East Monroe Comprehensive Plan Amendment  
and Rezone*

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*With Assistance From:*





# Fact Sheet

## NAME OF PROPOSAL

East Monroe Comprehensive Plan Amendment and Rezone

## PROPOSAL LOCATION

The Proposed Action of a Comprehensive Plan amendment and rezone is for five parcels of land within the eastern portion of the City of Monroe in Snohomish County, Washington. The 42.81 acre site is located along the north side of State Route 2 near the eastern city limits and within Sections 5 and 6, Township 27N, Range 07E, W.M. The five parcels coincide with Snohomish County Assessor's Office parcel numbers: 270706-001-025-00 (Parcel A), 270705-002-061-00 (Parcel B), 270705-002-062-00 (Parcel C), 270705-002-063-00 (Parcel D), and 270705-002-064-00 (Parcel E). The proposal has been modified from the previous six-parcel rezone application (received by the City on July 23, 2010) and environmental analyses in 2012 by eliminating the adjacent parcel east of the current proposal (Lot F).

## PROPOSED ACTION

The Proposed Action is an Amendment to the City of Monroe Comprehensive Plan and Rezone of the subject property from the current designation Limited Open Space (LOS) to General Commercial (GC). The property is entirely within the established Urban Growth Area and located along SR-2, a highway of statewide significance that is critical to the statewide transportation network. SR-2 is one of only three roadways providing year-round access between Eastern and Western Washington. As such, rezone to a classification that allows for commercial and sundry uses, will help maintain and enhance critical areas and supports a balance between development and protection of the environment. These objectives are consistent with the goals and objectives of Growth Management Act Planning. Existing conditions of the subject property have been documented and three alternatives have been considered.

- **Alternative 1: No Action - Retain Limited Open Space Zoning**  
The No Action Alternative presents a potential development scenario that considers collective development of five parcels under the current LOS land use and zoning designation.
- **Alternative 2: Rezone to General Commercial (Proposed Action)**  
Alternative 2 contemplates collective development of the five parcels as allowed under GC land use and zoning designation as allowed under the Monroe Municipal Code. Alternative 2 is the Proposed Action of this FEIS.
- **Alternative 3: Rezone to Mixed Use Commercial**  
Alternative 3 contemplates development of the property under a Comprehensive Plan designation of Mixed Use (MU) and zoning designation of Mixed Use Commercial (MUC) under allowable uses put forth in Monroe Municipal Code.

## ACTION SPONSOR

Heritage Baptist Fellowship  
P.O. Box 1090  
Monroe, WA 98272

## LEAD AGENCY

City of Monroe  
806 W. Main Street  
Monroe, WA 98272  
360.794.7400

## CITY OF MONROE RESPONSIBLE OFFICIAL

Melissa Sartorius, AICP, Senior Planner

## FEIS CONTACT PERSON

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## CITY OF MONROE APPROVALS REQUIRED

- Adoption of ordinance amending comprehensive plan land use designation.
- Adoption of ordinance rezoning property.
- Any future development and capital improvement projects will be subject to additional environmental review and required to obtain all necessary permits.

## AUTHORS AND CONTRIBUTORS

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Brad Lincoln, P.E.

GeoEngineers

Debra Overbay, P.E.

## DATE OF ISSUANCE OF FINAL ENVIRONMENTAL IMPACT (FEIS)

Expected on September 27, 2013

## NEXT ACTIONS

Following publication of the FEIS, the City of Monroe Planning Commission will hold a public hearing on the Comprehensive Plan amendments on October 28th, 2013. The Planning Commission will then forward a recommendation on the amendments to the City Council in November. Final action on the amendments is scheduled for December 17, 2013. Please note that all dates listed are subject to change.

## APPEAL

Any agency or person may appeal the adequacy of a Final Environmental Impact Statement (FEIS), within 15 working days of issuance by filing an appeal in conformance with MMC 21.60.010. The appeal shall be filed on forms provided by the SEPA responsible official and must be filed in original form. The appeal shall set forth the specific reason, rationale, and/or basis for the appeal. Payment of the appeal fee, as specified in the city's current Fee Resolution, shall occur at the time the appeal is filed. Appeal of the FEIS may be filed no later than Friday, October 18, 2013 at 5:00 pm.

## SUBSEQUENT ENVIRONMENTAL REVIEW

Additional environmental review will be required at the time that specific proposals are made for development of the property and applications for permits are made. No dates are known or committed at this time.

## LOCATION OF BACKGROUND MATERIAL

Materials such as the Monroe City Code, planning documents, and historical information pertaining to the site incorporated by reference herein are available for review at the City of Monroe at 806 W Main Street in Monroe, WA. Additionally, the public can find information on the City and this project on the City's website:

<http://www.monroewa.gov/eastmonroe>

## AVAILABILITY OF FEIS AND APPENDICES

The complete East Monroe Comprehensive Plan Amendment and Rezone Final Environmental Impact Statement (FEIS) and Appendices can be downloaded from the project website:

[www.monroewa.gov/eastmonroe](http://www.monroewa.gov/eastmonroe)

Copies of these documents are also available for public review at the following locations:

Monroe City Hall  
806 West Main Street  
Monroe, WA 98272

Monroe Library  
1070 Village Way  
Monroe, WA 98272

Copies on CD-ROM are also available for purchase for \$5 from the City of Monroe at 806 West Main Street, Monroe, WA 98272. Printed copies can be acquired for the cost of reproduction by the City at \$50.00 per copy.

If you have special accommodation needs, please contact the City of Monroe at (360)-794-7400.





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## **Distribution List**

### City of Monroe

#### Elected Officials

##### Mayor

Robert G. Zimmerman

##### City Council

Ed Davis

Jason Gamble

Jim Kamp

Kevin Hanford

Kurt Goering

Patsy Cudaback

Tom Williams

##### Planning Commission

Bill Kristiansen

Bridgette Tuttle

Dave Demarest

Dian Duerksen

Jeff Sherwood

Steve Jensen

Wayne Rodland

#### City Administrator

Deputy City Clerk

Economic Development Manager

Finance Director

Operations & Maintenance Manager

Parks & Recreation Director

Planning & Permitting Manager

Police Chief

### Other Agencies

#### Local

French Slough Flood Control District

Snohomish County Fire Protection District #3

Snohomish County Parks & Recreation

Snohomish County Planning & Development Services

Snohomish County Traffic Operations

Snohomish Health District

Sno-Isle Library District (Monroe Branch)

Valley General Hospital

#### State

Department of Archeology & Historic Preservation

Department of Commerce

Department of Ecology & SEPA Register

Department of Fish & Wildlife

Department of Natural Resources

Department of Transportation

Parks & Recreation Commission

Puget Sound Clean Air Agency

Tribal

Tulalip Tribes

Federal

Federal Emergency Management Agency, Region X  
National Marine Fisheries Service - NOAA  
U.S. Army Corps of Engineers  
U.S. Environmental Protection Agency, Region X

Utilities

Comcast  
Frontier Communications  
Puget Sound Energy  
Republic Services  
Snohomish County PUD #1  
Waste Management

Media

City of Monroe Website  
Monroe Monitor

Schools

Monroe School District #3  
Snohomish School District

Other Groups

Heritage Baptist Fellowship  
Burlington Northern Santa Fe Railroad  
Fallgatter Law Group  
Futurewise & Pilchuck Audubon Society  
Mead Gilman & Associates Professional Land Surveying  
ESA Adolfson  
Remington Heights Homeowners Association  
PACE Engineers, Inc.

Individuals (see attached)

Acronyms

ALS	Advanced Life Support
BMP	Best Management Practices
CPA	Comprehensive Plan Amendment
DOE	Department of Ecology
DOH	Department of Health
DPEIS	Draft Phased Environmental Impact Statement
EIS	Environmental Impact Statement
EPA	Environmental Protecting Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FPEIS	Final Phased Environmental Impact Statement
GC	General Commercial Zoning Designation
GIS	Geographic Information Systems
GLA	Gross Leasable Area
GMA	Growth Management Act
LID	Low Impact Development
LOS	Limited Open Space Zoning Designation
LoS	Level of Service
MMC	Monroe Municipal Code
MUC	Mixed Use Commercial Zoning Designation
NFIP	National Flood Insurance Program
NMFS	National Marine Fisheries Service
NPDES	National Pollution Discharge Elimination System
OHWM	Ordinary High Water Mark
OFM	State Office of Financial Management
PGIS	Pollution-Generating Impervious Surfaces
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
TESC	Temporary Erosion and Sediment Control
UGA	Urban Growth Area
USFWS	United States Department of Fish and Wildlife
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WDNR	Washington Department of Natural Resources
WHPA	Wellhead Protection Area
WSDOT	Washington State Department of Transportation



## INTRODUCTION

This document represents the Final Environmental Impact Statement (FEIS) for the proposed East Monroe Comprehensive Plan Amendment and Property Rezone. Public comment was important in creating an informational, scientific, and comprehensive document. Anticipating considerable public interest in the non-project action proposal, steps were taken to ensure that the public had ample opportunity to be informed as much and as early as possible.

The Draft Environmental Impact Statement (DEIS) was issued on August 13, 2013 and introduced to the City of Monroe Planning Commission on August 26, 2013. A Public Hearing was held on September 5th, 2013, where public testimony on the DEIS was accepted. The DEIS was discussed further by the Planning Commission on September 9, 2013 where City staff and consultants provided a summary of the comments received at the public hearing.

Written comments on the DEIS were received until 5:00 p.m. on September 13, 2013. There were a total of 16 written comment letters and 6 public testimony oral comments raising concern, or requests for clarification of the DEIS. The 19 commenters included 15 individuals and four agency comment letters. Agency comments were from the Washington State Department of Transportation (WSDOT), Washington State Department of Ecology (DOE), Tulalip Tribes Natural Resources, and Snohomish County. A matrix of all comments received and responses as well as all comment letters and a transcription of public testimony are included in Volume 1 of the FEIS.

Substantive comments resulted in several changes that are included in this FEIS. The following key changes resulted from the comments received:

- Existing site conditions have been clarified to demonstrate land use designation, current property use (vacant and unimproved), and location within the Urban Growth Area.
- Alternative 1 acknowledges a range of potential development activities that could occur under existing zoning.
- Site access and traffic impacts have been analyzed in relation to a potential improvements to SR-2 (including a roundabout analysis).
- The purpose of, and regulations for, compensatory flood storage as a flood management tool has been clarified in relation to NFIP regulations put forth in 44CFR 60.3(d).
- The FEIS clarifies that no work or ground disturbance is contemplated within the designated boundaries of streams and wetlands.

The resulting FEIS surpasses SEPA requirements for a non-project EIS and demonstrates potential mitigation measures that are likely to be associated with development of the subject property, when and if that occurs.

## 1. Summary

The subject property is located near the eastern boundary of the City of Monroe on the north side of State Route 2 and consists of five parcels totaling 42.8 acres currently zoned Limited Open Space. Critical areas and environmental regulations have significantly impacted the site and resulted in evaluation of the environmental impacts associated with the proposed comprehensive plan amendment and property rezone under that assumption that approximately 75% of the total site is undevelopable or designated for protection as critical areas and buffers. Despite multiple land use action proposals and acknowledging the constraints detailed herein, the applicant is still searching for the highest and best use for the property.

In its current state, the property is of low ecological value (see Appendix D for more detail regarding ecological value and function). This 2013 Final Environmental Impact Statement (FEIS) examines how best to achieve a balance between protection of the environment and development of the property in accordance with the goals and objectives of statewide planning under the Growth Management Act and the City of Monroe's community vision as outlined in the City's Comprehensive Plan. Inventory and documentation of existing site conditions confirm and identify numerous critical areas (steep slopes, streams, shorelines, wetlands and floodplains), although the majority of these features are low functioning and provide little ecological value in their current state. Rezone and future development of the property for commercial use presents a unique opportunity for restoring ecological functions and enhancing critical areas to benefit the environment and community.

The proposed Comprehensive Plan Amendment and property rezone is a "Non-Project Action" under SEPA. However, consideration of potential future development under the proposed zoning designation is required for a complete evaluation under City of Monroe requirements and SEPA regulations. Although three potential development concepts have been considered, no specific development proposal is known or under application at this time. Future development concepts are speculative and this FEIS only anticipates what could be proposed. Any application for a project action will be required to demonstrate that work in critical areas complies with Monroe Municipal Code (MMC) requirements. It is incumbent on the applicant to demonstrate compliance with the standards in the MMC, and all other local, state, and federal regulations at the time of application for development.

The result of this FEIS is identification of a range of opportunities for the site that go beyond environmental protection to enhance the value and function of critical areas and augment and improve habitat. As demonstrated herein, this can be achieved while allowing for land use activities that are appropriate to the site location along a major state highway. This type of balance meets key objectives of the Growth Management Act and local planning by concentrating urban activities within an established Urban Growth Area. The FEIS also recognizes the site as having potential to respond to the limited amount of undeveloped commercial property in the area and addressing market demand for land.

Two key features of the site present challenges in terms of arriving at a sound development proposal. These features are the stream/ slough from the Skykomish River that bisects the property and the steep slopes north of the stream that lead to residential properties on the bluff above the site. In addition, one Class II and two Class III wetlands have been identified on the site. Under any land use or zoning designation, collective development of the five subject parcels provides opportunity for a comprehensive mitigation strategy for the multiple environmental constraints identified.

An amendment of the City of Monroe Comprehensive Plan to allow for rezone of the property provides property owners with the opportunity for a complete solution to environmental challenges and makes development of the site in accordance with current codes economically

feasible. A successful development proposal will avoid impacts to steep slopes and erosion of the north bank of the stream by retaining the wooded steep slope north of the stream in its natural state while enhancing critical areas and providing on-site flood management south of the stream. The combined development and environmental enhancement strategy discussed herein demonstrates that development and protection of critical resources are not mutually exclusive endeavors. The proposed land use and zoning change represents a desire to develop the site while preserving and enhancing critical areas. This FEIS demonstrates how a site of limited current value could become a model example of successful commercial development accomplished in tandem with environmental protection and flood management.

### History

An application for amending the Comprehensive Plan and rezoning certain properties in East Monroe from their current designation of Limited Open Space to Commercial was received by the City on July 23, 2010. This application included the properties addressed herein (Parcels A through E, Figure 2), together with an adjacent parcel to the east (identified as Parcel F in 2012 FPEIS but excluded from this proposal). The original application resulted in a Draft Phased Environmental Impact Statement (DPEIS) issued by the City of Monroe on February 29, 2012. Numerous comments were received on the DPEIS and addressed in the April 23, 2012 Final Phased EIS (FPEIS). An open record hearing was held on the FPEIS on July 19, 2012 and the Monroe Hearing Examiner concluded that the FPEIS was inadequate as a matter of law. In summary, although the proposal is a non-project action, additional detail and analyses of potential impacts was determined necessary to aid the decision making process of amending the Comprehensive Plan and approving the rezone.

Review of the 2012 DPEIS, FPEIS, and supporting documentation confirmed that while significant documentation exists for most of the original proposal, the easternmost parcel had not been studied to the same level of detail as the other five parcels included in this FEIS. After consideration of the Hearing Examiner decision, a choice was made to revise (reduce) the proposal to exclude the easternmost parcel, (formerly known as Lot F), and expand on 2012 environmental documentation with a comprehensive analysis of potential impacts associated with development of Parcels A through E under the requested General Commercial (GC) zoning designation. Although additional environmental analyses will be required at the time of actual development in accordance with City of Monroe development regulations and procedures, the objective of this FEIS is to provide an in-depth evaluation and establish a baseline for determining the range of potential impacts and mitigation strategies associated with development of the property. In doing so, the applicant demonstrates conceptual development scenarios that are consistent with local, state and federal regulations.

A team of consultants was formed to perform the necessary analyses and expand on previous work in accordance with the requirements of the State Environmental Policy Act (SEPA) and the SEPA Rules put forth in WAC 197-11. This 2013 Final Environmental Impact Statement (FEIS) has been prepared by PACE Engineers, Inc. and sub-consultants specializing in wetlands and surface water, traffic, and geotechnical evaluations. It is based on current analyses and best available science but benefits from information previously assembled and comments received on the 2012 DPEIS. This 2013 FEIS also considers Conclusions of Law put forth in the Hearing Examiners Decision dated August 8, 2012. The primary purpose of this 2013 FEIS, however, is to present a comprehensive analysis of potential environmental impacts, mitigation measures, and significant unavoidable impacts that would likely be associated with development of the property under the conceptual development scenarios put forth herein.

### 1.1 OVERVIEW OF THE PROPOSED ACTION

The Proposed Action affects a group of five parcels encumbered by critical areas, buffers, and steep slopes. Although challenging, the subject property presents opportunity for

enhancement and development allowed under General Commercial land use and zoning designations put forth by the City of Monroe. Development of the site will exemplify the benefits of mitigation under current code requirements, widely accepted best available science and no net loss standards.

Of the three alternatives evaluated, the Proposed Action is identified as Alternative 2 - an amendment to the City of Monroe's Comprehensive Plan changing the land use designation and allowing for rezone of the property from Limited Open Space (LOS) to General Commercial (GC). This change results in an expanded range of allowable uses under the City of Monroe Municipal Code and provides for highest and best use of the property.

To provide a comprehensive analysis and demonstrate that the subject property is appropriate for commercial development, conceptual site plans have been developed with full consideration of site opportunities and constraints. The Proposed Action (Alternative 2) considers a mixture of commercial activity including a larger scale retail store and smaller supporting businesses. The conceptual site plan for Alternative 2 includes assumptions regarding onsite infrastructure requirements as well as buffers and mitigation areas consistent with the MMC. It is understood, however, that the conceptual plan does not represent or replace the complete development plans that will be required of any future development proposals. It is incumbent on the applicants for any future development proposals to demonstrate compliance with the Monroe Municipal Code and all other local, state, and federal regulations at the time of application for development.

#### Existing Conditions

As noted throughout this FEIS, the subject property is undeveloped, vacant and host to an array of environmental challenges that warrant consideration to evaluate methods of avoidance, protection, and/or enhancement. The site is located approximately one-quarter mile east of and entirely within the Urban Growth Area Boundary established for the City of Monroe. It is undeveloped and has remained vacant for a number of years.

The site's physical character is derived from its location between a steep hillside to the north and SR-2 to the south. Just south of the highway are the Burlington Northern/ Santa Fe Railroad tracks and the Skykomish River. An oxbow stream from the River flows through culverts under SR-2 and BNSFRR tracks and bisects the site. Shoreline, stream, and wetland areas require significant buffers and the location of much of the site in floodplain requires provision of compensatory flood storage to off-set placement of fill. Native Growth Protection Area (NGPA) and Urban Conservancy (UC) shoreline designation exist across portions of the property, as detailed in Section 3 and the Appendices to this FEIS. However as documented the Critical Areas Study and Habitat Plan provided in Appendix D, in terms of hydrology, water quality, and wildlife habitat, existing streams and wetlands are currently of low to moderate functional value. The environmental analyses put forth herein indicates that with wetland preservation and enhancement, the site can support commercial development as well as create a thriving NGPA and habitat area that is aesthetically pleasing to the community and beneficial to the environment.

Work within the NGPA is subject to approval by the City of Monroe in accordance with the MMC. Work would be accomplished in accordance with the intent, purpose and management policies for the Urban Conservancy designation as expressed in the City of Monroe's 2008 Shoreline Master Program. Invasive and nuisance vegetation currently limits habitat value adjacent to the south side of the stream and will be replaced with well-thought planting of native species to enhance critical areas and habitat and screen the proposed development from neighboring properties. Grading and enhancement in setbacks and buffers will comply with local, state and federal requirements to provide a pristine environment that is protected from unwanted disturbance with fencing and signs. Proposed buildings and parking will be

outside of required buffers as required by code, allowing enhanced wetland and buffer areas to grow and mature without human interference. As explained in this FEIS, commercial development on the site can be accomplished to support a balance between both development and environmental protection. The proposed Comprehensive Plan amendment is likely to encourage development, allow for more jobs in the community and generate City tax revenue. In regards to wildlife, more birds and fish will be inclined to migrate to this area for its functionality and safer and more habitable wetland environment.

## 1.2 OBJECTIVES OF PROPOSED ACTION

The following objectives presented for the Proposed Action are examples and in no way represent requirements by the City or any private party.

- Obtain a property rezone to allow for future site development consistent with the City of Monroe's Comprehensive Plan and Municipal Code in accordance with the Growth Management Act.
- Comply with the goals, policies, and objectives of the City of Monroe's Comprehensive Plan and Municipal Code, including the following vision statement from the City's Comprehensive Plan:

"Monroe is a community in transition, changing from a small rural town into a city of regional significance with sustained population and economic growth. As the city accommodates more people and employment opportunities within the city and urban growth area (UGA), the Monroe of tomorrow will be a higher density city than the Monroe of today. To maintain the character of the community, the city must take advantage of growth as a tool to reshape the community into a more sustainable form" (ES-5).
- Respond to demand for, and lack of, undeveloped commercial property along the SR-2 transportation corridor
- Support and encourage regional and local economic development
- Encourage a mixture of land uses, including varying sizes of retail, restaurants, and open space
- Protect sensitive areas to the north of the stream/slough, while providing opportunities for coordinated mitigation and enhancement of impacted areas
- Promote businesses that offer goods and services to current and future City residents and the traveling public
- Provide for coordinated land use and transportation improvements
- Provide for continued access and mobility in the project area
- Provide a streamlined SEPA review process for future project-level development proposals, consistent with the findings of this FEIS

## 1.3 PROPOSAL LOCATION

Figure 1 shows the general location and vicinity of the project. Figure 2 provides more detail on the project area and parcel boundaries.

The proposal occurs on 42.81 acres of land near the eastern boundary of the City of Monroe in Snohomish County, Washington. The site is located along the north side of State Route 2 and within Sections 5 and 6, Township 27N, Range 07E, W.M. The proposal includes a land use designation change and rezone of five parcels of land that are under single ownership and

within the designated Urban Growth Area. The proposal has been modified from a previous six-parcel rezone application by eliminating the adjacent parcel east of the current proposal (previously identified as Lot F).

Table 1 provides detailed information on the five parcels (Parcels A through E) that constitute the proposed action. For unknown reasons, the area of Parcel C is not recorded in the Snohomish County Assessor’s database and was therefore estimated by using Snohomish County’s parcel line database in GIS format.

**Table 1: Project Area Parcels**

FEIS Lot Designation	Assessor’s Parcel Number*	Gross Size* (acres)
A	27070600102500	15.73
B	27070500206100	5.01
C	27070500206200	5.20
D	27070500206300	6.85
E	27070500206400	10.02
TOTAL		42.81

Source\*: Snohomish County Assessor’s Office online property database.

**Figure 1: Vicinity Map**



**Figure 2: Project Area and Parcels**

August 2011 Bing Aerial Imagery



#### 1.4 ALTERNATIVES CONSIDERED

No specific plan for development of the property has been identified or is known at this time. Review of previous environmental analyses, comments, responses and findings indicated that more detail was required for a complete evaluation of the proposal. Although this FEIS is for the non-project action of a Comprehensive Plan amendment and rezone, three land use and zoning alternatives are presented with conceptual development scenarios to demonstrate a range of potential impacts and avoidance mitigation and enhancement measures. Each alternative considers a different zoning classification and the associated types of permitted land use activities. Future development scenarios are speculative and this FEIS only anticipates what could be proposed. Any application for a project action will be required to demonstrate that work in critical areas complies with Monroe Municipal Code (MMC) requirements. It is incumbent upon the applicant to demonstrate compliance with the standards in the MMC, and all other local, state, and federal regulations at the time of application for development.

All of the alternatives are conceptual in nature and intended only to show possible development scenarios. The purpose of the alternative scenarios is to show development potential and identify the scope and range of likely mitigation strategies to avoid, reduce and/or mitigate impacts to the environment and community. Developable area and conceptual development alternatives are presented at a planning level and based on the Monroe Municipal Code, other regulatory requirements, recent site reconnaissance including wetland and shoreline mapping, and anticipated setback requirements.

The actions proposed under each alternative represents a reasonable level of development under current code but not established maximum building size, use or density. Although buffer averaging and offsite mitigation could increase the developable area and building sizes, the alternatives presented herein are based on achieving onsite mitigation. Given the opportunities and constraints on the property, the developable area of Parcels A through E is estimated at 25% of the total site or approximately 11.33 acres.

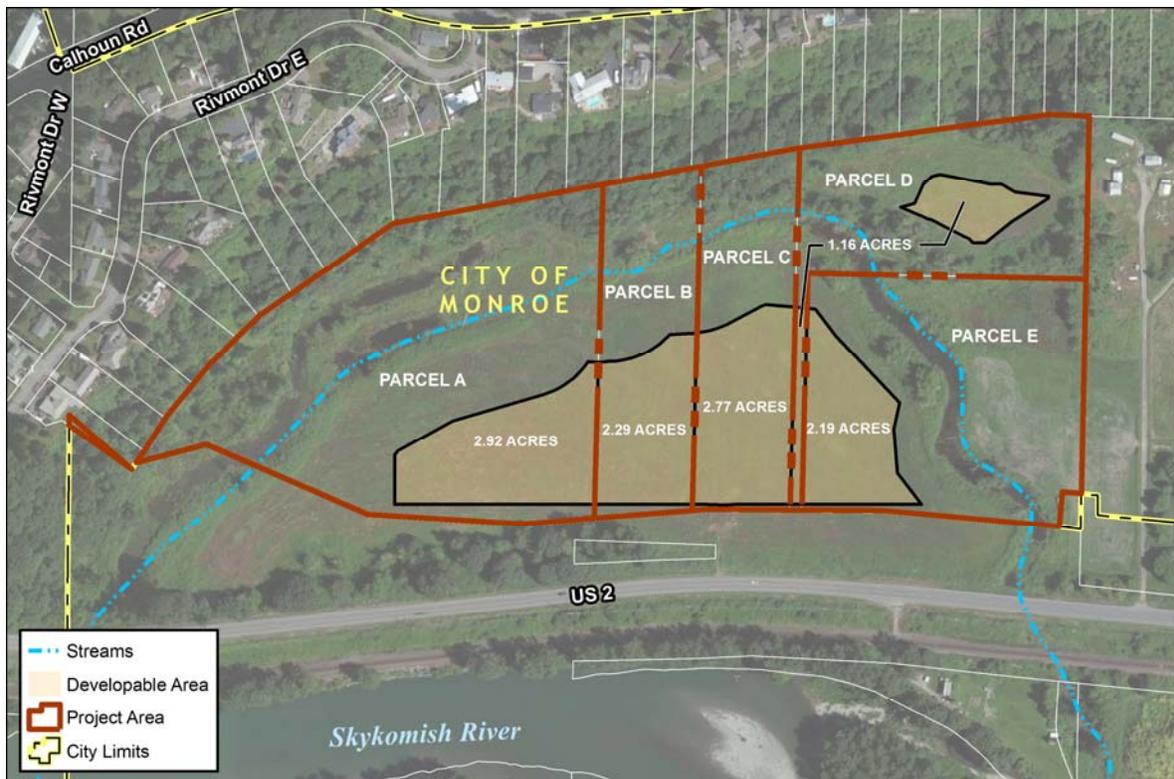
**Table 2: Estimated Developable Area**

FEIS Lot Designation	Approximate Size (Acres)	
	Gross Size* (acres)	Developable Area (acres)**
A	15.73	2.92
B	5.01	2.29
C	5.20	2.77
D	6.85	1.16
E	10.02	2.19
<b>TOTAL</b>	<b>42.81</b>	<b>11.33</b>

Notes  
 \* Snohomish County, 2012  
 \*\* Developable area is estimated at a planning level based on LIDAR topographic data, site reconnaissance to identify and evaluate critical areas and various City of Monroe planning documents. Verification of shoreline areas, wetland boundaries, easements and topography is required as part of any actual development proposal.

**Figure 3: Estimated Developable Area**

August 2011 Bing Aerial Imagery



#### 1.4.1 ALTERNATIVE 1: NO ACTION - RETAIN LIMITED OPEN SPACE ZONING

This alternative is based on retaining the existing Limited Open Space (LOS) Comprehensive Plan designation and future development under zoning as is. For this proposal, “no action” does not indicate that no development will occur, but only that no changes to the zoning designation will be made and that the property will be developed as permitted by the City of Monroe Municipal Code. At a minimum level of development, one dwelling unit per five acres is currently allowed. However, to evaluate the full range of potential impacts associated with development under LOS, Alternative 1 includes a mixture of fitness club, day care facility and church activities. Alternative 1 is conceptually shown on Figure 4.

#### 1.4.2 ALTERNATIVE 2: REZONE TO GENERAL COMMERCIAL (PROPOSED ACTION)

Alternative 2 represents the Proposed Action and is for an amendment to the City of Monroe Comprehensive Plan changing the land use designation to allow for rezone of the property. The current land use designation and corresponding zoning classification is Limited Open Space, (LOS) and the applicants desire a land use designation and zoning classification of General Commercial (GC). If approved by the Monroe City Council, the Proposed Action will allow for development that is considered more intensive. For the purpose of this EIS, Alternative 2 proposes a mixture of commercial development, including retail and restaurant development and is conceptually shown on Figure 5.

#### 1.4.3 ALTERNATIVE 3: REZONE TO MIXED USE COMMERCIAL

Alternative 3 also considers an amendment to the City of Monroe Comprehensive Plan to change the land use designation from LOS to Mixed Use and a rezone from LOS to Mixed Use Commercial (MUC). The purpose of this alternative is to evaluate other zoning options and different permitted land uses than those considered in Alternatives 1 and 2. The mixed use designation allows for many of the same land uses as Alternative 2 and permits residential development in addition to other retail and commercial uses. For this analysis, Alternative 3 includes a mixture of commercial, office and residential development and is conceptually shown on Figure 6.

### 1.5 SUMMARY OF POTENTIAL ENVIRONMENTAL IMPACTS

Environmental impacts were identified based on potential land use scenarios designed to illustrate characteristics of development under the three alternatives considered. Development of the property under any of the alternatives, including the “no action” concept included as Alternative 1, has the potential to create environmental and socio-economic impacts at the time of development. Table 3 contains a summary of the environmental impacts analyzed in Section 3 and detailed in the technical reports and supporting documentation contained in the Appendices put forth in Volume II of this FEIS.

### 1.6 MITIGATION MEASURES

Mitigation measures are recommended actions to reduce, avoid or offset the potential adverse consequences of development activities. A primary objective of mitigation is to minimize undesirable impacts. The mitigation measures discussed herein are proposed to avoid or alleviate potential impacts and demonstrate how mitigation can enhance and have positive impacts on the site and community. All costs associated with development of the site including but not limited to implementation of the mitigation measures suggested herein will be the sole responsibility of the owner/developer.

Element specific avoidance and mitigation measures and unavoidable impacts are summarized in Table 3. Detailed environmental analyses are presented in Section 3 and cumulative impacts are discussed in Section 4. In addition, compliance with all federal, state, and local

regulations are requirements of any proposed development. Regardless of which alternative is chosen, the design must comply with an array of codes and regulations, including but not limited to:

- Federal Clean Water Act
- Federal Emergency Management Agency (FEMA) requirements
- National Marine Fisheries Service (NMFS) requirements
- Washington State Department of Ecology regulations
- Washington State Department of Health regulations
- Washington Department of Fish and Wildlife regulations
- Snohomish County Health District regulations
- WSDOT/APWA Standard Specifications
- National Flood Insurance Program (NFIP) Regulations 44 CFR 60.3 - floodplain management criteria for flood-prone areas
- City of Monroe Municipal Code (MMC)
- City of Monroe Public Works Design and Construction Standards
- City of Monroe Shoreline Master Program
- City of Monroe Comprehensive Plan 2005-2025
- City of Monroe 2009 Water System Plan and 2011 Amendments
- City of Monroe 2008 Sanitary Sewer System Plan and 2011 Amendments
- City of Monroe 2009 Stormwater System Plan and 2011 Amendments
- City of Monroe Phase 2 NPDES Permit requirements
- City of Monroe Critical Areas Ordinance.

#### **1.7 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS**

Table 3 contains a summary of the significant unavoidable adverse impacts that are detailed in Section 3 of this FEIS and could occur as a result of development actions allowed under the alternatives discussed herein.

If the mitigation measures outlined herein, the City's utility planning documents (water, sanitary sewer, and stormwater comprehensive plans), and mandated in federal, state, and local regulations are followed, permanent significant unavoidable adverse impacts are not anticipated. As noted, most of the unavoidable adverse impacts are indirect to the non-project action proposed herein and are temporary impacts associated with the construction activity.

Table 3: Impacts & Mitigation Measures

Environmental Impacts	Mitigation Measures	Significant Unavoidable Adverse Impacts
<b>Earth</b>		
<p><u>Topography &amp; Soils</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Clearing and grading within critical area setbacks and NGPA</li> <li>2. Cut and fill required to accommodate development and habitat enhancement area south of stream / slough</li> <li>3. Altered topography to promote site drainage of developed area and raise site above floodplain as needed</li> <li>4. Preservation of current quantity of on-site flood storage</li> <li>5. Indirect Impacts include clearing of vegetation including pasture, ground cover, invasive plants and noxious weeds</li> </ol> <p><u>Landslide &amp; Erosion Hazard</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. No activity will occur in steep slope area north of oxbow slough and area will remain in current natural state</li> </ol>	<p><u>Topography &amp; Soils</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Cut and fill will be engineered to enhance site drainage and habitat and result in no net loss of on-site flood storage</li> <li>2. Clearing, grading and re-vegetation for habitat management / enhancement and flood management accomplished as allowable uses (with approval) under MMC</li> <li>3. Clearing to remove invasive species and planting native vegetation to enhance graded area</li> <li>4. Excavated areas south of stream provides compensatory flood storage for flood volumes lost due to fill</li> <li>5. The shoreline designation area will be protected and stabilized by following the 2012 DOE Manual Volume II: Construction Stormwater Pollution Prevention</li> <li>6. Future development proposals will mandate that fill be placed in accordance with:               <ol style="list-style-type: none"> <li>a. Approved grading plans</li> <li>b. Approval by a geotechnical engineer for suitable soils and site preparation (pre-loading, if necessary) to ensure proper compaction and stability</li> </ol> </li> </ol> <p>Unsuitable excavated materials will be hauled to a pre-approved disposal site and suitable fill material will be imported as necessary</p> <p><u>Landslide &amp; Erosion Hazard</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Full compliance with the DOE Stormwater Management Manual for Western Washington and the Stormwater Pollution Prevention Plan to mitigate construction impacts as required under NPDES General Construction Permit administered by DOE</li> <li>2. No grading or earthwork north of the slough; the development boundary will be offset approximately 200 to 400 ft from the toe of the slope and approximately 100 to 200 ft from the stream/slough</li> <li>3. Planting graded areas will mitigate potential erosion and contribute to stabilization of south bank of slough</li> </ol>	<p><u>Topography &amp; Soils</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Temporary impacts associated with earthwork include dust, increased traffic along haul routes and noise; all mitigated by typical construction mitigation measures and best managements practices</li> <li>2. Changed topography is a permanent impact that will result from site development but will be accomplished in a manner that is aesthetically pleasing and achieves site screening, site drainage, buffer enhancement, habitat enhancement and provision of flood storage</li> </ol> <p><u>Landslide &amp; Erosion Hazard</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Temporary erosion on the south side of the stream/slough due to construction activities is expected and will be mitigated by strict adherence to code and by following federal, state and local regulations and BMPS established in permits associated with future development proposals</li> </ol>
<b>Ground Water</b>		
<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Groundwater impacts resulting from industrial/agricultural uses or future development, such as leaching of surface water runoff, animal waste, fertilizer, and pesticide residues</li> <li>2. Increased stormwater runoff due to increased impervious surface and decreased groundwater recharge</li> <li>3. Temporary construction impacts associated with subsurface construction including public and franchised utilities</li> </ol>	<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Municipal water service will be provided, eliminating the need for wells</li> <li>2. Municipal sewer service will be provided, eliminating the need for on-site sewage disposal</li> <li>3. Management of stormwater runoff rates and water quality with the use of detention, flow controls and treatment facilities and in accordance with local, state, and federal regulations</li> </ol>	<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Temporary construction impacts for installation of public water and sanitary sewage services and franchised facilities</li> </ol>
<b>Surface Water</b>		
<p><u>Stream/Slough</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Fish habitat will be modified and enhanced</li> <li>2. Loss of water quality improvement functions and/or loss of hydrologic functions</li> <li>3. Increased stormwater runoff entering the stream due to increased impervious surface</li> <li>4. Increased pollutants and/or sediment entering the stream</li> <li>5. Impacts to the functions and values of the on-site Type-1 stream</li> <li>6. Potential abutments for bridge access to northeast portion of the site</li> </ol> <p><u>Wetlands</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Wetland hydrology as well as infiltration rate and function impacts</li> <li>2. Habitat loss (primarily within the buffer areas, except field mice)</li> <li>3. Loss of water quality improvement functions, and/or loss of hydrologic functions</li> <li>4. Increase in impervious surface could increase stormwater runoff entering the wetlands</li> <li>5. Development could divert water away from the wetlands, impacting wetland hydrology and infiltration rates</li> <li>6. Potential abutments for bridge access to northeast portion of the site</li> </ol>	<p><u>Stream/Slough</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Mitigation and protection will occur in accordance with MMC and state and federal regulation. Potential measures include: building setback lines; signage and/or fencing; monitoring; and performance standards</li> <li>2. Planting and grading along south side of slough will enhance stream and habitat</li> <li>3. Follow DOE manual for flow control and water quality treatment to meet stormwater release rate and water quality standards</li> <li>4. Stream protection measures during excavation</li> <li>5. Adherence to the 2012 DOE Manual Volume II: Construction Stormwater Pollution Prevention</li> </ol> <p><u>Wetlands</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Compensation for impacts to wetland buffers is required</li> <li>2. Maintain the hydrology of on-site wetlands</li> <li>3. New NGPE tract permanently protecting critical areas</li> <li>4. Wetland/buffer enhancement and potential wetland creation and mitigation banking</li> </ol>	<p><u>Stream/Slough</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Stream mitigation though the implementation of the Critical Areas Ordinance Shoreline Plan and floodplain regulations are anticipated to result in no permanent significant adverse impacts. Stream will be enhanced.</li> </ol> <p><u>Wetlands</u>  <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Wetland mitigation though the implementation of the Critical Areas Ordinance Shoreline Plan and floodplain regulations are anticipated to result in no permanent significant adverse impacts. Wetland areas will be enhanced.</li> </ol>

Table 3: Impacts & Mitigation Measures

Environmental Impacts	Mitigation Measures	Significant Unavoidable Adverse Impacts
<p><u>Flood Hazard Area</u>  <i>All Alternatives:</i>                      1. Removal of floodplain storage in the flood zone</p>	<p>5. During construction, the 2012 DOE Manual Volume II: Construction Stormwater Pollution Prevention will be followed and a Stormwater Pollution Prevention Plan (SWPPP) will be prepared</p> <p><u>Flood Hazard Area</u>  <i>All Alternatives:</i>                      1. Providing compensatory flood storage in the NGPA adjacent to the slough                      2. Excavation of soils, grading and planting will enhance the NGPA/Shoreline setback area and potential habitat for fish and wildlife                      3. Flow control will reduce flood water impact on downstream properties                      4. Mitigation to be in accordance with NFIP/ESA</p>	<p><u>Flood Hazard Area</u>  <i>All Alternatives:</i>                      1. Site grading to accommodate compensatory storage</p>
<p><b>Plants</b></p>		
<p><i>All Alternatives:</i>                      1. Grassland/pasture will be converted to impervious surface and landscaping/open-space                      2. Removal of currently present invasive plant species such as Canarygrass and Himalayan Blackberry bushes</p>	<p><i>All Alternatives:</i>                      1. Retain native non-invasive species to the greatest extent possible                      2. Remove invasive vegetation species and/or plant additional native species                      3. New plantings will help minimize erosion, improve earth stabilization, provide screening of the development, and attract wildlife                      4. Aesthetic improvements in the wetland/NGPA areas will be maintained and enhanced with more visually pleasing and functional plants                      5. Water quality treatment will protect enhanced wetlands</p>	<p><i>All Alternatives:</i>                      1. Reduction in grassland/pasture coverage, which could limit water quality improvement and wildlife habitat and change site hydrology                      2. Benefits of new plants will not be recognized until plants are established/matured</p>
<p><b>Animals</b></p>		
<p><i>All Alternatives:</i>                      1. Habitat loss and fragmentation                      2. Habitat degradation will increase as a function of the proximity of urban development and intensity of land use                      3. Deterred animal use in the grassland/pasture portion of the site                      4. Increased habitat use (fish and bird species) in the enhanced portion of the site                      5. Habitat functions provided by maintained grasses (proposed open spaces/landscaping) are limited for medium to large mammals.                      6. Distance from habitat land to human development will be reduced</p>	<p><i>All Alternatives:</i>                      1. Designating the highest quality habitat on-site as NGPE and segregating this habitat from the proposed development activity through fencing and signage                      2. Planting native vegetation in the NGPE to increase the habitat function of the wetland, stream and buffer corridor                      3. Mitigation must be in accordance with NMFS</p>	<p><i>All Alternatives:</i>                      1. Temporary disturbance of all habitat                      2. Reduction in smaller pasture mammals</p>
<p><b>Noise</b></p>		
<p><i>All Alternatives:</i>                      1. Generation of additional noise during construction activity and hours of operation                      2. Increased traffic volumes under any of the alternatives may also contribute to increased traffic noise for residents in the vicinity of the study area                      3. Increased noise volumes due to commercial activity</p>	<p><i>All Alternatives:</i>                      1. Compliance with the Monroe Municipal Code 18.10.270 subsection E, "Noise"</p>	<p><i>All Alternatives:</i>                      1. Increased noise levels during construction                      2. Slight increases in background and traffic noise during operation</p>
<p><b>Land &amp; Shoreline Use</b></p>		
<p><u>Land Use</u>  <i>Alternative 1:</i>                      Minimal anticipated environmental impacts (increased commercial activity)  <i>Alternative 2:</i>                      Change the land use designation from LOS to GC (increased commercial activity)  <i>Alternative 3:</i>                      Change the land use designation from LOS to MU (increased commercial activity)</p> <p><u>Shoreline Use</u>  <i>All Alternatives:</i>                      Excavation, grading, and restoration and enhancement to provide compensatory flood storage, improve drainage and enhance habitat<sup>1</sup></p>	<p><u>Land Use</u>  <i>All Alternatives:</i>                      Compliance with critical area regulations, zoning regulations, and performance standards contained in the Monroe Municipal Code, and state and federal regulations</p> <p><u>Shoreline Use</u>  <i>All Alternatives:</i>                      Excavating and restoring within the Urban Conservancy shoreline environment area is planned as an enhancement of flood protection and habitat</p>	<p><u>Land Use</u>  <i>Alternative 1:</i>                      Changes in the character of the land  <i>Alternative 2:</i>                      1. Change to land use designation of GC (character of the land)                      Encourages development in previously unserved areas  <i>Alternative 3:</i>                      1. Change to land use designation of MU (character of the land)                      2. Encourages development in previously unserved areas</p> <p><u>Shoreline Use</u>  <i>All Alternatives:</i>                      No anticipated significant unavoidable adverse impacts</p>
<p><b>Aesthetics</b></p>		
<p><i>All Alternatives:</i>                      1. Aesthetic changes in the visual character of the property                      2. Increased awareness of commercial activity for motorists along US 2 and residents                      3. Conversion of current pasture fields to buildings, parking lots, and landscaped developed area</p>	<p><i>All Alternatives:</i>                      1. Enhancing wetland buffers with vegetation provides site screening                      2. Architectural treatment of structures to give development an appealing, community feel                      3. Landscape planting of visually appealing vegetation amid buildings and parking                      4. Screening of non-desirable or offensive elements                      5. Building placement and orientation</p>	<p><i>All Alternatives:</i>                      1. Visual aesthetics would change for individuals traveling along US-2 looking towards the property, and for residents in the vicinity of the study area                      2. Increased impervious surfaces                      3. Loss of grass covered pasture land                      4. Building structures to replace current pasture land</p>

Table 3: Impacts & Mitigation Measures

Environmental Impacts	Mitigation Measures	Significant Unavoidable Adverse Impacts
		5. Temporary unattractive views of property as development is constructed 6. Blockage of view of SR-2 and river for residents on north slope
<b>Light &amp; Glare</b>		
<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Final development under any alternative will likely include installation of on-site light (such as street or parking lot lights) for operation and security purposes. This lighting may cause glare and light intrusion onto US-2 or adjacent properties</li> </ol>	<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Shielding of light and glare sources, including use of landscaping and compliance with MMC Chapter 15.15 'Lighting Standards'</li> </ol>	<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Increase in glare and light spill onto adjacent properties, including SR-2</li> <li>May cause lightening of the night sky when lights are illuminated</li> </ol>
<b>Transportation</b>		
<p><i>Alternative 1:</i></p> <ol style="list-style-type: none"> <li>Potential to generate approximately 1,602 new average daily trips with 169 new PM peak-hour trips</li> <li>Slight decrease in delay at intersection of US-2 and Old Owen Road</li> </ol> <p><i>Alternative 2:</i></p> <ol style="list-style-type: none"> <li>Potential to generate approximately 5,230 average daily trips with 459 PM peak hour trips</li> <li>Slight increase in delay at intersection of US-2 and Old Owen Road</li> </ol> <p><i>Alternative 3:</i></p> <ol style="list-style-type: none"> <li>Potential to generate approximately 3,427 average daily trips with 318 PM peak hour trips</li> <li>Slight decrease in delay at intersection of US-2 and Old Owen Road</li> </ol> <p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Increased traffic will also increase potential pollutants</li> <li>Access to the site will operate at LoS C<sup>2</sup></li> <li>Slight increase in delay at intersection of US-2 and Chain Lake Road</li> </ol>	<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Construction of acceleration/deceleration lanes for US-2 at site access to enable acceptable LoS delay by decreasing LoS from F to C</li> <li>Separate outbound lanes and an outbound left-turn acceleration lane are proposed to allow the access to operate at LoS C with development of the site</li> <li>Mitigation fees</li> </ol>	<p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Additional delay at the off-site intersections</li> <li>The site access will require an inbound left-turn lane</li> </ol>
<b>Public Services</b>		
<p><u>Police</u></p> <p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Increased police call volumes</li> </ol> <p><u>Fire</u></p> <p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Increase in demand for fire services</li> <li>Domestic water and fire protection service would be required</li> </ol> <p><u>Schools</u></p> <p><i>Alternative 1 &amp; 3:</i></p> <ol style="list-style-type: none"> <li>Potential for increased student enrollment within Monroe School District's boundary</li> <li>Depending on the type of residential development, creates potential to add zero to up to as many as 60 new students</li> </ol>	<p><u>Police</u></p> <p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Tenants could fund private security to reduce demands and/or calls for service</li> <li>Adherence to Crime Prevention Through Environmental Design (CPTED) regulations and standards</li> </ol> <p><u>Fire</u></p> <p><i>All Alternatives</i></p> <ol style="list-style-type: none"> <li>New buildings would be constructed in compliance with the most recently adopted building and fire codes</li> <li>Coordination with Monroe Fire Department #3 during the final design, construction, and operation of future development</li> </ol> <p><u>Schools</u></p> <p><i>Alternative 1 &amp; 3:</i></p> <ol style="list-style-type: none"> <li>If the schools within the attendance area cannot serve the additional student population, it is likely that other schools within the vicinity of the study area could accommodate new student generation (redistricting)</li> <li>School impact fees would be determined at the time of building permit application</li> </ol>	<p><u>Police</u></p> <p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Potential for increased call volumes</li> </ol> <p><u>Fire</u></p> <p><i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>Potential for increased call volumes</li> </ol> <p><u>Schools</u></p> <p><i>Alternative 1 &amp; 3:</i></p> <ol style="list-style-type: none"> <li>Potential for new students</li> </ol>

Table 3: Impacts & Mitigation Measures

Environmental Impacts	Mitigation Measures	Significant Unavoidable Adverse Impacts
<p><b>Utilities</b></p> <p><u>Water</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Extension of public water service</li> <li>2. Potential upgrades and/or expansions to the existing transmission and distribution system, the City's Water Treatment Plant and increase in storage capacity</li> <li>3. Increased needs/demands for water resources and water service</li> <li>4. Installation of water main has potential for temporary impacts</li> </ol> <p><u>Sewer</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Increased needs/demands for sanitary sewer service</li> <li>2. Increase in demand for the City of Monroe Wastewater Collection System and Treatment Plant</li> </ol> <p><u>Stormwater</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Changes to the hydraulic regime of the stormwater flows</li> <li>2. Increase in stormwater runoff, pollutants entering the water, and sediment and erosion due to:               <ol style="list-style-type: none"> <li>a. Increases in pollution-generating impervious surfaces (PGIS)</li> <li>b. New development will also increase the non-pollution-generating impervious surfaces</li> <li>c. Slight increase in staff time to monitor future on-site systems</li> <li>d. Extension of the City's existing stormwater, water, and sanitary sewer infrastructure to the project site</li> </ol> </li> </ol>	<p><u>Water</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Analysis of the water system including a source, storage, transmission and pumping analysis to determine the size and location of proposed facilities</li> <li>2. Encourage water conservation measures</li> <li>3. Planning for potential additional water system storage</li> <li>4. System extensions would be paid for by the developing property owners in the form of connection charges</li> <li>5. Storage and transmission requirements could be mitigated by looping a new water main from the site on SR-2 to existing water system facilities located north of the site along Calhoun Road</li> <li>6. Payment of wastewater system capacity expansion fees</li> </ol> <p><u>Sewer</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Extension of sanitary sewer service will be accomplished by construction of collection and conveyance facilities from the project site to a point of connection to the existing system</li> <li>2. Payment of wastewater system capacity expansion fees</li> <li>3. Connection to the existing system eliminates impacts associated with serving the property by on-site septic systems</li> <li>4. Sewer lift station likely required to provide service</li> </ol> <p><u>Stormwater</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Construction of on-site stormwater management systems (flow control and water quality)</li> <li>2. Revenues from the monthly stormwater fees will defray the cost of increased inspection and monitoring</li> <li>3. Implementation of BMP's in a TESC plan</li> <li>4. On-site detention systems with flow control, to prevent an increase in discharge rate, will be designed specific to a proposed development for permit application</li> <li>5. An oil control device may need to be provided, depending on which alternative is selected</li> </ol>	<p><u>Water</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Increased demand on water system facilities</li> </ol> <p><u>Sewer</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Increased demand on sewer system facilities</li> </ol> <p><u>Stormwater</u> <i>All Alternatives:</i></p> <ol style="list-style-type: none"> <li>1. Increased demand on stormwater system facilities</li> </ol>
<p><b>Notes:</b> Potential impacts are considered in terms of a maximum developable area and pursuant to development requirements of the MMC and all applicable federal, state, and local regulations.</p> <p><sup>1</sup> - One of the few allowable uses within the UC designation is flood management and some shoreline stabilization techniques for modification. A copy of the matrix is included in Appendix G and demonstrates allowable uses within designated shoreline and Urban Conservancy areas.</p> <p><sup>2</sup> - The intersection operations are evaluated based on level of service (LoS), and are rated from LoS A, little/no delay, to LoS F, extreme delays.</p>		

## 2. Proposed Action and Alternatives

The three alternatives considered in this FEIS show a range of potential development options. Each alternative considers a different land use and zoning designation, with each designation allowing different types of permitted land use. Regardless of which alternative is chosen, compliance with the City of Monroe Code and critical areas ordinance is achieved through enhancement of the NGPA, wetland buffer, and stream and shoreline areas occurring on the property. This will result in no net loss of critical area, significant improvement to the value and function of currently low quality wetlands and buffers and ultimately, a more pristine and habitable wetland environment. The goal of each alternative is to show how the proposal can achieve a balance between human development and critical area protection for wildlife. All alternatives are conceptual in nature and intended only to show possible development scenarios. The purpose of the alternative scenarios is to show likely development potential and associated mitigation strategies to first avoid, then eliminate or reduce impacts to the environment and community. All alternatives are based on site reconnaissance, wetland and shoreline mapping, regulatory restrictions and anticipated buffer requirements and all alternatives include preservation of the wooded area on the northern portion of the site undisturbed and in its natural state.

The proposed Comprehensive Plan amendment and rezone is a non-project action, however, consideration of potential future development under the proposed zoning designation is required for a complete evaluation under City of Monroe requirements and SEPA regulations. Although three potential development concepts have been considered, no specific development proposal is known or under application at this time. Future development concepts are speculative and the FEIS only anticipates what could be proposed. Any application for a project action will be required to demonstrate that work in critical areas complies with Monroe Municipal Code (MMC) requirements. It is incumbent upon the applicant to demonstrate compliance with the standards in the MMC, and all other local, state, and federal regulations at the time of application for development.

### 2.1 PROPOSED ACTION

The Proposed Action is an amendment to the City of Monroe's Comprehensive Plan to change the land use designation from Limited Open Space (LOS) to General Commercial (GC) with a rezone from LOS to GC. This action is discussed in detail as Alternative 2. The City of Monroe Official 2013 Comprehensive Plan Map is provided in Appendix A.

### 2.2 EXISTING CONDITIONS

Documentation of existing conditions is an important part of the environmental impact analyses in that it establishes the baseline conditions from which development alternatives are derived. Consistent with SEPA requirements, existing conditions are discussed throughout Section 3 of the FEIS under the Affected Environment paragraphs for each element of the environment.

The existing 42.81 acre site is zoned Limited Open Space (LOS) and consists of 5 parcels of land under one ownership. As noted, it is located north of SR\_2, in east Monroe. The site was annexed into the City of Monroe 43 years ago in 1970. It is approximately one-quarter mile west of the Urban Growth Area (UGA) boundary line and is entirely within the UGA established for Snohomish County and the City of Monroe. The site is currently undeveloped and has remained vacant for a number of years. It has not been used for productive agricultural pursuits since being purchased by the current property owners, although long-time city residents recall some grazing and hay production in the past. The property is not currently served by public water and sewer service, although the area is included in the water and sewer service areas of the City of Monroe. Access is currently provided by a pullout driveway from State Route 2. Utility and transportation easements exist along the east and south property lines respectively.

The site's physical character is derived from its location between a steep hillside to the north and SR-2 to the south. Just south of the highway are the Burlington Northern/ Santa Fe Railroad tracks

and the Skykomish River. An oxbow stream from the Skykomish River bisects the site and is hydraulically connected to the Skykomish River by box culverts under SR-2 and the BNSF railroad tracks. The area north of the slough is almost all characterized by steep slopes along the north side of the property. As such it would remain undeveloped and in its current natural state under any development scenario contemplated by the property owner and this FEIS.

The slough is a Type 1 stream, a portion of which is designated as Urban Conservancy shoreline by the City of Monroe's Shoreline Master Program. The area south of the slough is relatively flat. There are three (Class II and III) wetlands associated with the stream and much of the southern portion of the site is within the 100-year floodplain elevation established by the preliminary FEMA mapping used in this environmental evaluation. Shoreline, stream, and wetland areas require significant buffers and resulted in a Native Growth Protection Area designation on a portion of the site. Details regarding these areas are provided in Section 3 and in the Critical Area Study and Habitat Conservation Report put forth in Appendix D.

### 2.3 ALTERNATIVES

The three alternatives considered are conceptual in nature. The scope and magnitude of the development alternatives, including estimated building footprint sizes and the space requirements associated with parking, landscaping and other site improvements are summarized in Table 4. The scenarios presented are only examples and in no way represent required or exact development proposals by the applicant, the City or any private party. To establish logical alternatives, assumptions were made regarding how regulatory requirements would impact developable area. Key assumptions are:

- A range of activities is possible under the current and alternative zoning designations evaluated herein. In order to fully assess potential environmental impacts, the development scenarios put forth herein may represent more intensive land use and density than is practical or desired.
- Floodplain elevations are based on Preliminary FEMA Flood Insurance Rate Maps (FIRMs), issued in 2007.
- Critical areas are based on field reconnaissance, mapping, and interpretation of the City of Monroe Municipal Code, Critical Areas regulations, Shoreline Management Program and NPDES Phase 2 Permit requirements.
- Buffer averaging and off-site wetland or floodplain mitigation have not been considered in this analysis but are not excluded from future development proposals.
- Development of the site will require coordination with, and review and approval by the Washington State Department of Transportation.
  - Ingress and egress from the site is assumed to be through one access point to SR-2 via a temporary frontage road along the southern property boundary. The proposal also acknowledges a roundabout and other WSDOT planned improvements. Permanent access to the site may change with changes to SR-2.
- Access to the northeast portion of the site could be achieved by construction of a bridge across the stream or the through a north south easement along the eastern property line.
- Development of the site will be subject to the codes, requirements and regulations at the time of permit application. The analyses and assumptions put forth herein assess the impacts, avoidance and mitigation measures but in no way replace full evaluation of any development proposal or land use action.
- Conceptual development alternatives were developed to balance parking requirements put forth in MMC 18.86.050 with building square footage to arrive at feasible scenarios that

maximize the gross leasable area in conjunction with anticipated buffers, setbacks and mitigation measures. Under-structure parking was not considered in this FEIS.

**Table 4: Alternatives Overview <sup>1</sup>**

	Alternative 1	Alternative 2 (Proposed Action)	Alternative 3
Zoning Classification	LOS	GC	MUC
Development Type	Fitness Facility, Daycare & Church	Retail & Restaurants	Professional Office, Medical Office, & Residential
Estimated Developable Area (SF)	457,380	457,380	457,380
Estimated Developable Area (AC)	11.3	11.3	11.3
<b>Building</b>			
Gross Leasable Area <sup>2</sup> (SF)	125,000	140,000	121,000
Residential (Units)	-	-	Up to 90 Units
Total Building Footprint (SF)	83,000	133,000	66,600
<b>Parking</b>			
Number of Parking Stalls	550	660	680
Parking Area (SF)	220,000	263,200	273,200
<b>Other Area (SF)</b>			
Landscaping / Open Space / Misc. <sup>3</sup>	154,380	61,180	117,580

**Notes:**

LOS = Limited Open Space; GC= General Commercial; MU= Mixed Use Commercial

<sup>1</sup> Area and sizes are planning level estimates based on potential allowances and are only an example of potential land uses under current codes. They do not represent a development plan by the applicant, the City or any private party.

<sup>2</sup> Gross Leasable Area may be achieved with multiple stories.

<sup>3</sup> Area outside of critical areas and associated buffers.

### 2.3.1 ALTERNATIVE 1: NO ACTION - RETAIN LIMITED OPEN SPACE ZONING

Alternative 1 is a “no action” alternative in that no change to the existing Comprehensive Plan or rezone is proposed. It is presented to demonstrate the likely impacts associated with collective development of the property under current LOS zoning as allowed by Monroe Municipal Code (MMC) Section 18.10.045. Although a range of activities could be developed under current zoning, a higher density potential development scenario was used to demonstrate the full range of mitigation measures required under any scenario. The constraints identified herein will require consideration and mitigation under any development proposal, although the level and extent of mitigation might be reduced for a proposal requiring less land area.

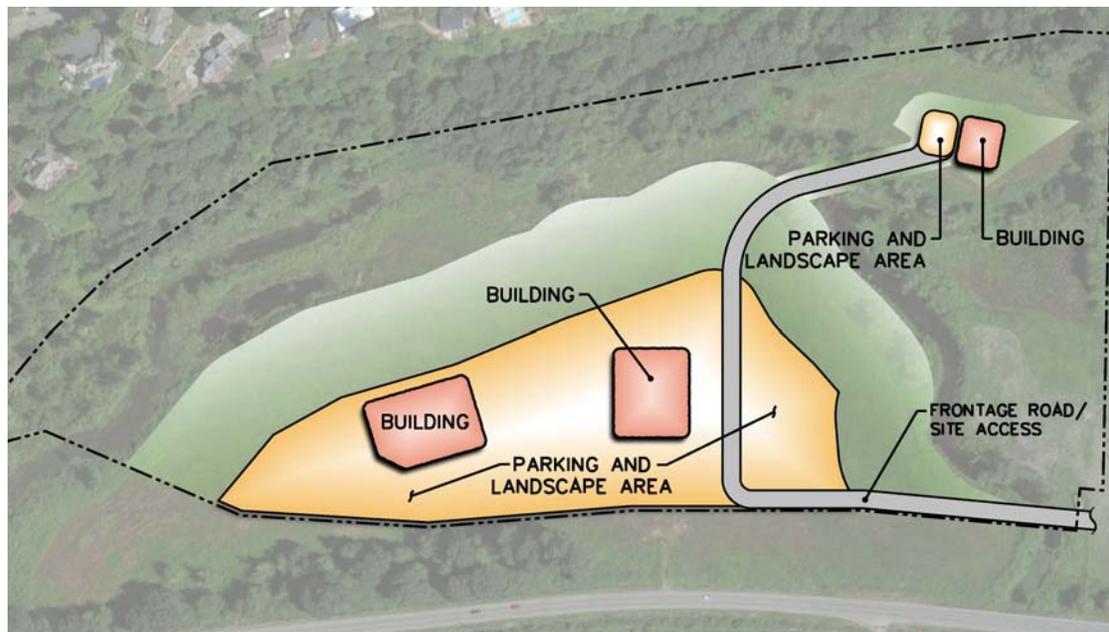
Alternative 1 as presented, shows similarity of mitigation measures that would be required under any of the development alternatives put forth in this FEIS. The current or future property owner may develop the property within the constraints for LOS zoning as outlined in the MMC, and applicable state, and federal regulations provided that all applicable permits are obtained and critical area protection is achieved. Under Alternative 1, no changes to the existing Comprehensive Plan are proposed and development could begin immediately.

The maximum development scenario evaluated under Alternative 1 includes a fitness club, daycare and church. Other uses allowable (either outright, as special or conditional permits or as essential public facilities) under the current LOS zoning are:

- Government and education facilities: fire stations and schools;
- Industrial uses: animal slaughtering/processing and/or incidental rendering, cement manufacturing, processing of sand/gravel/rock/soil; and
- Infrastructure and utility uses: electrical transmission lines, transit stations, and sewer treatment plants.

A full list of land uses comparing the LOS, GC, and MUC zoning (per MMC Section 18.10.050) is included in Appendix B. A conceptual layout of Alternative 1 is presented in Figure 4 and is based on a mixture of uses that include fitness/health club, a daycare facility, and public gathering place such as a church. These uses were identified to provide the basis for evaluating potential space, parking and setback requirements and transportation impacts.

Figure 4: Alternative 1 - Limited Open Space Conceptual Layout



### 2.3.2 ALTERNATIVE 2: REZONE TO GENERAL COMMERCIAL (PROPOSED ACTION)

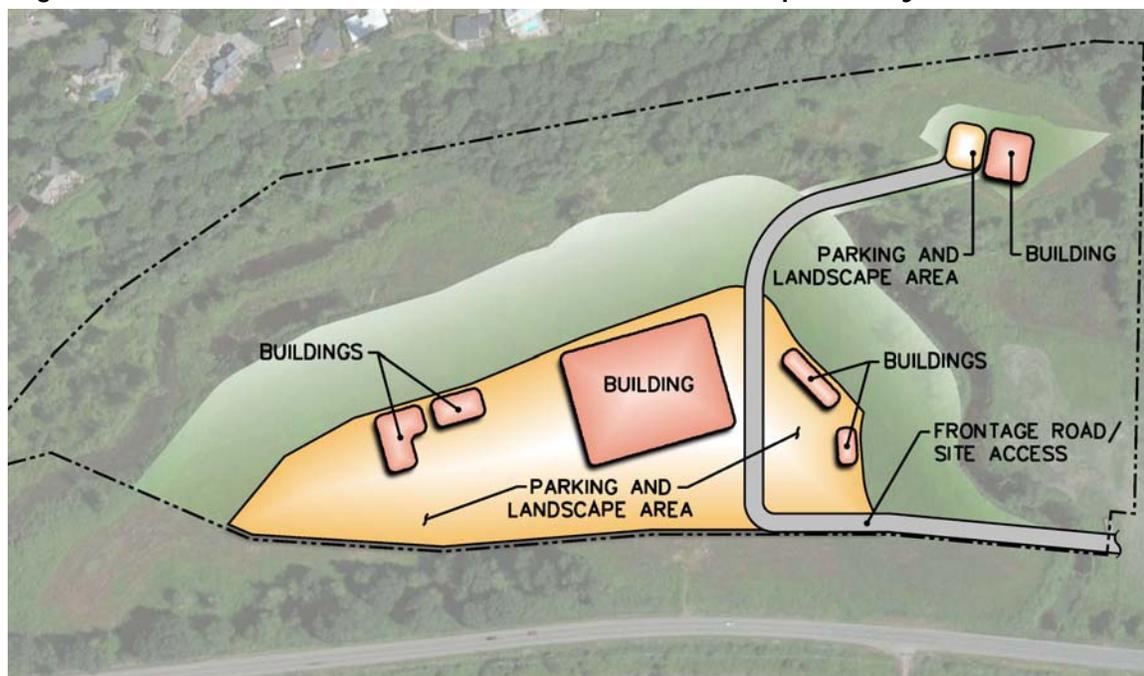
Alternative 2 is consistent with the applicant's desire to change the land use designation and zoning from LOS to General Commercial (GC) and is the Proposed Action for this FEIS. Upon approval of the required Comprehensive Plan Amendment and rezone by the Monroe City Council, a variety of commercial activities will be possible, provided development is accomplished in accordance with the City's Critical Areas Ordinance, City Plans and Policies, the MMC and all requirements of necessary permit approvals.

The Proposed Action is for commercial development is a response to a lack of limited undeveloped commercial property and support economic development within the City of Monroe. The property has valuable commercial frontage potential on SR-2 and provides the City with an opportunity to create a quality gateway presence at the eastern entrance to the City. It is consistent with the Growth Management Act (GMA) objective of directing greater density and higher uses to properties within the established Urban Growth Area (UGA). It supports the GMA mandate for provision of an urban level of service to areas within the UGA. Also consistent with GMA objectives, Alternative 2 balances development with environmental protection through conservation, preservation and enhancement of critical areas. The site has valuable potential to enhance critical areas and support local flood management systems. Site grading, strategic plantings and enhanced drainage facilities will ensure no net loss of wetlands and improve wetland with a low to moderate value rating up to systems with higher function and value ratings, as discussed in Appendix D.

Alternative 2 is conceptually shown in Figure 5 and could include design features to enhance the community feel of the development, contribute to the greater good of the City, and promote economic development. Examples of potential design features are landscaping and screening with appropriate plant species, trails, enhanced wetland and shoreline buffers, and hardscape features, such as seating, planters and public art.

Alternative 2 contemplates a high-volume or discount store accompanied by other sundry establishments common to this type of development, such as a delicatessen, specialty service shops, convenience store, coffee shops, etc.

Figure 5: Alternative 2 - General Commercial Conceptual Layout



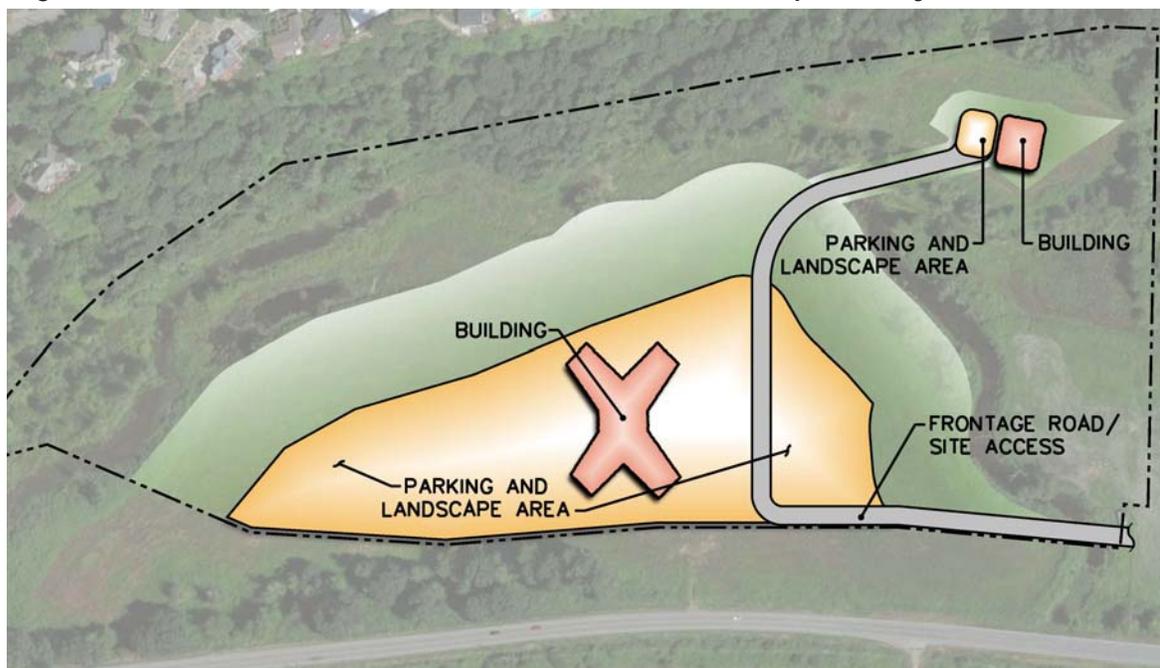
### 2.3.3 ALTERNATIVE 3: REZONE TO MIXED USE COMMERCIAL

Alternative 3 includes an amendment to the City of Monroe Comprehensive Plan changing the land use designation to Mixed Use (MU) and a rezone to Mixed Use Commercial (MUC). The Mixed Use alternative was chosen to respond to the lack of undeveloped commercial land in the SR-2 corridor, promote economic development and determine the range of impacts and mitigation measures that would be associated with mixed use development.

Consideration of Alternative 3 helps identify the highest and best use of the property, shows that other zoning options are available and analyzes an expanded range of activities and uses. MU allows for many of the same land uses as those contemplated in Alternatives 1 and 2 but allows for residential, professional office, medical clinics, and other retail and commercial uses. Similar design features as listed for Alternative 2 can be implemented for Alternative 3 to enhance the community feel of the development, contribute to the greater good of the City, and allow for development..

Figure 6 shows a conceptual configuration of mixed uses to illustrate the potential character of development. This alternative contemplates retail, restaurants, commercial, and service uses and considers the potential for professional office space, medical clinics, and multi-family residential uses. The northeast portion of the site proposes a multiple story mixed use building with offices and services on the first floor and multi-family residential units above.

Figure 6: Alternative 3 Mixed Use Commercial Conceptual Layout



## **2.4 PLANNING REQUIREMENTS**

This FEIS has been prepared to reflect appropriate community growth as planned for in the state Growth Management Act. It also considers local planning and regulatory requirements including but not limited to those outlined in the following paragraphs.

### **2.4.1 GROWTH MANAGEMENT ACT**

The Washington State Growth Management Act (GMA) was adopted because the Washington State Legislature found that uncoordinated and unplanned growth posed a threat to the environment, sustainable economic development and the quality of life in Washington. The GMA (WAC 197-11-158 and RCW 36.70A) requires state and local governments to manage Washington's growth by identifying and protecting critical areas and natural resource lands, designating urban growth areas, preparing comprehensive plans and implementing them through capital investments and development regulations.

The GMA established state goals, set deadlines for compliance, offered direction on how to prepare local comprehensive plans and regulations and set forth requirements for early and continuous public participation. Within the framework provided by the mandates of the GMA, local governments have many choices regarding the specific content of comprehensive plans and implementing development regulations.

The City of Monroe is subject to GMA planning for Snohomish County and the establishment of an Urban Growth Area (UGA) Boundary. The Proposed Action occurs entirely within the Monroe city limits and UGA. As such, an urban level of service is proposed and planned.

### **2.4.2 CITY OF MONROE COMPREHENSIVE PLAN**

The City of Monroe Comprehensive Plan dictates public policy as a means to guide future decisions related to land use, transportation, housing, parks and recreational facilities, capital facilities, utilities, economic development, and shoreline management. The City of Monroe 2005-2025 Comprehensive Plan (Comp Plan) and subsequent amendments were used for analysis of the proposed land use action. A comprehensive plan amendment and rezoning the project area are required to accomplish the proposal put forth herein. Copies of the Comp Plan can be found on the City of Monroe's website.

### **2.4.3 CITY OF MONROE MUNICIPAL CODE**

The Monroe Municipal Code (MMC) is a published compilation of City laws and their revisions organized according to subject matter. The MMC is updated periodically as new ordinances are adopted by the City Council. All future growth, action, development, etc. must be in accordance with the code under penalty of law. This proposal assumes that any future development on the subject property, regardless of its consistency with the alternatives put forth herein, will be subject to the review and approval process prescribed by the MMC at the time of application.

### **2.4.4 CITY OF MONROE CRITICAL AREAS ORDINANCE**

The purpose of the City of Monroe's Critical Areas Ordinance is to protect the public health, safety and welfare by preventing adverse impacts of development. It also preserves and protects critical areas as identified by the Washington State Growth Management Act by regulating development, mitigating unavoidable impacts, preventing adverse cumulative impacts, protecting the public and public resources from hardship due to flooding, erosion, landslides, and soils subsidence or steep slope failure. The Critical Areas Ordinance implements the goals, policies, guidelines and requirements of the City of Monroe Comprehensive Plan and the Washington State Growth Management Act.

#### 2.4.5 CITY OF MONROE SHORELINE MASTER PROGRAM

The primary purpose of the Washington State Shoreline Management Act (SMA) is to provide the management and protection of the State's shoreline resources by planning for their reasonable and appropriate use. A citizen's initiative in 1972 designated the area to be regulated under the SMA, and includes lands within two hundred (200) feet of the shoreline. By law, the City of Monroe is responsible for preparation of a "Master Program" to determine the future of the shorelines and the Washington State Department of Ecology (DOE) must approve it before it becomes effective. The Shoreline Master Program (SMP) coordinates state and local jurisdictions to address the types and effects of development occurring along the State's shorelines. The SMP must be consistent with the guidance and intent provided in the SMA. The SMA defines a Master Program as a "comprehensive use plan for a described area." The shoreline planning process differs from a more traditional planning process in that the emphasis is on protecting the shoreline environment and utilizing the shoreline appropriately for preferred uses through management of uses, rather than trying to maximize development potential. Key objectives of the Monroe SMP are:

1. To carry out the responsibilities assigned to the City of Monroe by the Washington State Shoreline Management Act (RCW 90.58).
2. To promote the public health, safety, and general welfare by providing a guide to regulations for the future development of the shoreline resources.
3. To further, by adoption, the policies of RCW 90.58 and the goals of the Master Program.

These objectives are attained through implementation of the City's Shoreline Master Program, issued August 2008 and enforced by the City's development requirements and code.

#### 2.4.6 CITY OF MONROE WATER SYSTEM PLAN

The principal goal of the 2009 Water System Plan and 2011 Addendum thereto is to make the best use of available resources in order to provide high quality service and to protect the health of customers. The Monroe Water System Plan takes a comprehensive look at all of the City's needs, desires, and statutory requirements associated with water supply, transmission and distribution systems and charts a plan of action for achieving them.

#### 2.4.7 CITY OF MONROE SANITARY SEWER SYSTEM PLAN

The 2008 Sanitary Sewer System Plan and 2011 Addendum thereto address the City's comprehensive planning needs for wastewater collection, transmission, treatment, and disposal for a 20-year planning period. The planning period for this Sanitary Sewer System Plan is from 2005 through 2025, to provide consistency with population projections and other planning documents. Development of the Sewer Plan has been coordinated with the City's Comprehensive Plan, Water System Plan and Snohomish County planning efforts.

### 2.5 BENEFITS AND DISADVANTAGES OF DELAYING THE PROPOSED ACTION

SEPA requires a discussion of the benefits and disadvantages of reserving, for some future time, the implementation of this proposal compared to possible approval at this time.

Benefits to delaying adoption of this proposal until a future date include:

- No additional traffic generated and new commercial activity is not introduced to the area;
- Existing aesthetic environment of the property remains;
- No temporary disturbance to animal and plant habitat; and
- No temporary impacts associated with construction.

Disadvantages of delaying the proposal until a future date include:

- Does not address market demand for additional developable commercial property along SR-2 corridor;
- Potential loss of opportunity to develop while market conditions are favorable;
- Potential loss of opportunity to increase employment opportunities for Monroe and area residents;
- Potential loss of opportunity to increase economic growth through development fees and sales and property taxes;
- Missed opportunity to attract a wider range of development opportunities, benefiting the City of Monroe and enriching the community;
- Delay in expansion of municipal utility services that would improve service to the unserved eastern parts of the City between the project site and the utility connection locations; and
- Missed opportunity to enhance shoreline plant environment and fish habitat.

### 3. Affected Environment, Impacts & Mitigation Measures

An evaluation of alternatives presented in this FEIS has been accomplished to consider the Proposed Action for a Comprehensive Plan Amendment and Rezone of five parcels in East Monroe from Limited Open Space (LOS) to General Commercial (GC). The alternatives analyzed herein range from development under the current LOS zoning, or development under GC or MUC zoning. Future land use activities as a result of the rezone will likely have impacts on the environment and community. This section of the FEIS provides a comprehensive view of the effects of the alternative development scenarios and presents potential mitigation strategies. It is augmented and supported by the technical appendices put forth in Volume 2 of this FEIS.

Identified potential impacts and avoidance and mitigation strategies are not intended to be attached to the property or encumber it in any way. Although future development proposals may elect to utilize information put forth herein, this analysis is not intended to reduce or change application requirements.

As noted in Sections 1 and 2, the subject property is complicated by a myriad of shoreline, wetland, steep slope, floodplain and NGPAs. While this limits the total developable area, it inspires development proposals that work within the constraints of the land and also enhance the value and ecological functions of the documented sensitive and critical areas. Figure 9 presents a composite drawing of critical areas and buffers used to evaluate the proposal. Additional discussion regarding critical areas is provided in the Critical Area Study and Habitat Conservation Report provided in Volume 2, Appendix D. The established NGPA (shown on the 2003 short plat and boundary line adjustments, included as Appendix H) is less extensive than the buffers and setbacks outlined in this report. The buffer and setback limits indicated herein extend further and cover a larger area than the recorded NGPA. Future development within the project area will undergo a complete and thorough evaluation under the City of Monroe development review and permitting processes. Information provided in this FEIS may be used when more specific development actions are proposed, but supplemental information confirming applicability of the analyses herein would be required.

#### 3.1 EARTH

##### 3.1.1 AFFECTED ENVIRONMENT

###### Topography and Soils

Topography of the developable portion of the project site south of the slough is generally flat, ranging in elevation from approximately 55 feet to approximately 80 feet. There is some variation in topography along stream banks that bisect the area and a steep (>40%) slope at the north edge of the project area. The steepest slope surveyed in the project area is 40.48% located at the north edge of Parcel C. Overall, the site has three distinct topographies: the lower pasture, the slough corridor, and the upper terrace.

Alluvial soils located in the proposed development area consist of sand, gravel, silt, and peat. The transitional beds mapped along the slopes consist primarily of finer grained silt, clay and sand. This geologic unit is typically stiff or medium dense to dense and can be unstable in steep terrain. Advance and recessional outwash deposits are mapped above the transitional beds at the top of the slope. These soils typically consist of clean, stratified granular deposits of sand and gravel. The landslide deposits are described as unstable recessional deposits perched on hillsides, overlying the silt and clay of the transitional beds.

###### Landslide and Erosion Hazard

Landslide and erosion hazards are detailed in the Geotechnical Soils Evaluation of the property prepared by GeoEngineers, Inc. (Appendix C). Geologic maps of the site area indicate that subsurface soils consist of recent alluvium in the proposed development area; organic peat and silt in the vicinity of the oxbow slough; transitional beds of clay, fine sand, and silt along the slope; and outwash deposits offsite at the top of the slope. Landslide deposits are also mapped

on a portion of the slope in the western area of the site. Figure 7 shows area soils as mapped in the USDA Web Soil Survey.

According to the USDA Web Soil Survey, erosion hazard areas are rated in value as slight, moderate, or severe. As indicated on Figure 8, the USDA classifies the northern portion of the site and adjoining properties to the north (orange highlight) as severe hazard area. The majority of the site is located in the minimal or slight hazard area (Green). Other areas highlighted (yellow and light green) are outside of the project vicinity and not considered in this evaluation.

Figure 7: Area Soils

USDA Web Soil Survey, 2013

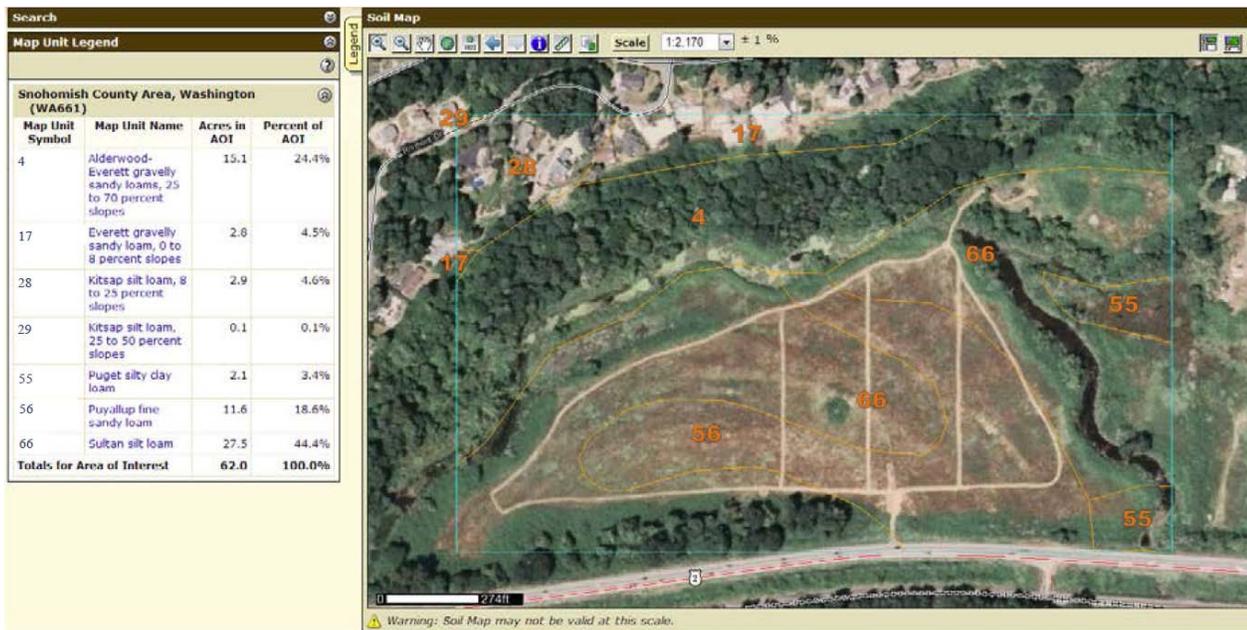
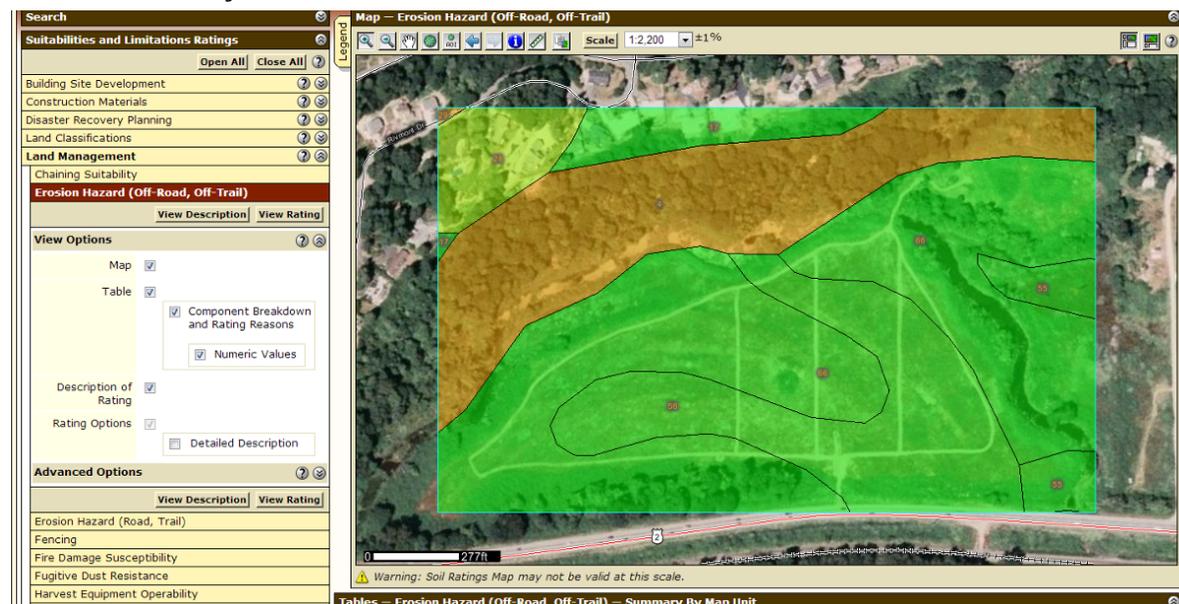


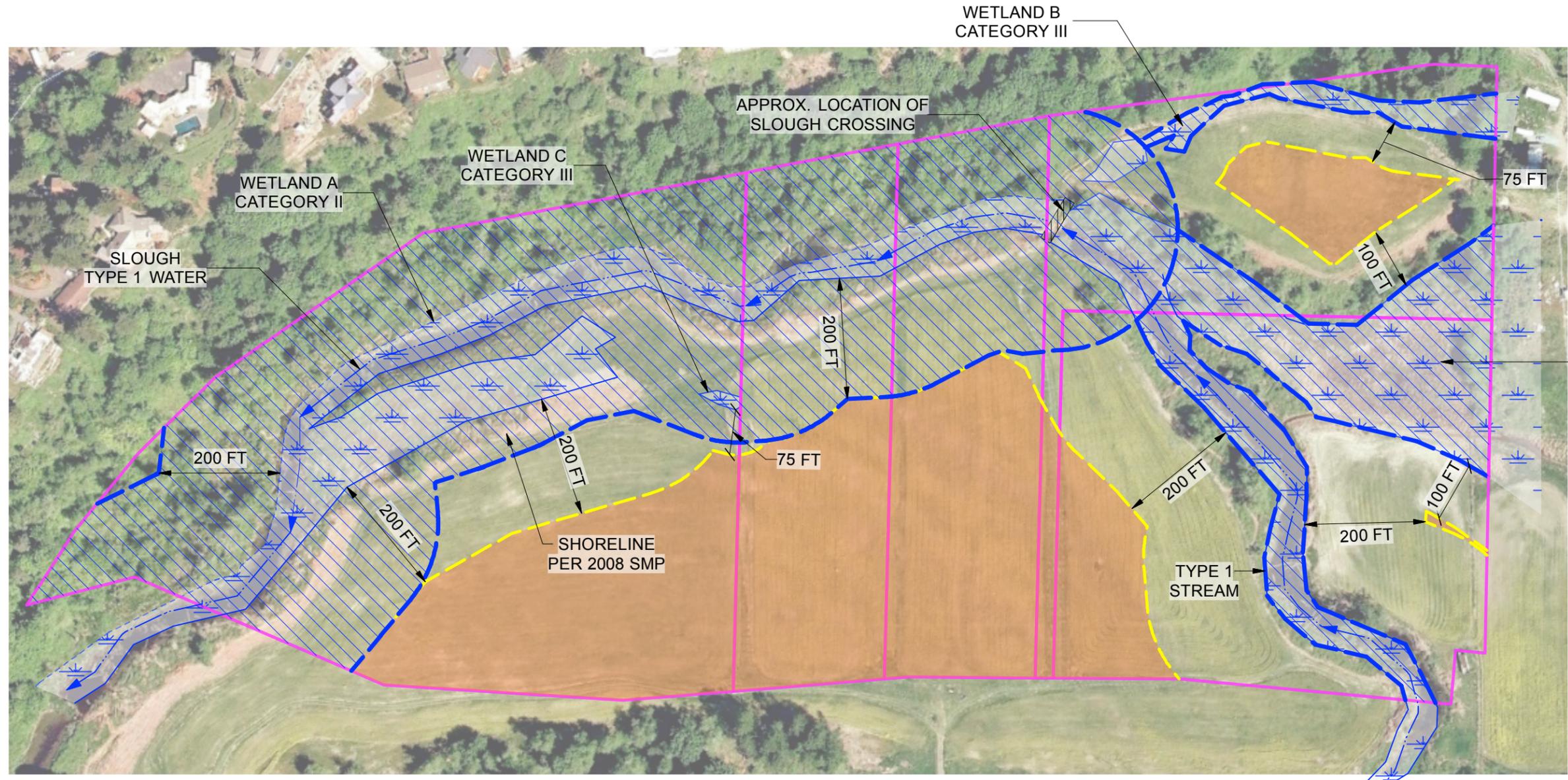
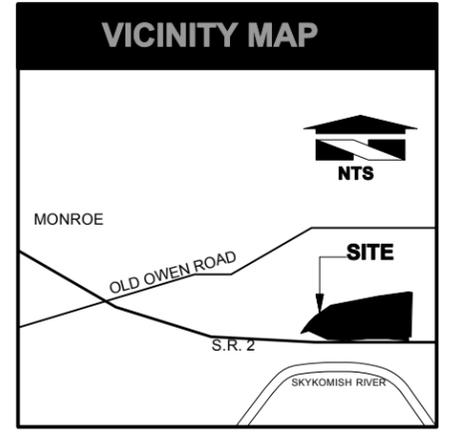
Figure 8: Erosion Hazard Areas

USDA Web Soil Survey, 2013





# WETLAND, STREAM, BUFFERS, AND SHORELINE DESIGNATION COMPOSITE MAP **EAST MONROE REZONE** PORTION OF SECTIONS 5 AND 6, TOWNSHIP 27, RANGE 07E, WM.



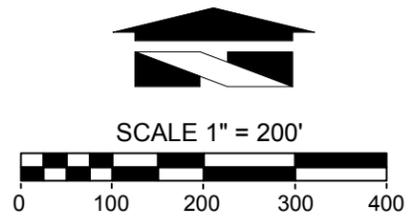
WETLAND A  
CATEGORY II  
(ASSOCIATED  
WETLAND)

APPROXIMATE  
DITCH LOCATION

### LEGEND

	DELINEATED WETLAND		SHORELINES
	WETLAND AND STREAM BUFFER*		DEVELOPABLE AREA
	APPROXIMATE NORTH WETLAND AND STREAM BOUNDARY		

\* WHERE WETLAND AND STREAM BUFFERS OVERLAP, THE MORE RESTRICTIVE BUFFER IS DEPICTED ON THIS MAP.



*Wetland Resources, Inc.*  
Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance  
9505 19th Avenue S.E. Suite 106 Everett, Washington 98208  
Phone: (425) 337-3174  
Fax: (425) 337-3045  
Email: mailbox@wetlandresources.com

WETLAND, STREAM, BUFFERS, AND  
SHORELINE DESIGNATION  
COMPOSITE MAP  
**EAST MONROE REZONE**

PACE Engineers, Inc. Attn: Susan Boyd 11255 Kirkland Way #300 Kirkland WA 98033	Sheet 4/4 WRI Job # 13133 Drawn by: MK Date: 08.09.2013
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**Figure 9**

### 3.1.2 ENVIRONMENTAL IMPACTS

#### Topography and Soils

The biggest impact to topography and soils is the amount of cut and fill required to meet regulatory requirements associated with grading in the flood plain, including compensatory flood storage. For each of the Alternatives, considerable cut and fill is required to avoid flooding impacts by raising the site above the 100-year floodplain elevation of approximately 67 feet, as designated in the preliminary FEMA Flood Insurance Rate Maps (FIRMs) dated 2007. Raising the elevation of land in a designated floodplain zone requires compensatory flood storage and other mitigation measures in accordance with the National Flood Insurance Program (NFIP) and Endangered Species Act. FEMA's website defines compensatory storage as the following:

*"The NFIP floodway standard in 44CFR 60.3 (d) restricts new development from obstructing the flow of water and increasing flood heights. However, this provision does not address the need to maintain flood storage. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When fill or buildings are placed in the flood fringe, the flood storage areas are lost and flood heights will go up because there is less room for the floodwaters. This is particularly important in smaller watersheds which respond sooner to changes in the topography. One approach that may be used to address this issue is to require compensatory storage to offset any loss of flood storage capacity. Some communities adopt more restrictive standards that regulate the amount of fill or buildings that can displace floodwater in the flood fringe. Community Rating System credits are available for communities that adopt compensatory storage requirements." (http://www.fema.gov/floodplain-management/compensatory-storage)*

The compensatory flood storage volume provided must be equal to or larger than the volume displaced by fill. Compensatory flood storage is required at a 1:1 minimum ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation within the floodplain limits, 1 cubic foot of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This will determine the need and extent of excavation for compensatory flood storage.

For the speculative development scenarios put forth herein, compensatory flood storage is provided within the floodplain, shoreline jurisdiction, wetland and stream buffer, and Native Growth Protection Area (NGPA) on Lots A through E as a means of maximizing developable area of the site. If and when the area develops, the excavation as proposed would likely occur south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading of the site would provide for flood storage and would help ensure that flood water levels will not exceed the flood water elevations on the north bank of the slough. If the level of developable area shown herein is not desired or required for a specific development proposal, the compensatory flood storage required could be reduced and/or accomplished elsewhere on the site.

If compensatory flood storage is accomplished in portions of the NGPA and shoreline designation area, excavation (cut) would be to a minimum elevation of approximately 59.8 (average ordinary high water mark (OHWM) elevation). Excavation would start where the OHWM intersects the existing grade on the interior limits of the stream/slough and will continue at a 1% slope to the outer limits of the critical area buffer (approximately 200 feet on average). From there, the site will be filled at a 2 to 1 slope with on-site fill and/or suitable structural fill to an approximate elevation of 68, or 1 foot above floodplain elevation. Raising

the site to this new elevation will mitigate potential flooding of new construction by placing development above floodplain elevation. More information on floodplains is in Section 3.3.3.

Currently, the NGPA and shoreline designation area generally follows the stream/slough and associated wetlands. The limits of the current NGPA are indicated on the 2003 property survey included in Appendix H. The NGPA and Urban Conservancy shoreline designation area are overrun with invasive species. Canarygrass generally covers the outer 10 feet of stream/slough (within the stream boundary) for its entire length. On average, blackberries cover a 70 foot wide swath parallel and adjacent to the entire length of the stream/slough. Excavating and grading will remove these invasive species, providing a significant benefit to enhancing critical area buffers. The entire excavated area will be replanted with native plants to support a thriving wetland area. There would be no ongoing, negative environmental impact to the NGPA after the area is enhanced with new plants and trees.

An extended benefit of excavating and enhancing wetland and shoreline buffers is the ability to provide on-site mitigation for flood storage lost due to fill activity in the floodplain. The amount of fill required to bring the developed area to floodplain elevation and maximize developable area as shown in the conceptual development scenarios is estimated at 46,500 cubic yards (CY). An equal quantity of compensatory flood storage is required for on-site flood management. Soil excavated from the NGPA and shoreline designation area, or other areas of the site, will not exceed the actual compensatory flood storage requirement determined at the time of development of the property. For all three proposed alternatives put forth herein, cut and fill for flood management is 46,500 CY. Figure 10 indicates suggested cut and fill areas at a planning level of detail. Figure 11 provides a cross-section of the proposal for enhancing areas adjacent to wetlands, streams and buffers. Note that no work is proposed north of the identified stream/slough. Steep slopes along the north property line will not be altered and the area will remain in its current natural state.

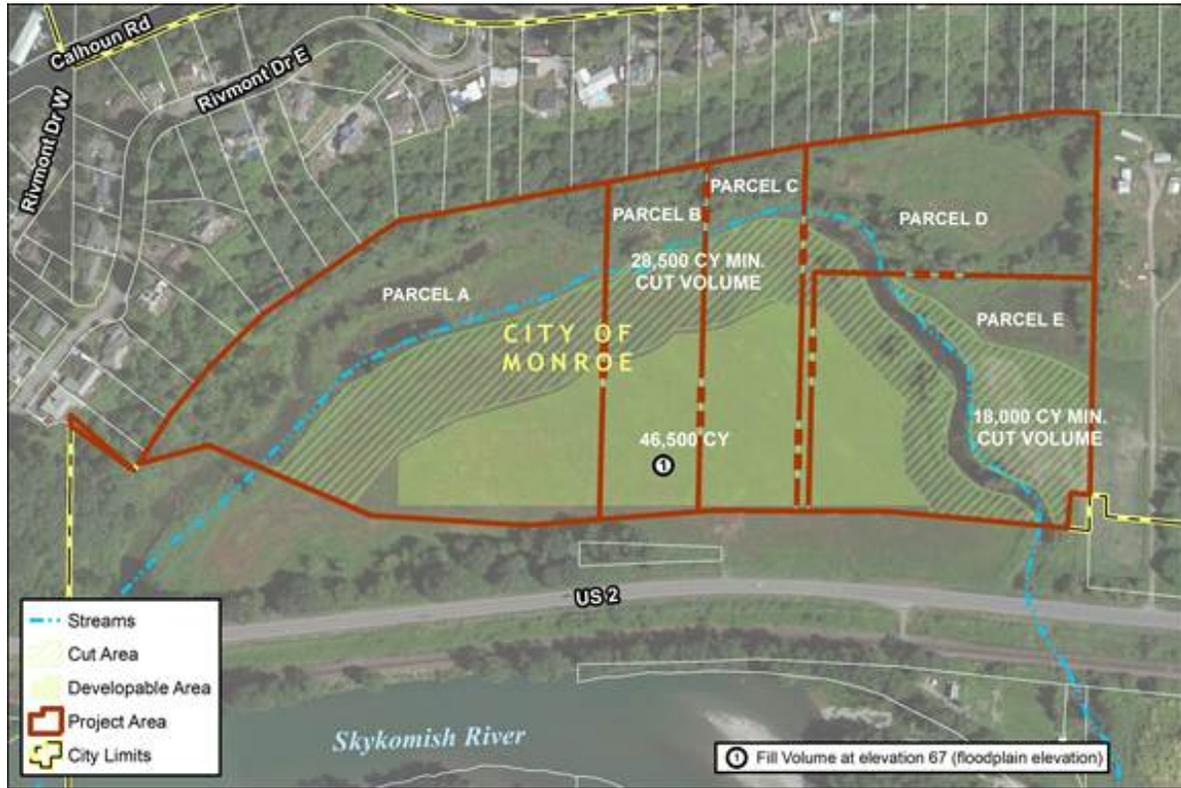
Access to the site will require at least one stream crossing near the southern property line adjacent to the SR-2 right-of-way. This crossing would likely be either by installation of a box culvert with a paved roadway over it or by a bridge crossing of the stream. The exact method of the crossing will be determined as coordinated with WSDOT to ensure that The Type 1 stream crossing is outside of shoreline jurisdiction and designated wetland areas and no lasting impact to the stream would occur.

Proposed access to the northeastern portion of the site, as shown in the conceptual development scenarios, would be accomplished by a bridge extending from the main developable area of the site resulting in minimal impacts to the stream and wetland. The advantage of a bridge crossing is that abutments could be constructed outside of the wetlands and shoreline areas to avoid impacts.

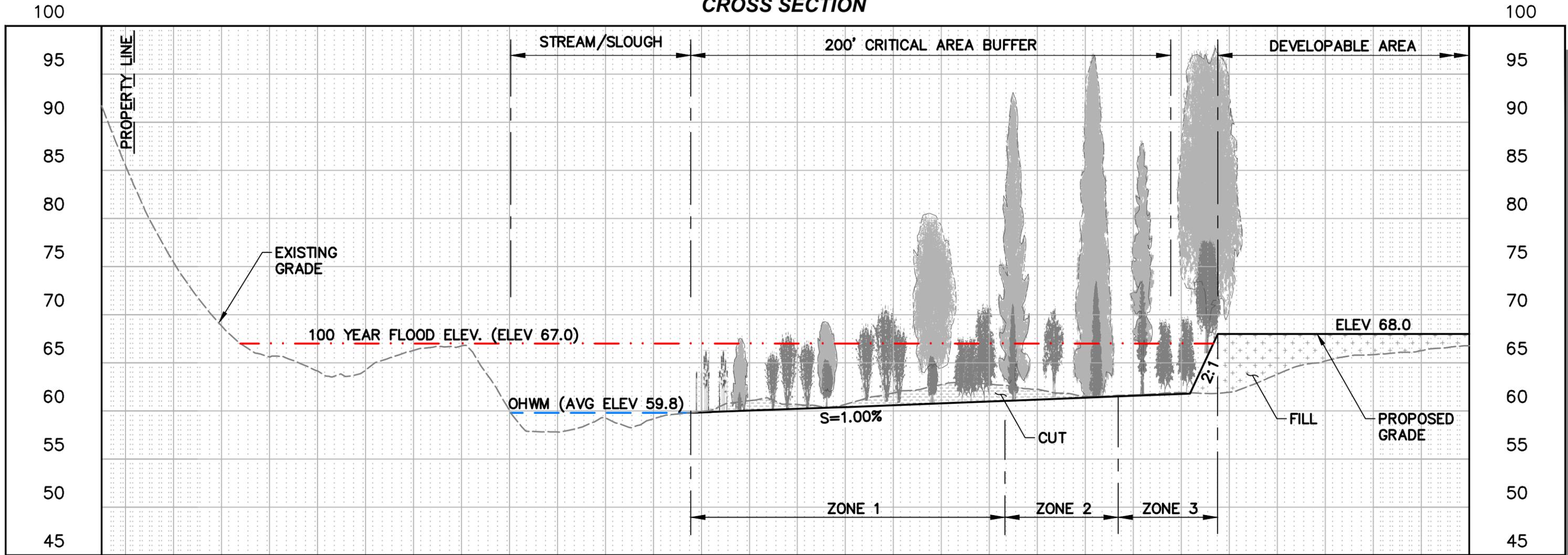
Alternatively, access to the northeast portion of the site could be acquired through an easement on the adjacent parcel immediately east. This is the least disruptive method of accessing the northeastern portion of the site and would avoid impacts to wetlands and critical areas. Lastly, access could be accomplished by a stream crossing by expanding the existing crossing and installing a box culvert with a paved roadway over it. The method of stream would require placement of fill in wetlands and disturbance of both wetlands and streams. This is the least preferred alternative. Any of the access options to the northeast portion of the site would be constructed in accordance with all applicable regulatory requirements and best management practices to achieve no net loss in critical area size, value or function.

Figure 10: Cut and Fill Areas

August 2011 Bing Aerial Imagery



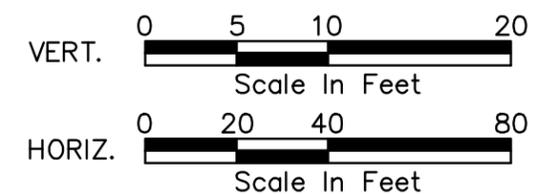
**TYPICAL ENHANCEMENT AREA/COMPENSATORY FLOOD STORAGE  
CROSS SECTION**



**LEGEND**

-  HEIGHT AT TIME OF PLANTING
-  APPROXIMATE 20 YEAR HEIGHT

WEST SIDE



**Figure 11**

<b>Zone 1 Typical Planting Plan</b>			Est. Height
COMMON NAME	LATIN NAME	Spacing	At Maturity
PACIFIC WILLOW	<i>SALIX LUCIDA</i>	5'	40'
SITKA WILLOW	<i>SALIX SITCHENSIS</i>	5'	26'
RED OSIER DOGWOOD	<i>CONUS SERICEA</i>	5'	20'
BLACK TWINBERRY	<i>LONICERA INVOLUCRATA</i>	5'	10'
SLOUGH SEDGE	<i>CAREX OBNUPTA</i>	18"	5'
SAWBEAK SEDGE	<i>CAREX STIPATA</i>	18"	3'-4'
SMALL-FRUITED BULRUSH	<i>SCIRPUS MICROCARPOS</i>	18"	5'

<b>Zone 2 Typical Planting Plan</b>			Est. Height
COMMON NAME	LATIN NAME	Spacing	At Maturity
WESTERN RED CEDAR	<i>THUJA PLICATA</i>	10'	200'
SITKA SPRUCE	<i>PICEA SITCHENSIS</i>	10'	230'
WESTERN CRABAPPLE	<i>MALUS FUSCA</i>	10'	40'
SCOULER WILLOW	<i>SALIX SCOULERIANA</i>	5'	40'
SALMONBERRY	<i>RUBUS SPECTABILIS</i>	5'	13'

<b>Zone 3 Typical Planting Plan</b>			Est. Height
COMMON NAME	LATIN NAME	Spacing	At Maturity
BIG LEAF MAPLE	<i>ACER MACROPHYLLUM</i>	5'	100'
DOUGLAS FIR	<i>PSEUDOTSUGA MENZIESII</i>	5'	230'
WETERN HAZELNUT	<i>CORYLUS CORNUTA</i>	5'	13'
OCEANSPRAY	<i>HOLODISCUR DISCOLOR</i>	5'	13'
BALD HIP ROSE	<i>ROSA GYMNOCARPA</i>	18"	5'
SNOWBERRY	<i>SYMPHORICARPOS ALBUS</i>	18"	6'-7'
SALAL	<i>GAULTERIA SHALLON</i>	18"	15'

### Landslide and Erosion Hazard

Determination of impacts and mitigation measures is based primarily on observations made by soil engineering specialists at GeoEngineers, Inc. during a site visit on June 11, 2013, and review of topographic maps, and aerial photographs dating back to 1990. The proposed development area is located in the central portion of the site within a relatively level to gently sloping grass field. A stream/slough and sensitive areas surround the perimeter of the proposed development. The channel meanders in the vicinity of the toe of the slope. Based on review of aerial photographs, the general alignment of the channel has not changed since 1990.

The slope inclination appears to vary from about 1.5H:1V (horizontal to vertical) to 3H:1V, with an overall topographic relief on the order of 140 feet. The slope is heavily vegetated with mature conifer and deciduous trees, with a thick undergrowth of brush. Signs of slope instability were observed, as evidenced by leaning trees and what appears to be shallow sloughing in lower portions of the slope. This is consistent with the geologic mapping where the transitional beds become unstable when exposed on steep slopes, particularly where seepage emerges on the slope through the cleaner lenses of outwash.

### 3.1.3 MITIGATING MEASURES

#### Topography and Soils

Mitigation will be similar for all three alternatives and vary only in scope and scale, depending on the size and type of structures associated with each development. Fill of the developable area to above the 100-year flood elevation will be accomplished only with suitable soils and site preparation prior to placement of fill material to ensure that proper compaction and stability of soils. The development alternatives put forth herein all assume similar developable areas and building footprints within floodplain area. Under all three alternatives, compensatory flood storage is provided on-site. Planning level estimates of cut and fill required are put forth in Figure 10.

Work within the NGPA must be approved by the City of Monroe, must adhere to the critical area regulations outlined by the MMC, and must avoid impacts to existing wetlands to the greatest extent practicable.

Work within the 200-foot boundary of the OHWM of the stream/slough (the shoreline designation area for the project site) will be within the Urban Conservancy environment, according to the Monroe SMP. The Monroe SMP states:

*"The purpose of the "Urban Conservancy" environment is to protect and restore ecological functions of open space, floodplain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses."*

It allows "Flood Hazard Management" as one of the few permitted activities (with the applicable permits and approvals) under the SMP (Chapter 2, Section C: "Shoreline Use and Modification Matrix" Page 25) (Appendix G). The matrix also indicates shoreline modifications related to environmental restoration are allowable if the City determines that there will be a net increase in desired shoreline ecological functions. The suggested mitigation and enhancement measure put forth herein are consistent with the stated conditions of the SMP.

The shoreline designation area is allowed to be excavated only for purposes of floodplain management. During construction, the shoreline designation area will be protected and stabilized by following the 2012 DOE Manual's Volume II Construction Stormwater Pollution Prevention, preparing a SWPPP, and following all requirements of the NPDES permit. BMPs for controlling erosion and sedimentation during construction are outlined in the DOE Manual. Examples of implementation include installation of silt fences, perimeter berms, on-site temporary sediment ponds and treatment of runoff prior to discharge.

All activities will be performed under the strict requirements of the MMC and utilizing best available science. Best management practices put forth by DOE, FEMA, Washington Fish and Wildlife, and US fish and Wildlife will be employed as appropriate to ensure that all clearing, grading, excavation and fill activities are properly accomplished to avoid permanent adverse impacts.

No clearing or grading will occur within wetlands boundaries under the alternatives evaluation under this FEIS. However, clearing of invasive and noxious plants, earthwork and planting in buffers adjacent to wetlands and streams will enhance these critical areas and improve fish and wildlife habitat as discussed in subsequent sections of this document and further discussed in Appendix D. A conceptual site grading and planting schematic is shown in the cross-section in Figure 11.

Grading will provide the requisite storage and enhanced habitat without creating new wetlands or standing water and the hydrology of the existing wetlands will be maintained or improved. The area will be enhanced with new, primarily native plants and trees to create a more pristine and improved habitat for small mammals, birds and potentially fish during a flood event. Approval from the City will be required in accordance with MMC 20.05.0700, Critical Areas Protection and Mitigation Measures.

Soils removed from the NGPA and shoreline setback area are not likely to be entirely suitable for structural fill. A complete soils investigation by a geotechnical engineer will be required prior to construction to determine if the soils are suitable for building foundations. Any material deemed unsuitable for use on-site will be hauled to a pre-approved disposal site and suitable structural fill material will be imported.

For a project specific development proposal, the area receiving fill material will first need proper preparation. This may include stripping and the upper layer exposed ground static rolled to a firm and unyielding condition. If the sub-grade contains too much moisture, the area to receive fill could be blanketed with washed rock, quarry spalls, or crushed recycled concrete to act as a base. After the exposed ground is approved or a free-draining rock course is laid, structural fill may be placed to attain desired grades. Structural fill is defined as non-organic soil, meeting the specification of Gravel Borrow from the Washington State Department of Transportation (WSDOT) specification 9-03.14(1), or acceptable to a geotechnical engineer, placed in loose lifts, with each lift being compacted to at least 95 percent of the modified Proctor maximum density using ASTM:D 1557 as the standard.

#### Landslide and Erosion Hazard

Protection of steep slopes is provided by maintaining setbacks in accordance with the City of Monroe Critical Areas Ordinance (MMC 20.05). The development boundary will be offset approximately 200 to 400 feet from the toe of the slope, and approximately 100 feet (on the east side of the site) to 200 feet from the existing stream/slough. No grading or earthwork for the development will occur within close proximity to the slope. Furthermore, flow velocities of the channel will not change because the DOE Stormwater Management Manual for Western Washington will be followed, which prohibits increases in flow of developed properties. Geotechnical investigations would need to be performed prior to on-site construction to ensure proper grading and drainage, fill material recommendations and stability, and potential preloading requirements.

### 3.1.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

#### Topography and Soils

With enhancement of the excavated area and adherence to the MMC Critical Areas Ordinance, Shoreline Plan and floodplain regulations including maintaining hydrology of existing wetlands, there will be no significant unavoidable adverse impacts to topography and soils.

Temporary unavoidable impacts associated with earthwork include dust, increased traffic along haul routes and noise. These temporary impacts will be mitigated by typical construction mitigation measures and best managements practices. Another unavoidable impact is the changed topography of the site that will result from development but at the same time will be accomplished in a manner that is aesthetically pleasing and achieves site screening, site drainage, buffer enhancement, habitat enhancement and provision of flood storage.

#### Landslide and Erosion Hazard

Significant impacts are avoided because the proposed development is located more than 200 feet away from the toe of the slope, and approximately 100 to 200 feet from the existing stream/slough. Significant impact avoidance is confirmed in the soils evaluation (Appendix C) and the following statement contained therein: "The proposed development will not impact the existing stability of the slope provided stormwater facilities and discharge follow regulations required by the Department of Ecology Stormwater Management Manual".

Temporary erosion is expected on all site development projects and adherence to the 2012 DOE Manual Volume II: Construction Stormwater Pollution Prevention is strictly enforced. Temporary erosion on the south side of the stream/slough due to construction activities is expected and will be mitigated by strict adherence to code and by following federal, state and local regulations and BMP's established in permits associated with future development proposals.

## 3.2 GROUND WATER

### 3.2.1 AFFECTED ENVIRONMENT

The Snohomish County Groundwater Management Plan (Golder Associates, Inc., 1999) identifies the project area as being within the Snohomish County Groundwater Management Area. Due to the high ground water level (0 to 40 feet) in the vicinity, the area is considered to have high aquifer sensitivity. The project area is not within a United States Department of Ecology (DOE) designated sole source aquifer or in a wellhead protection area.

DOE maintains an online database of well log information (Washington State Department of Ecology). This database does not contain any information regarding wells in the immediate vicinity of the project area. The only information available at this time is from seven soil logs completed in 1999 by Whalen Designs (Whalen Designs, 1999) for the purposes of investigating the suitability of the project area for on-site sewage disposal systems. These soils logs were 48 to 60 inches in depth and did not indicate any groundwater. This level most likely varies seasonally and with the amount of rainfall received.

### 3.2.2 ENVIRONMENTAL IMPACTS

Groundwater can be affected by stormwater infiltration, on-site sewage disposal systems, and groundwater wells for providing water service. In that the property is located within the Urban Growth Area and an urban level of service is proposed for compliance with Growth Management Act goals and policies, public water and sanitary sewer service are proposed for all alternatives. On-site sewage disposal systems are not an option for any alternative, so sewage contamination is not an impact.

Potential development under Alternatives 1, 2 and 3 as proposed herein will increase runoff due to increased impervious areas, which would decrease groundwater recharge. For Alternative 1, the currently allowed agricultural uses (which are not allowed under Alternatives 2 and 3) would have a greater impact on groundwater quality due to animal waste, fertilizer, and pesticide residues leaching into the groundwater.

Excavation is adjacent to the stream/slough, and lowest excavation will be at the OHWM elevation of approximately 59 feet or above. As such, any groundwater encountered by the excavation will add to the hydrology of the site and will not produce any negative impacts. The only potential for encountering groundwater would be during construction and appropriate dewatering techniques and best management practices will be employed.

### 3.2.3 MITIGATING MEASURES

Installation of municipal water and sanitary sewer facilities are proposed for all alternatives to provide an urban level of service consistent with the GMA. Municipal services would eliminate the need for groundwater withdrawals for public water supply as well as impacts associated with on-site sewage disposal.

Any on-site stormwater infiltration systems would be required to comply with the latest requirements for flood control and water quality standards. Standards include Best Management Practices (BMP's) put forth in the DOE Stormwater Management Manual for Western Washington (DOE Manual).

Due to the potential for encountering groundwater during construction and with subsurface structures, further geotechnical exploration would need to be performed at the time of building permit application to determine the groundwater elevation and any buoyancy issues. Buoyancy analysis for below grade structures is common in land development and requires specific design consideration but does not pose unusual issues.

### 3.2.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

There are no significant, unavoidable adverse impacts to groundwater associated with any of the alternatives. Some temporary impacts to groundwater are possible during construction but will be avoided by typical dewatering and groundwater protection measures.

### 3.3 SURFACE WATER

#### 3.3.1 AFFECTED ENVIRONMENT

##### Streams/Slough

The subject property is located approximately 400 feet north of the Skykomish River, a Type 5 water, or shoreline of the state. A slough (Type 1 Stream) extends northeast from the Skykomish River and onto the subject property via a large box culverts under Highway 2 and the Burlington Northern - Santa Fe (BNSF) railroad tracks. For a detailed description of the on-site critical areas, please see Appendix D, Critical Area Study and Habitat Conservation Report for East Monroe Rezone (Wetland Resources, Inc. June 13, 2013).

The slough meets the criteria for a Type 1 stream, or fish-bearing water. Fish were observed within the stream/slough during the June 2013 site inspections, and the stream/slough is connected to the Skykomish River. The Skykomish River contains several anadromous and salmonid fish species, including federally listed threatened and endangered (T and E) species. Per section 20.05.090(D) of the City of Monroe Municipal Code (MMC), a 200-foot buffer is required from the ordinary high water mark (OHWM) of Type 1 streams.

##### Wetlands

Three wetlands, referred to as Wetlands A through C, are located on the subject property. These wetlands were delineated, mapped, and rated in June of 2013 by Wetland Resources, Inc. For a detailed description of on-site wetlands and on-site critical areas, please see Appendix D. A summary of wetlands identified is as follows:

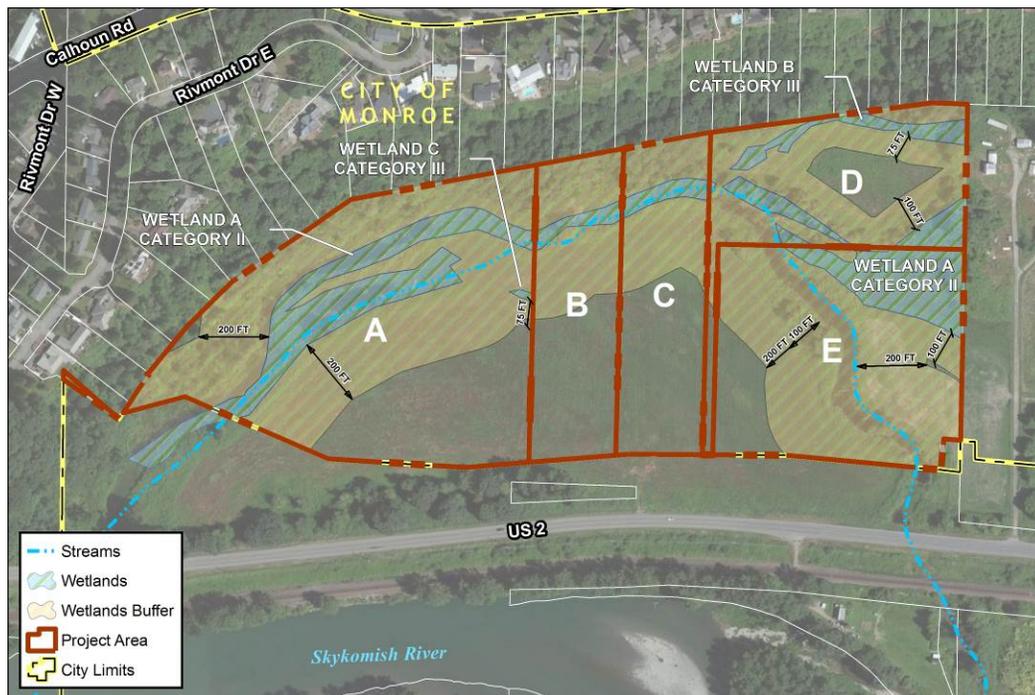
**Wetland A:** Wetland A is an approximate 7.3 acre (on-site) riverine wetland that meets the criteria for a Category II wetland per the Washington State Wetland Rating System for Western Washington (Hruby et. al 2004). It is further classified as a palustrine emergent and riverine/lower perennial/emergent system per the Classification of Wetlands and Deepwater Habitats of the United States (Cowardin et. al. 1979). Wetland A is located along the fringes/shallow water of the stream/slough and extends in an eastward direction across parcels D and E. The City of Monroe would typically designate a 100-foot protective buffer from the delineated boundaries of Category II wetlands.

**Wetland B:** Wetland B is an approximate 0.57 acre (on-site) slope wetland that meets the criteria for a Category III wetland. It is further classified as a palustrine emergent system per the Cowardin classification system. Wetland B is located in the northeast corner of the subject property and is not associated with the stream/slough. The City of Monroe would typically designate 75-foot protective buffers from the delineated boundaries of Category III wetlands.

**Wetland C:** Wetland C is an approximate 0.03 acre depressional wetland that meets the criteria for a Category III wetland. It is further classified as a palustrine emergent system per the Cowardin Classification system. Wetland C is located in the western portion of the subject property, primarily on parcel A. It is a very small, isolated wetland that is not associated with the stream/slough. The City of Monroe would typically designate 75-foot protective buffers from the delineated boundary of Category III wetlands.

**Figure 12: Wetlands**

August 2011 Bing Aerial Imagery



### Flood Hazard Area

The project area is located in the Skykomish River drainage basin. The project area is shown on the Federal Emergency Management Agency (FEMA) National Flood Insurance Program Flood Insurance Rate Map (FIRM) effective September 1999 as "Shaded X" which is defined as "Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood" (National Flood Insurance Program, 1999).

The revised preliminary FIRM 53061C1377G issued January 12, 2007 shows the project area, except for the northern plateau area of Parcel E, as "Zone AE" with a base flood elevation of between 66 feet and 68 feet NAVD'88 (National Flood Insurance Program, 2007). Although the Preliminary Maps were used for the conservative evaluation put forth herein, most jurisdictions in the Pacific Northwest and western U.S. have delayed adoption of the maps due to concerns of whether non-certified levees can be used to remove floodplain areas from a special flood hazard area. Decisions regarding challenges to the methodology and implementation of the new floodplain maps are expected to generate a federal decision on whether the new maps should become effective. If the maps are rejected or altered, the amount of earthwork required to provide compensatory storage will decrease significantly and developable area would increase slightly.

### 3.3.2 ENVIRONMENTAL IMPACTS

#### Stream/Slough

Each of the three alternatives has the potential to impact the on-site stream. Typically, a smaller construction footprint/envelope and smaller lot coverage would most likely result in fewer stream and/or stream buffer impacts than would a larger development. However, section 20.05.090(A) of the MMC specifically prohibits most development activities in Type 1, 2, and 3 streams and indicates that development activities shall not result in a loss of stream and/or stream buffer functions and values. The restrictive stream development regulations outlined in section 20.05.090 of the MMC are meant to reduce or completely avoid impacts to

streams and buffers. While a development proposal might result in some level of unavoidable critical area impacts, under the MMC, they must be reduced and/or mitigated to the greatest extent practicable.

Generally as lot coverage increases, the intensity of development and overall human activity increases. Indirect stream impacts could come in the form of habitat loss from removal of native vegetation along the riparian zone, loss of water quality improvement functions, and/or loss of hydrologic functions. Indirect impacts to the stream/slough could include an increase in the amount of runoff entering the stream. This would result from an increase in the amount of impervious surface on the subject property. Different types of development will result in varying quantities of impervious surfaces (as discussed above) and, therefore, varying amounts of stormwater runoff.

In addition to increased stormwater flow/runoff, a rise in the amount of pollutants and/or sediment entering the stream/slough may result from development under any of the proposed alternatives. This could possibly impact water quality within the slough as well as fish and other aquatic species that inhabit the slough. Impacts to the stream/slough may also affect downstream resources, primarily the Skykomish River and associated tributaries.

Any of the proposed land use alternatives have the potential for indirect adverse impacts to the functions and values of the on-site stream and as previously discussed, if lot coverage increases, the potential for direct adverse impacts also increases. In that cutting, grading and fill activity in the vicinity of wetland and shoreline boundaries will be outside of the OHWM, no adverse impacts to the stream will result.

#### Wetlands

Each of the three alternatives has the potential to impact on-site wetlands. Typically, a smaller construction footprint/envelope and smaller lot coverage would most likely result in fewer wetland and/or wetland buffer impacts than would a larger development. However, MMC 20.05.080 may allow for filling of wetlands or buffers, or the outright impact of wetlands and buffers provided the conditions of MMC 20.05.08(A) are met, and when applicable, the mitigation measures established in MMC 20.05.080 (E), (F), (G), and (H) are provided. Mitigation measures would typically include buffer averaging, wetland and buffer enhancement, wetland creation, and/or mitigation banking. Therefore any development activity, regardless of which alternative is utilized, is required to adhere to the critical area regulations outlined by the City in MMC and must avoid direct wetland impacts to the greatest extent practicable.

The current zoning designation (Alternative 1) of the subject property allows for maximum lot coverage of 30%. Under the Proposed Action (Alternative 2) the allowable lot coverage is 100%. Alternative 3 is exempt from maximum lot coverage requirements per MMC 18.10.140. No direct impacts to wetlands are expected from any of the proposed alternatives. Vehicular access to the developable northeast portion of the site would be accomplished by installing a bridge with abutments located outside of wetland boundaries and using standard BMP's for minimizing temporary construction impacts. Access via easement from the adjacent eastern parcel would cause no disturbance to the wetland areas. Temporary impacts to wetland buffer are expected from the implementation of a compensatory storage and habitat enhancement plan.

Generally as lot coverage increases, the intensity of development and overall human activity increases. Indirect wetland impacts could come in the form of habitat loss (primarily within the buffer areas), loss of water quality improvement functions, and/or loss of hydrologic functions. An increase in the amount of impervious surface on the subject property could result in an increase in stormwater runoff entering the wetlands. Alternatively, development

of the site could also divert water away from the wetlands, thereby impacting wetland hydrology as well as infiltration rates. Any of the proposed land uses and possible development alternatives has the potential for indirect adverse impacts to the functions and values of the on-site wetlands. As previously discussed, if lot coverage increases, the potential for adverse impacts could also increase.

#### Flood Hazard Areas

Floodplain policies are set at a national level and implemented through national, state, and local regulations. Fill and development in floodplains is generally allowed as a matter of national policy, not policy created by the City of Monroe. Administered by FEMA, the National Flood Protection Insurance Program (NFIP) implements the National Flood Insurance Act which sets regulation frameworks for state and local governments to follow. Currently, development within floodplains is allowed if the development is raised at least one foot above base flood elevation, applicable permits/regulations are acquired and any required mitigation is achieved. The requirements of 44CFR 60.3 are used in evaluation of the subject proposal. In addition, the MMC 14.01 defines flood hazard area regulations for the City of Monroe.

Based on the Preliminary FIRM Map 53061C1377G implemented by MMC, the floodplain elevation varies from 66 to 68 feet and has a designation of Zone AE. Zone AE refers to special flood hazard areas subject to inundation by the 1% annual chance of flood where a base flood elevation has been established. Base flood is more commonly referred to as a 100-year flood. A copy of the FIRM map showing the site designation is provided in Appendix E.

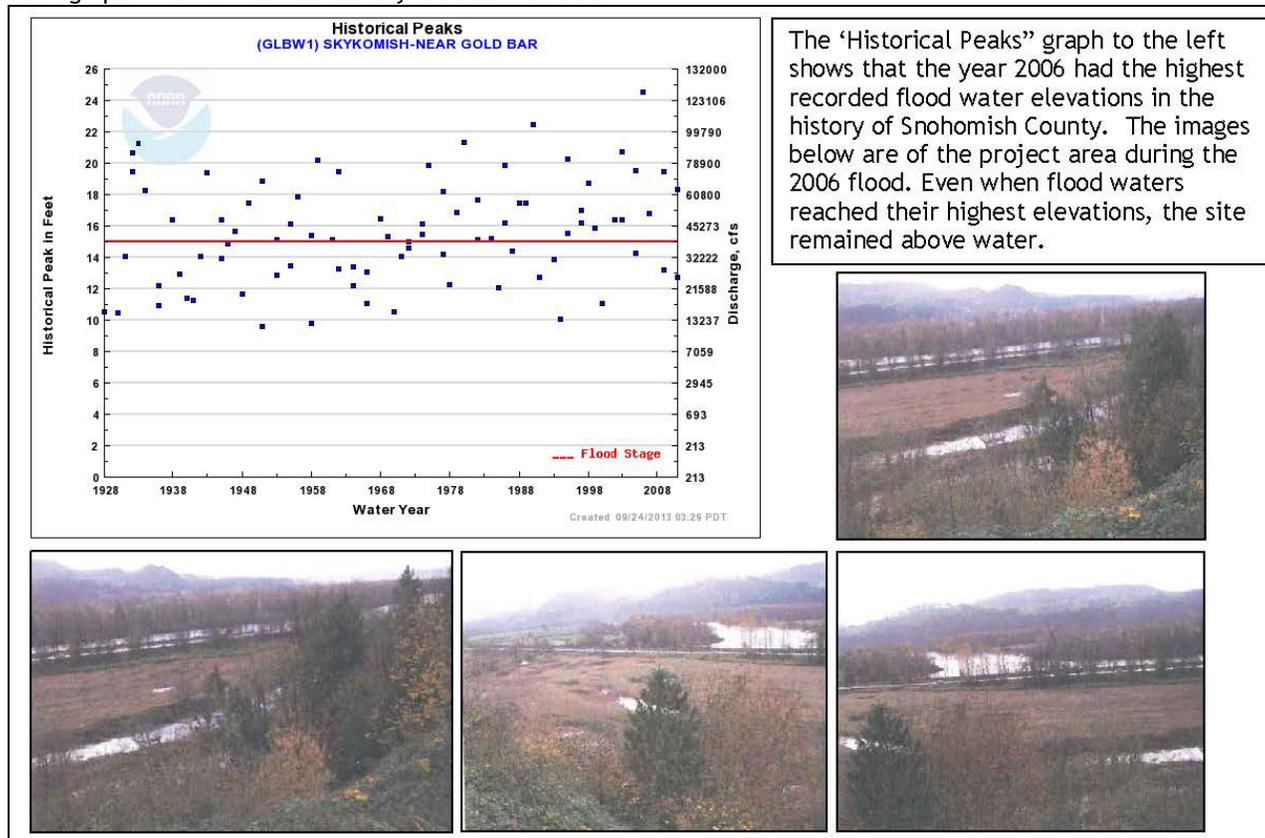
The development alternatives put forth in this FEIS assume that compensatory flood storage is required and provided through excavation and grading of the area adjacent to the stream/slough and filling of floodplain areas as discussed in Section 3.1.2. Verification of the magnitude of impacts will require a more detailed topographic survey to establish site elevations prior to a firm development proposal. Additional discussion on floodplain designation and required earthwork to accommodate compensatory flood storage is provided in Sections 3.3 and 3.1 respectively. The applicant may elect to use under-structure parking to reduce fill requirements and elevate building structure to above the established floodplain elevation, reducing parking lot area and increasing gross leasable area. Additionally, all development activities must comply with the Washington State Department of Ecology Stormwater Manual for Western Washington, which will limit pollutants through water quality treatment measures and limit changes to the hydrologic regime.

Figure 13 “2006 Flood Elevation Imagery” documents site conditions during the November 2006 flood, during the highest recorded flood in Snohomish County history. The “Historical Peaks” graph dates back to the 1920’s and the square points represent flood elevation in feet.

**Figure 13: 2006 Flood Elevation Imagery**

Source: <http://www.nwrfc.noaa.gov/river/station/flowplot/flowplot.cgi?GLBW1>

Information compiled and recorded at the Skykomish River Flow Station near Gold Bar, WA managed by the US Department of Commerce, National Oceanic and Atmospheric Association Northwest River Forecast Center  
Photographs were obtained from City of Monroe records.



### 3.3.3 MITIGATING MEASURES

#### Stream/Slough

No construction, development or mitigation activities are proposed within delineated wetland and stream/slough boundaries and would be confirmed at the time of development application. Current stream, wetland and critical area buffers are identified in the Critical Area Study put forth in Appendix D. Building setbacks are defined in MMC Section 20.05.070 to protect the stream/slough and wetlands. The OHWM was identified using the methodology described in the Washington State Department of Ecology document *Determining the Ordinary High Water Mark on Streams in Washington State* (Second Review Draft) (Olson and Stockdale 2010).

Development activities occurring under any of the proposed alternatives must comply with the Protection and Mitigation Measures outlined in Section 20.05.070 of the MMC, as well as the Stream Development Standards outlined in MMC 20.05.090. Specific mitigation actions will depend on the type and quantity of impacts occurring to the slough and its associated buffers. Per Section 20.05.090(H) of the MMC, a development project shall not result in a net loss of stream functions and values.

The methods outlined in MMC Section 20.05.070 will accomplish the purposes of the Critical Areas Ordinance and ensure protection of critical areas. MMC Section 20.05.070 applies to all approved development applications and alterations when a proposed activity is implemented.

This includes the following measures: Native Growth Protection Easements (NGPE); critical area tracts; building setback lines (BSBL); marking and/or fencing; monitoring; notice on title; fees; performance standards including oil control and enhanced water quality treatment of runoff from pollution generating surfaces; and limited density transfer. In addition, all the proposed mitigation measures identified in the wetland section of this document will also provide direct mitigation for potential impacts to the on-site Type 1 stream.

During construction, the stream will be protected by following the 2012 DOE Manual's Volume II: Construction Stormwater Pollution Prevention, preparing a Stormwater Pollution Prevention Plan (SWPPP), and following the requirements of the NPDES permit. These codes generally regulate potential pollutants released into the stream and provide guidelines for BMP's for controlling erosion and sedimentation during construction. For example, the stream may be protected by implementing silt fences, perimeter berms, on-site temporary sediment ponds, and treatment of run-off prior to discharge. Construction should be planned and scheduled to occur during the dry season.

If, as part of any future development proposal, direct impacts are proposed or indirect impacts are identified, then on-site mitigation in the form of wetland creation, wetland/buffer enhancement, and off-site mitigation banking are all feasible options for the subject property. Federal, State and Local regulations may be a requirement of any proposed mitigation measures for project impacts.

#### Wetlands

No construction, development or mitigation activities are proposed within delineated wetland and stream/slough boundaries and would be confirmed at the time of development application. Current stream, wetland and critical area buffers are identified in the Critical Area Study put forth in Appendix D. Building setbacks are defined in MMC Section 20.05.070 to protect the stream/slough and wetlands. The OHWM was identified using the methodology described in the Washington State Department of Ecology document *Determining the Ordinary High Water Mark on Streams in Washington State* (Second Review Draft) (Olson and Stockdale 2010).

Development activities occurring under any of the proposed alternatives must provide critical areas studies that comply with MMC 20.05.050, the Protection and Mitigation Measures outlined in Section 20.05.070 of the MMC, which include Native Growth Protection Easements, Critical Area tracts, building setback lines (BSBL), marking and/or fencing, monitoring, notice on title, fees, performance standards, and limited density transfer, as well as the Wetland Development Standards outlined in MMC 20.05.080.

Specific mitigation actions will depend on the type and quantity of impacts occurring within the on-site wetlands and/or their buffers. Per section 20.05.080(H) "Wetland Development Standards" of the MMC, no net loss of wetland functions and values shall occur as a result of a project. If a wetland alteration is allowed, then the associated impacts will be considered unavoidable and specific mitigation measures shall be required to minimize and reduce wetland impacts. Compensation for impacts to wetland buffers is also required.

During construction, the wetlands will be protected by following the 2012 DOE Manual's Volume II: Construction Stormwater Pollution Prevention, preparing a SWPPP, and following the requirements of the NPDES permit. These codes generally regulate potential pollutants released into the wetlands and provide guidelines for BMP's for controlling erosion and sedimentation during construction. For example, the wetlands may be protected by implementing silt fences, perimeter berms, on-site temporary sediment ponds, and treatment of run-off prior to discharge. Construction should be planned and scheduled to occur during the dry season.

Regardless of which alternative is implemented, specific measures are required by the City of Monroe to limit potential impacts to on-site Critical Areas. A SWPPP will be prepared and submitted to the City to propose measures to reduce the potential for siltation to downstream systems during the construction phase on the project. Stormwater systems will be designed to comply with the Washington State Department of Ecology Stormwater Management Manual for Western Washington, which will address potential impacts to water quality and the hydrologic regime of the on-site wetlands. Maintaining the hydrology of on-site wetlands must be incorporated into/addressed by stormwater management systems. In addition, all critical areas will be permanently protected in a new NGPE tract, which will be demarcated with signage.

If, as part of any future development proposal, direct impacts are proposed or indirect impacts are identified, then on-site mitigation in the form of wetland creation, wetland/buffer enhancement, and off-site mitigation banking are all feasible options for the subject property. Federal, State and Local regulations may be a requirement of any proposed mitigation measures for project impacts.

#### Flood Hazard Areas

All alternatives include provisions for on-site compensatory storage constructed to provide ample volume for retaining the volume for rising floodwaters without impacting on-site development. Compensatory storage will be created by excavation of soils immediately adjacent to the stream, allowing for access of floodwaters. Fish and wildlife, water quality and flood-flow attenuation functions will also be further enhanced by the planting of diverse native vegetation, placement of habitat features such as snags and logs, and control of the invasive vegetation species currently located with the shoreline area. An indirect impact of development of the property is that the on-site drainage system and flood protection measures will acknowledge and support area-wide flood management. Provision of natural compensatory flood storage can be accomplished in a way that will benefit the site and downstream properties. Grading, planting and site development in general can be accomplished to achieve on site storage and drainage at a rate that does not increase flooding downstream.

Filling the grassland and floodplain area in the approximate center of the site within the floodplain will remove existing flood storage. Flood storage will be replaced adjacent to the stream/slough and there will be net loss of flood storage on site. Providing flood storage at a lower elevation will likely reduce impacts of flooding with downstream properties receiving less flow in smaller storm/flood events.

#### 3.3.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

The Proposed Action addressed in this FEIS, a change in the comprehensive land use designation and associated rezone of the subject property, will not result in any unavoidable adverse impacts. Development activities that occur under any of the proposed alternatives will be able to avoid significant adverse impacts to critical areas provided that the requirements of the MMC Critical Areas Regulations, state and federal regulations are adhered to. No significant adverse environmental impacts associated with surface water are expected from any of the proposed alternatives.

#### 3.4 PLANTS

Information presented in this section addresses the effects of proposed development alternatives on plants located within or in the vicinity of the project area. This information is based on both primary and secondary sources assembled and reviewed by Wetland Resources, Inc. Primary research was limited to the scope of work required to prepare the Critical Area Study and Habitat Conservation Report, and does not include any site specific comprehensive plant inventories. Secondary sources include spatial information on rare plant occurrences, provided by the Washington Department of Natural Resources (WA DNR), Washington Natural Heritage Program (WNHP), as well as Snohomish County's list of known occurrences of rare plants in Washington

(August, 2012). The goal of this section is to describe existing vegetative cover, the likelihood of rare plant occurrences on-site and in the vicinity of the property, and also to assess and compare likely impacts to vegetative cover resulting from each of three proposed development alternatives. Note that a cross-section of a potential planting plan was provided earlier in this section as Figure 11 and is discussed in detail in the critical areas report provided in Volume 2 Appendix H.

#### 3.4.1 AFFECTED ENVIRONMENT

Land use within the project area is most accurately described as abandoned pasture. A mix of native and non-native grasses currently dominates the grass portion of the project area. Various non-mature trees, non-native and native shrubs, grasses, sedges, rushes, and forbs dominate a large riparian wetland that exists on the fringe of the stream/slough channel that spans the northern third of the project area. A more detailed site description, including a list of observed species can be found in the attached Critical Area Study and Habitat Conservation Report (prepared by Wetland Resources, Inc. and dated June 18, 2013).

Three dominant vegetation types are located within the project area: Palustrine Emergent wetland, Himalayan blackberry dominated upland/riparian interface, and regularly maintained upland grasses. Within a small portion of the northwest corner of the project area, overlap exists between the emergent wetland and maintained grasses. Generally, the on-site vegetation is comprised of pasture, invasive Himalayan blackberry and reed Canarygrass, with small areas of native species.

No rare, sensitive, or threatened plant species, or high quality ecosystems, were observed on-site or are noted in the information provided by the WA DNR WNHP list of surveyed land sections in Washington that contain Natural Heritage Features (Data current as of March 1, 2013).

#### 3.4.2 ENVIRONMENTAL IMPACTS

It is logical to discuss potential impacts to vegetative cover in terms of a “full build-out” scenario for each of three proposed alternative zoning designations for the project area. Full build-out in this case refers to the maximum allowable lot coverage area and intensity that is permitted outright for each zoning designation, pursuant to development requirements set forth in the Monroe Municipal Code (MMC).

Impacts to vegetative cover resulting from development under LOS zoning are mostly a function of the limits imposed by the bulk requirements found in MMC 18.10.140, specifically the 30% maximum lot coverage requirement. Due to requirements set forth in the City of Monroe’s Shoreline Master Program, the location of the proposed lot coverage will be within the grass portion of the property. Therefore, the likely development activity under the LOS zoning is expected to cause the conversion (and loss) of maintained grass area to impervious surface. Also under the LOS zoning the remaining developable portion of the site could be converted from pasture to landscaping or open space, further impacting the existing vegetation.

Development under each of the three scenarios will require flood storage to be provided within the required 200-foot limit of Shoreline Jurisdiction and of the standard buffers surrounding critical area features. The impacts associated with flood storage activities are limited to the areas dominated by Himalayan blackberry and pasture and are expected to be temporal.

Development will also decrease total vegetative cover within the project area. The difference in total lot coverage between LOS and GC/MU zoning is minimal. The functions performed by the existing vegetation in the impact area are of relatively low value to water quality improvement, hydrologic control, and fish and wildlife habitat, especially considering that human development could be located adjacent to the vegetation under each scenario.

Therefore the additional potential loss of vegetative cover created by the GC and MU scenarios is not expected to significantly degrade functions within the project area.

### 3.4.3 MITIGATING MEASURES

Under any development scenario, impacts to vegetative cover will occur within areas characterized by ongoing and significant human disturbance (maintained upland grasses and invasive species).

Impacts to vegetative cover resulting from development under any of the proposed zoning designations could be mitigated by:

- Retaining native vegetation to the greatest extent possible;
- Removing invasive vegetation species such as Himalayan blackberry and reed canarygrass, and or planting additional native trees, shrubs, and emergent;
- Siting new impervious surfaces as far from the wetland and stream/slough complex as feasible could also somewhat mitigate impacts associated with any proposed development activity; and,
- An increase in the fish and wildlife habitat function, stormwater storage function and water quality function can be expected by removing invasive species along the wetland, stream and shoreline areas, by excavating flood storage area, and by planting native trees, shrubs and emergent plants throughout.

### 3.4.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Any development scenario within the project area will reduce the overall vegetative cover within the pasture portion of the site. Given the existing disturbed/managed condition of the site, this may lead to temporary reductions in water quality improvement, hydrologic control, and wildlife habitat.

## 3.5 ANIMALS

Information presented in this section addresses the effects of proposed development alternatives on animals located within or in the vicinity of the project area. This information is based on both primary and secondary sources assembled and reviewed by Wetland Resources, Inc. Primary research was limited to reconnaissance level wildlife observations and does not include any site specific wildlife inventories beyond what was conducted during the wetland and stream field investigations. Secondary sources include spatial information on threatened and endangered species, provided by the Washington Department of Fish and Wildlife (WDFW) SalmonScape interactive mapping tool, Priority Habitat and Species viewer, and Fish Passage Program Maps. The goal of this section is to describe animal use of the site, with a focus on threatened and endangered species. Impacts to wildlife resulting from each of the proposed development alternatives will also be discussed.

### 3.5.1 AFFECTED ENVIRONMENT

On the landscape-scale, the project area is disconnected from other habitat types by SR2 to the south, downtown Monroe to the west, residential development on Rivmont Drive to the north, and Calhoun Road to the east. These terrestrial blocks do not impede avian use of the site, but do limit access to many mammals. The lack of corridor and connection to other valuable habitat patches reduces the opportunity for species to gain access to the project area.

At the site-scale, low to moderate quality habitat does exist. The structural complexity of the stream/slough channel, surrounded by wetlands and adjacent to upland forest and tall grasses, creates a transition zone between habitats, which is known to provide niches that encourage use by many species. Steep slopes on the north side of the property discourage human

intrusion, and connect the wetland to a patch of upland forest. Multiple hydroperiods within the wetland and diversity of vegetation create quality cover and foraging opportunities for numerous species, particularly birds. Within the stream/slough channel, submerged logs and rooted aquatic vegetation provide cover for salmonids. The project area has moderate potential to provide quality wildlife habitat.

To provide valuable wildlife habitat, sites require both potential and opportunity. While on-site habitat creates potential to provide wildlife habitat, it is somewhat limited by the lack of connectivity to other larger blocks of habitat (opportunity) and the large amount of non-native vegetation along the edge of the wetland and upland habitats. Therefore, the site provides only moderate value for supporting wildlife. Avian populations do not require terrestrial connections, and therefore are more likely to utilize the habitats within the project area.

Despite the lack of corridor and connection to larger habitat patches, wildlife inhabiting the project area and vicinity likely includes a fairly wide variety of species. The following species were directly or indirectly observed (evidence of recent use) during the June 2013 site visits: black-tailed deer (*Odocoileus hemionus columbianus*), North American beaver (*Castor canadensis*), mouse (*Apodemus* spp.), Pacific mole (*Scapanus orarius*), bald eagle (*Haliaeetus leucocephalus*), red-tailed hawk (*Buteo jamaicensis*), Pileated woodpecker (*Dryocopus pileatus*), American robin (*Turdus migratorius*), red-winged blackbird (*Agelaius phoeniceus*), American bullfrog (*Rana catesbeiana*), Pacific tree frog (*Pseudacris regilla*), and common garter snake (*Thamnophis sirtalis*).

The following list of species, while not directly or indirectly observed by Wetland Resources staff, are expected to utilize the project area based on the habitat characteristics present there: common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), house finch (*Carpodacus mexicanus*), black-capped chickadee (*Poecile atricapillus*), bushtit (*Psaltriparus minimus*), northern flicker (*Colaptes auratus*), hairy woodpecker (*Picoides villosus*), downy woodpecker (*Dendrocopus villosus*), red-breasted nuthatch (*Sitta canadensis*), brown creeper (*Certhia americana*), swainson's thrush (*Hyocichla ustulata*), varied thrush (*Ixoreus naevius*), Vaux's swift (*Chaetura vauxi*), sharp-shinned hawk (*Accipiter striatus*), Virginia opossum (*Didelphis virginiana*), shrew (*Sorex* spp.), striped skunk (*Mephitis mephitis*), coyote (*Canis latrans*), gray squirrel (*Sciurus carolinensis*), eastern cottontail rabbit (*Sylvilagus floridanus*), northwestern salamander (*Ambystoma gracile*), and rough-skinned newt (*Taricha granulosa*). These lists are not meant to be all-inclusive and likely omit species that currently utilize or could utilize the site.

The Skykomish River, a shoreline of the state, flows adjacent to the south of the project area. A box culvert connects the on-site stream/slough channel with the Skykomish River off site to the southwest, and is not considered a fish passage barrier, based on data obtained from the WDFW Fish Passage Program Maps. The Washington Department of Natural Resources (WA DNR) further substantiates the presence of fish within the stream/slough channel, mapping the feature as Type 1 water. It is expected that all species known to utilize the Skykomish River in the vicinity of the project area are similarly present within the on-site stream/slough channel. Therefore, the following fish species are presumed to inhabit the project area: Chinook salmon (*Oncorhynchus tshawytscha*)-summer and fall runs, Chum salmon (*Oncorhynchus keta*)-fall run only, Bull trout (*Salvelinus malma*), Pink salmon (*Oncorhynchus gorbuscha*), Steelhead trout (*Oncorhynchus mykiss*)-summer and winter runs, Coast resident cutthroat (*Oncorhynchus clarki*), Coho salmon (*Oncorhynchus kisutch*), Rainbow trout (*Oncorhynchus mykiss*), and Cutthroat trout (*Oncorhynchus clarki*).

Several of the aforementioned species have been listed by the state and federal government as threatened, endangered, candidate, or sensitive species. Federally threatened species include: steelhead trout, bull trout (also State Candidate), and Chinook salmon (also State Candidate).

State candidate species include pileated woodpecker and Vaux's swift. State sensitive species include bald eagle. Threatened and endangered species require specific habitat protections, defined at the federal level by the NOAA Fisheries and the United States Fish and Wildlife Service and at the state level by the WDFW. "Candidate" status is a state listing afforded to species where sufficient evidence suggests that their status may meet the listing criteria defined in WAC 232-12-297. "Sensitive" status is a state listing afforded to any wildlife species native to the state of Washington that is vulnerable or declining and is likely to become endangered or threatened.

### 3.5.2 ENVIRONMENTAL IMPACTS

It is logical to discuss potential impacts to wildlife in terms of a "full build-out" scenario for each of three proposed alternative zoning designations for the project area. Full build-out in this case refers to the maximum allowable impact area and intensity that is permitted outright for each zoning designation, pursuant to development requirements set forth in the Monroe Municipal Code (MMC).

Impacts to wildlife resulting from the development of the project area relate to habitat loss, fragmentation, and proximity to human disturbance regimes. Species particularly impacted will be small mammals residing within the pasture areas and predators that feed on them. Habitat degradation will increase as a function of the proximity of urban development and intensity of land use. The three development scenarios each necessitate daily human disturbance within the project site, but not within the enhanced wetland and areas where habitat will likely reside. Due to requirements set forth in the City of Monroe's Shoreline Master Program, the location of the lot coverage area will be within the grass portion of the property. Therefore development under each alternative is expected to cause the conversion (and loss) of maintained grass area to impervious surface, and may impact the wildlife habitat within these areas. The remaining area located outside of critical areas and shoreline would likely be converted from abandoned pasture to maintained landscaping and/or open space.

The primary differences between LOS zoning and GC/MU zoning are intensity of human use and total square footage of impervious surface. Close proximity to urban development will deter animal use of the grass portion of the site, and also the use of on-site wetland and stream/slough habitat, to some degree. At this time there is no objective measure that can illustrate the level of deterrence each scenario might create. Impact to habitat value, as expected, will occur as a function of the intensity and proximity of land use. All of the proposed alternatives are considered an increase in the intensity of existing land use.

Habitat functions provided by maintained grasses are limited for medium to large mammals, as they are unable to provide cover from predators, and also due to limited grazing/foraging opportunities. Smaller mammals, such as mice, rabbits, moles, voles, and shrews are likely to utilize these areas for nesting and cover. The physical separation from human development is likely the most valuable function provided by the grassland area.

### 3.5.3 MITIGATING MEASURES

In order to mitigate the potential impact of any of the proposed land uses, the applicant should incorporate WDFW guidelines for threatened, endangered, candidate, sensitive, and monitored species, and Washington DOE measures to minimize impacts to wetlands (Table 8C-8, from BAS document titled Wetlands in Washington State Volume 2- Protecting and Managing Wetlands, dated April 2005). In addition, designating the highest quality habitat on site as NGPE and segregating this habitat from the proposed development activity through fencing and signage will provide the biggest benefit to on-site wildlife habitat. In addition, the proposed compensatory storage and associated enhancement activities will have a long-term benefit for wildlife habitat by controlling/removing existing invasive species, planting a diversity of native vegetation, and by installing habitat features such as snags and logs.

**3.5.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS**

Build-out of the project area under any scenario will have limited impact to wildlife through habitat loss and fragmentation by impacting the lowest quality habitat on-site. Species displaced from any of the proposed alternatives are likely to be small mammals and the predators which feed on them. Similar impacts are likely to be realized from each of the development alternatives.

**3.6 NOISE**

**3.6.1 AFFECTED ENVIRONMENT**

The existing conditions of the site currently produce minimal noise and levels are consistent with undeveloped / vacant land. The proximity of SR-2 and the Burlington Northern Santa Fe Railroad has a large influence on noise levels on the site. The area immediately adjacent to the project area is most likely to be affected by noise. Land to the north is zoned residential with lot sizes ranging from 0.5 acres to 1.78 acres. The homes in this residential area are located approximately 100 to 120 feet above the project area and 200 to 300 feet horizontally from the north property line of the project area parcels.

Located immediately south of the project area is the SR-2 right-of-way and the Burlington Northern Santa Fe railroad tracks. Currently, in addition to traffic noise from SR-2, approximately 23 locomotives a day pass through Monroe (Monroe Monitor, 2013). Under the ‘Train Horn Rule’, locomotive engineers are required to sound their horns at least 15 seconds, and no more than 20 seconds, in advance of all public grade crossings. If a locomotive is traveling faster than 60 mph, engineers will not sound the horn until it is in within one-quarter mile of the crossing, even if the advance warning is less than 15 seconds, (U.S. department of Transportation Federal Railroad Administration). Locomotive horns range in decibel (dB) ratings from 110-150.

For the purpose of comparison, a 5-ton ‘Trane’ packaged rooftop heat pump (common for a home improvement store) is rated at 87 dB, power lawn mowers are typically rated at 65-95 dB, a vacuum cleaner has 60-85 dB, and typical conversational speech ranges from 55-65 dB. The property to the south of the railroad tracks is agricultural land and the Skykomish River. Properties in the vicinity of the study area (north, east and west), may experience increased noise volumes as construction of potential development occurs. Table 5 shows the maximum permissible environmental noise levels per WAC 173-6-040. In this table, EDNA means the environmental designation for noise abatement.

**Table 5: Maximum Permissible Environmental Noise Levels**

*(Per WAC 173-60-040)*

EDNA of Noise Source	EDNA of Receiving Properties		
	Class A	Class B	Class C
Class A	55 dBA	57 dBA	60 dBA
Class B	57	60	65
Class C	60	65	70

**Note:**

1. No person shall cause or permit noise to intrude into the property of another person which noise exceeds the maximum permissible noise levels set forth below in this section.
2. (a) The noise limitations established are as set forth in the following table after any applicable adjustments provided for herein are applied
  - (b) Between the hours of 10:00 p.m. and 7:00 a.m. the noise limitations of the foregoing table shall be reduced by 10 dBA for receiving property within Class A EDNAs.
  - (c) At any hour of the day or night the applicable noise limitations in (a) and (b) above may be exceeded for any receiving property by no more than:
    - (i) 5 dBA for a total of 15 minutes in any one-hour period; or
    - (ii) 10 dBA for a total of 5 minutes in any one-hour period; or
    - (iii) 15 dBA for a total of 1.5 minutes in any one-hour period.

### 3.6.2 ENVIRONMENTAL IMPACTS

Future development actions that will be allowed under all of the alternatives may generate additional noise during construction activities. Residents in the adjacent properties of the project area may become aware of increased noise levels as construction and development occurs. Operational noise sources in the project area will depend on the type of development activity that takes place but can include excavating equipment that includes dump trucks, backhoes, and other machinery used in hauling soils and land work.

Noise sources can also include unloading of shipments, building support machinery (heating, ventilation and air conditioning, and refrigeration), and local traffic noise. A list of the allowed uses for the three alternatives is provided in Appendix B.

Increased traffic volumes under any of the alternatives may also contribute to increased traffic noise for residents in the vicinity of the study area. Please refer to Section 3.10 "Transportation" for an analysis of potential traffic volumes.

### 3.6.3 MITIGATING MEASURES

Potential noise impacts will be mitigated through compliance with Monroe Municipal Code Section 18.10.270 - Performance Standards, particularly subsection E, "Noise", which establishes a maximum acceptable sound pressure level in residential districts and by complying with WAC 173-60 Maximum Environmental Noise Levels.

### 3.6.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Future development activities will result in increased noise levels during construction activities and an increase in background and traffic noise during operation.

## 3.7 LAND AND SHORELINE USE

### 3.7.1 AFFECTED ENVIRONMENT

#### Land Use

The project area currently has a comprehensive land use designation and zoning of LOS. It has been used for agriculture in the past and is unused at the present time. This designation allows for residential uses at a maximum density of one dwelling unit per five acres and a host of other more intensive developments. Appendix B provides a complete table comparing land uses of LOS, GC, and MU designations and Table 6 provides a summary of land inventory in the City of Monroe.

**Table 6: City of Monroe Land Use Inventory (2012)**

*City of Monroe Comprehensive Plan 2012*

Category	Approximate Acres	Percent of Total
Single Family Residential	2108	43
Multi-Family Residential	146	3
Commercial	355	7
Professional Office	29	1
<u>Mixed Use</u>	125	3
Industrial	243	5
Limited Open Space	328	7
<u>Limited Open Space Airport</u>	65	1
Parks and Open Space	403	8
Public Facilities- City/School	94	2
Special Regional Use	997	20
<b>Total</b>	<b>4873</b>	<b>100%</b>

Source: City of Monroe Comprehensive Plan 2005-2025; Land Use Element - LU-19

The following paragraphs explain the purpose of the zoning districts associated with this proposal, as stated in the Monroe Municipal Code (MMC).

*Limited Open Space*

Per MMC Section 18.10.045: “The purpose of the limited open space zoning district is to provide for low-density residential uses on lands that lack the full range of public services and facilities necessary to support urban development and that are severely impacted by critical areas. This zone also provides a buffer between urban areas and transitional land uses on the urban growth boundaries of the city, and/or may also provide for enhanced recreational facilities and linkages to existing trails or open space systems.”

*General Commercial*

Per MMC Section 18.10.030: “The purposes of the commercial districts are to provide opportunities for the enhancement of existing commercial uses and for the location of new commercial development. General commercial uses (GC) should be located on traffic corridors that have adequate capacities for traffic flow. Such location assures that uses do not generate traffic through residential areas. Uses located in this (GC) class should be designed into planned centers with safe and convenient access to minimize curb cuts and facilitate better parking and traffic flows.”

*Mixed Use Commercial*

Per MMC Section 18.10.030: “The purposes of the mixed use zoning districts are to integrate a mix of office, retail, light industrial, institutional, public facilities, and attached residential units throughout the district, within the same property, or inside a single building. Mixed use commercial (MUC) should be located on corridors with available public services and adequate traffic capacities. The mixed use commercial district allows high-intensity development and requires that new developments provide safe and convenient access, minimize curb cuts, and facilitate better parking and traffic flow. This district permits residential, commercial, office, and light industrial land uses.

Shoreline Use

The City of Monroe’s shoreline designations are the result of six years scientific work and research that reflects local shoreline conditions, including ecological functions and shoreline

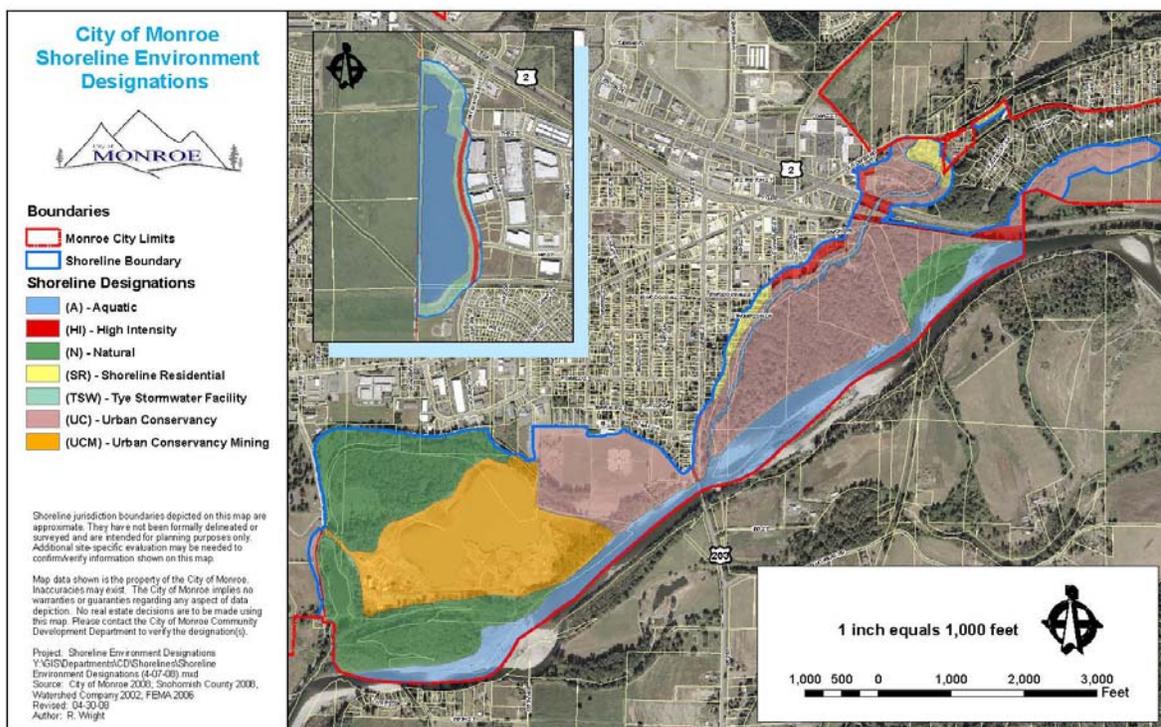
development. Washington State Department of Ecology (DOE) approves environment designations in the Shoreline Master Program (SMP) planning process. Ecological characteristics, shoreline reaches, land use patterns, community goals, and shoreline management recommendations from the inventory and characterization report are all part of the equation for assigning environment designations. DOE approves all Shoreline Master Programs for jurisdictions within the State of Washington. The City of Monroe's Shoreline Master Program was approved by DOE and adopted by the City of Monroe in August of 2008.

According to the City of Monroe Shoreline Environment Designations Map (Figure 14 and included in Appendix I), a portion of the subject property is designated as an Urban Conservancy Shoreline Environment. This designation is illustrated on the map as including only the western and northern portions of the slough, consistent with the City of Monroe's 2008 Shoreline Master Program.

Chapter 2 Section 4 of the adopted Shoreline Management Program cites designation of the subject property as Urban Conservancy and states: "The purpose of the "Urban Conservancy" environment is to protect and restore ecological functions of open space, floodplain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses." The management policies of this designation state that standards for shoreline stabilization measures and shoreline modifications shall ensure that new development does not result in a net loss of shoreline ecological functions or further degrade the shoreline values. The riparian corridor management and flood hazard reduction policies of the Program do not allow new development including significant vegetation removal and shoreline stabilization unless it is demonstrated that the development restores ecological processes. This would only be allowed where the development meets the exception criteria in the Program and the proponent submits documentation or analysis on scientific and technical information demonstrating compliance with the Program.

In these areas, the shoreline jurisdiction extends 200 feet from the slough. The eastern portion of the slough and the associated wetlands are also included in the shoreline environment, but do not have the 200-foot setback.

Figure 14: City of Monroe Shoreline Environment Designations Map



### 3.7.2 ENVIRONMENTAL IMPACTS

#### Land Use

Alternative 1 would retain the current land use and zoning designation of LOS. Alternative 2 would change the land use designation of the project area to General Commercial (GC) which is described in the 2005 City of Monroe Comprehensive Plan Section LUP-1.1 as:

“This designation comprises more intensive retail and service uses than described under Service Commercial above. General Commercial uses typically require outdoor display and/or storage of merchandise, greater parking requirements, and tend to generate noise as a part of their operations. Such uses include but are not limited to shopping centers, grocery stores, auto, boat and recreational vehicle sales lots, tire and muffler shops, equipment rental, and mini-warehouses and vehicle storage.”

Alternative 3 would change the land use designation of the project area to Mixed Use which is described in the 2005 City of Monroe Comprehensive Plan as:

“Mixed-use areas should be concentrated in areas of the city characterized by mixed uses; where there is the ability to develop land efficiently through the consolidation and infill of under-utilized parcels; and where infrastructure, transit and other public services/facilities are available or where the city or proponent can provide public services. Mixed-use areas encourage office, retail, and light-industrial uses; compatible high technology manufacturing; institutional and educational facilities; parks and other public gathering places; entertainment and cultural uses; and attached residential units up to 20 dwelling units per acre integrated throughout the district, within the same property, or inside a single building”. (Policy LUP-1.1-17 Land Use Element the City of Monroe Comprehensive Plan).

### Shoreline Use

Per the City of Monroe Shoreline Master Program, non-water dependent commercial activities, single-family residential and multi-family residential activities are prohibited within Urban Conservancy shoreline environments (Chapter 2, section C: “*Shoreline Use and Modification Matrix*” Pg. 25). A copy of the matrix is included in Appendix G and demonstrates allowable uses within designated shoreline and Urban Conservancy areas.

One of the very few allowable uses within the UC designation is flood management. All alternatives considered in this FEIS include activity within the shoreline environment to maximize developable area by using this area for provision of compensatory storage as detailed in earlier sections. Work would be performed under specific approval by the City of Monroe at the time of permitting and would be consistent with MMC and the City’s 2008 SMP. Enhancement of the shoreline area and flood management would entail excavation, grading and planting to accomplish restoration and enhancement of drainage, vegetation and habitat.

While no structures should be proposed or occur within the shoreline area, excavation of this area adjacent to the slough is proposed to improve/increase floodplain storage. This area falls within the 200-foot boundary of the OHWM of the slough and, therefore, within the Urban Conservancy environment. “Flood Hazard Management” is one of the few permitted activities (with the applicable permits and approvals) under the City’s Shoreline Master Program (Chapter 2, section C: “*Shoreline Use and Modification Matrix*” Pg. 25). The excavation of this area is described in further detail in Section 3.1.3 and the effects on the floodplain are discussed in Section 3.3.3.

Anticipated impacts to the shoreline environment include enhancement of fish and wildlife habitat through clearing, grading and planting in shorelines adjacent to the stream/slough and associated wetlands, increasing the functional value of the areas. Implementation of a sound habitat management plan through site enhancements will also provide the beneficial use of the shoreline area for controlled flood storage. Temporary construction impacts to the shoreline setback area are also anticipated. These impacts occur under any of the alternatives.

## 3.7.1 MITIGATING MEASURES

### Land Use

Potential land use impacts resulting from a zoning classification change will be mitigated by complying with critical area regulations, zoning regulations, and performance standards contained in the Monroe Municipal Code. This proposal is for the non-project action of a Comprehensive Plan amendment and rezone. Although adequate review of the impacts resulting from this action is achieved through evaluation of potential development scenarios, additional environmental analyses and documentation should be expected when a specific development proposal is reached. Any additional evaluation will be as required by the City of Monroe’s development review and permitting processes.

Mitigation measures associated with the changed land use and zoning designations put forth under Alternatives 2 and 3 are similar to what would be expected for development under the current designations. They consist primarily of developing the site in accordance with the requirements, restrictions and allowances under the selected land use and zoning designation. Other mitigation strategies to lessen the impacts of changed land use to neighboring properties are addressed in later sections of this FEIS and include measures to lessen the impacts of light, glare, aesthetics and traffic.

### Shoreline Use

Pasture grasses and emergent vegetation common to the region dominate the proposed excavation area. There is little, if any, wildlife habitat within the excavation area. Excavating and restoring this area is planned as an enhancement of flood protection and habitat and in

pursuit of greater restoration and enhancement of the shoreline. Shoreline modifications, including beach restoration/enhancement and bioengineering are allowed in the Urban Conservancy environment in association with a permitted shoreline use; in this case flood hazard management.

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### 3.7.2 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Changes in the character of land use will occur.

The Proposed Action addressed in this FEIS, a change in the comprehensive land use designation and associated rezone of the subject property, will result in unavoidable impacts in the sense that if the land use designation is changed, the intensity and type of development would increase. These impacts are not considered adverse with appropriate development guidelines and mitigation as outlined throughout this FEIS.

Development activities that occur under any of the proposed alternatives will avoid significant adverse impacts to shoreline areas provided that the requirements of the City of Monroe Shoreline Master Program are adhered to and the proposed flood hazard management, including habitat enhancement, is fully implemented. No permanent adverse impacts to the shoreline environment or the slough are expected. Temporary construction impacts will be mitigated through typical best management practices, as outlined in the DOE Manual.

## 3.8 AESTHETICS

### 3.8.1 AFFECTED ENVIRONMENT

A mix of native and non-native grasses currently inhabits the vacant grass / pasture land that makes up the project area. Various non-mature trees, shrubs, grasses, sedges, rushes, and forbs dominate a large riparian wetland that exists on the fringe of the stream/slough channel that spans the northern third of the project area. Directly to the north of the property is a slope that is covered entirely by vegetative growth including shrubs, bushes, trees, and other types of existing foliage that would remain untouched throughout development under any of the alternatives.

The central acreage of developable land is currently dominated by a mix of native and non-native grasses. After potential development occurs, which is allowed by any of the alternatives, the grassy areas would be removed and replaced with impervious surfaces such as parking lots and buildings. Landscaping, open spaces, lights, and other articles associated with development will also exist once development is complete.

The area is easily visible only from motorists traveling along SR-2 (at approximately 55 mph), and residents to the east. The south portion of the property can be seen from residents located on the bluff to the north of the property. Their view can be seen in Figure 15.

**Figure 15: South-Facing Property View from Bluff North of Study Area**

*Photo Taken on: 06-21-2013*



### **3.8.2 ENVIRONMENTAL IMPACTS**

All Alternatives mentioned in this FEIS allow for future development actions that would alter the current visual circumstance of the property. Alternative 1 would retain the LOS zoning designation. Allowed uses include, but are not limited to: animal slaughtering, cement manufacturing, processing of sand/gravel, rock, black soil, and other natural deposits, and RV parks. Alternative 1 in this FEIS considers a probable development of a daycare, church, and fitness facility. Alternative 2 could include, but not be limited to: retail facilities, home improvement centers, professional offices, and restaurants. Alternative 3, rezoning to MU, could include, but not be limited to: accessory dwelling units, multi-family residential, retail facilities, and wholesale establishments. Please refer to Appendix B, Allowable Land Uses for more usage examples.

Future development of the site would include the need to remove the current grass cover and replace it with impervious surfaces such as buildings and parking lots. However, there will also be landscaping, open space, a large percent of undeveloped property, and natural vegetation surroundings.

The current pasture land would be converted into developed land, changing the visual character of the property. Potential development could also result in an increased awareness of commercial activity for motorists along SR-2. A change in views from residences on the ridge above and north of the project area could include blocking SR-2 and Skykomish River views, as shown in Figure 15.

### **3.8.3 MITIGATING MEASURES**

A variety of measures could lessen visibility and soften the impact of the potential development. Measures could include:

- Enhancing wetland buffers with vegetation to continue to attract wildlife;
- Architectural treatment of structures to give development an appealing, community feel;
- Screening of glare; and

- Landscape planting between the buildings and amongst the parking to provide interest and aesthetically break up the impervious surfaces.

#### 3.8.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Once the property is developed, visual aesthetics would change significantly for individuals traveling along SR-2 looking towards the property. Visual changes for the residences on adjacent properties to the north are also a significant unavoidable impact.

### 3.9 LIGHT AND GLARE

#### 3.9.1 AFFECTED ENVIRONMENT

There currently are no light or glare producing structures or objects on the proposed project site, which is vacant and undeveloped. If new development were to occur under any of the alternatives, residents in the surrounding area are likely to experience a difference in light and glare sources during construction and after completion of development as new structures and parking lots are lit. Located immediately south of the project area is the SR-2 right-of-way and the Burlington Northern Santa Fe railroad tracks. Motorists traveling along SR-2 would also become more aware of light intrusion coming from the property.

#### 3.9.2 ENVIRONMENTAL IMPACTS

All Alternatives mentioned in this FEIS allow for future development actions that would alter light and glare from what is typically seen on the site now. Passersby and property owners to the north are likely to notice an increase in light and glare coming from the new development as the night sky darkens. The permanent building structures of Alternative 2 may provide the worst case light and glare scenario of all alternatives only due to the potential of a large box store with skylights. At night, light could escape from the skylights and potentially create glare for the properties above.

The final development under any alternative will likely include installation of on-site light (such as street lights) for operation and security purposes. This lighting may cause glare and light intrusion onto SR-2 or adjacent properties.

#### 3.9.3 MITIGATING MEASURES

Potential impacts of light spill and glare can be mitigated by shielding of light and glare sources, including use of landscaping. Any future construction would be subject to the requirements of MMC Chapter 15.15 'Lighting Standards', including but not limited to "parking lot light fixtures should be non-glare and mounted no more than twenty-five feet above the ground to minimize the impact onto adjacent properties. All fixtures over fifteen feet in height shall be fitted with a full cut-off shield", "exterior lighting installations shall be designed to avoid harsh contrasts in lighting levels", and "light heads for parking lots and display area light fixtures shall not have bulbs or reflectors that project below the bottom rim of the fixture unless shielded by a softening diffuser".

#### 3.9.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Future development under any of the Alternatives referred to in this FEIS are likely to increase glare and light spill onto adjacent properties, including SR-2, and cause some lightening of the night sky when illuminated.

### 3.10 TRANSPORTATION

#### 3.10.1 AFFECTED ENVIRONMENT

The site is located on the north side of SR-2, east of Old Owen Road and west of Calhoun Road. WSDOT purchased the access rights as part of the planning for the Monroe Bypass for US-2 and

therefore the site does not have direct access to SR-2. The site is likely to have access through an easement with the parcel to the east (Parcel F in the 2012 FPEIS) at the southeast corner of the site. The intersections that will be significantly impacted and have been analyzed are:

- SR-2 at Chain Lake Road;
- SR-2 at Old Owen Road/E Main Street; and
- SR-2 at Access.

The impacts have been analyzed for a 10-year horizon period to the year 2023. The future volumes have been calculated by using a combination of known development and a general growth rate. The full transportation analysis is included in Appendix F.

### 3.10.2 ENVIRONMENTAL IMPACTS

Alternative 1 could generate approximately 1,602 new average daily trips with 169 new PM peak-hour trips; however, the trip generation is dependent on the uses and could be lower. For a baseline comparison, under the current zoning for Alternative 1, a church could be developed and would result in 501 average daily trips with 13 PM peak-hour trips. The highest anticipated use under Alternative 1 (church, daycare, and fitness club) has been evaluated to determine the maximum potential impact to the study intersections. Alternative 2 would increase this trip generation to 5,230 average daily trips with 459 PM peak-hour trips, an increase of 3,628 average daily trips and 290 PM peak-hour trips over the existing zoning. Alternative 3 would increase this trip generation to 3,427 average daily trips with 318 PM peak-hour trips, an increase of 1,825 average daily trips and 149 PM peak-hour trips over the existing zoning.

The transportation impacts have been analyzed based on the methodology from the Highway Capacity Manual: 2010 Edition (HCM). The intersection operations are evaluated based on level of service (LoS), and are rated from LoS A, little/no delay, to LoS F, extreme delays. Future volumes are based on existing volumes at the intersection multiplied by a growth rate for the area and the addition of the trips generated by each alternative. The study intersections show that the operations will be similar for all three analysis scenarios. The intersection of SR-2 at Chain Lake Road is anticipated to operate at LoS E with development of the site and the intersection of SR-2 at Old Owen Road/E Main Street will operate at LoS D. The access to the site will operate at LoS C. The intersection operations are summarized in Table 7.

**Table 7: Intersection Operations**

Intersection		2013 Existing Conditions		2023 Baseline Conditions		2023 Future Conditions					
						Alternative 1		Alternative 2		Alternative 3	
		LoS	Delay (sec)	LoS	Delay (sec)	LoS	Delay (sec)	LoS	Delay (sec)	LoS	Delay (sec)
1	SR-2 at Chain Lake Road	D	46.1	E	67.3	E	76.7	E	75.6	E	70.5
2	SR-2 at Old Owen Road	D	43.4	D	51.0	D	50.2	D	51.5	D	50.6
3	SR-2 at site Access					F	153.8	F	680.3	F	87.9
	<i>(With Acceleration Lane)</i>					C	17.1	C	22.1	C	16.0
	<i>(With Roundabout)</i>					B	10.6	B	12.9	B	10.8

The level of service analysis has been performed for the weekday PM peak-hour, based on the standard methodology for City of Monroe developments. A preliminary evaluation of the weekend Saturday peak-hour trip generation shows that the trip generation is relatively consistent with the weekday PM peak-hour, therefore only the weekday results are shown.

The acceptable levels of service for the signalized intersections of US-2 at Chain Lake Road and US-2 at Old Owen Road/E Main Street are based on the level of service before development of the site, regardless of the rezone or not. If the level of service is LoS D before development, LoS D must be maintained after development. If the level of service is LoS E before development, LoS E must be maintained after development.

### 3.10.3 MITIGATING MEASURES

The analysis shows that the off-site intersections will operate at an acceptable level of service without the requirement for improvements. The access to the site will warrant an inbound left-turn lane. Additionally, separate outbound lanes and an outbound left-turn acceleration lane are proposed to allow the access to operate at LoS C with development of the site, regardless of the zoning alternative. Alternatively, a 2-lane roundabout would allow the access to operate acceptably under all of the zoning alternatives.

### 3.10.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Gibson Traffic Consultants, Inc. prepared an analysis that shows that the traffic impacts for Alternatives 1, 2, and 3 do not vary significantly. The traffic analysis conclusions include:

- The off-site intersections will operate at acceptable levels of service for the projected 2023 future conditions. The intersection at Old Owen Road will operate at slightly less delay than the projected 2023 existing conditions baseline. The intersection at Chain Lake Road will operate at a larger delay than projected for the 2023 baseline but still within limits of LoS E, as projected for the 2023 existing conditions baseline.
- The access will require inbound left-turn channelization, at the minimum
- Separate outbound lanes and an outbound left-turn acceleration lane will be required
- The access will operate at LoS C with these improvements, regardless of the alternative
- Due to WSDOT limited access control, the access will be required to be in the same acceptable location to WSDOT, regardless of the alternative

Based on these results, the change in zoning is not anticipated to result in a significant impact to the access or the surrounding off-site intersections. Refer to Appendix F for Gibson Traffic Consultants, Inc.'s full report.

## 3.11 PUBLIC SERVICES

### 3.11.1 AFFECTED ENVIRONMENT

#### Police

Police protection service to the project area is provided by the City of Monroe Police Department. The Police Station is located at 818 W. Main St, approximately two miles from the project area. The Monroe Police Department actively patrols the City of Monroe and proactively initiates service when warranted to do so (i.e. traffic enforcement, potential crimes occurring in the sight of the officer, etc.) The Monroe Police Department has established a minimum response time of three minutes or less for an "in progress" request for service within the UGA. Under existing conditions, no additional police services are required or necessary.

#### Fire

Monroe Fire District #3 serves a 55 square mile area that includes the City of Monroe and portions of unincorporated Snohomish County. The District provides fire, rescue, and emergency medical services to approximately 27,000 people in Monroe and the surrounding community and provides advanced life support (ALS) services to approximately 50,000 people in east Snohomish County.

Monroe Fire District #3 currently has 40 Career members and 21 Part-time firefighters. All of the firefighters in the District are certified as Emergency Medical Technicians (EMT's) or Paramedics and provide 24-hour emergency response from two fire stations.

Currently the closest fire station is located at 163 Village Court, approximately two miles from the property. A study has been completed to determine how many fire stations will be needed in the future and where they should be located. This resulted in a five fire station plan that will be implemented as funding becomes available. The impact of the selected alternative under this FEIS, and any other development proposals that may arise before the five-station plan is implemented, will need to be evaluated.

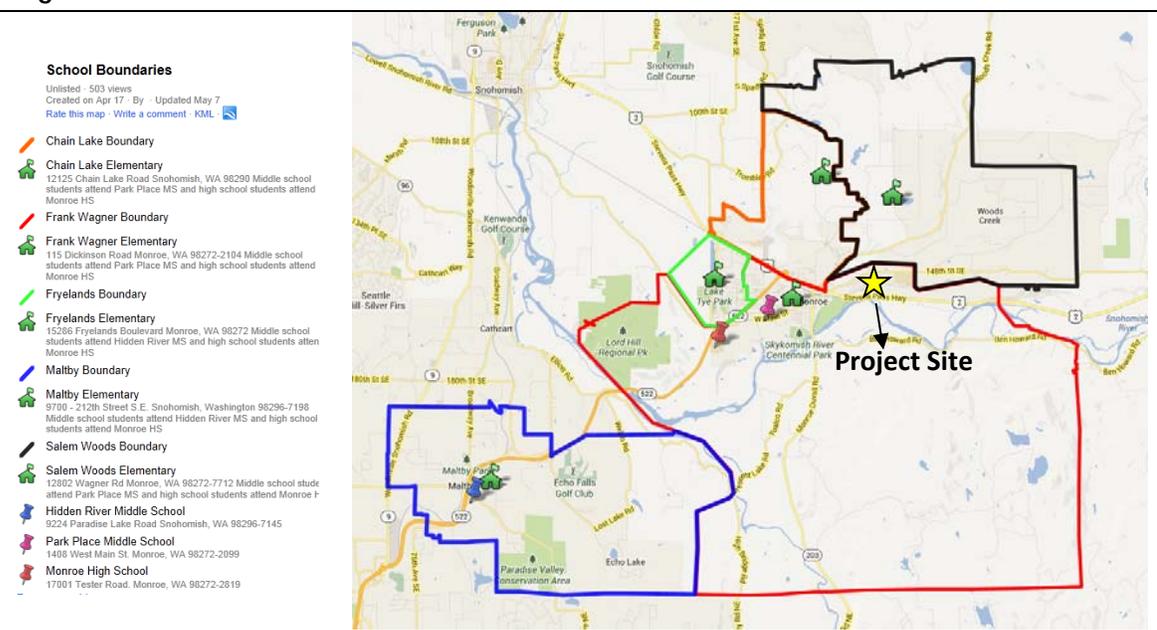
Monroe Fire District No. 3 seeks to achieve response time per Resolution 2009-2 (April 2009) of five (5) minutes or less 90% of the time in the city and eight (8) minutes or less 90% of the in the remainder of the service area. Existing conditions of the site warrant no need for additional fire services.

Schools

The Monroe School District encompasses 82 square miles located in the southeast corner of Snohomish County and was established in 1909. The District serves Monroe and the surrounding unincorporated areas, including Maltby. As of October 1, 2011, there were approximately 7,879 students enrolled in the 11 school facilities located in the District boundaries (Monroe School District No. 103 Capital Facilities Plan 2012-2017), as shown on Figure 16.

An OFM Trend Analysis is an estimate based upon Snohomish County population estimates as provided by the State Office of Financial Management (OFM). The County has forecasted the same 2025 population for the District as it did in 2010 (44,354) with an estimated population in 2017 of 40,531. On average, the student population between 2005 and 2011 was 19.0% of the total District population. The currently vacant site does not generate any students.

Figure 16: Monroe School District Boundaries



Note: Yellow star indicates property location

### 3.11.2 ENVIRONMENTAL IMPACTS

#### Police

Police call volumes could increase under all of the Alternatives. Actual call generation could vary depending on the nature of development within the study area; larger stores would likely result in fewer calls, while smaller stores in separate ownership could have a higher call to square foot ratio. In addition, the use of private security by commercial tenants could be expected to further reduce potential call volumes.

For the purpose of this analysis, it can be estimated that each officer within the department could respond to 5,020.4 calls for service annually. This is based on the number of calls received by the City in 2012 (25,102), divided by the number of officers that would be available if the department were fully staffed (5 during a day shift). It is important to note, however, that all calls received may not have resulted in officer dispatch. This information was obtained from the City of Monroe Police Department, 2013.

There are three options proposed for vehicular access to the developable northeast portion of the site. The preferred method of access is a bridge from the main developable area of the site. A second option would be to access the northeast portion of the site from the adjacent parcel on the east. Lastly, access could be achieved through extension of the existing box culvert and a raised roadway above the culvert. Regardless of which access option is chosen for development, police access to the proposed building structures will not be affected.

#### Fire

There currently is no municipal water service in the project area to provide fire flow, but under all of the proposed alternatives, domestic water and fire protection service would be required.

Regardless of which vehicular access option is selected for development, the roadway (whether a bridge, embankment over culvert, or easement to the east) will be designed to conform to the requirements for fire truck access and turn radius.

#### Schools

As shown in Figure 16, the study area is within the Monroe School District's Frank Wagner boundary and is in close proximity to the Salem Woods boundary. Monroe has an open boundary rules, meaning that any student could go to any school.

The District expects that 0.615 students will be generated from each new single-family home and two bedroom multi-family units would create 0.602 students per dwelling unit (Monroe School District No. 103 Capital Facilities Plan 2012-2017). For the proposed scenarios in Alternatives 1 and 2, no new residential units are proposed so there will be no new associated school impacts. Alternative 3 proposes up to 90 multi-family residential units. Depending on the type of residential development, this could add zero to up to as many as 60 new students.

### 3.11.3 MITIGATING MEASURES

#### Police

All alternatives discussed in this FEIS could result in a higher demand for police services. Increases in population in any kind of environment, either temporary or permanent, have the potential to increase a need for Police services. Potential mitigations measures include:

- Funding private security of residential, office, and retail tenants in order to reduce demands and/or calls for service to the Monroe Police Department.
- Enhance public safety through adherence to Crime Prevention Through Environmental Design (CPTED) regulations and standards.

#### Fire

All alternatives discussed in this FEIS could result in a higher demand for fire protection services. An evaluation of source, storage and transmission/distribution mains will be performed to ensure that adequate fire protection is available in the system. It is assumed that at the time of development an integrated plan for developer extension of the water system to provide fire protection service and on-site sprinklers will be developed to meet Fire Marshal requirements and comply with MMC, especially chapter 15.04.110 “International Fire Code Adopted”. Water system connection fees coupled with developer financed improvements will ensure that fire protection standards are maintained.

#### Schools

Future increases in housing units and students associated with these units could impact the potential for increased student enrollment. If the schools within the attendance area cannot serve the additional student population, it is likely that other schools within the vicinity of the study area could accommodate new student generation. School impact fees would be determined at the time of building permit application, and if the capacities of schools are exceeded, redistricting could be employed to accommodate students outside of the existing attendance boundaries.

#### 3.11.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

With the implementation of appropriate mitigation measures, significant adverse impacts will be avoided.

### 3.12 UTILITIES

#### 3.12.1 AFFECTED ENVIRONMENT

##### Water

The project area is within the City of Monroe water service area as shown in Figure 1.1 of the City of Monroe 2008 Water System Plan (Water Plan). This section is based on information from the Water Plan and the June 2011 Addendum thereto.

Although the project area is within the City’s water service area, there is currently no water service to the property. Development of the site under any of the alternatives requires extension of the City’s water system, as stated in the Water Plan. Chapter 1.6 of the Water Plan states:

“As a general rule the Monroe Water System does not proactively extend distribution mains into unserved areas. Monroe works with developers to bring water service to newly developing areas. If it is not economically feasible to extend water service individual wells are usually installed.”

Provision of public water service is consistent with the City’s duty to serve under Municipal Water Law and eliminates the potential for proliferation of new groundwater wells that could impact the local aquifer. Well service is not a feasible option for an 11 acre development such as in this proposal. Therefore, regardless of which alternative is selected, water service will likely need to come from the City of Monroe water system. The closest connection point to the existing system is located near the intersection of SR-2 and East Main Street and would require the installation of approximately 1.15 miles of water main with a minimum size of eight inches.

##### Sewer

According to the City of Monroe’s 2008 Sanitary Sewer Plan (Sewer Plan and 2011 amendment), the proposed sewer service area consists of the current City limits, and the City’s Urban Growth Area (UGA). The project area is not currently served by a sanitary sewer collection system, but public facilities and services to facilitate urban-level development and meet the

Growth Management Act overall urban density for the City of Monroe Urban Growth Area are available to be extended to the area.

Similar to the water system, the City of Monroe would work with property developers to extend service to the property and meet the overall objective of provision of sewer service to all areas within the UGA. The nearest connection point for the sanitary sewer system is near the intersection of Main Street and SR-2.

#### Stormwater Utility

The affected environment includes the surface water within and downstream of the area of the study, including the Skykomish River. The City of Monroe has three drainage basins, the French Creek Watershed, Woods Creek Watershed, and the Skykomish River Watershed. The study area is within the Skykomish River Watershed. The study area is generally flat. No municipal stormwater facilities are currently located in the project area; stormwater currently infiltrates into the ground or flows to the fish bearing stream/slough located on the northern part of the project area, which discharges to the Skykomish River.

The City of Monroe created its stormwater utility in 1996 and since then, the City's stormwater management program has ensured compliance with a number of local, state, and federal regulations related to stormwater quality. The City of Monroe has a federal permit generally referred to as the National Pollutant Discharge Elimination System (NPDES) Phase II to operate its stormwater system. Although this is a federal permit that regulates stormwater and wastewater discharges, the regulatory authority and oversight is provided by the Washington State Department of Ecology (DOE). The City of Monroe follows the DOE Stormwater Management Manual for Western Washington (DOE Manual) for all stormwater regulations including sediment and erosion control, flow control and water quality requirements, and wetlands protection.

### 3.12.2 ENVIRONMENTAL IMPACTS

#### Water

Any of the alternatives will require extension of public water service. The area is within the planning area and retail water service area of the City of Monroe and is therefore planned for in the future. Proposed development would require additional water resources to support the development. As such, a complete water system needs analysis will be required to determine the facilities required to provide domestic water service and fire protection service consistent with the requirements of the State Department of Health and the City of Monroe. As with any construction project, installation of water main has potential for temporary impacts such as the ones listed for each element under this FEIS.

#### Sewer

Because the subject property is within the established UGA, provision of public sanitary sewer service is proposed. Future development under any of the alternatives contemplated herein will increase demand on Monroe's wastewater collection and sewage treatment facilities. Connection to the existing system will eliminate environmental degradation and impacts associated with serving the property by on-site septic systems. Installation of sewer facilities has the potential for temporary impacts such as the ones listed for each element under this FEIS.

#### Stormwater Utility

Development under any of the alternatives will result in changes to the hydrologic and hydraulic regime for or of the study area. Any new development will also cause an increase in stormwater runoff, pollutants entering the water, sediment and erosion. However, these impacts are expected and as such are strictly controlled and mitigated by the NPDES, DOE Manual, and the MMC - especially title 15, which discusses stormwater management and

maintenance. Development is only allowed to occur if all aspects of the codes and requirements are met and permits are obtained.

New development on undeveloped land in the study area will result in increases in pollution-generating impervious surfaces (PGIS). PGIS includes surfaces subject to vehicular traffic (roads, driveways, and parking lots). New development will also increase the non-pollution-generating impervious surfaces, which are surfaces such as roofs, sidewalks, and other hardscapes. Converting any undeveloped land to any type of impervious surface will increase stormwater runoff volume and discharge rates if unmitigated.

Increased traffic and other possible site uses will also increase potential pollutants, metals, and oil entering the stormwater system and downstream wetlands and fish-bearing waters. These pollutants can have an impact on the plants and animal life if they are not mitigated.

Land disturbance created through the construction process can itself generate sediment loading on receiving waters during construction if adequate Temporary Erosion and Sediment Control (TESC) mitigation measures are not in place.

As stormwater must be handled on-site, the increase will not impact the capacity of infrastructure required by the City stormwater utility in the area. A slight increase in staff time to inspect and monitor the future on-site systems could be expected.

### 3.12.3 MITIGATING MEASURES

#### Water

Further analysis of the water system to accommodate development under any of the alternatives would include a source, storage, transmission and pumping analysis to determine the size and location of proposed facilities. Consistent with Growth Management Act planning, an urban level of service is anticipated and furthermore, system extensions would be paid for by the developing property owners in the form of connection charges and facilities that would be constructed as part of the development and deeded to the City. Increased source requirements could be mitigated through installation of low water use fixtures and landscaping coupled with implementation of conservation programs utilized by the City to control water use throughout the service area. Storage and transmission requirements could be mitigated by looping a new water main from the site on SR-2 to existing water system facilities located north of the site along Calhoun Road. All water system improvements must be constructed in accordance with the following:

- MMC Chapters 13.04 and 13.16 (Chapter 10.1.4);
- Washington State Department of Health requirements (WAC 246-290);
- Section 7-08 through 7-15 of the WSDOT/APWA Standard Specifications;
- City of Monroe Public Works Design and Construction Standards (Chapter 10.1.5); and
- Payment of water system capacity expansion fees.

#### Sewer

Extension of sanitary sewer service will be accomplished by the construction of collection and conveyance facilities from the project site to a point of connection to where the existing system is located near the intersection of SR-2 and East Main Street. Due to topography, a sewer lift station and force main would likely be required to provide service. Sanitary sewer system impacts from future development can be mitigated by:

- Compliance with the Monroe Municipal Code, Title 13;
- Compliance with state regulations for sewer system improvement construction;

- Compliance with City of Monroe construction standards; and,
- Payment of wastewater system capacity expansion fees.

#### Stormwater Utility

All new development proposals are required to meet stormwater management thresholds as regulated by federal, state, and local laws and ordinances, below:

- Federal Clean Water Act
- Washington State Department of Ecology Stormwater Management Manual for Western Washington
- City of Monroe Municipal Code
- MMC Chapter 13.32 'Stormwater Management Utility
- MMC Chapter 13.34 'Illicit Discharge Detection and Elimination'

On-site flow control must be provided for all alternatives because the developed 24-hour, 100-year storm event will increase flows by more than 0.1 CFS (cubic feet per second) when compared to forested conditions and because the project proposes to construct more than 10,000 square feet of impervious surface area. To mitigate for the increase in stormwater peak runoff rates from the site, the rate at which the runoff is released must be controlled in accordance with the DOE Manual. This is accomplished by limiting the rate stormwater discharge rate in the developed condition to one half of the two year and equal to the 50 year storm event rates, prior to its conversion to pasture (forested condition). Changes to stormwater discharge locations must protect wetland and stream hydrology. To prevent an increase in discharge rate, on-site detention systems with flow control will be required at the time of permit application.

The project is also required to provide water quality treatment for all alternatives because each alternative creates more than 5,000 square feet of pollution-generating impervious surface area. An oil control device may need to be provided, depending on which alternative is selected. Oil control is required for "high-use" sites as defined in the DOE Manual. Stormwater runoff from pollution generating surfaces in commercial project sites must be treated to the enhanced treatment level to improve the quality of the water released into the stormwater system and discharge to fish-bearing streams. The treatment facility will be designed specific to a proposed development for permit application.

For each alternative, mitigation measures also include construction of on-site temporary erosion and sediment control (TESC) measures in compliance with the Volume II of the DOE Manual. A TESC plan will be developed for the site, including standards that are put in place in order to prevent or reduce pollution of stormwater runoff caused by construction activities and to minimize the amount of sediment-laden runoff leaving the project site. The DOE Manual contains 12 elements of construction storm water pollution prevention that cover the general water quality protection strategies. These elements are: mark clearing limits, establish construction access, control flow rates, install sediment controls, stabilize soils, protect slopes, protect drain inlets, stabilize channels and outlets, control pollutants, control dewatering, maintain BMP's, and manage the project. For each of these elements, the DOE suggests the use of specific Best Management Practices (BMP's). Specific measures and a TESC plan will be developed for a proposed development for permit application.

Payment of monthly stormwater fees from this property will defray the cost of increased inspection and monitoring.

#### 3.12.4 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Any of the proposed alternatives discussed may lead to increased demand on water, sewer and stormwater system facilities. If the mitigation measures outlined in this FEIS, the Water Plan, Sewer plan, and mandated in federal, state, and local regulations are followed, significant unavoidable adverse impacts as a result of the proposal are not anticipated.

## 4. Summary of Cumulative Impacts

Cumulative impacts are the result of combining the potential effects of a project with other planned developments, as well as with any foreseeable development projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Cumulative Impacts that are associated with a non-project action can be difficult to ascertain without a specific development proposal or timeframe to consider, however, in keeping with the premise of this FEIS, this section presents the potential cumulative impacts associated with the identified potential development scenarios. In addition, impacts of various mitigation measures proposed have been reviewed to determine the cumulative impacts associated with the overall development of the site collectively, rather than individual development of the five parcels that constitute the project area. As is the case with the direct and indirect impacts identified in Section 3, cumulative impacts would be similar under any of the alternatives, including Alternative 1 which evaluates allowable development under the current land use and zoning designation of LOS.

No specific development proposals have been identified for the subject property and none are known for neighboring properties. In that this FEIS considers potential development of the five parcels collectively and with a combination of allowable commercial and residential uses, it is logical to assume that a similar change in land use and zoning designation might be requested for approximately 35.5 acres of remaining LOS property situated between this proposal and the eastern city limits of Monroe. With or without the additional development of these two additional properties, the proposed land use action put forth herein and subsequent development of the property will result in a change to the character of the site and surrounding neighborhood of East Monroe.

The proposed Comprehensive Plan amendment and rezone is a non-project action, however, consideration of potential future development under the proposed zoning designation is required for a complete evaluation under City of Monroe requirements and SEPA regulations. Although three potential development concepts have been considered, no specific development proposal is known or under application at this time. Future development concepts are speculative and the FEIS only anticipates what could be proposed. Any application for a project action will be required to demonstrate that work in critical areas complies with Monroe Municipal Code (MMC) requirements. It is incumbent upon the applicant to demonstrate compliance with the standards in the MMC, and all other local, state, and federal regulations at the time of application for development.

A summary of cumulative impacts associated with relevant elements of the environment evaluated under Section 3 is provided below.

### Earth

Development of any kind will require clearing, grading and fill to bring the site to a developable elevation above the floodplain. These actions, together with an increase in impervious surface from buildings and parking structures, combine to impact site drainage flows to the onsite stream and wetlands. Mitigation measures outlined in Section 3 demonstrate that development of the property can be accomplished in a manner that will mitigate impacts to surface and ground water and improve the condition and functionality of the stream and associated wetlands for habitat. Incidental to this is the opportunity to improve the function of the stream/slough and adjacent area for flood management. The cumulative impacts of activities related to cut, fill and re-vegetation of the site and especially critical area buffers generally south of the stream will be beneficial to the site itself and downstream properties. They include grading to improve site drainage as a component of flood management, enhancement of stream and wetland areas, and regulating runoff from the site, and reducing flooding impacts to downstream properties in small storm events.

Cumulative impacts associated with landslide and erosion hazard are avoided by leaving the hillside areas leading to the bluff north of the site in a natural state. No disturbance of the steep

slope areas north of the stream and wetlands is proposed or contemplated and it is assumed that these areas will remain part of the existing or redefined Native Growth Protection Area.

#### Ground Water

No long term impacts to ground water are associated with the project and the temporary impacts associated with dewatering during construction will not have a cumulative impact. Cumulative impacts associated with increased impervious surfaces and reduced groundwater recharge will be mitigated by drainage design to mitigate the addition of impervious surface. It is noted that nearly 75% of the site will be left in either its current state, or will be enhanced with new planting of native species as appropriate to improve habitat and performance of streams and wetlands.

#### Surface Water

This FEIS recognizes the importance of the stream that flows through the site by means of an oxbow connecting to the Skykomish River, and acknowledges that the stream is regulated through box culverts as it enters and leaves the site. Field reconnaissance and study of stream and wetlands on the site has been accomplished as detailed in Appendix D and discussed in Section 3. It has been determined that if the site is left undeveloped, continued degradation of the stream and wetland areas will occur.

A land use change allowing for collective development of the site at a higher density will provide the economic incentive for a comprehensive stream, wetland, and habitat mitigation plan. Such a plan will have a cumulative impact on the site and neighboring areas by enhancing wildlife and fish habitat, especially during flood events. Site grading also allows the opportunity to provide concentrated, natural flood storage with the established stream and wetland setback areas as opposed to allowing the site to be inundated and left with pockets of standing water after flood events. Existing culverts to and from the Skykomish River provide an opportunity for engineered site drainage for flood control and fish passage. The cumulative impact will be a benefit to downstream properties through comprehensive and improved flood management.

#### Plants and Animals

Clearing and replanting of the site will have the cumulative impact on efforts to control invasive and noxious plant species and enhance critical areas for animal habitat by planting native plants. Much of the site will remain in its current state and no activity would occur in the steep slope vicinity north of the stream and wetland areas. Landscaping of developed areas and re-vegetation of critical area buffers will have the cumulative impact of improving habitat, providing screening of the proposed development from neighboring parcels, and providing an aesthetically pleasing vegetated area that the community can enjoy.

#### Noise

In that the subject property is located adjacent to a heavily travelled major state highway and BNSF Railway, and that the property is buffered from neighboring properties by a heavily vegetated hillside and bluff, cumulative impacts to noise are considered insignificant.

#### Land and Shoreline Use

The proposed change in land use may result in the desire for properties to the east to request a similar change in land use and zoning designations. The cumulative impact would be an increase in commercial property within the City of Monroe. The location of the property adjacent to SR-2 indicates that this would have a cumulative positive impact on the City's economic development efforts. The proposal is consistent with the Growth Management Act's planning goals to confine urban level of development and services to areas within the Urban Growth Area and to balance that growth with more enhanced vegetated areas for wildlife. The proposal is consistent with shoreline management planning and no cumulative impacts are noted.

#### Transportation

Development resulting from the proposed change to the Comprehensive Plan and zoning designations would have a cumulative impact of increased traffic volumes on SR-2. This FEIS was developed with the consideration of recently approved development proposals as noted in Appendix F. Any development on the property will require coordination with WSDOT and it is noted that WSDOT has already acquired additional right-of-way along the southern edge of the property to accommodate planned improvements to SR-2.

#### Aesthetics Light and Glare

A cumulative impact of the proposal is that the amount of undeveloped vacant land within the City will be reduced. Views from properties on the bluff to the north will be changed. The abandoned field on the site is becoming overgrown with invasive and noxious plants and will be replaced with a well-designed commercial development. Approximately 75% of the property will remain in its current state or be cleared, graded and re-planted with native species to enhance wetland and stream buffers and improve the functionality of critical areas. The site will be developed in accordance with Monroe architectural standards and requirements for site lighting. Screening will be provided by the mitigation planting and site landscaping required under Monroe Municipal Code. The cumulative impact of increased development of commercial property is not considered negative or adverse, or significantly different from the impacts associated with development of certain allowable uses under the LOS land uses and zoning designation.

#### Public Services

The cumulative impact of additional commercial property in East Monroe will be increased for police, fire, schools and other municipal services. These increases are not expected to be significant and are within the range of increases expected under regional and local planning efforts.

#### Utilities

Impacts related to the provision of public utilities are expected to be consistent with infrastructure planning by the City of Monroe and consistent with the urban level of services desired throughout the urban growth area. Consistent with City of Monroe requirements, extension utility services will be paid for by property developers. Cumulative impacts are limited to the positive benefit of extending utility systems in accordance with utility system plans of the City of Monroe.



## Bibliography

Stormwater Management Manual for Western Washington (SWMMWW). Olympia, Washington. State Dept. of Ecology, 2005. (2005).

<https://fortress.wa.gov/ecy/publications/summarypages/0510031.html>

Stormwater Management Manual for Western Washington (SWMMWW). Olympia, Washington. State Dept. of Ecology, 2012. (2013).

<https://fortress.wa.gov/ecy/publications/publications/1210030.pdf>

City of Monroe. *City of Monroe Comprehensive Plan 2005-2025*. Monroe, Washington, USA. City of Monroe. (2013).

City of Monroe. (2012). *Monroe Municipal Code*. Retrieved from City of Monroe (2013).

<http://www.codepublishing.com/WA/Monroe/>

City of Monroe. (2012). *Final Phased EIS for the East of Monroe Amendment to the City of Monroe Comprehensive Plan and Concomitant Rezone*. Retrieved from the City of Monroe. (2013).

<http://monroewa.gov/DocumentCenter/Home/View/563>.

City of Monroe. *Rezone Application*. (2012). Retrieved from the City of Monroe. (2013).

<http://monroewa.gov/index.aspx?NID=419>

City of Monroe. *Sanitary Sewer System Plan*. (January 2008). Monroe, Washington. USA. (2011 Addendum). (2013).

City of Monroe. *2012 Stormwater Management Program*. Permit No. WAR04-5530. Monroe, Washington. USA. (2013). <http://monroewa.gov/documentcenter/view/1760>

City of Monroe. *City of Monroe 2009 Stormwater System Plan*. BHC Consultants and R.W. Beck July, 2009. (2011 Addendum). (2013).

City of Monroe (2008) *Water System Plan*. City of Monroe Engineering (2009). (2011 Addendum). (2013).

Monroe Public Schools. (2013). <http://www.monroe.wednet.edu/#>

Monroe, WA Police Department. (official website) (2013).

<http://www.monroewa.gov/index.aspx?nid=68>

Monroe Fire District 3. (official website) (2013). <http://www.monroefire.org/>

Monroe School District No. 103. *Capital Facilities Plan 2012-2017*. Monroe, Washington, USA. (2013).

Keary, Polly. "Coal Trains on Track to Increase Rail Traffic." *The Monroe Monitor, and Valley News [Monroe]* 8 Jan. 2013: Print. <http://www.monroemonitor.com/2013/01/08/coal-trains-on-track-to-increase-rail-traffic/>

Office of Superintendent of Public Instruction Washington State Report Card, Monroe School District. (2013).

<http://reportcard.ospi.k12.wa.us/summary.aspx?groupLevel=District&schoolId=223&reportLevel=District&orgLinkId=223&yrs=&year=2011-12>

Snohomish County Planning Department and City of Monroe. (June 2012). *Monroe School District No. 103 Capital Facilities Plan 2012-2017*. (2013).

<http://www.monroe.wednet.edu/BOARD/CapitalFacilitiesPlan/CapitalFacilitiesPlan2012.pdf>

U.S. Department of Transportation Federal Railroad Administration. (2013). *The Train Horn Rule and Quiet Zones*. <http://www.fra.dot.gov/Page/P0104>



## Comments / Responses



## East Monroe Comprehensive Plan Amendment & Subsequent Rezone

### Public Comments Received & Responses

The following compilation of comments have been summarized and condensed for easier response clarification. Full copies of comment letters received and public hearing testimony are attached hereto and available on the on the City of Monroe’s website at <http://monroewa.gov/index.aspx>. Comments and responses are organized with written comments by date received followed by public testimony. While all comments received were considered, those of a substantive nature are addressed in the following comment response matrix in accordance with the provisions of WAC-197-11-560(e). Comments warranting a changes to the Draft EIS that appear in Final EIS are noted.

NO.	COMMENT	RESPONSE	CHANGE
<b>1</b>	<b>Letter Dated 8-20-2013</b> <b>Debra Werdal - Land Development Analyst Associate - Snohomish County Transportation and Environmental Services Department</b> <b>3000 Rockefeller, Ave., Everett, WA 98201 - <a href="mailto:debra.werdal@co.snohomish.wa.us">debra.werdal@co.snohomish.wa.us</a></b>		
1-1	“Snohomish County has no comment regarding this rezone under the county/City interlocal agreement for reciprocal traffic mitigation. However, once development applications are submitted for the commercial proposals we ask for the opportunity to review the applications to determine their specific impacts to the county road system.”	The opportunity to review the development proposal with regard to the impacts to the county road system will be provided at the time of development.	N/A
<b>2</b>	<b>Letter Dated 8-21-2013</b> <b>Lowell Anderson - Neighboring Resident - 129 E. Rivmont Drive, Monroe, WA 98272</b> <b>Jeffery W. Rogers - Neighboring Resident - 127 E. Rivmont Drive, Monroe WA, 98272</b>		
2-1	“This letter is directed to members of the Planning Commission and Monroe City Council stating our opposition to the proposed East Monroe Comprehensive Plan Amendment and Rezone. ...The East Monroe site is currently aptly zoned Limited Open Space (“LOS”) as it “lacks the full scope of public services and facilities necessary to support urban development and is severely impacted by critical areas.” ...[it] essentially is an island with no current access to necessary public facilities and utilities, thus befitting its LOS designation.”	The site is currently not served by public water, sewer, or natural gas service. The property is within the Urban Growth Area and within the designated water and sewer service areas of the City of Monroe. As such an urban level of public services has been planned for. Extension of sewer, water, stormwater and/or natural gas services to serve the property is the sole responsibility of the developer, consistent with the provisions of the City’s current Water and Sewer System Plans and the requirements and procedures outlined in Monroe Municipal Code (MMC) Title 13 - Public Services and Utilities.	N/A
2-2	“As acknowledged in the August 2013 DEIS, the East Monroe site presents with numerous critical areas, including steep slopes, streams, shorelines, wetlands and flood plains, further supporting its LOS status.”	Comment noted.	N/A
2-3	“During prior Planning Commission deliberations on the proposed Comprehensive Plan Amendment and Rezone of the East Monroe site, assertions have been made that any opposition to such a Comprehensive Plan Amendment and Rezone is tantamount to depriving the property owner of its property rights. On the contrary, it is simply good planning as the East Monroe site is properly zoned as LOS and was so zoned at the time the current property owners acquired the property.”	Comment noted.	N/A

NO.	COMMENT	RESPONSE	CHANGE
2-4	<p>“Given the East Monroe site’s remoteness from public facilities and services, and the presence of numerous critical areas, no Comprehensive Plan Amendment and Rezone should be considered without a specific development proposal in hand. ...Any developer will need to expend several millions of dollars to bring such public facilities and utilities to the site.”</p>	<p>Until the comprehensive plan amendment and rezone are complete, specific development proposals cannot be accepted for review by the City. Varying land uses are allowed under zoning designations, and city requirements vary by proposed types of development. The cost of utilities to support development will be the sole responsibility of the owner/developer.</p>	N/A
2-5	<p>“...The East Monroe site is severely limited in terms of accessing Highway 2. As you know, WSDOT has consistently opposed providing access to the 42-acre site from Highway 2 without significant and costly changes to Highway 2, including the possibility of a frontage road and/or roundabout. Given these access issues which present both cost and public safety considerations, we do not believe it appropriate to proceed with a comprehensive plan and rezone without a specific development proposal.”</p>	<p>There is no specific development proposal for the site. Any future development applications will require a comprehensive traffic impact evaluation, including traffic volume and site access analyses for the proposal. Traffic analyses are required by the City and paid for by the property owner/developer. Site access improvements will be determined based on complete development applications and associated traffic analyses. Road and/or highway improvement costs will be paid for by the developer. Sections 3.10.2 and 3.10.3 and the Traffic Impact Analysis prepared by Gibson Traffic Consultants located in Appendix F of the FEIS have been updated to include roundabout analyses. Table 7 has been revised to include intersection operations of SR-2 at site access with a roundabout.</p>	Sections 3.10.2 and 3.10.3 and Appendix F
2-6	<p>“...any development will need to expend considerable dollars on mitigation relating to the critical areas. Once again, limiting the development potential of the East Monroe site.”</p>	<p>The costs of development will be the sole responsibility of the owner/developer.</p>	N/A
2-7	<p>“...much of the 11-acre portion of the East Monroe site is below the floodplain further limiting its development potential without costly fill and other mitigation work. The City is “inviting undue risk by allowing commercial development of property within a flood zone.”</p>	<p>Refer to Sections 3.1.2 and 3.1.3 of the FEIS for development strategies within floodplain areas.</p> <p>Floodplain policies are set at a national level and implemented through national, state, and local regulations. Fill and development in floodplains is generally allowed subject to applicable permitting and mitigation as a matter of national policy, not policy created by the City of Monroe. Administered by FEMA, the National Flood Protection Insurance Program (NFIP) implements the National Flood Insurance Act which sets regulation frameworks for state and local governments to follow. Currently, development within floodplains is allowed if it is raised at least one foot above base flood elevation, applicable permits/regulations are acquired and any required mitigation is achieved. Essentially, development and fill in floodplains are allowed subject to applicable permitting and mitigation. The requirements of 44CFR 60.3(d) are referenced as guidelines used in evaluation of the subject proposal. In addition, the MMC 14.01 defines flood hazard area regulations for the City of Monroe.</p>	Section 3.2.2
2-8	<p>“...proceeding with the Comprehensive Plan Amendment and Rezone is not appropriate given the limited development potential and high cost of developing the site. Moreover, the City of Monroe has an abundance of available general commercial zoned property.”</p>	<p>The cost of development will be the sole responsibility of the owner/developer.</p> <p>The City currently has limited availability of vacant General Commercial land that may be available for development within the city. The current land inventory of General Commercial includes 34 acres of vacant land mostly within the interior area of the North Kelsey area, including the former landfill site (11</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
		acres). The remaining 17 acres of vacant, commercially designated land (Service Commercial, Mixed Use and Professional Office zoning) is in scattered, smaller land parcels throughout the City. One aspect of the property is its location on SR-2.	
2-9	“...We respectfully request that the Planning Commission and City Council oppose the proposed Comprehensive Plan Amendment and subsequent Rezone of the East Monroe site.”	Comment noted.	N/A
3	<b>Letter Dated 9-11-2013 Dr. Charles Strub - Neighboring Resident - 21810 Calhoun Road, Monroe, WA 98272</b>		
3-1	“...We have observed three (3) major and one minor flooding of a good portion of the land in question during the past 40+ years. It will happen again; all that is needed is a large snow pack in the mountains, coupled by a warm spell and some heavy rain. Will that ever happen again? The water WILL come and will have an impact. After the most recent flooding, our neighbors 2 lots to the east of us and also 7 - 8 lots east of us lost significant parts of their bluff as well as a lot 1/4 mile+ to the west of us. Regardless of engineer reports to the contrary, it is obvious that the bluff is subject to slippage if certain conditions are met.”	<p>Refer to Sections 3.1.2 and 3.1.3 of the FEIS for development strategies within floodplain areas.</p> <p>Floodplain policies are set at a national level and implemented through national, state, and local regulations. Fill and development in floodplains is generally allowed as a matter of national policy, not policy created by the City of Monroe. Administered by FEMA, the National Flood Protection Insurance Program (NFIP) implements the National Flood Insurance Act which sets regulation frameworks for state and local governments to follow. Currently, development within floodplains is allowed if it is raised at least one foot above base flood elevation, applicable permits/regulations are acquired and any required mitigation is achieved. Essentially, development and fill in floodplains are allowed subject to applicable permitting and mitigation. The requirements of 44CFR 60.3(d) are referenced as guidelines used in evaluation of the subject proposal. In addition, the Monroe Municipal Code (MMC) 14.01 defines flood hazard area regulations for the City of Monroe.</p> <p>Photos from the 2006 large storm event are included in the FEIS to show the extent of flooding that took place, and this flood is currently recorded as one of the largest in recent years.</p>	Section 3.1.2, 3.1.3, and Figure 13
3-2	“...We also observed the eastern portion of Calhoun Rd washed out some time after development was begun where the old Monroe golf course used to be. The road has never been repaired or re-opened.”	Comment noted.	N/A
3-3	“...We have also had the opportunity to observe traffic density increase on Hwy 2 over time, and it is significant. We understand the idiocy of establishing a commercial business where proposed, wherein left turns would need to be made off Hwy 2 for access. As far as the DOT building a round-about at that intersection; we tried buying a lot at the point of Rivmont Heights in 1966 and were told a by-pass would be built around Monroe and be completed shortly, so it was not available for purchase. That was 47 years ago and it hasn't happened yet. Who believes they would undertake a round-about in a relatively isolated area on fast track basis with all the other state wide traffic needs at present?”	The updated Traffic Impact Analysis prepared by Gibson Traffic Consultants, included in Appendix F of the FDEIS, shows a roundabout analysis as well as current and future traffic volumes and a site access analysis. This updated information is also reflected in the updated Section 3.10.2 and 3.10.3 of the FEIS. Improvements to US-2 will be in conjunction with WSDOT approval. For WSDOT's feedback on the DEIS, refer to the WSDOT comment letter and associated comments herein.	Section 3.10.2, 3.10.3, and Appendix F

NO.	COMMENT	RESPONSE	CHANGE
3-4	“...I would hope that anyone on the planning commission or City council that has ANY relationship to the Baptist church or the other unnamed owner would have the decency to recuse themselves from voting on this issue as that would certainly be conflict of interest.”	Comment noted.	N/A
4	<b>Letter Dated 9-13-2013</b> <b>Lowell Anderson - Neighboring Resident - 129 E. Rivmont Drive, Monroe, WA 98272</b> <b>Jeffery W. Rogers - Neighboring Resident - 127 E. Rivmont Drive, Monroe WA, 98272</b>		
4-1	“...We believe the comment period and expected date of issuance of the final EIS should be extended to assure that all interested parties have an appropriate opportunity to provide informed comments on the DEIS.”	<p>According to the Department of Ecology’s SEPA Rules, (Chapter 197-11 WAC 197-11-455, Issuance of DEIS):</p> <p><i>(6) Any person or agency shall have thirty days from the date of issue in which to review and comment upon the DEIS.</i></p> <p><i>(7) Upon request, the lead agency may grant an extension of up to fifteen days to the comment period. Agencies and the public must request any extension before the end of the comment period.</i></p> <p>An extension was not granted for this DEIS as all agencies provided substantial comments by the end of the comment period.</p> <p>Comments from public agencies, including WSDOT, were received during the comment period that ended 9-13-2013.</p>	N/A
4-2	“...The current LOS zoning is the most appropriate and consistent with the MMC 18.10.045 given the lack of public facilities available to the site and the fact that the site is severely impacted by critical areas.”	The site is currently not served by public water, sewer, or natural gas service. The property is within the Urban Growth Area and within the designated water and sewer service areas of the City of Monroe. As such an urban level of public services has been planned for. Extension of sewer, water, stormwater and/or natural gas services to serve the property is the sole responsibility of the developer, consistent with the provisions of the City’s current Water and Sewer System Plans and the requirements and procedures outlined in Monroe Municipal Code (MMC) Title 13 - Public Services and Utilities.	N/A
4-3	“...Another alternative that should be addressed is agricultural use given the location and neighboring property usage and flood plain issues.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A
4-4	“...The City should prepare a baseline analysis of whether a rezone from LOS to GC presents an economically viable opportunity for commercial development of the East Monroe site.”	The cost of development will be the sole responsibility of the owner/developer. Public infrastructure will be financed by private development consistent with GMA goals of ‘growth pays for growth. The City may incur some costs in the future associated with maintenance and increased	N/A

NO.	COMMENT	RESPONSE	CHANGE
		<p>load on utility systems; however those costs are generally offset by the City's required impact fees and connection fees at the time of development.</p> <p>Per WAC 197-11-450, a cost-benefit analysis is not required by SEPA. For purposes of complying with SEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. In addition, a fiscal analysis is not an environmental element per WAC 197-11-444. A lead agency may include optional elements in an EIS based upon comments received during the scoping process per WAC 197-11.440. In this instance, the scoping process identified the elements in the EIS and a fiscal analysis was not included.</p>	
4-5	<p>"...There are serious questions as to WSDOT's willingness to provide access to the site without significant cost and challenges of construction of a signalized intersection or roundabout improvement at Calhoun Road along with a frontage road, or an entirely new intersection with left turn and right turn lanes and widening for site access. The City should fully explore the access issue with WSDOT before committing to a Comprehensive Plan Amendment and Rezone. It would be inappropriate to effect a rezone without assurance that access could be provided to the site without undue expense to any potential developer."</p>	<p>The cost of development will be the sole responsibility of the owner/developer.</p> <p>Sections 3.10.2 and 3.10.3 and the Traffic Impact Analysis in Appendix F of the FEIS have been updated to include roundabout analyses as well as current and future traffic volumes and a site access analysis. Table 7 has been revised to include intersection operations of SR-2 at site access with a roundabout. Additional channelization or a roundabout would allow the access to operate at an acceptable level of service. Improvements to US-2 will be in conjunction with WSDOT approval. For WSDOT's feedback on the DEIS, refer to the WSDOT comment letter and associated comments herein.</p> <p>The access to US-2 will be resolved as part of a formal development application for the site. It is premature to determine the exact access connection and how access to the site will be gained (via easement or Break in Access (BIA)) since that will be the responsibility of the developer and the development application process.</p>	<p>Sections 3.10.2, 3.10.3 and Appendix F</p>
4-6	<p>"...The DEIS should also address the impact of trip generation fees that could be imposed as a result of any commercial development."</p>	<p>Trip generation fees will be imposed on the owner/developer at the time of development and are likely to change from the current fee structure. Fees are not included in the FEIS but it is noted that the fees will apply.</p>	<p>N/A</p>
4-7	<p>"...At a minimum, a baseline study should be completed by City staff or preferably by a qualified independent third party to establish that the East Monroe site can be developed for commercial purposes and is economically viable."</p>	<p>The cost of development will be the sole responsibility of the owner/developer.</p>	<p>Sections 1 and 2.2</p>
4-8	<p>"...In our view, the limited development potential (11 out of 43 acres), coupled with the significant cost of bringing public facilities and securing access to Highway 2 and other critical area mitigation, will preclude this site from being developed for commercial purposes for the foreseeable future."</p>	<p>Comment noted.</p>	<p>N/A</p>
4-9	<p>"...As contiguous property owners to the north of the East Monroe site, we have serious concerns as to whether the DEIS has adequately</p>	<p>Additional information and clarification has been added to in Section 3.1.2.</p>	<p>Section 3.1.2</p>

NO.	COMMENT	RESPONSE	CHANGE
	addressed the environmental impacts of securing compensatory flood storage on site.”		
4-10	“...In light of this extensive "cut and fill" activity, further study is required to confirm that the contiguous property to the north will not be adversely impacted by the diversion and displacement of water caused by either the fill that will elevate the developable area of the site, or using the stream/slough areas as water storage either on a temporary basis during construction/development of the site, or on a permanent basis.”	<p>The requirements of 44CFR 60.3(d) (Floodplain Management Criteria) are important to any discussion regarding potential work in the floodplain and will help establish ultimate mitigation requirements once a specific development proposal is made. Although the subject property is located in a floodplain (as opposed to a floodway), as depicted in the preliminary FIRM mapping adopted by the City of Monroe, the following information from FEMA’s website explains the concept and reason for compensatory flood storage:</p> <p><i>The NFIP floodway standard in 44CFR 60.3 (d) restricts new development from obstructing the flow of water and increasing flood heights. However, this provision does not address the need to maintain flood storage. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When fill or buildings are placed in the flood fringe, the flood storage areas are lost and flood heights will go up because there is less room for the floodwaters. This is particularly important in smaller watersheds which respond sooner to changes in the topography. One approach that may be used to address this issue is to require compensatory storage to offset any loss of flood storage capacity. Some communities adopt more restrictive standards that regulate the amount of fill or buildings that can displace floodwater in the flood fringe. Community Rating System credits are available for communities that adopt compensatory storage requirements.</i></p> <p>Source: (<a href="http://www.fema.gov/floodplain-management/compensatory-storage">http://www.fema.gov/floodplain-management/compensatory-storage</a>)</p> <p>The proposal acknowledges and supports the local communities desire to avoid any impact to potential flood conditions. Compensatory flood storage is required at a 1:1 ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation in the floodplain limits, 1 cubic foot of volume of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This will determine the need and extent of excavation for compensatory flood storage.</p> <p>No specific development proposal exists at this time. If and when the area develops, the excavation proposed would likely occur south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading would provide for flood storage to help ensure that flood water levels will not exceed the flood water elevations that could currently be reached on the north bank of the slough.</p>	Section 3.1.2

NO.	COMMENT	RESPONSE	CHANGE
4-11	<p>“...The steep slopes to the north are at significant risk of slope degradation, erosion and landslides resulting from an increase in the water level which will result from the displacement and diversion of water and runoff from the fill area. The DEIS should provide detailed analysis of the relevant earth work calculations, including cross sections and other calculations, showing that the proposed grading and fill is properly balanced, as well as a detailed drawing of the areas to be graded.”</p>	<p>This clarification on the floodplain and concept of compensatory flood storage has been added to Section 3.1.2 of the FEIS.</p> <p>Water levels will not likely increase over current conditions.</p> <p>Landslide evaluation was a key element of the EIS process. Preliminary soil evaluations indicate that development south of the toe of the slope will not impact landslide activities at the higher elevations. Protection of steep slopes is provided by maintaining setbacks in accordance with City of Monroe Critical Areas Ordinance (MMC 20.05); this reference has been added to the FEIS. Future values of the homes in the vicinity are dependent on a variety of factors including local, state and national trends.</p> <p>Further stormwater and earthwork analysis including detailed calculations will be completed once a development project is identified and the need for compensatory flood storage is quantified.</p>	Section 3.1.3
4-12	<p>“...The DEIS should include a current topographical survey of the East Monroe site and a grading plan detailing the areas to be "cut and filled", including the cubic yards of fill required and the areas from which fill is to be removed.”</p>	<p>A current LIDAR (Light Distance And Ranging) topographic map is now included in Appendix J, which is the best available science for Snohomish County.</p> <p>Refer to Figure 10: “Cut and Fill Areas” in the FEIS for areas of cut and fill. Further earthwork analysis including detailed calculations will be completed once a development project is identified and the need for compensatory flood storage is quantified.</p>	Appendix J
4-13	<p>“...We do not believe the DEIS adequately addresses the issues of flooding on the East Monroe site. ... In the July 23, 2012 Hearing Examiner's decision, he stated: <i>"The Responsible Official has an obligation to use the best available science to identify the extent to which the Project Area is subject to flood inundation, regardless of what FIRM is legally applicable. The best available evidence is that the majority of the developable portion of the Project Area is subject to up to about eight feet of flood inundation during the 100-year flood event; the best available science is that US 2 does not function as a levee to protect the Project Area from flood inundation (it is punctured by two, three-foot-plus culverts associated with the oxbow slough)."</i> The DEIS needs to more fully address this flooding issue particularly as to the "best available science.”</p>	<p>The Hearing Examiner's decision dated July 23, 2012 goes on to state that, <i>"GC development of the site will in all likelihood require much more fill than would continuation of the LOS designation ...Commercial developments that would logically locate along an arterial highway are usually land extensive and would want to maximize use of the available, non-NGPA-restricted portions of the site. That would require fill . ...The FPEIS is inadequate as a matter of law for failing to include any analysis of the impact of extensive filling of the Project Area."</i> Cut and fill analyses were completed for the 2013 DEIS and included input from soils engineers and wetland biologists based on standard industry practices and engineering techniques. The “Best Available Science” was implemented when analyzing the cut and fill requirements for the site and led to the conclusion that the site could be sufficiently raised above the floodplain levels.</p> <p>Floodplain policies are set at a national level and implemented through national, state, and local regulations. Fill and development in floodplains is generally allowed as a matter of national policy, not policy created by the City of Monroe. Administered by FEMA, the National Flood Protection Insurance Program (NFIP) implements the National Flood Insurance Act which sets</p>	Section 3.2.2

NO.	COMMENT	RESPONSE	CHANGE
		regulation frameworks for state and local governments to follow. Currently, development within floodplains is allowed if it is raised at least one foot above base flood elevation, applicable permits/regulations are acquired and any required mitigation is achieved. Essentially, development and fill in floodplains are allowed subject to applicable permitting and mitigation. The requirements of 44CFR 60.3(d) are referenced as guidelines used in evaluation of the subject proposal. In addition, the Monroe Municipal Code (MMC) 14.01 defines flood hazard area regulations for the City of Monroe.	
4-14	“...The DEIS identifies that the water line would need to be extended approximately 1.15 miles. The City will need to assure that neither the City nor its taxpayers will bear any financial burden associated with the bringing of public facilities and utilities to the site, and assure that the sole financial responsibility will be on the owner of the site and/or the developer.”	<p>The cost of development will be the sole responsibility of the owner/developer. Public infrastructure will be financed by private development consistent with GMA goals of ‘growth pays for growth. The City may incur some costs in the future associated with maintenance and increased load on utility systems; however those costs are generally offset by the City’s required impact fees and connection fees at the time of development.</p> <p>Per WAC 197-11-450, a cost-benefit analysis is not required by SEPA. For purposes of complying with SEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. In addition, a fiscal analysis is not an environmental element per WAC 197-11-444. A lead agency may include optional elements in an EIS based upon comments received during the scoping process per WAC 197-11.440. In this instance, the scoping process identified the elements in the EIS and a fiscal analysis was not included.</p>	N/A
4-15	“...The traffic analysis needs to consider the extensive back-ups that occur routinely on weekends and holidays proceeding from east to west entering the City of Monroe. Such traffic back-ups will adversely impact the commercial viability of development of the site given the reluctance of people to visit the site because of such traffic back-ups. The traffic problem may increase the risk of traffic accidents and other public safety concerns.”	Further explanation has been added to Section 3.10.2 of the EIS to clarify the weekend and weekday analysis.	Section 3.10.2
4-16	“...The DEIS will need to provide further discussion and analysis of whether any commercial development will need in the way of foundations, pilings and other subsurface support. Any such foundation and bearing support that may be required should be addressed in the DEIS, as well as the impact on the commercial viability of any potential development.”	The applicant will be required to demonstrate adequate capacity for structural support as a condition of the development and building permitting process. Once a specific project proposal occurs, further soils analysis will be performed to support proposed filling activities.	N/A
4-17	“...The City of Monroe should actively seek input from affected governmental agencies before the DEIS is finalized and the Comprehensive Plan Amendment and Rezone is considered by the City Council.”	Comments were received from four agencies as noted in the new Introduction section of the FEIS.	Introduction
4-18	Attachment 1- “Comparative Values”	Attachment noted.	N/A
4-19	Attachment 2 - “Estimated Development Costs of East Monroe Property”	Attachment noted.	N/A

NO.	COMMENT	RESPONSE	CHANGE
4-20	Attachment 3 - "Financial Impact"	Attachment noted.	N/A
4-21	Attachment 4 - "Other Issues Warranting Further Review by PACE"	Attachment noted.	N/A
4-22	Attachment 5 - "Photograph from October 1959 of Skykomish River"	Attachment noted.	N/A
<b>5</b>	<b>Email received 9-13-2013</b> <b>Cheryl Robinson - classicphotosbycheryl@live.com</b>		
5-1	"...I am concerned with traffic flow, wildlife preservation, agriculture impact and community affects. I feel that the change in zoning would have a detrimental effect on the community of Monroe as well as the commuters that travel through our town."	Comment noted.	N/A
5-2	"...The land that is affected is prime agricultural land and could serve the community as well as the local farmers in a much greater way than currently proposed. It is also home to a great wealth of native animals including but not limited to Eagles."	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.  This site provides habitat for several species of animals. The lack of vegetation diversity within the buffer areas in combination with the blackberry bushes, however, limits the buffers on the site from providing high quality habitat for a variety of species.	N/A
5-3	"...I am excited to watch Monroe grow and change and do not want to stifle growth, but I feel this is a poor choice of land rezoning and there would be grave ramifications to our community if this goes through. Please look at the big picture of what is good for the community prior to making any lasting changes.S	Comment noted.	N/A
<b>6</b>	<b>Letter Dated 9-13-2013</b> <b>Steve Benenati - WSDOT Development Services Review Engineer</b> <b>15700 Dayton Avenue North, P.O. Box 330310, Seattle, WA 98133-9710</b> <b>benenas@wsdot.wa.gov</b>		
6-1	"...The site does not currently have direct access to US 2; access rights were purchased by WSDOT as part of the planning for the Monroe Bypass for US 2."	Comment noted.	N/A
6-2	"...The developer should pursue acquiring an easement from the owner of the adjoining parcel east of the site (referred to as Parcel F under a previous rezone proposal, but not included as part of this action), then connecting to US 2 east of the existing Limited Access (LA) boundary. The access connection to US 2 through Parcel F is under jurisdiction of the City of Monroe since it's within City limits and outside LA; no break	The access to US-2 will be resolved as part of a formal development application for the site. It is premature to determine the exact access connection and how access to the site will be gained (via easement or Break in Access (BIA)) since that will be the responsibility of the developer and the development application process.	Section 3.10.2 and Appendix F

NO.	COMMENT	RESPONSE	CHANGE
	<p>in access would be required. An easement and access through Parcel F would provide opportunity for consolidated joint access, minimizing the number and spacing of access connections along this section of US 2. The added benefit is that the owner of Parcel F would be able to use any improvements on US 2 required as mitigation for development of this site, in particular if they choose to pursue similar Comprehensive Plan Amendment and rezone in the future... If an easement through Parcel F is not feasible or possible, then a request for break in access (BIA) will be required. Because WSDOT purchased access rights from the property owners, a BIA will also require purchase of the access rights back from WSDOT at fair market value. A request for BIA to gain access to US 2 will require thorough justification and review before possible approval. It will need to demonstrate that access to US 2 will not affect safety and operations, and that any impacts can be mitigated."</p>	<p>Section 3.10.2 of the FEIS shows that additional channelization or a roundabout would allow the access to operate at an acceptable level of service.</p>	
6-3	<p>"...WSDOT generally supports a single break in access to provide site access to US 2. The current concept for the Monroe Bypass no longer includes a "North Monroe Interchange", which provided ramps connecting the bypass to mainline US 2 in this general area. Instead, a roundabout is currently planned for the bypass connection. The location for the roundabout hasn't been firmly established, but is generally in the area east of Woods Creek and west of the Rivmont Dr. bluff above US2; in short, west of the rezone property area."</p>	<p>Comment noted.</p>	<p>N/A</p>
6-4	<p>"...With site access located at the east end of Parcel E, our expectation is that the minimum distance between the site access connection point and the bypass connection roundabout will be met."</p>	<p>Comment noted.</p>	<p>N/A</p>
6-5	<p>"...whether the access connection is via Parcel F or a new BIA, we request a roundabout be analyzed and constructed at the site access for either of the proposed development alternatives, even if LOS criteria are met without a roundabout. A roundabout will reduce the risk and severity of collisions from conflicting traffic movements at the site access. This section of US 2 transitions from U1 (Urban-Principal Arterial) to R1 (Rural-Principal Arterial), has limited roadside development, is rural in character, and has a 55mph posted speed limit."</p>	<p>Sections 3.10.2 and 3.10.3 and the Traffic Impact Analysis in Appendix F of the FEIS have been updated to include roundabout analyses. Table 7 has been revised to include intersection operations of SR-2 at site access with a roundabout.</p>	<p>Sections 3.10.2 and 3.10.3 and Appendix F</p>
7	<p><b>Letter Dated 9-13-2013</b>  <b>Paul S Anderson - Washington State Department of Ecology - 3190 160th Ave. SE , Bellevue, WA 98008</b></p>		
7-1	<p>"...the DEIS needs to more equitably balance the potential environmental impacts with the economic interests. Because the existing undeveloped site condition is not used as the baseline for alternative comparisons, it gives the impression that the DEIS is not a balanced, objective analysis of the alternatives or potential impacts."</p>	<p>Per WAC 197-11-450, a cost-benefit analysis is not required by SEPA. For purposes of complying with SEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. In addition, a fiscal analysis is not an environmental element per WAC 197-11-444. A lead agency may include optional elements in an EIS</p>	<p>Sections 1 and 2.2</p>

NO.	COMMENT	RESPONSE	CHANGE
		<p>based upon comments received during the scoping process per WAC 197-11.440. In this instance, the scoping process identified the elements in the EIS and a fiscal analysis was not included.</p> <p>Public infrastructure will be financed by private development consistent with GMA goals of 'growth pays for growth. The City may incur some costs in the future associated with maintenance and increased load on utility systems; however those costs are generally offset by the City's required impact fees and connection fees at the time of development.</p> <p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p>	
7-2	<p>"...To avoid the possible appearance of being pre-decisional and to accurately portray potential impacts, the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS). There is no discernible difference in the developed footprint in the conceptual drawings for the three proposed alternatives, only in the intensity of development within that footprint. All of the alternatives are a significant change from the existing site conditions and it is unclear how the proposed no action alternative accurately reflects the existing conditions and use of the property."</p>	<p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p>	Sections 1 and 2.2
7-3	<p>"...As described in the DEIS, the intent of the proposal is to balance environmental protection with maximizing the socio-economic value (economic return) of the property, consistent with the stated goals of the Growth Management Act (GMA) (RCW 36.70A; DEIS pp. Fact Sheet, 3, 62). While impacts to critical areas have been avoided for the developed footprint in all the alternatives, there are still, nonetheless, permanent impacts to site wetlands (excavation for flood storage) and the slough which are not adequately assessed."</p>	<p>Flood storage excavation will not occur in any of the on-site wetlands or stream. Clarification has been added to Section 3.3.3 of the FEIS. Excavation will occur in the adjacent upland/buffer areas as described in Section 3.1.2 Figure 9 of the FEIS. Impacts to on-site wetlands and the slough are addressed in sections 3.3.2 and 3.3.3 of the FEIS.</p>	Section 3.3.3
7-4	<p>"...Equating environmental protection with economic development is not entirely consistent with the GMA. Case law has clarified that designation of critical areas and protection of their functions is a GMA requirement that is a higher standard than GMA goals (see Quadrant Corporation V. State Growth Management Hearings Board, Washington Supreme Court Case No. 75076-9, 2005; and Washington State Department of Ecology and Washington State Department of Community, Trade and Economic Development V. City Of Kent, GMHB Case No. 05-3-0034). Critical areas should be protected and then the other GMA goals should be balanced."</p>	<p>Comment noted. The FEIS does not purport to equate economic development with environmental protection.</p>	N/A
7-5	<p>"...This particular site, however, has value as open space and agricultural land and seems ill-suited to more intensive development</p>	<p>Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
	<p>given the lack of existing services and access in addition to the critical areas on and adjacent to the property. It is unclear how commercial development of the site will provide a net benefit to ecological function, as the DEIS Summary concludes.”</p>	<p>any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.</p> <p>The site is within the Urban Growth Area (UGA) Boundary and is currently zoned Limited Open Space which allows for a variety of development scenarios.</p>	
7-6	<p>“...When the full environmental and public infrastructure costs of developing the site are considered, retaining the existing LOS zoning, rural character and environmental services (e.g., floodplain and habitat) of the site are in fact “the highest and best use for the property” (DEIS, p. 1).”</p>	<p>Public infrastructure will be financed by private development consistent with GMA goals of development helping to fund system improvements. No public funds are proposed for utility extensions.</p>	
7-7	<p>“...Alternative 1 (no action alternative), the basis for comparing environmental impacts from Alternatives 2 and 3, is not based on the current site conditions and therefore, does not accurately assess the degree of environmental impact from the other alternatives; there is little or no discussion of the impact of converting productive agricultural land to a developed use, nor any proposed mitigation to compensate for that loss of agricultural land; and there is only a cursory discussion of the environmental impacts (and required permitting) to the slough and associated wetlands from excavating along the slough for flood storage.”</p>	<p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p>	Sections 1 and 2.2
7-8	<p>“...There is very little discussion of the current conditions (baseline) in the DEIS, which makes an objective evaluation of impacts difficult for any of the alternatives. As written, the DEIS no action alternative is more similar to the other development alternatives than it is to the existing conditions. While the baseline can be the same as the no action alternative, they are not necessarily synonymous. The DEIS no action alternative is a significant departure from the current conditions and therefore, is not the baseline.”</p>	<p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p>	Sections 1 and 2.2
7-9	<p>“...We recommend that a more detailed description be provided of the baseline conditions for analysis and comparison of the potential impacts for each of the alternatives (and affected environment elements), including the no action alternative; particularly since there are currently no services (sewer or water) or access adequate to support more intensive development of the site. Given the potential for significant environmental impacts (e.g., critical areas and traffic on US 2) just from providing utility services and access to these</p>	<p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p>	Sections 1 and 2.2

NO.	COMMENT	RESPONSE	CHANGE
	<p>parcels, it is not reasonable to use a future developed condition as the baseline for the no action alternative. The FEIS needs to use the existing condition as the baseline for assessing impacts from all of the proposed alternatives.”</p>		
7-10	<p>“...One of the critical elements missing from the DEIS is a discussion about the potential impact to the City and surrounding area from the loss of open space and specifically the permanent loss of over 20 acres of productive agricultural land. There is no proposal or discussion of mitigation to compensate for the loss of agricultural land. The conversion of agricultural land on this site to a developed use directly contradicts the stated agricultural preservation goals and policies of the City’s Comprehensive Plan (City of Monroe Comprehensive Plan 2005-2025):</p> <p><i>LUP-4.4 - Support agricultural land preservation, particularly in the county’s designated river way agricultural lands located generally west of the City limits, east of the City limits along the US-2 highway corridor, and generally south of the City and the Skykomish and Snohomish Rivers.</i></p> <p>Loss of productive farmland, particularly in the Snohomish Basin, is a matter of ongoing concern to the farming community and Snohomish County Government. The Sustainable Lands Strategy has been convened for the express purpose of preserving and improving farmland while allowing for salmon restoration projects in the Snohomish and Stillaguamish basins. Protection of farmland is a GMA requirement and the FEIS needs to more fully assess the potential impacts on agriculture from the permanent conversion of this site (see SEPA checklist guidance for assessing potential impacts to Agricultural Lands.”</p>	<p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p>	<p>Sections 1 and 2.2</p>
7-11	<p>“...the FEIS should include proposals to compensate for the loss of open space and productive agricultural land associated with rezone or subsequent development.”</p>	<p>Comment noted.</p>	<p>N/A</p>
7-12	<p>“...While true that most of the developed footprint is located outside of shoreline jurisdiction and the City’s critical area buffers, the proposed habitat enhancements and excavation for compensatory flood storage have the potential to significantly alter the slough and wetlands. The ordinary high water mark (OHWM) determination as well as wetland boundaries and ratings should be verified by Ecology.”</p>	<p>The FEIS identifies maximum setbacks from any sensitive areas on the site to protect the stream/slough and wetlands. The OHWM was identified using the methodology described in the Washington State Department of Ecology document <i>Determining the Ordinary High Water Mark on Streams in Washington State (Second Review Draft)</i> (Olson and Stockdale 2010). This information has been added to Section 3.3.3. Additional clarification at the time of development to the OHWM, wetlands, topography, etc. will dictate the size and location of development as well as the amount of compensatory flood storage required.</p>	<p>Section 3.3.3</p>
7-13	<p>“...The project proponents should provide Ecology with a memorandum summarizing the methods and field indicators used to determine the OHWM. That memorandum, and Ecology’s OHWM verification, should be added to the FEIS appendices.”</p>	<p>The FEIS identifies maximum setbacks from any sensitive areas on the site to protect the stream/slough and wetlands. The OHWM was identified using the methodology described in the Washington State Department of Ecology document <i>Determining the Ordinary High Water Mark on Streams in</i></p>	<p>Section 3.3.3</p>

NO.	COMMENT	RESPONSE	CHANGE
		<p><i>Washington State (Second Review Draft)</i> (Olson and Stockdale 2010). This information has been added to Section 3.3.3. Additional clarification at the time of development to the OHWM, wetlands, topography, etc. will dictate the size and location of development as well as the amount of compensatory flood storage required.</p>	
7-14	<p>“...Excavation for additional flood storage and or stormwater discharge does not appear to be a compatible use in the Urban Conservancy designation. While existing flood hazard management is an allowed use within Urban Conservancy designation, dredging (i.e., stream or wetland excavation) and filling are prohibited (see SMP Shoreline Modifications section of Shoreline Use and Modification Matrix, p. 26). If these activities could be approved without amending the Shoreline Master Program, which appears unlikely, excavation and placement of flood control or stormwater structures within shoreline jurisdiction on this site would require approval from Ecology (Variance or Conditional Use Permit) as well as the City. Shoreline permitting by Ecology would be in addition to the required Section 401 Water Quality Certification from Ecology for work within wetlands or the slough.”</p>	<p>No specific development is proposed at this time. If and when the area develops, the excavation as proposed would occur south of the stream/slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading would provide for flood storage to help ensure that flood water levels will not exceed the flood water elevations on the north bank of the slough.</p> <p>Dredging is not being proposed within the Urban Conservancy designation, nor would it occur under any development proposal. Fill material would only be placed outside of the shoreline jurisdiction.</p> <p>The purpose of the Urban Conservancy environment is to protect and restore ecological functions of open space, floodplain and other sensitive lands where they exist in urban and developed settings while allowing a variety of compatible uses. The management policies of this designation state that standards for shoreline stabilization measures and shoreline modifications shall ensure that new development does not result in a net loss of shoreline ecological functions or further degrade the shoreline values. The riparian corridor management and flood hazard reduction policies of the Program do not allow new development including significant vegetation removal and shoreline stabilization unless it is demonstrated that the development restores ecological processes. This would only be allowed where the development meets the exception criteria in the Program and the proponent submits documentation or analysis on scientific and technical information demonstrating compliance with the Program.</p> <p>The EIS proposes shoreline modifications in pursuit of greater restoration and enhancement of the shoreline. Shoreline modifications, including beach restoration/enhancement and bioengineering are allowed in the Urban Conservancy environment in association with a permitted shoreline use; in this case flood hazard management. Development of the property may involve cutting and filling in association with shoreline modifications and restoration activities.</p>	N/A
7-15	<p>“...Any ground disturbing activity within the slough or wetlands, including habitat enhancement, will require state and federal approval and excavation within these regulated waters for flood storage will very likely require compensatory mitigation. While there would likely be some ecological lift from planting shrubs and trees in the areas of the site dominated by blackberries and herbaceous vegetation, the</p>	<p>Ground disturbing activity will not occur within the designated boundaries of wetlands or stream/slough. Any mitigation proposed as part of future development will be reviewed and approved by the appropriate regulatory agencies.</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
	DEIS does not include sufficient detail on potential impacts to water quality, hydrology and habitat to fully assess the degree of impact or benefit from the proposed development.”	Since the FEIS is addressing a non-project action, specific details on impacts to water quality, hydrology, and habitat are unknown. The FEIS does, however, address broad environmental impacts that may occur to the Affected Environments under each of the alternatives. Specific development details and potential impacts will be assessed in the future when an actual development activity is proposed.	
7-16	“...Potential impacts to water quality from excavation of the compensatory flood storage and alteration of the existing vegetation. Grasses, including reed canarygrass ( <i>Phalaris arundinacea</i> ) are very effective at slowing surface runoff and improving water quality. The elevated development pad will be a source of increased runoff and potential contaminants and sediment. Based on the typical cross section shown on page 29 of the DEIS, there is a strong likelihood that wetlands or channels will develop or expand in the area excavated for flood storage. The loss of herbaceous vegetation and likely shortening of the transit distance for runoff between the development pad and state waters has the potential to adversely impact water quality. Any stormwater released to the slough or wetlands will need to be fully treated before being discharged.”	All earthwork will typically occur during the dry season so as to avoid runoff into the wetlands and stream/slough. The excavated area will likely be replanted with an assortment of native trees, shrubs, grasses, and herbaceous vegetation, which will replace any water quality functions lost or impacted due to excavation. In addition, best management practices (BMP’s) will be utilized as part of any development proposal.  The City of Monroe mandates that stormwater facilities meet DOE Stormwater Management Manual requirements and all facilities will be designed to these standards.	N/A
7-17	“...Potential impacts to wetland and slough hydrology from floodplain excavation and stormwater input. Any alteration of the wetland or slough hydroperiod or water depths will need to be assessed and site development should not alter the natural hydroperiod (see Appendix I-D, Stormwater Management Manual for Western Washington, Volume I, Ecology Publication No. 12-10-030). More details need to be provided on the location of the stormwater treatment system, including the location of detention vaults/ponds and outfalls.”	The FEIS addresses only a non-project action. Development activities are not being proposed. The location of stormwater treatment systems, vaults, ponds, etc. is unknown. A thorough assessment and analysis of wetland and stream/slough hydrology, as well as stormwater treatment systems, will be provided at the time of a development application.	N/A
7-18	“...While the planting of shrubs and trees will diversify the existing onsite plant communities, more analysis is needed on the potential that the excavation for flood storage will increase the potential spread of reed canarygrass. This species thrives in areas with increased nutrient input and “flashier” hydrology... Without vigorous (annual) weed control the first few years after planting shrubs and trees, reed canarygrass can oftentimes overtop the desired plantings and shade them out.”	Reed canarygrass is a problem for any mitigation site. Details on how this invasive species will be controlled will be included in the detailed mitigation plan once a development activity has been proposed and the site is ready for construction. Regular monitoring and maintenance include the control of invasive species and will be part of any mitigation plan.	N/A
7-19	“...It is also difficult to understand how commercial (or institutional) development on the site will improve the habitat values of the site as the DEIS indicates. While there will be some future diversification of the habitat through shrub and tree planting, there will be a significant increase in human activity on the site during and after construction. The proposed habitat enhancement will more likely than not be inadequate to compensate for the increased disturbance from site use in any of the DEIS alternatives.”	The FEIS was developed to demonstrate a range of mitigation measures to reflect the extent of temporary disturbance to construction activities or permanent location/extent of mitigation areas. When a specific development is proposed, specific mitigation requirements will be imposed.	N/A

NO.	COMMENT	RESPONSE	CHANGE
7-20	“...More analysis is needed on the potential for fish stranding in the excavated flood storage area. ...what is the risk that fish will be stranded in the excavated area, unable to return to the slough and Skykomish River once the water recedes?”	Professional engineers and wetland biologists determined appropriate measures to ensure that mitigation would include site grading to ensure that water will drain back into the slough following a flood event. Pondered water will not be retained in the areas newly planted.  This will be analyzed and addressed in detail at the time of a specific development application.	N/A
7-21	“...Due to its location, existing suitability as agricultural land and critical areas on the site the current LOS zoning is appropriate and we recommend that the City not go forward with the proposed rezoning of this property.”	Comment noted.	N/A
<b>8 Letter Dated 9-13-2013 Kelly Finley - Tulalip Natural Resources - 6404 Marine Drive, Tulalip, WA 98271</b>			
8-1	“...It has been determined through our preliminary analysis that the Haskell Slough and Riley Slough both are known sources of steelhead. Since these waters are located in the same area and share similar characteristics, it is presumed that steelhead would correspondingly be present in the slough located in the project area.”	It is expected that fish will use the stream/slough. The largest buffer for Type 1 water is proposed at 200 feet.	N/A
8-2	“...We appreciate the significance of the developer building outside of the 200ft shoreline buffer but hope that the City of Monroe upholds these buffers through to the conclusion of the project.”	A development application would be required to meet all applicable codes at the time of development.	N/A
8-3	“...Generally speaking we do not advocate the cutting of natural material from any shoreline buffer and would suggest fill for the developable area be sought from outside the project area. If this activity is unavoidable, we hope that the City requires that all cut areas within buffers be enhanced and restored to increase habitat value and function on site.”	Refer to Section 3.4 and Appendix D of the FEIS for further detail on enhancing and restoring the habitat function and value of the property.	N/A
8-4	“...The proposed development of this site will cause unavoidable impacts which will increase stormwater runoff to streams and wetlands. A main concern is the drastic increase in impervious surface from the previous use of the property. Subsequently, we encourage the use of low impact development (LID) principles.”	Stormwater runoff rates will be controlled as described in Section 3.12.3 of the FEIS and as required by the DOE Stormwater Management Manual.	N/A
8-5	“...When developing sites for buildings, parking lots or roads, infiltration into the ground is preferred for drainage, in appropriate soil conditions. Permeable pavement (concrete, asphalt or paving stones) is encouraged for parking lots, roads and driveways. Other LID techniques that could be incorporated into drainage design include rain gardens, bioswales, and constructed wetlands.”	Comment noted.	N/A
<b>9 Letter Dated 9-13-2013 Anna Groenveld - Community Member - 29524 Fern Bluff Road, Monroe, WA 98272</b>			
9-1	“As a local resident and business owner, I strongly oppose the rezoning of the 43 acres of property on the east side of Monroe.”	Comment noted.	N/A
9-2	“...The City of Monroe needs to be encouraged to recognize the history and future importance of maintaining agriculture lands for further	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have	N/A

NO.	COMMENT	RESPONSE	CHANGE
	generations. The protection of agriculture land needs to be viewed as a community infrastructure investment.”	any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has 10-3enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	
9-3	“...Responsible land use and zoning that allows for local farmers to produce products that reduce carbon footprint impact, support local employment, and produce products available for local businesses must be supported.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A
9-4	“...The Snohomish county agriculture industry was worth to the county over \$126 million dollars alone in 2007. Once paved over and built up, ag-land is too expensive to "undo" to make farming available again. The Local Farm, Food, and Jobs Act of 2013, Senate Bill 679 and House Bill 1414, encourage the creation of jobs and measures that spur economic growth through food and farms. All 50 states have farm to school programs in place and the reduction of agriculture land will reduce the effectiveness of such programs.”	Comment noted.	N/A
9-5	“...Monroe is positioned ideally to support agriculture. Major transportation corridors, prime climate, farm land, and local family based communities all prime Monroe to continue to be on the cutting edge of the ever growing local agriculture enterprises.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A

NO.	COMMENT	RESPONSE	CHANGE
9-6	“...Noise, aesthetics, public utilities, and traffic are all non-issues if this land is to be maintained as ag-land.”	Comment noted.	N/A
9-7	“...Additionally, the flood mitigation and filling of the location would directly impact fellow farmers in the area. To ignore the fact that during flood occurrences the water that would be displaced would impact neighbors is concerning. Our farm is located upstream from this property. Therefore, any reduction or impingement in flow and dispersment of water has a direct result on my farm and fellow individuals upstream.”	<p>The requirements of 44CFR 60.3(d) (Floodplain Management Criteria) are important to any discussion regarding potential work in the floodplain and will help establish ultimate mitigation requirements once a specific development proposal is made. Although the subject property is located in a floodplain (as opposed to a floodway), as depicted in the preliminary FIRM mapping adopted by the City of Monroe, the following information from FEMA’s website explains the concept and reason for compensatory flood storage:</p> <p><i>The NFIP floodway standard in 44CFR 60.3 (d) restricts new development from obstructing the flow of water and increasing flood heights. However, this provision does not address the need to maintain flood storage. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When fill or buildings are placed in the flood fringe, the flood storage areas are lost and flood heights will go up because there is less room for the floodwaters. This is particularly important in smaller watersheds which respond sooner to changes in the topography. One approach that may be used to address this issue is to require compensatory storage to offset any loss of flood storage capacity. Some communities adopt more restrictive standards that regulate the amount of fill or buildings that can displace floodwater in the flood fringe. Community Rating System credits are available for communities that adopt compensatory storage requirements.</i></p> <p>Source: (<a href="http://www.fema.gov/floodplain-management/compensatory-storage">http://www.fema.gov/floodplain-management/compensatory-storage</a>)</p> <p>The proposal acknowledges and supports the local communities desire to avoid any impact to potential flood conditions. Compensatory flood storage is required at a 1:1 ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation in the floodplain limits, 1 cubic foot of volume of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This will determine the need and extent of excavation for compensatory flood storage.</p> <p>No specific development proposal exists at this time. If and when the area develops, the excavation proposed would likely occur south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading would provide for flood storage to help ensure that</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
		<p>flood water levels will not exceed the flood water elevations that could currently be reached on the north bank of the slough.</p> <p>This clarification on the floodplain and concept of compensatory flood storage has been added to Section 3.1.2 of the FEIS.</p>	
9-8	<p>“...Please do not neglect the open space that this location provides for wildlife. This valley is rife with wildlife. Farm land provides habitat to animals large and small and any rezoning of this property will have dire consequences for the wildlife that thrive in these areas.”</p>	<p>Impacts to wildlife has been considered and analyzed as found in Section 3.4 and Appendix D of the FEIS.</p>	N/A
9-9	<p>“...Proper drainage, invasive species removal, and habitat restoration are reasonable improvements to the property but this can more realistically be accomplished by maintaining this land in open space and not paving it over with small habitat sanctuaries located within developed lots.”</p>	<p>Of the 42.81 acres the site encompasses, only 11.33 are proposed to be developed. All remaining acreage is proposed for mitigation and wetland creation.</p> <p>Refer to the Critical Areas Study (Appendix D) in the FEIS for explanation of the current functionality of the wetlands and habitat.</p>	N/A
9-10	<p>“...As a fifth generation farmer in the Monroe-Snohomish area, I recognize that changes occur. However, I encourage you as individuals to consider both the immediate and long range consequences involved in rezoning this acreage. Protecting the land base for local-sustainable agriculture usage makes good stewardship usage. Please oppose the rezone of this property east of Monroe.”</p>	<p>Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.</p>	N/A
10	<p><b>Letter Dated 9-13-2013</b>  <b>Brad Beetchenow - Community Member - 22127 Yeager Road, Monroe, WA 98272</b></p>		
10-1	<p>“...This property serves as the gateway to the farms of the Skykomish Valley.”</p>	<p>Comment noted.</p>	N/A
10-2	<p>“...With all of the unused property in the present industrial parks there is no need to develop more property.”</p>	<p>Comment noted.</p>	N/A
10-3	<p>“...Susan Boyd's comments are totally transparent and should be recognized for what they are, completely self-serving.”</p>	<p>Comment noted.</p>	N/A
10-4	<p>“...The church bought Ag-Land, live with it. To expect others to suffer for the financial gain of the church is wrong.”</p>	<p>Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
		and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	
<b>11</b>	<b>Letter Dated 9-13-2013 Scott &amp; Vicki Furrer - Community Member - 23811 State Route 2, Monroe, WA 98272</b>		
11-1	"We are opposed to the rezone of the property East of Monroe on Hwy 2."	Comment noted.	N/A
11-2	"...Over the last 25 years we have seen several attempts by individuals and groups to purchase Ag land and rezone or annex into City limits for their own financial gain. If you want to build a commercial building you should buy commercial property."	Comment noted.	N/A
11-3	"...In the past the county has always seen through the deceptive practices used by these "developers". We hope the City sees clearly enough to recognize these motives."	Comment noted.	N/A
11-4	"...It is surprising this property was annexed into the City. I remember at a City planning meeting several years ago the utilities department stated they had no plans to extend services past Woods Creek due to the cost and environmental impact."	Comment noted.	N/A
11-5	"...With available commercial land currently in the City and the drive to revitalize the City core there are many opportunity for commercial development. The current speculators need to accept the fact they are not owed a profit when they buy Ag land, wetlands and sensitive areas and attempt to work the system for financial gain."	Land uses change as the economy and population grows. For that reason, zoning changes are provided for in MMC Chapter 18.99.010 states: <i>"The zoning code is a legal instrument for implementation of the comprehensive plan. It is recognized that population growth, changes in economic and social customs and patterns and other factors will from time to time justify changes in the comprehensive plan and, consequently, in the zoning map and text which constitute the zoning code."</i> Ultimately, it is the responsibility of the Monroe City Council to determine if rezones are appropriate. The EIS, together with the Comprehensive Plan amendment and public comment, provides the basis for such a decision.	N/A
11-6	"...Again we urge you to deny any rezone of the property East of Monroe."	Comment noted.	N/A
<b>12</b>	<b>Letter Dated 9-13-2013 Jerry &amp; Stacy Labish - Community Member - 16603 275<sup>th</sup> Ave SE, Monroe, WA 98272</b>		
12-1	"We have lived in the Skykomish Valley for over 25 years. In this time it has been apparent that as we leave the Monroe City limits, there is a natural break at the east end of town. As you crest the hill, the "Mountains to Sound Scenic Byway" naturally begins by the break that exists with the end of the City limits and the commencement of the agricultural lands. With the proposed rezone we feel that any reduction in the acreage designated as agricultural land compromises the position of those of us currently engaged in Ag production here in the east Monroe area."	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to	N/A

NO.	COMMENT	RESPONSE	CHANGE
		develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	
12-2	“...It is relevant to note that the reduction of local Agriculture land reduces our ability to feed the local population. The local and sustainable movement is driven by our local Ag producers, this movement is critical to the reduction of our carbon footprint and the reliance on fossil fuels. Feeding the local community by utilizing local producers is not possible when local Ag land is taken out of potential productivity, by being paved over or built up.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A
12-3	“...With the proposed rezone the increased traffic expected, due to increased development, would negatively impact the ability for agricultural producers to efficiently maintain our Ag enterprises. Without effective transportation upgrades the frequent slow moving equipment, common in agricultural areas, would be dangerous for the agricultural producers as well as the general public.”	According to WSDOT’s letter dated August 18, 2011, WSDOT is planning to improve US-2 to include two lanes in each direction to improve traffic flow. These improvements may include shoulders wide enough to accommodate agricultural equipment, although the final roadway cross-section is not currently known.	N/A
<b>13</b>	<b>Letter Dated 9-13-2013 Tom &amp; Kathy Treves - Community Member - 24032 153<sup>rd</sup> Place SE, Monroe, WA 98272</b>		
13-1	“...Having just heard about this rezone request, I have not yet had an opportunity to read the 300-page document regarding the environmental impact. I did however spend three years attending public meetings on the Highway 2 improvements and listened to the Washington State Department of Transportation list all the reasons why Highway 2 could not be expanded to accommodate additional traffic lanes, which would be an obvious requirement of any commercial setting for this property.”	According to WSDOT’s letter dated August 18, 2011, WSDOT is planning to improve US-2 to include two lanes in each direction to improve traffic flow. These improvements may include shoulders wide enough to accommodate agricultural equipment, although the final roadway cross-section is not currently known.	N/A
13-2	“...There is already a record of ever-increasing traffic on Highway 2 and extending retail East of Monroe brings an additional traffic burden that the road cannot accommodate. Because of our involvement in trying to get a left turn lane installed at 245 <sup>th</sup> (which has been a life saver, literally, for residents who live off highway 2) we were introduced to many to studies and documents provided by the Department of Transportation ,all of which made clear that expansion of Highway 2 is not likely. You simply can't move the railroad or the river.”	Section 3.10.2 of the FEIS shows that additional channelization or a roundabout would allow the access to operate at an acceptable level of service.  According to WSDOT’s letter dated August 18, 2011, WSDOT is planning to improve US-2 to include two lanes in each direction to improve traffic flow. These improvements may include shoulders wide enough to accommodate agricultural equipment, although the final roadway cross-section is not currently known.	N/A
13-3	“...The second factor that should be considered seriously is the impact of the fill required to accommodate a commercial setting, which will	Fill added to create development areas will be above the water table. The proposed development area is bounded by the slough and SR-2. The water table of surrounding properties should not be affected by this fill placement.	N/A

NO.	COMMENT	RESPONSE	CHANGE
	significantly change the water table impacting the surrounding properties.”		
13-4	“...Monroe does not need a location for one more gas station as the gateway to our City. We hope that the Commission will continue to keep the zoning of open space. Please decline this application for commercial rezoning.”	Comment noted.	N/A
14	<b>Letter Dated 9-13-2013 Kori Treves - Community Member - 24032 153<sup>rd</sup> Place SE, Monroe, WA 98272</b>		
14-1	“...Rezoning the property East of Monroe will have countless impact on the land itself since much of it is wetlands, which will disturb the waterways, fish, blue herons, insects, wildlife and eagles (golden and bald) that frequent the open space and agricultural areas East of Monroe.”	Of the 42.81 acre site, approximately 6.28 acres are wetlands. Refer to the Critical Areas Report in Appendix D as well as Section 3.3, 3.4, and 3.5 of the FEIS for detailed information regarding wildlife, plants, and mitigation measures regarding these elements.	N/A
14-2	“...Zoning this property as commercial also requires the extremely expensive task of bringing sewer systems into this environmentally sensitive area. An expense that will take the City a very long time to recoup.”	The property is within the Urban Growth Area and within the designated water and sewer service areas of the City of Monroe. As such an urban level of public services has been planned for. Extension of sewer, water, stormwater and/or natural gas services to serve the property is the sole responsibility of the developer, consistent with the provisions of the City’s current Water and Sewer System Plans and the requirements and procedures outlined in Monroe Municipal Code (MMC) Title 13 - Public Services and Utilities.	N/A
14-3	“...having been one of the thousands of people injured in an automobile accident on Highway 2 due to the road conditions, I ask that the committee decline this rezone as opposed to escalate the hazardous road conditions.”	Section 3.10.2 of the FEIS shows that additional channelization or a roundabout would allow the access to operate at an acceptable level of service.	N/A
15	<b>Letter Dated 9-13-2013 Douglas Hamar - Neighboring Resident - 21122 Calhoun Road, Monroe, WA 98272</b>		
15-1	“...That this proposed action “will help maintain and enhance critical areas and supports a balance between socioeconomic growth, development and protection of the environment” is an assertion not a “fact.” If you have any “facts” to support this assertion, please include them.”	Comment noted.	N/A
15-2	“...under “Transportation,” we find that the rezone to General Commercial would increase traffic “3,628 average daily trips and 290 PM peak-hour trips over the existing zoning” And that is only if the property is developed under the “existing zoning” to the level you suggest, which is highly unlikely. Otherwise the increase in traffic would be closer to 5,000 trips a day. Either way, how is this not going to further muck up rather than “help” the already heavy congestion problem on SR2?”	Showing the increase in traffic is only for comparison purposes. The total number of trips generated was analyzed, in addition to the increase in trips. Adjusting development scenario for Alternative 1 will only change the results for Alternative 1, and the total trip generation for Alternatives 2 and 3 will remain as stated in Table 5 of the Traffic Impact Analysis prepared by Gibson Traffic Consultants located in Appendix F of the FEIS.	N/A
15-3	“...With regard to “socioeconomic growth,” the 2012 Snohomish County Build-able Lands Report found that Monroe currently has more than enough build-able lands to satisfy its employment needs through 2025. In fact, as with the 2007 version of the same report, it found Monroe	Based on 2025 projections, the Snohomish County 2012 Buildable Lands Report notes that the Monroe Urban Growth Area has excess land capacity for general employment and can accommodate projected employment through 2025. The projections are for all types of employment, including General Commercial,	N/A

NO.	COMMENT	RESPONSE	CHANGE
	short of residential capacity. The property that is the subject of this DEIS is currently zoned residential.”	Light Industrial, Limited Open Space Airport, and Service Commercial. The property that is the subject of this FEIS is currently zoned Limited Open Space.	
15-4	“...The location of this proposed rezone is a mile and a half down the road and isolated from what everyone knows as Monroe. A "big box" discount retailer in this location will almost certainly put additional stress on the retail environment of the real Monroe-far from supporting, enhancing or balancing the "socioeconomic" situation in Monroe, it is more likely to undermine it.”	Comment noted.	N/A
15-5	“...I would also contend that while the stated objectives of this rezone may be "consistent with the goals and objectives a/ Growth Management Act Planning," the more likely outcomes of this rezone are not.”	Comment noted.	N/A
15-6	“...It is not clear what "highest" use means in this instance. Perhaps it refers to the need to raise the elevation of the property with 46,500 cubic yards of material to get it above the base floodplain. At any rate, It is good to know the applicant is still searching for the best use. They would likely do better with a land use action different than the one they have repeatedly proposed.”	Comment noted.	N/A
15-7	“...we have the first of repeated assurances in the DEIS that whatever project ensues from this rezone, it will have to comply with the standards in the Monroe Municipal Code: <i>“Any application for a project action will be required to demonstrate that work in critical areas complies with Monroe Municipal Code (MMC) requirements. It is incumbent on the applicant to demonstrate compliance with the standards in the MMC”</i>	Comment noted.	N/A
15-8	“...It seems evident to me that to develop this property as Commercial retail, the mitigation required would be so onerous as to "deny all reasonable use of the property." Changing the "underlying zoning" to commercial will allow a developer to vigorously pursue these "exemptions and exceptions.”	Comment noted.	N/A
15-9	“...Unfortunately, in my reading of the MMC, I find language that is not at all reassuring. For example: <u>20.05.050 - Applicability, exemptions, and exceptions.</u> <i>2.Reasonable Use. If the application of this chapter would deny all reasonable use of the property, development may be allowed which is consistent with the general purpose of this chapter and the public interest; provided, that the hearing examiner, after a public hearing, finds to the extent consistent with the constitutional rights of the applicant:</i> <i>a. This chapter would otherwise deny all reasonable use of the property;</i>	Comment noted.	N/A

NO.	COMMENT	RESPONSE	CHANGE
	<p><i>b. There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer;</i></p> <p>It seems evident to me that to develop this property as Commercial retail, the mitigation required would be so onerous as to "deny all reasonable use of the property." Changing the "underlying zoning" to commercial will allow a developer to vigorously pursue these "exemptions and exceptions."</p>		
15-10	<p>Again from the MMC:  <u>14.01.150 Floodways.</u>  <i>D. In areas with base flood elevations (but in which a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1 -30 and AE on the community's Flood Insurance Rate Map, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.</i></p> <p>"The community" is not defined here, and even if it were, flood waters do not recognize community borders. With so many variables in a flood event, how could an increase of one foot of elevation somewhere in the "community" ever be attributed with certainty to a particular construction project or other development? An extra foot of water over an entire community is a lot of water. How could this section of the Code ever be enforced?"</p>	<p>The requirements of 44CFR 60.3(d) (Code of Federal Regulations Floodplain Management Criteria) are important to any discussion regarding potential work in the floodplain and will help establish ultimate mitigation requirements once a specific development proposal is made. Although the subject property is located in a floodplain (as opposed to a floodway), as depicted in the preliminary FIRM mapping adopted by the City of Monroe, the following information from FEMA's website explains the concept and reason for compensatory flood storage:</p> <p><i>The NFIP floodway standard in 44CFR 60.3 (d) restricts new development from obstructing the flow of water and increasing flood heights. However, this provision does not address the need to maintain flood storage. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When fill or buildings are placed in the flood fringe, the flood storage areas are lost and flood heights will go up because there is less room for the floodwaters. This is particularly important in smaller watersheds which respond sooner to changes in the topography. One approach that may be used to address this issue is to require compensatory storage to offset any loss of flood storage capacity. Some communities adopt more restrictive standards that regulate the amount of fill or buildings that can displace floodwater in the flood fringe. Community Rating System credits are available for communities that adopt compensatory storage requirements.</i></p> <p>Source: (<a href="http://www.fema.gov/floodplain-management/compensatory-storage">http://www.fema.gov/floodplain-management/compensatory-storage</a>)</p> <p>The proposal acknowledges and supports the local communities desire to avoid any impact to potential flood conditions. Compensatory flood storage is required at a 1:1 ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation in the floodplain limits, 1 cubic foot of volume of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This will determine the need and extent of excavation for compensatory flood storage.</p>	Section 3.1.2

NO.	COMMENT	RESPONSE	CHANGE
		<p>The area proposed for excavation is south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading of the site will provide for flood storage and in doing so, will offset any volume of current flood storage such that flood water levels will not exceed the flood water elevations that could currently be reached on the north bank of the slough.</p> <p>This clarification on the floodplain and concept of compensatory flood storage has been added to Section 3.1.2 of the FEIS.</p>	
15-11	<p>“...The effectiveness of the Municipal Code is entirely dependent upon successful enforcement. With the last hearings examiner being fired shortly after ruling against the City on a previous attempt at this same zoning change, my confidence in the City's interpretation and enforcement of the Municipal Code is pretty low.”</p>	<p>Comment noted.</p>	N/A
15-12	<p>“...we again have the completely unsubstantiated claim that there is a need for developable commercial land along SR2”  <i>“The DEIS also recognizes the site as one of great potential for responding to the limited amount of undeveloped commercial property in the area, addressing market demand for land, promoting economic development and setting the precedent for future development in Monroe.”</i>            At this writing there are at least 148,000 sq ft of retail space available in Monroe. The same real estate listings in March of 2012 during the last attempt on this rezone showed 150,000 sq feet available, so no one is snapping it up. And again, even Monroe's new "revised" Comprehensive plan sites the Snohomish County Buildable Lands Report, which states that Monroe has no need for additional land dedicated to commercial retail.”</p>	<p>The City currently has limited availability of vacant General Commercial land that may be available for development within the city. The current land inventory of General Commercial includes 34 acres of vacant land mostly within the interior area of the North Kelsey area, including the former landfill site (11 acres). The remaining 17 acres of vacant, commercially designated land (Service Commercial, Mixed Use and Professional Office zoning) is in scattered, smaller land parcels throughout the city.</p>	N/A
15-13	<p><i>“...Respond to demand for, and lack of, undeveloped commercial property along the SR-2 transportation corridor”</i>            What we have here is the "need"/demand of a particular property owner to realize a profit on their investment; the "need"/demand of commercial developers for property to develop (because that is what they do); and the supposed desire/demand of yet another "big box retailer" for this particular site all being conflated with the very real socioeconomic needs/hopes, dreams, and reasonable expectations of the community of Monroe. They are not at all the same, and, in this case they are in direct opposition.”</p>	<p>The City currently has limited availability of vacant General Commercial land that may be available for development within the city. The current land inventory of General Commercial includes 34 acres of vacant land mostly within the interior area of the North Kelsey area, including the former landfill site (11 acres). The remaining 17 acres of vacant, commercially designated land (Service Commercial, Mixed Use and Professional Office zoning) is in scattered, smaller land parcels throughout the city.</p>	N/A
15-14	<p><i>“...Support and encourage regional and local economic development”</i>            How so? And where is the evidence? The rezone is far more likely to have the exact opposite effect, but I repeat myself:</p>	<p>Comment noted.</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
	<p><i>"Protect sensitive areas to the north of the stream/slough, while providing opportunities for coordinated mitigation and enhancement of impacted areas"</i></p> <p>The "opportunities" for enhancement of this area exist without the rezone. As Planning Commissioner Sherwood pointed out at the 9/5/2013 informational meeting at City Hall, while codes and zoning may mandate a do-no-harm approach, there is no mandate for "enhancement" of critical areas. In other words, there is no legal requirement for a developer to act on those "opportunities" with the rezone in place.</p>		
15-15	<p><i>"Provide a gateway to the City for travelers entering Monroe from the east"</i></p> <p>How many "gateways" have you go out the way you came in to get to where you were supposedly entering???? It is even confusing to describe. Being completely isolated from Monroe physically and visually, a retail development here would be a "gateway" to Monroe like Fred Meyers at one end of town is a gateway to Albertsons at the other. Monroe's 2005-2025 Comprehensive Plan reads: <i>"The area was annexed some years ago, primarily as a means of "protecting" the City's scenic gateway from the east..."</i> Here it is quite clear "scenic gateway" refers to the inviting nature of the area's natural beauty and is a far more appropriate use of the term and the property than, say-a Target store.</p>	Comment noted.	N/A
15-16	<p><i>"Promote businesses that offer goods and services to current and future City residents and the traveling public"</i></p> <p><i>"Provide for coordinated land use and transportation improvements"</i></p> <p>As the ingress and egress to this property would surface immediately East of the scheduled Monroe SR2 bypass, it would be more of a coordinated assault on transportation improvements. It would likely be the subject of much ire from taxpayers and the "traveling public."</p>	Comment noted.	N/A
15-17	<p>I believe the interpretation of "no action" in this DEIS is scaled beyond anything realistic.</p> <p><i>"This alternative is based on retaining the existing Limited Open Space (LOS) Comprehensive Plan designation and future development under zoning as is. For this proposal, "no action" does not indicate that no development will occur, but only that no changes to the zoning designation will be made and that the property will be developed as permitted by the City of Monroe Municipal Code. At a minimum level of development, one dwelling unit per five acres is currently allowed. However, to evaluate the full range of potential impacts associated with development under</i></p>	Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.	Sections 1 and 2.2

NO.	COMMENT	RESPONSE	CHANGE
	<p><i>LOS, Alternative 1 includes a mixture of fitness club, day care facility and church activities."</i></p> <p>Although "one dwelling unit per five acres is currently allowed," the "NO ACTION" alternative includes a fitness club, daycare facility and a church. I realize it is not PACE's job to consider inconsistencies in Monroe's Municipal Code, but the reality is that the "potential impacts" at the scale represented in this DEIS for the "NO ACTION" alternative would require considerable action on other fronts.</p>		
15-18	<p>As noted in this DEIS, the Monroe Municipal Code describes LOS zoning as:</p> <p><i>"The purpose of the limited open space zoning district is to provide for low-density residential uses on lands that lack the full range of public services and facilities necessary to support urban development and that are severely impacted by critical areas. This zone also provides a buffer between urban areas and transitional land uses on the urban growth boundaries of the City, and/or may also provide for enhanced recreational facilities and linkages to existing trails or open space systems. "</i></p> <p>Obviously, a "Gold's Gym" on this property would be totally inconsistent with the stated "purpose" of the zoning. I would really like to know how and when a "fitness club" ever got into the matrix of allowable uses for this property. This is another example of the loose wording in the MMC allowing for a range of unintended consequences. Other municipalities with similar zoning specify community playgrounds under "recreational facilities" for this zoning. And for daycare they specify "in home daycare." Even these require a "Conditional/Special use" permit.</p>	<p>Land uses change as the economy and population grows. For that reason, zoning changes are provided for in MMC Chapter 18.99.010 states: <i>"The zoning code is a legal instrument for implementation of the comprehensive plan. It is recognized that population growth, changes in economic and social customs and patterns and other factors will from time to time justify changes in the comprehensive plan and, consequently, in the zoning map and text which constitute the zoning code."</i> Ultimately, it is the responsibility of the Monroe City Council to determine if rezones are appropriate. The EIS, together with the Comprehensive Plan amendment and public comment, provides the basis for such a decision.</p>	N/A
15-19	<p>Yes, Heritage Baptist apparently has a conditional use permit for a church. I can't find any record of it, so how and when it was obtained I can't say. I don't recall being notified or any public hearings on the subject. In this case, a conditional use permit was effectively a rezone without the burden of an EIS or Comp Plan Amendment. It begs the question, was that conditional use permit simply a Trojan Horse ploy to leverage a zone change to General Commercial?-"Under the NO ACTION alternative, look what you can build!-so, what's the difference!?" Indeed, if the stated purpose of the LOS zoning is not meant to be taken seriously then there isn't much difference.</p>	<p>There currently is no conditional use permit for the property although this was considered several years ago.</p>	N/A
15-20	<p><i>"The site access will require an inbound left-turn lane."</i></p> <p>I don't think this would be approved by the Washington Department of Transportation. A letter from WSDOT concerning the ingress and egress of this proposal required a roundabout at least 1320 feet east of where they are planning to put their own roundabout for the SR2 Monroe bypass-two roundabouts a quarter of a mile apart. Won't that be fun for all concerned?</p>	<p>Sections 3.10.2 and 3.10.3 and the Traffic Impact Analysis in Appendix F of the FEIS have been updated to include roundabout analyses. Table 7 has been revised to include intersection operations of SR-2 at site access with a roundabout.</p>	<p>Sections 3.10.2 and 3.10.3 and Appendix F</p>

NO.	COMMENT	RESPONSE	CHANGE
15-21	<p><i>"Benefits to delaying adoption of this proposal until a future date include:</i></p> <ul style="list-style-type: none"> <li><i>-No additional traffic generated;</i></li> <li><i>-Existing aesthetic environment of the property remains;</i></li> <li><i>-No temporary disturbance to animal and plant habitat; and</i></li> <li><i>-No temporary impacts associated with construction."</i> <p>And I would add:</p> <ul style="list-style-type: none"> <li><i>-No migration of retail sales down the road a mile and a half where the sales multiplier of proximity to Monroe's established retail areas will be lost.</i></li> <li><i>-No compounding of Monroe's weak retail real estate market-fewer empty storefronts. Greater and faster economic recovery for Monroe's downtown core.</i></li> <li><i>-No setback to Monroe's existing retail environment while market conditions are favorable.</i></li> <li><i>-No property tax losses due to the devaluation of the 40 residences along Rivmont and Calhoun rd.</i></li> </ul> <p><i>"Disadvantages of delaying the proposal until a future date include:</i></p> <ul style="list-style-type: none"> <li><i>-Does not address need for additional develop-able commercial property along SR-2 corridor;</i></li> </ul> <p>There is no evidence whatsoever to back this claim up.</p> <ul style="list-style-type: none"> <li><i>-"Potential loss of opportunity to develop while market conditions are favorable;"</i></li> </ul> <p>The only favorable market conditions relative to this proposed action are low interest rates, which benefit only the developer. This is not a community-based reason to proceed.</p> <ul style="list-style-type: none"> <li><i>-"Potential loss of opportunity to increase employment opportunities for Monroe and area residents;"</i></li> </ul> <p>More likely it will take jobs away from smaller businesses in town and move them to lower paying jobs down the road.</p> </li></ul>	Comment noted.	N/A
15-22	<p>Page 23: Affected Environment, Impacts &amp; Mitigation Measures</p> <p>In paragraph one we find the disclaimer:</p> <p><i>"Identified potential impacts and avoidance and mitigation strategies are not intended to be attached to the property or encumber it in any way."</i></p> <p>Many of the enhancement and mitigation strategies outlined in this DEIS paint a glorious picture of the proposal, but the reality is that these strategies do not "encumber it any way." The question is, are they truly "reasonable" under the Monroe Municipal Code for a property zoned General Commercial, and how many will ever reach fruition?</p>	Comment noted.	N/A
15-23	<p>Page 36:Flood Hazard</p> <p>I'm glad this DEIS is using the most recent flood maps, but:</p>	Comment noted.	N/A

NO.	COMMENT	RESPONSE	CHANGE
	<p><i>".....the Preliminary Maps were used for the conservative evaluation put forth herein"</i></p> <p>I would like to point out that what you consider "conservative" now will likely be seen as rash and foolish a few years hence. In June of this year FEMA released a report on climate change and the prospects for future flooding: [hyperlink]. Frankly, it is scary. The areas of the greatest increase in flood risk for the near future and beyond are the "riverine environments of the Great Lakes and Pacific Northwest." Their maps indicate an increase in the size of "Special Flood Hazard Areas" for this region (of which the East Monroe property is one) at 20 to 40% by the year 2020. This is consistent with EPA projections of "wetter" winters and springs for Northern areas and more frequent "Heavy precipitation events." Though far more accelerated, it is also consistent with the trend upward recorded by river gauges near Monroe over recent decades. And it is consistent with the fact that the property in question was moved from the 500 yr. floodplain to the 100 yr floodplain in 2007. By the time other municipalities give up on trying to save the National Flood Insurance discounts allowed by their present levees FEMA will have issued a new "Preliminary" flood map that blows your 68' proposed grade elevation not out of the water but into it.</p>		
15-24	<p>This property is not just a floodplain; it is the "abandoned" oxbow of a major river. There is one abandoned oxbow in this state that has commercial development on it. In fact half of the City of Burlington sits on it, but it is five miles long, one mile across, and diked from one end to the other and beyond. There are no other commercial developments on any abandoned oxbows in this state. It is unlikely that there are many elsewhere because it has been recognized for thousands of years as a reckless and regrettable move.</p>	<p>Comment noted.</p>	<p>N/A</p>
15-25	<p>With respect to FEMA's National Flood Insurance discounts, the NFIP awards a higher discount for every acre of Special Flood Hazard Area within a City's UGA that is left as Open Space. This rezone would remove 25% of that acreage from consideration for that discount- another economic hit for the community of Monroe.</p>	<p>Comment noted.</p>	<p>N/A</p>
15-26	<p>FEMA's words to live by are "The best option is to not build in a floodplain in the first place."</p>	<p>Comment Noted.</p>	<p>N/A</p>
15-27	<p>Finally, with regard to the cut and fill ...46,500 cubic yards is a lot of dirt. It is a Professional football field (300'x160') more than 26 feet thick. The native soil has absorption and flood retention characteristics that the more or less cleared channel and compacted soil described in this DEIS will not, raising the prospect of faster moving flood waters, increased erosion and additional downstream flooding. From the description and illustrations in the DEIS it looks like the plan is to scrape away almost the entire surface area of the</p>	<p>The proposal acknowledges and supports the local communities desire to avoid any impact to potential flood conditions. Compensatory flood storage is required at a 1:1 ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation in the floodplain limits, 1 cubic foot of volume of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This</p>	<p>N/A</p>

NO.	COMMENT	RESPONSE	CHANGE
	<p>wetlands south of the stream-down several feet. Further because the native soil is not sufficiently compact-able for use as foundational material, it must be hauled away and an equivalent quantity of compact-able soil must be brought in. Somehow, this is supposed to create an "enhanced" wetland area? This 46,500 cubic yards of material that the wetland came by through natural processes will be gone. The resulting landscape may appear better groomed, but better grooming is not always an indication of better health.</p>	<p>will determine the need and extent of excavation for compensatory flood storage.</p> <p>No specific development proposal exists at this time. If and when the area develops, the excavation proposed would likely occur south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading would provide for flood storage to help ensure that flood water levels will not exceed the flood water elevations that could currently be reached on the north bank of the slough.</p> <p>This clarification on the floodplain and concept of compensatory flood storage has been added to Section 3.1.2 of the FEIS.</p> <p>The area proposed for soil removal and placement of structural fill is outside of the wetland area and will not be used to enhance the wetland area. The enhanced wetland area is within the critical area buffers where no structural fill will be placed.</p>	
<b>16</b>	<p><b>Letter Dated 9-13-2013</b>  <b>Wiard &amp; Jean Groenveld - Community Member - 29126 Fern Bluff Rd. Monroe, WA 98272</b></p>		
16-1	<p>Since 1938 our family has been involved in the agricultural pursuits of the Skykomish Valley. We have watched the highway and subsequent developments push into a highly rural and agricultural area. As you contemplate the rezoning of the East Monroe Property we encourage you to review the impact this will have on the farming community."</p>	<p>Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.</p>	N/A
16-2	<p>"...Over the generations, the urban development has continued to expand and Monroe's expansion has swallowed up many previously productive agricultural lands. There is continued availability for the future of Ag production in the areas that lie outside of the natural physical boundaries of Monroe."</p>	<p>Comment noted.</p>	N/A
16-3	<p>"...Countless times over the years, the resounding comments from friends, family, and strangers have been in regards to what a beautiful location this is to live, raise a family, and farm. These comments would not be heard if we continue to expand the City areas and push out into the farmland that provides these picturesque scenes."</p>	<p>The City of Monroe's Vision Statement, as explained in the Executive Summary of Monroe's 2005-2025 Comprehensive Plan, states that "Monroe is a community in transition, changing from a small rural town into a city of regional significance with sustained population and economic growth. As the city accommodates more people and employment opportunities within the city and urban growth area (UGA), the Monroe of tomorrow will be a higher density city than the Monroe of today. To maintain the character of the community,</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
		the city must take advantage of growth as a tool to reshape the community into a more sustainable form.”	
16-4	“...Wall to wall developments do not promote agricultural pursuits. Each time acreage is swallowed by development the future of agriculture in this area is reduced.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A
16-5	“...Fertile ground, good for growing, is difficult to find outside of flood plains. It is disconcerting to see that this flood plain farm land is even being considered for rezoning and development.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A
16-6	“...As we watch our grandkids grow up in this scenic and agriculture based valley we implore you to reevaluate the impact the rezoning of this 43 acres would have on the future of agriculture in this valley.”	Portions of the site have been used for agriculture in the past, mainly for the grazing of livestock and raising hay. The City of Monroe does not currently have any designated agricultural lands within City limits as per RCW 36.70A.170 nor any land zoned specifically for agricultural production. A goal of the Growth Management Act is to preserve productive agricultural and resource lands outside of urban limits and within urban limits if the city has enacted a program authorizing the transfer or purchase of development rights [RCW 36.70A.060(4)]. This is reflected in the Snohomish Countywide Planning Policies and currently the City of Monroe does not have a program authorizing the transfer or purchase of development rights. A primary goal for cities is to develop to urban densities; that is what the City of Monroe and other cities in Washington State are required to do per the GMA.	N/A
17	Public Testimony Received 9-5-2013 Lowell Anderson - Neighboring Resident- 129 E. Rivmont Drive, Monroe, WA 98272		

NO.	COMMENT	RESPONSE	CHANGE
17-1	“...we’re here to tell you that your Environmental Impact Statement is flawed.”	Comment noted.	N/A
17-2	“Highway 2 did not provide any access. And you have the three previous letters we’ll be looking at a frontage road and a roundabout.”	Sections 3.10.2 and 3.10.3 and the Traffic Impact Analysis in Appendix F of the FEIS have been updated to include roundabout analyses. Table 7 has been revised to include intersection operations of SR-2 at site access with a roundabout.	Sections 3.10.2 and 3.10.3 and Appendix F
17-3	“...I’d like to explain to you that to develop this property it will be by far the most expensive property ever developed in the City of Monroe.”	Comment noted.	N/A
17-4	“...I’ve taken the shortest distance as I can for frontage road and it’s a 2 million asphalt road built in a rural area, which this is. One million seven hundred fifty thousand dollars, but if you were to do this right you would put the roundabout, which you’re going to have to build on the intersection of Calhoun and so as the, in Highway 2. You’re going to [need a] frontage road from that area up to the property, which is about a mile and you’d be north of twenty million dollars to do this. ...I’ll give you the benefit of doubt and I said that you can have frontage road there to get to the Highway 2 for one million seven hundred fifty thousand dollars and after the roundabout.”	Comment noted.	N/A
17-5	“...My concern is the financial impact of this. This property is so expensive to do what you folks wanted to do and build this on ten acres on a frontage road that will never happen. ...commercial property [will] devalue all the homes on the hill, mine included. Now there’s approximately forty homes on the hill (inaudible) about one hundred thousand dollars each [of devaluation], which is four million dollars. Now this is an unintended consequence, but a fact of life. This little reduction in fee will impact Monroe School District, the fire district, City of Monroe, Monroe Library and the public hospital.”	The costs of development will be the sole responsibility of the owner/developer. Future values of the homes in the vicinity are dependent on a variety of factors including local, state and national trends.	
17-6	“...In this little town here we have the river that is pointed directly at the property. There’s been a (inaudible) in 1959 it will force the water directly at that. ...cut and fill may or may not work [in surviving a flood]. Now in a figurative level, what happens when it floods in that particular area is all these beautiful plants and these very expensive plants - they will get suffocated and die and have (inaudible) in there and there’s no record of who’s going to maintain this so it will be the ugliest pond that you’ve ever seen with standing water, frogs and blackberries planted by the (inaudible) [birds].”	Professional engineers and wetland biologists determined appropriate measures to ensure the durability and reliance of the vegetation proposed in the planting plan. Mitigation would include site grading to ensure that water will drain back into the slough following a flood event. Pondered water will not be retained in the areas newly planted. Monitoring, maintenance and mitigation of the site will be the responsibility of the property owner, consistent with standard mitigation and monitoring practices and anticipated City requirements.	N/A
17-7	“...the more things you put in the floodplain the more things are at risk. We can never assume we’ve seen the worse of what Mother Nature can do. And that’s true. I just told you about the flood of ’59. In the 70’s the highway under here was under water. In the 1990 it	Floodplain policies are set at a national level and implemented through national, state, and local regulations. Fill and development in floodplains is generally allowed as a matter of national policy, not policy created by the City of Monroe. Administered by FEMA, the National Flood Protection Insurance	New Figure 13 in Section 3.3.2

NO.	COMMENT	RESPONSE	CHANGE
	almost took the bridge out here on Highway 2. (Inaudible) commercial and residential floodplain development ends up costing everyone else.”	<p>Program (NFIP) implements the National Flood Insurance Act which sets regulation frameworks for state and local governments to follow. Currently, development within floodplains is allowed if it is raised at least one foot above base flood elevation, applicable permits/regulations are acquired and any required mitigation is achieved. Essentially, development and fill in floodplains are allowed subject to applicable permitting and mitigation. The requirements of 44CFR 60.3(d) are referenced as guidelines used in evaluation of the subject proposal. In addition, the MMC 14.01 defines flood hazard area regulations for the City of Monroe.</p> <p>Figure 13: 2006 Flood Elevation Imagery has been added to Section 3.3.2 of the FEIS as documentation of site conditions during November 2006, the highest flooding event on record for the Skykomish River.</p>	
17-8	“...I think it’s a bad idea.”	Comment Noted.	N/A
<b>18</b>	<b>Public Testimony 9-5-2013</b> <b>Jeff Rogers - Neighboring Resident - 127 E. Rivmont Drive, Monroe, WA 98272</b>		
18-1	“...I think the timeframe for receiving public comments, particularly from governmental agencies that will be important to receive comments, should be extended. This project is not going to go anywhere without the department of transportation’s input. So I think it’ll be fool hearted to just (inaudible)[push] ahead until you get the input from WSDOT and potentially other agencies, particularly governmental agencies.”	<p>According to the Department of Ecology’s SEPA Rules, (Chapter 197-11 WAC 197-11-455, Issuance of DEIS):</p> <p><i>(6) Any person or agency shall have thirty days from the date of issue in which to review and comment upon the DEIS.</i></p> <p><i>(7) Upon request, the lead agency may grant an extension of up to fifteen days to the comment period. Agencies and the public must request any extension before the end of the comment period.</i></p> <p>An extension was not granted for this DEIS as all agencies provided substantial comments by the end of the comment period. Comments from public agencies, including WSDOT, were received during the comment period that ended 9-13-2013.</p>	N/A
18-2	“...I recognize there’s a rush from a political standpoint, because the applicant wants to get this through under the current City administration, but this is too important to rush this through.”	Comment noted.	N/A
18-3	“...this property is properly zoned as limited open space. Under the Monroe Municipal Code 18-10-045...the purpose of LOS is to provide for low density residential uses on lands that that lack a full range of public services and facilities necessary to support urban development and that are severely impacted by critical areas. This property fits that to a T. ...We don’t believe the rezone is appropriate and we recognize this is not necessarily the date for that discussion, but I think it’s important to recognize this [the property] is properly zoned as limited open space and we recognized it to be developed.”	Land uses change as the economy and population grows. For that reason, zoning changes are provided for in MMC Chapter 18.99.010 states: <i>“The zoning code is a legal instrument for implementation of the comprehensive plan. It is recognized that population growth, changes in economic and social customs and patterns and other factors will from time to time justify changes in the comprehensive plan and, consequently, in the zoning map and text which constitute the zoning code.”</i> Ultimately, it is the responsibility of the Monroe City Council to determine if rezones are appropriate. The EIS, together with the Comprehensive Plan amendment and public comment, provides the basis for such a decision.	N/A
18-4	“...somebody needs to do some very baseline analysis of whether this is economically fine.”	Per WAC 197-11-450, a cost-benefit analysis is not required by SEPA. For purposes of complying with SEPA, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative	N/A

NO.	COMMENT	RESPONSE	CHANGE
		<p>considerations. In addition, a fiscal analysis is not an environmental element per WAC 197-11-444. A lead agency may include optional elements in an EIS based upon comments received during the scoping process per WAC 197-11.440. In this instance, the scoping process identified the elements in the EIS and a fiscal analysis was not included.</p> <p>Public infrastructure will be financed by private development consistent with GMA goals of 'growth pays for growth. The City may incur some costs in the future associated with maintenance and increased load on utility systems; however those costs are generally offset by the City's required impact fees and connection fees at the time of development.</p>	
18-5	<p>"...it won't develop because it's too darn costly. It doesn't pencil out. ...I think under any scenario this is a property that's [plagued] by economic realities. It'd be great if all this wonderful mitigation could occur, but somebody's gotta pay for that and there's plenty of available property in Monroe right now. I mentioned before the Ford dealership sits there empty. ...there's no lack of commercial property in the City."</p>	<p>The cost of achieving development will be the sole responsibility of the owner/developer.</p> <p>The City currently has limited availability of vacant General Commercial land that may be available for development within the city. The current land inventory of General Commercial includes 34 acres of vacant land mostly within the interior area of the North Kelsey area, including the former landfill site (11 acres). The remaining 17 acres of vacant, commercially designated land (Service Commercial, Mixed Use and Professional Office zoning) is in scattered, smaller land parcels throughout the City. One aspect of the subject property is its location on SR-2.</p>	N/A
18-6	<p>"...this concept of compensatory flood storage gives me (inaudible), because as I understand it what you're going to be doing is ... cutting and filling and raising the property above the floodplain on this ten continuous acres of developable property. What that means is you're going to move [and] divert displaced water in other areas. The toll of that is slow, [the hill] is already at risk of erosion and slow degradation and landslide so it seems to me, the water that you displaced is going to move against the total (inaudible) and putting all of us who live there at risk. So somehow that issue needs to be effectively addressed... if the water level is increased by this displacement, this cut and fill, I don't understand that it's been effectively addressed and maybe that it has been, but I think that's an area that those of us who aren't scientist need more, a more plain explanation."</p>	<p>The requirements of 44CFR 60.3(d) (Floodplain Management Criteria) are important to any discussion regarding potential work in the floodplain and will help establish ultimate mitigation requirements once a specific development proposal is made. Although the subject property is located in a floodplain (as opposed to a floodway), as depicted in the preliminary FIRM mapping adopted by the City of Monroe, the following information from FEMA's website explains the concept and reason for compensatory flood storage:</p> <p><i>The NFIP floodway standard in 44CFR 60.3 (d) restricts new development from obstructing the flow of water and increasing flood heights. However, this provision does not address the need to maintain flood storage. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When fill or buildings are placed in the flood fringe, the flood storage areas are lost and flood heights will go up because there is less room for the floodwaters. This is particularly important in smaller watersheds which respond sooner to changes in the topography. One approach that may be used to address this issue is to require compensatory storage to offset any loss of flood storage capacity. Some communities adopt more restrictive standards that regulate the amount of fill or buildings that can displace floodwater in the flood</i></p>	Section 3.1.2

NO.	COMMENT	RESPONSE	CHANGE
		<p><i>fringe. Community Rating System credits are available for communities that adopt compensatory storage requirements.</i>  Source: (<a href="http://www.fema.gov/floodplain-management/compensatory-storage">http://www.fema.gov/floodplain-management/compensatory-storage</a>)</p> <p>The proposal acknowledges and supports the local communities desire to avoid any impact to potential flood conditions. Compensatory flood storage is required at a 1:1 ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation in the floodplain limits, 1 cubic foot of volume of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This will determine the need and extent of excavation for compensatory flood storage.</p> <p>No specific development proposal exists at this time. If and when the area develops, the excavation proposed would likely occur south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation, fill and grading would provide for flood storage to help ensure that flood water levels will not exceed the flood water elevations that could currently be reached on the north bank of the slough.</p> <p>This clarification on the floodplain and concept of compensatory flood storage has been added to Section 3.1.2 of the FEIS.</p>	
18-7	<p>“...the other issue that’s been touched on is the access issue and that’s why I don’t think the City should move forward until there’s a complete and well understood relationship with WSDOT as to how this property will be accessed. ...the State has been pretty clear in its letters in the past that it’s going to take a frontage road and a roundabout and we know those don’t come cheap and I don’t think the State is going to pay for those. ...those of us who looked down on that property and over onto Highway 2, on Sunday afternoons, Saturday afternoons, it’s backed up. Who in their right mind is going to want to drive from Monroe out to the site whatever ultimately is developed there to fight the traffic and have a hard time getting back on the road and what happens when Highway 2 ultimately is a two-lane or a four-lane divided highway? ...the only people who will access that site are coming from Sultan or Gold Bar.”</p>	<p>Sections 3.10.2 and 3.10.3 and the Traffic Impact Analysis in Appendix F of the FEIS have been updated to include roundabout analyses. Table 7 has been revised to include intersection operations of SR-2 at site access with a roundabout.</p>	<p>Sections 3.10.2 and 3.10.3 and Appendix F</p>
18-8	<p>“...I think it comes down to economic and practical realities about can this property can properly developed?”</p>	<p>The cost of development will be the sole responsibility of the owner/developer.</p>	<p>N/A</p>
18-9	<p>“...the issue of the cut and fill and, and once again I’m not a developer and I don’t understand construction very well, but if you’re doing a lot of cutting and filling and this is in a floodplain, how do you assure that you’re going to have the appropriate foundation and subsurface</p>	<p>The applicant will be required to demonstrate adequate capacity for structural support as a condition of the development and building permitting process. Once a specific project proposal occurs, further soils analysis will be performed to support proposed filling activities.</p>	<p>N/A</p>

NO.	COMMENT	RESPONSE	CHANGE
	support to (inaudible) or otherwise to make sure that the buildings or whatever ultimately is developed are sound and once again it gets to the issue of economic realities so those need to be carefully considered.”		
18-10	“...those of us who have opposed this have been accused of being involved in some unlawful or unconstitutional taking of the property. I would remind everybody the property was purchased was as limited open space. Nobody is taking anything. The only property owners who may be adversely affected and (inaudible) to some sort of taking are those of us on the hill, ‘cause our property will likely be devaluated as a result of the general commercial zoning. And we’re at risk. So we have a physical jeopardy that the property could be subject to landslides. So if there’s a taking, we’re the ones who are subject to an unlawful taking if you want to make that argument.”	Landslide evaluation was a key element of the EIS process. Preliminary soil evaluations indicate that development south of the toe of the slope will not impact landslide activities at the higher elevations. Protection of steep slopes is provided by maintaining setbacks in accordance with City of Monroe Critical Areas Ordinance (MMC 20.05); this reference has been added to the FEIS. Future values of the homes in the vicinity are dependent on a variety of factors including local, state and national trends.	Section 3.1.3
19	<b>Public Testimony Received 9-5-2013</b> <b>Jeff Sherwood - Community Member - 17493 136<sup>th</sup> PL SE, Monroe, WA 98272</b>		
19-1	“...The water is characterized as a type-one water and I looked at RCW 90.58.030 and that ... 222-16-431 and does not appear that this stream meets the requirements of a type one water in regards to its average in the flow.”	The slough is designated as a “shoreline of the state” because it is directly connected to the Skykomish River. WAC 222-16-031 defines Type 1 Waters as “all waters, within their ordinary high-water mark, as inventoried as ‘shorelines of the state’ under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW, but not including those waters’ associated wetlands as defined in chapter 90.58 RCW.” Refer to RCW 90.58.030 (f), (g), and (h) for additional information on the definition of shorelines of statewide significance (Type S Water). Wetland Resources, Inc. delineated the boundaries of the slough as well as the on-site wetlands as part of the DEIS process.	N/A
19-2	“...I walked down the railroad tracks today and ... looked down on the (inaudible) Skykomish River and the railroad tracks were about ten/fifteen feet above me. ...I’m not sure that, except for a limited times in the year that there would be actual practical functional fish access through the [slough] (inaudible) that runs out of southwest corner of the property. The shoreline designation is dubious at best. I believe it was arbitrary and (inaudible) placed on this property for whatever reason and again a mistake in local statues it appears that it should not be designated as a shoreline. I don’t think it meets the criteria to be a shoreline of the state by definition and I understand may be an expensive process to challenge that, but it’s something that we need to look at I think as a City.”	See response to comment Sherwood - 1 for information regarding shoreline definitions.  The City of Monroe’s shoreline designations are the result of six years of scientific work and research that reflects local shoreline conditions, including ecological functions and shoreline development. Washington State Department of Ecology (DOE) approves environment designations in the Shoreline Master Program (SMP) planning process. Ecological characteristics, shoreline reaches, land use patterns, community goals, and shoreline management recommendations from the inventory and characterization report are all part of the equation for assigning environment designations. DOE approves all Shoreline Master Programs for jurisdictions within the State of Washington. The City of Monroe’s Shoreline Master Program was approved by DOE and adopted by the City of Monroe in August of 2008.  The City of Monroe Shoreline Environment Designations Map (Appendix I of the FEIS) published by the City of Monroe acknowledges the approximate nature of shoreline delineations put forth.	Section 3.7.1

NO.	COMMENT	RESPONSE	CHANGE
19-3	“...I looked at other shoreline designations both inside and outside the City limits and this one seemed to be a bit stance into, as to how it was placed on the property.”	Comment noted.	N/A
19-4	“...Throughout the EIS document there’s a lot of language concerning enhancement of the wetlands and I understand if you go into the buffers or the wetlands themselves or the shoreline areas, especially for compensatory flood storage creation that there would need to be some mitigation measures, but other than that I looked in the City of Monroe codes in regards to critical areas and I don’t find anything that tells me that there is a mandated enhancement of the wetlands placed as permit condition on any particular project, whatever project may come along.”	<p>The MMC 20.05 requires mitigation for impacts to wetlands, streams, and their associated buffers. Standard MMC requirements do not require mitigation if the proposed project does not impact the wetlands, streams, or buffers on the site.</p> <p>Wetland creation, restoration, and enhancement are standard types of mitigation for wetland impacts. Buffer enhancement is a common type of buffer mitigation. Mitigation types and required ratios are intended to provide compensation for habitat, water quality, and water storage that is affected by the impact. Mitigation plans are designed to maintain (or increase) the level of functions and values the wetland/stream/buffer provided before development.</p>	N/A
19-5	“...an oxbow is by definition an abandoned channel. Most oxbows are cut off. This one probably is artificially connected to the Skykomish River (inaudible) property back in the day. ...in trying to enhance this property from a wetland basis you are playing entropy because the natural order of an abandoned oxbow is that it will become (inaudible) overgrown and over time it will take on a different character than it did when it was originally abandoned. So what is happening here is completely natural and if you want to reverse it that’s fine, but that’s public benefit ... I don’t see how that becomes the property owner’s responsibility to have to pay five or ten dollars a square foot in mitigation fees to enhance a wetland with plantings and clearing vegetation considered to be unsuitable. So to me that’s a large issue here that throughout the EIS document there’s this thread of enhancing these wetland areas. If some particular user would come in and say enhancing the wetland areas would enhance the value of our property great, you know we get it free; otherwise it should be the public’s money to enhance this property outside of any required enhancement associated as to flood storage.”	Comment noted.	N/A
19-6	“Already all the water with little exception that supplies this area goes through a sand and gravel deposits that are on the hill above and when they did the work to install three, I think (inaudible) septic systems on the old Monroe golf course to support sixty to eighty homes they drill it and they found that that was the case. ...one of the characteristics of sub soils is that they are inherently deoxygenating because oxygen cannot penetrate more than a few feet into the (inaudible) just because of (inaudible) issues and all. ...the water goes in, travels vertically and it travels very slow horizontally. I don’t see that there is a significant danger here that will be an accumulation of water in the stream that would cause an erosion of the bank, which would	Comment noted.	N/A

NO.	COMMENT	RESPONSE	CHANGE
	endanger houses and that indeed is the opinion of the engineer that you hired in his ... work is in the EIS.”		
19-7	<p>“There seems to be some confusion about where the water in the oxbow goes. ...this issue has never been solved. I think that some of the water may go to the southwest and some may go to the southeast. There’s a (inaudible) at each place along Route 2 and so I think it’s just important if you want to get it factually correct to make sure you know where the water goes. The inference in the EIS is that the water comes from the east down a ditch, goes into the oxbow, flows around the oxbow and exits through the (inaudible) in the southwest corner of the property. I’m not sure that’s entirely true. I think something that would’ve helped in the EIS and I don’t know if you have access to it, but would be a topographic map. ...I realize with the flood maps and a few of the other maps there’s some implication in regards to (inaudible) and whether you can do it through (inaudible) or some other means, but it would just help from a conceptual basis to understand the property physically to have a topographic map.”</p>	<p>Culverts exist under US-2 at both the east and west ends of the property and are at approximately the same elevation. A culvert also exists on-site to access the NE portion of the property (Parcel D). This on-site culvert is at an elevation higher than both culverts under US-2.</p> <p>Elevations of the culverts have been acquired from previous WSDOT plans for SR-2. It appears that during low river elevations, water flows from the slough out of both culverts under US-2 to the river. During high river elevations, water flows from the river to the slough through both culverts under US-2.</p> <p>A current LIDAR (Light Distance And Ranging) topographic map is now included in Appendix J, which is the best available science for Snohomish County.</p>	Appendix J
19-8	<p>“...I heard and I don’t know if this is true and I need to be elucidated on this point as whether or not the City of Monroe has adopted the (inaudible) [preliminary FEMA maps], which I think is definitely a premature decision”.</p>	<p>Floodplain elevation will be determined on the adopted FEMA maps at the time of development application.</p> <p>For purposes of evaluation in the FEIS, the highest anticipated floodplain elevation was used in order to provide the most extreme case in terms of mitigation requirements.</p>	N/A
19-9	<p>“...I understand that there tends to be this inflexibility within the Growth Management Act in regards to the supply of utilities to properties that were inside the urban growth area. ...if there’s any possibility that at least we need to ask this question back in the day when we first looked at this, whether or not the utilities, some of the utilities at least, could be supplied onsite through a well and/or septic system, because the septic system up on the hill is functioning quite amiably as I understand it. ...I think that possibility exists because one of the things we talked about here is the Environmental Impact would be a much bigger environmental impact extending public utilities out to the site rather than accommodating them onsite. The technology exists. Obviously we have adequate hydraulic pressure at this site that we could get ...adequate water supply. I understand that would be a project specific issue if (inaudible) came in and it would just have a couple restrooms like a box store the water and sewer usage would be very low where as if you have (inaudible) something residential then indeed you may have to extend the utilities. I think it’s just something we need to look at because it is an issue that I think [that there could be a lot] of cost saving for the City, a lot of less risk, because in the last commission meeting there was a discussion regarding utility risk, extending utilities, spending all this money and then the whole thing</p>	<p>Further investigation of feasibility of on-site utilities may be appropriate at the time of application for development. However, the EIS recognizes that the property is within the UGA and is planned for an urban level of service. It is within the water and sewer service areas of the City of Monroe.</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
	going flat. ...something to consider and see if there is some sort of a variance that might be possible in that regard.”		
19-10	“...One thing that would help is knowing the dates of the imagery in the report, because ...there seems to be some changes [between photos]. ...It would jut help to have that.”	Imagery dates have been added to the FEIS.	Figures 2, 3, 10, 12, and 15
19-11	“...the issues of economic feasibility really are not ours to address. Anybody who would take the risk of buying several million dollars’ worth of property is going to do their own feasibility analysis and it’s up to them to make a decision whether or not they want to buy the property. We know as evidence by this attendance that any project that will ever get done on this property would be so heavily scrutinized that anything that would be done there would not be a stance. I think we can assure ourselves of that.”	Comment noted.	N/A
20	<b>Public Testimony received 9-5-2013 Doug Hamar - Neighboring Resident - 21122 Calhoun Road, Monroe, WA 98272</b>		
20-1	“...The property question is not just a floodplain. It’s the old oxbow river and it’s still (inaudible) intimately connected to that river underground and above ground.”	Comment noted.	N/A
20-2	“...I’ve looked and I searched the entire state. There’s no other oxbow in the state that has abandoned oxbow, let’s even call it, that, that has commercial development. And, now there’s a reason for that. It’s not the wise place to build. I doubt that there’s very many, in any state that, that have commercial development on them. They’re, they’re really not suitable for structural human habitat in the first place. ... you should have really, really compelling reasons for doing so and so far foremost important reasons by the advocate is to respond to some desperate short falling [of] commercially developable land along on SR 2. Now while there may be a shortfall somewhere along 2 from here to Main, it doesn’t exist here in Monroe and I was interested that you said, ‘Someone told us that there was a shortfall.’ Who told you and what evidence do they have? Because there is no hard evidence that that exists. The only hard evidence suggests exactly the opposite. There’s a hundred forty-eight thousand square feet of retail space available in Monroe right now. The 2012 Snohomish available buildable lands report says that Monroe has an adequate amount of buildable land to meet its employment needs ... until 2025.”	<p>The maximum critical areas buffers have been assumed during development of the EIS and will provide separation of proposed development from the slough and associated wetlands.</p> <p>The City currently has limited availability of vacant General Commercial land that may be available for development within the city. The current land inventory of General Commercial includes 34 acres of vacant land mostly within the interior area of the North Kelsey area, including the former landfill site (11 acres). The remaining 17 acres of vacant, commercially designated land (Service Commercial, Mixed Use and Professional Office zoning) is in scattered, smaller land parcels throughout the city.</p> <p>Based on 2025 projections, the Snohomish County 2012 Buildable Lands Report notes that the Monroe Urban Growth Area has excess land capacity for general employment and can accommodate projected employment through 2025. The projections are for all types of employment, including General Commercial, Light Industrial, Limited Open Space Airport, and Service Commercial.</p>	N/A
20-3	“the average price of commercial retail property in Monroe has dropped by eight percent just in 2013 so ... there’s no need. And there isn’t none [a need] in the future. ...There’s a huge difference between the needs of a particular property owner (inaudible) on their investment and the needs of developers to develop a piece of property, because that’s what they do and the needs of some big box retailer to have another store, ...and the needs of the community of Monroe, which is what really the City [ought] to be representing... I’m	Comment noted.	N/A

NO.	COMMENT	RESPONSE	CHANGE
	<p>just totally flabbergasted by anybody who can honestly convince themselves that signing yet another big box retail discount store [that is] a mile and a half down the road [and is] completely isolated from what everybody knows as Monroe [that it is] somehow going to enhance the retail environment in Monroe. ...how does that work? (Inaudible). It's really not a buildable piece of property for anything."</p>		
20-4	<p>"...FEMA published in June about how climate change is likely to affect flooding. The river environments of the Northwest can expect the highest increase in the area of special flooding zones, which this property is in, and the only way to get it out of it is to bring these forty-six thousand cubic yards of soil and raise it up. ...If you're looking at their map and it looks to me like they (inaudible) expect that about [a] twenty to forty percent increase in those zones by 2020 at a hundred percent, ninety to one hundred percent by the end of the century... I don't think this is a really great time to build and nobody's building for all those years so there's a reason for that. And Jeff is talking about the some confusion under compensatory storage. ...You know I'm not a (inaudible)[soils engineer], but what I read in this thing is it all started as forty-six thousand five hundred cubic yards of (inaudible)[fill] we're going to move over here. I can take forty-six thousand five hundred yards there and it's just an even swap. Well, in the DEIS they suggesting digging this compensatory thing, actually I'm worried it's already below (inaudible) [the flood zone]. So what you're doing is you're taking, you're removing forty-six thousand five hundred cubic yards [of] sponge that's full of water and replacing it with ... a brick basically, 'cause that's what you need as a (inaudible)[base] for constructing in something that actually will hold it up. And I don't see how that adds up to no increase [in] flooding. ...the other problem I have (inaudible) is that it keeps relating back to the municipal code of Monroe as, as the final arbitral on this stuff and in my opinion, especially in the flooding areas there's holes in there big enough to drive a dump truck to. ...one, it says there'll be no construction allowed in a flood (inaudible)[zone] that would increase flooding by one foot in the community. (Inaudible) what defines a community and how do you track something like that, how can you ever enforce something like that? ...flood water going somewhere else ... and attributing into some particular piece of construction. ...this is something that seems impossible and a foot of water spread out on the entire community is a hell of a lot of water."</p>	<p>The requirements of 44CFR 60.3(d) (Floodplain Management Criteria) are important to any discussion regarding potential work in the floodplain and will help establish ultimate mitigation requirements once a specific development proposal is made. Although the subject property is located in a floodplain (as opposed to a floodway), as depicted in the preliminary FIRM mapping adopted by the City of Monroe, the following information from FEMA's website explains the concept and reason for compensatory flood storage:</p> <p><i>The NFIP floodway standard in 44CFR 60.3 (d) restricts new development from obstructing the flow of water and increasing flood heights. However, this provision does not address the need to maintain flood storage. Especially in flat areas, the floodplain provides a valuable function by storing floodwaters. When fill or buildings are placed in the flood fringe, the flood storage areas are lost and flood heights will go up because there is less room for the floodwaters. This is particularly important in smaller watersheds which respond sooner to changes in the topography. One approach that may be used to address this issue is to require compensatory storage to offset any loss of flood storage capacity. Some communities adopt more restrictive standards that regulate the amount of fill or buildings that can displace floodwater in the flood fringe. Community Rating System credits are available for communities that adopt compensatory storage requirements.</i></p> <p>Source: (<a href="http://www.fema.gov/floodplain-management/compensatory-storage">http://www.fema.gov/floodplain-management/compensatory-storage</a>)</p> <p>The proposal acknowledges and supports the local communities desire to avoid any impact to potential flood conditions. Compensatory flood storage is required at a 1:1 ratio where for every 1 cubic foot of fill placed below the 100-year flood elevation in the floodplain limits, 1 cubic foot of volume of compensatory flood water storage must be added to offset the volume lost by placement of the fill. When a specific development is proposed, an analysis of the precise volume of compensatory storage required will be performed. This will determine the need and extent of excavation for compensatory flood storage.</p> <p>The area proposed for excavation is south of the slough, in critical area buffers, and outside of both stream and wetland boundaries. The excavation,</p>	Section 3.1.2

NO.	COMMENT	RESPONSE	CHANGE
		<p>fill and grading of the site will provide for flood storage and in doing so, will offset any volume of current flood storage such that flood water levels will not exceed the flood water elevations that could currently be reached on the north bank of the slough.</p> <p>This clarification on the floodplain and concept of compensatory flood storage has been added to Section 3.1.2 of the FEIS.</p>	
21	<b>Public Testimony Received 9-5-2013</b> <b>Bob Martin - Neighboring Resident -103 E. Rivmont Drive, Monroe, WA 98272</b>		
21-1	<p>"...my biggest concern is the water issue on my property ... we've had several incidents of unstable episodes in front of us, slides and nothing that I heard gives me much confidence that any proposed impact from development would not impact at all on the water table in front of my property."</p>	<p>Fill added to create development areas will be above the water table. The proposed development area is bounded by the slough and SR-2. The water table of surrounding properties should not be affected by this fill placement.</p>	N/A
21-2	<p>"...I think it's fair to say that any use of this property in a commercial development it's bound to be more intentionally [intensely-(sic)] than in most respects than five residential developments that would be permitted or any other use that would be permitted on the current zoning."</p>	<p>Comment noted.</p>	N/A
21-3	<p>"...as a member of the planning commission from 1998 through 2004, which I was, we dealt with this property on at least two occasions, maybe three on proposals relating to comprehensive plan or comprehensive plan amendments and I never saw one nor have I ever seen or heard about any detail[ed] analysis by the City of proposed utility extensions to this property. ...historically the property was always considered to be [a] protected gateway into the east, southern Monroe. That's the way we always felt that it was most appropriate [it] was my understanding [that that's] why the property was bought into the City in the beginning and I think that's the way it got to stay."</p>	<p>Comment noted.</p>	N/A
22	<b>Public Testimony Received 9-5-2013</b> <b>Steven Jensen - Community Member - 17041 155<sup>th</sup> St. SE, Monroe, WA 98272</b>		
22-1	<p>"...It was mentioned earlier part of the municipal code that defines limited open space and you [one of the commenters] read part of it, but I'm going to read the rest, which says: this zone also provides a buffer between urban areas and transitional land uses on the urban growth boundaries of the City and/or may also provide for enhanced recreational facilities and (inaudible)[linkages] to existing trails or open space. So if this is in fact intended as a City to be one of this buffer areas between other open spaces in the City I'm not sure that any other development at this location is appropriate, because ... it's zoned limited open space for a reason. It's not just somebody who flipped a coin and told us that."</p>	<p>Land uses change as the economy and population grows. For that reason, zoning changes are provided for in MMC Chapter 18.99.010 states: <i>"The zoning code is a legal instrument for implementation of the comprehensive plan. It is recognized that population growth, changes in economic and social customs and patterns and other factors will from time to time justify changes in the comprehensive plan and, consequently, in the zoning map and text which constitute the zoning code."</i> Ultimately, it is the responsibility of the Monroe City Council to determine if rezones are appropriate. The EIS, together with the Comprehensive Plan amendment and public comment, provides the basis for such a decision.</p>	N/A
22-2	<p>"...there is I think a series flaw ... you showed under Alternative One what can potentially be done with the property today as limited open</p>	<p>All structures listed in the Zoning Matrix in Appendix B (MMC 18.10.050) are required to have associated parking as outlined in MMC Chapter 18.86 "Off-</p>	N/A

NO.	COMMENT	RESPONSE	CHANGE
	<p>space and you show in there a potentially open space, a potential Health Club I think you had potentially built on there, because under the ... municipal code there's a lot of things not allowed there. ...as I look through here and I looked through your charts you made, there's one thing that stands out and to me it looks like an (inaudible) and that is the Health Club that's mark in the chart as P, which is permissible. To me a Health Club, as you might define it as a physical structure is a commercial entity. ...that P, in my mind I believe that's a mistake and ... when looking back doing planning council business I'm going to be looking into that mistake, because I don't think it can, commercial anything should be permissible in limited open space. ...things like a daycare, they are conditionally used and the conditions on there are quite restricted in fact, but I believe under the daycare it said ... it was under group homes or something, it would have to be an essential public facility to be permitted, which I doubt is going to be the case out there. But if [by] chance [it] is not a mistake and you really thought you could put a Health Club out there, what's missing and it's on the last page of your thing, is parking lots. ...it's not even got an A under general commercial is listed as A, meaning accessory, meaning you can build your building and you can have accessory parking lot. You can't have an accessory parking lot on limited open space. So yeah, maybe you could go out there and build you a nice little Health Club ... [but] nobody can go there, because you can't have a parking lot. And yet you based that as your no action alternative one. I find alternative one seriously mistaken, because of that. You'd assume sixteen hundred car or trips in and out of there of this place and there's no parking."</p>	<p>Street Parking Regulations". The purpose of this chapter is "to provide for adequate, convenient, and safe off-street parking and loading areas for the different land uses described in this title." MMC parking requirements were used as the basis for determining the building square footages shown in Table 4 of the FEIS for the three alternatives in this proposal.</p>	
22-3	<p>"...my second problem is that you've taken the alternative one and put it to its maximum (inaudible)[use], you know the worse that you can build out there with parking and the most trips than alternative two and three don't look at the maximum. ...you've taken the opposite push and all of a sudden we're taken the worst case scenario and taken the least amount of land we think we can develop on, eleven some acres. I would like to see an alternative that says ... this is what would happen if in fact the regulations weren't so tight or they don't change. We might see they could change or other evaluations that hey we found we can actually build on twenty acres. To me that could be a more appropriate use of the alternatives in the EIS rather than just three cookie cutter things that by design have been made to look very similar where in fact alternative one no action is very, very wrong, because it, you painted on there, you actually said parking lot on your draft."</p>	<p>Information regarding existing site conditions has been added to Section 1 and a new Section 2.2 of the FEIS. Discussion of the range of activities possible under Alternative 1 has been added to clarify the range of potential development and associated mitigation measures.</p> <p>A non-project EIS is intended to consider broad impacts of an action including the maximum impact of an alternative.</p>	Sections 1 and 2.2

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**From:** Werdal, Debra [<mailto:debra.werdal@co.snohomish.wa.us>]

**Sent:** Tuesday, August 20, 2013 8:18 AM

**To:** Kim Shaw

**Subject:** RE: Draft Environmental Impact Statement (DEIS) for the East Monroe Comprehensive Plan Amendment and Subsequent Rezone

Snohomish County has no comment regarding this rezone under the county/city interlocal agreement for reciprocal traffic mitigation. However, once development applications are submitted for the commercial proposals we ask for the opportunity to review the applications to determine their specific impacts to the county road system.

---

**From:** Kim Shaw [<mailto:kshaw@ci.monroe.wa.us>]

**Sent:** Wednesday, August 14, 2013 4:58 PM

**To:** 'megan.mcintyre@bnsf.com'; 'Casey\_brown@cable.comcast.com'; 'gretchen.kaehler@dahp.wa.gov'; 'joshuaafreed@mac.com'; 'mmuscari@esassoc.com'; 'josie@fallgatterlawgroup.com'; 'science.kilner@fema.dhs.gov'; 'Neilwheeler@comcast.net'; 'steven.crosby@ftr.com'; 'Kristin@futurewise.org'; 'pastor.minnick@comcast.net'; 'ed@meadgilman.com'; Ralph Yingling; 'kate.hawe@noaa.gov'; 'webmaster@pilchuckaudubon.org'; 'craigk@psc Clean Air.org'; 'david.matulich@pse.com'; 'board@remingtonheightsmonroe.com'; 'jprichard@republicservices.com'; Swan, Sharon; 'ehquestions@shd.snohomish.wa.gov'; Werdal, Debra; Mike Fitzgerald eMail; Soine, Candice; 'crenderlein@snopud.com'; Werdal, Debra; 'TOM.LAUFMANN@SNO.WEDNET.EDU'; Betsy Lewis; 'kfinley@tulaliptribes-nsn.gov'; 'epa-seattle@epa.gov'; 'susanb@paceengrs.com'; 'COLLETTE@VALLEYGENERAL.COM'; 'reganc@wsdot.wa.gov'; 'ike.nwankwo@commerce.wa.gov'; 'paan461@ecy.wa.gov'; 'sepaunit@ecy.wa.gov'; 'SEPADESK@DFW.WA.GOV'; 'sepacenter@dnr.wa.gov'; 'RFREEDMAN@WM.COM'; 'pazooki@wsdot.wa.gov'; 'Eileen.lefebvre@providence.org'; 'marksoltman@doh.wa.gov'; 'eip@parks.wa.gov'

**Subject:** Draft Environmental Impact Statement (DEIS) for the East Monroe Comprehensive Plan Amendment and Subsequent Rezone

Dear Interested Person/Agency,

The Draft Environmental Impact Statement (DEIS) for the East Monroe Comprehensive Plan Amendment and Subsequent Rezone has been issued by the City of Monroe and is available for public review. Please find the Notice of Availability for the project attached to this email.

The complete East Monroe Comprehensive Plan Amendment and Subsequent Rezone Draft Environmental Impact Statement (DEIS) and Appendices can be downloaded from the project website at:

[www.monroewa.gov/eastmonroe](http://www.monroewa.gov/eastmonroe)

The proposed action is an amendment to the Monroe Comprehensive Plan to change the subject property land use designation from Limited Open Space (LOS) to General Commercial (GC). The subject property is comprised of five parcels of land (42.81 acres) located within the eastern portion of the City of Monroe north of the Skykomish River along the north side of State Route 2. No specific development proposal is under application and this is a non-project action.

You are invited to comment on the DEIS. You may submit written comments on the Draft EIS no later than **September 13, 2013 at 5:00 pm**. All written comments must be received by that date and time. Written comments via mail, fax, or email should be submitted to City of Monroe, Attn: Melissa Sartorius, SEPA Official, 806 W. Main St., Monroe, WA 98272, or Fax: (360)-794-4007, or [msartorius@monroewa.gov](mailto:msartorius@monroewa.gov).

A public hearing will be held to allow participants to offer oral comments on the DEIS. The hearing will commence at **September 5, 2013 at 5:00 pm** at Monroe City Hall, 806 West Main Street, Monroe, WA 98272.

Thank you, Kim

*Kim Shaw, CPT*

Permit Supervisor

PH-360.863.4532

Fax-360.794.4007

[www.monroewa.gov](http://www.monroewa.gov)



Permit submittal hours are Monday-Friday from 9:00 - 12:00 and 2:00 - 4:00.

E-mail is a public record and subject to public disclosure.

E-mail is a public record and subject to public disclosure.

August 21, 2013

RECEIVED  
AUG 21 2013  
CITY OF MONROE

Monroe City Council and Mayor  
Robert G. Zimmerman, Mayor  
Kurt Goering  
Patsy Cudaback  
Tom Williams  
Jim Kamp  
Ed Davis  
Jason Gamble  
Kevin Hanford

City of Monroe Planning Commission  
Bill Kristiansen, Chair  
David Demarest  
Dian Duerksen  
Steve Jensen  
Wayne Rodland  
Jeff Sherwood  
Bridgette Tuttle

**RE: East Monroe Comprehensive Plan Amendment and Rezone**

This letter is directed to members of the Planning Commission and Monroe City Council stating our opposition to the proposed East Monroe Comprehensive Plan Amendment and Rezone. We are property owners on Rivmont Drive whose property abuts the East Monroe site and whose property will be compromised by the proposed Comprehensive Plan Amendment and Rezone of the 42-acre East Monroe site.

The East Monroe site is currently aptly zoned Limited Open Space ("LOS") as it "lacks the full scope of public services and facilities necessary to support urban development and is severely impacted by critical areas." The East Monroe site is not adjacent to other City properties and essentially is an island with no current access to necessary public facilities and utilities, thus befitting its LOS designation. As acknowledged in the August 2013 DEIS, the East Monroe site presents with numerous critical areas, including steep slopes, streams, shorelines, wetlands and flood plains, further supporting its LOS status.

During prior Planning Commission deliberations on the proposed Comprehensive Plan Amendment and Rezone of the East Monroe site, assertions have been made that any opposition to such a Comprehensive Plan Amendment and Rezone is tantamount to depriving the property owner of its property rights. On the contrary, it is simply good

planning as the East Monroe site is properly zoned as LOS and was so zoned at the time the current property owners acquired the property.

Given the East Monroe site's remoteness from public facilities and services, and the presence of numerous critical areas, no Comprehensive Plan Amendment and Rezone should be considered without a specific development proposal in hand. The DEIS acknowledges that the developable property is approximately only 25% of the overall 42-acre site, or roughly 11 acres. As such, the development potential of the East Monroe site is severely limited given the cost and challenges of bringing the necessary public facilities and utilities to the site, including water, sewer, gas, electric, among others. Any developer will need to expend several millions of dollars to bring such public facilities and utilities to the site. In addition to these costs, the East Monroe site is severely limited in terms of accessing Highway 2. As you know, WSDOT has consistently opposed providing access to the 42-acre site from Highway 2 without significant and costly changes to Highway 2, including the possibility of a frontage road and/or roundabout. Given these access issues which present both cost and public safety considerations, we do not believe it appropriate to proceed with a comprehensive plan and rezone without a specific development proposal. In addition to the above development challenges, any development will need to expend considerable dollars on mitigation relating to the critical areas. Once again, limiting the development potential of the East Monroe site.

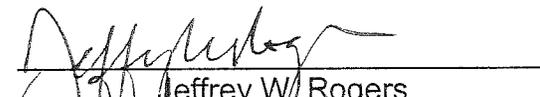
Finally, much of the 11-acre portion of the East Monroe site is below the floodplain further limiting its development potential without costly fill and other mitigation work. The City is inviting undue risk by allowing commercial development of property within a flood zone.

We believe proceeding with the Comprehensive Plan Amendment and Rezone is not appropriate given the limited development potential and high cost of developing the site. Moreover, the City of Monroe has an abundance of available general commercial zoned property.

For the above reasons, we respectfully request that the Planning Commission and City Council oppose the proposed Comprehensive Plan Amendment and subsequent Rezone of the East Monroe site.

Very truly yours,

  
\_\_\_\_\_  
Lowell Anderson

  
\_\_\_\_\_  
Jeffrey W. Rogers

**From:** Melissa Sartorius <MSartorius@monroewa.gov>  
**Sent:** Wednesday, September 11, 2013 4:36 PM  
**To:** charles strub  
**Cc:** Kim Shaw; Susan Boyd; Megan Hawkins  
**Subject:** RE: Planning observations

Dear Mr. and Mrs. Strub,

Thank you for your comments on the East Monroe Draft Environmental Impact Statement (DEIS). We appreciate your input and it will become part of the record of the DEIS. The Final Draft Impact Statement is anticipated to be issued on September 27, 2013. You will be notified of its issuance.

Thank you, Melissa

---

**From:** charles strub [<mailto:legmanbass@msn.com>]  
**Sent:** Wednesday, September 11, 2013 4:05 PM  
**To:** Melissa Sartorius  
**Subject:** Planning observations

Melissa,

My wife and I attended the recent meeting at city hall on Sept. 5th where an EIS was presented regarding the proposed re-zone east of Monroe along Hwy 2. We did not speak as we came to listen and learn. We learned that preparing an EIS while adhering to state, county and city regulations is obviously a quagmire to traverse and were impressed with the effort required.

We have lived at 21810 Calhoun Rd. for 42 1/2 years so feel qualified to offer some historical perspective.

We have observed three (3) major and one minor flooding of a good portion of the land in question during the past 40+ years. It will happen again; all that is needed is a large snow pack in the mountains, coupled by a warm spell and some heavy rain. Will that ever happen again? The water WILL come and will have an impact. After the most recent flooding our neighbors 2 lots to the east of us and also 7 - 8 lots east of us lost significant parts of their bluff as well as a lot 1/4 mile+ to the west of us. Regardless of engineer reports to the contrary, it is obvious that the bluff is subject to slippage if certain conditions are met.

We also observed the eastern portion of Calhoun Rd washed out some time after development was begun where the old Monroe golf course used to be. The road has never been repaired or re-opened.

We have also had the opportunity to observe traffic density increase on Hwy 2 over time, and it is significant. We understand the idiocy of establishing a commercial business where proposed, wherein left turns would need to be made off Hwy 2 for access. As far as the DOT building a round-about at that intersection; we tried buying a lot at the point of Rivmont Heights in 1966 and were told a by-pass would be built around Monroe and be completed shortly, so it was not available for purchase. That was 47 years ago and it hasn't happened yet. Who believes they would undertake a round-about in a relatively isolated area on fast track basis with all the other state wide traffic needs at present?

Lastly, I would hope that anyone on the planning commission or city council that has ANY relationship to the Baptist church or the other un-named owner would have the decency to recuse themselves from voting on this issue as that would certainly be conflict of interest.

Thank you, Dr. Charles and Susan Strub

E-mail is a public record and subject to public disclosure.



RECEIVED

September 13, 2013

SEP 13 2013

CITY OF MONROE

City of Monroe  
Attention: Melissa Sartorius, SEPA Official  
806 W. Main Street  
Monroe, WA 98272

**RE: Written Comments Regarding Draft Environmental Impact Statement  
East Monroe Comprehensive Plan Amendment and Subsequent Rezone**

Dear Ms. Sartorius:

We welcome this opportunity to provide written comments on the Draft Environmental Impact Statement on the East Monroe Comprehensive Plan Amendment and Subsequent Rezone ("DEIS"). Given the issues raised by the EIS and the past history relating to former attempts to effect a Comprehensive Plan Amendment and Rezone of the East Monroe site, we believe the comment period and expected date of issuance of the final EIS should be extended to assure that all interested parties have an appropriate opportunity to provide informed comments on the DEIS.

The DEIS concludes that of the three alternatives identified, Alternative 2 is the best alternative and recommends a Comprehensive Plan Amendment and Subsequent Rezone of the site from Limited Open Space ("LOS") to General Commercial ("GC"). We dispute such conclusion as the current LOS zoning is the most appropriate and consistent with the MMC 18.10.045 given the lack of public facilities available to the site and the fact that the site is severely impacted by critical areas. Another alternative that should be addressed is agricultural use given the location and neighboring property usage and flood plain issues.

Prior to effecting a Comprehensive Plan Amendment and Subsequent Rezone, the City should prepare a baseline analysis of whether a rezone from LOS to GC presents an economically viable opportunity for commercial development of the East Monroe site. The DEIS has identified that of the approximately 43-acre site, only 11 acres are developable. An economic challenge facing any commercial development is the fact that there are no public facilities or utilities currently available to the site. Sewer, water, gas, electric and other necessary facilities and utilities would need to be brought from the City of Monroe to the site at significant cost. In addition to these costs, there are serious questions as to WSDOT's willingness to provide access to the site without significant cost and challenges of construction of a signalized intersection or roundabout improvement at Calhoun Road along with a frontage road, or an entirely new intersection with left turn and right turn lanes and widening for site access. The City should fully explore the access issue with WSDOT before committing to a

*Submitted @ 9:50 9/13/2013*

Comprehensive Plan Amendment and Rezone. It would be inappropriate to effect a rezone without assurance that access could be provided to the site without undue expense to any potential developer.

The DEIS should also address the impact of trip generation fees that could be imposed as a result of any commercial development.

Finally, the DEIS identifies considerable critical area mitigation that will be required which also presents economic issues to any potential development.

At a minimum, a baseline study should be completed by City staff or preferably by a qualified independent third party to establish that the East Monroe site can be developed for commercial purposes and is economically viable. In our view, the limited development potential (11 out of 43 acres), coupled with the significant cost of bringing public facilities and securing access to Highway 2 and other critical area mitigation, will preclude this site from being developed for commercial purposes for the foreseeable future.

As contiguous property owners to the north of the East Monroe site, we have serious concerns as to whether the DEIS has adequately addressed the environmental impacts of securing compensatory flood storage on site. The DEIS acknowledges in Section 3.1 that much of the East Monroe site is below the 100-year floodplain, thus presenting significant risk of flooding to the developable area of the site. To mitigate against these flood risks, the DEIS contemplates that there will be extensive "cut and fill" activity to bring the developable area of the property above the 67-foot 100-year floodplain level. In light of this extensive "cut and fill" activity, further study is required to confirm that the contiguous property to the north will not be adversely impacted by the diversion and displacement of water caused by either the fill that will elevate the developable area of the site, or using the stream/slough areas as water storage either on a temporary basis during construction/development of the site, or on a permanent basis. The steep slopes to the north are at significant risk of slope degradation, erosion and landslides resulting from an increase in the water level which will result from the displacement and diversion of water and runoff from the fill area. The DEIS should provide detailed analysis of the relevant earth work calculations, including cross sections and other calculations, showing that the proposed grading and fill is properly balanced, as well as a detailed drawing of the areas to be graded. To allow full comment on this important issue, the DEIS should include a current topographical survey of the East Monroe site and a grading plan detailing the areas to be "cut and filled", including the cubic yards of fill required and the areas from which fill is to be removed.

We do not believe the DEIS adequately addresses the issues of flooding on the East Monroe site. Attachment 5 is a photograph of the damage to property adjacent to the site. As can be seen, a 1959 flood resulted in the railroad tracks and bed being destroyed by the force of the Skykomish River. In the July 23, 2012 Hearing Examiner's decision, he stated: "The Responsible Official has an obligation to use the best available science to identify the extent to which the Project Area is subject to flood

inundation, regardless of what FIRM is legally applicable. The best available evidence is that the majority of the developable portion of the Project Area is subject to up to about eight feet of flood inundation during the 100-year flood event; the best available science is that US 2 does not function as a levee to protect the Project Area from flood inundation (it is punctured by two, three-foot-plus culverts associated with the oxbow slough).” The DEIS needs to more fully address this flooding issue particularly as to the “best available science.”

As noted earlier, the DEIS identifies that the site currently lacks public facilities and utilities and would require significant costly extension of sewer, water and other utilities from existing locations to the site. The DEIS identifies that the water line would need to be extended approximately 1.15 miles. The City will need to assure that neither the City nor its tax payers will bear any financial burden associated with the bringing of public facilities and utilities to the site, and assure that the sole financial responsibility will be on the owner of the site and/or the developer.

In terms of traffic and public safety issues, the traffic analysis needs to consider the extensive back-ups that occur routinely on weekends and holidays proceeding from east to west entering the City of Monroe. Such traffic back-ups will adversely impact the commercial viability of development of the site given the reluctance of people to visit the site because of such traffic back-ups. The traffic problem may increase the risk of traffic accidents and other public safety concerns.

Given the “cut and fill” proposed approach to developing the site, and the fact the DEIS identifies that the site has peat, the DEIS will need to provide further discussion and analysis of whether any commercial development will need in the way of foundations, pilings and other subsurface support. Any such foundation and bearing support that may be required should be addressed in the DEIS, as well as the impact on the commercial viability of any potential development.

The City of Monroe should actively seek input from affected governmental agencies before the DEIS is finalized and the Comprehensive Plan Amendment and Rezone is considered by the City Council. To do otherwise is imprudent and could put the City in an awkward and compromised situation. Let’s get all the facts and input before action is taken with respect to the East Monroe site. The City owes as much to its citizens.

To further support our position, attached are the following:

Attachment 1 – Recent comparative sales of commercial property in Monroe evidencing that the proposed site, based on its developable potential and added estimated development costs, is financially nonviable.

Attachment 2 – Estimated development costs of the East Monroe property.

Attachment 3 – The financial impact of the proposed LOS to GC rezone on contiguous property owners whose property value will be reduced in the aggregate

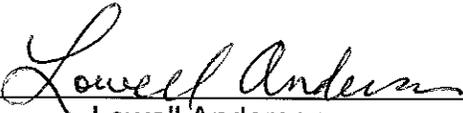
by approximately \$4,000,000, resulting in significant reduced property tax revenues for affected governmental agencies.

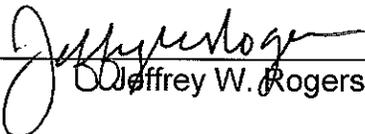
Attachment 4 – Other issues warranting further review by PACE.

Attachment 5 – A photograph from October, 1959, evidencing the force of the Skykomish River on property adjacent to the East Monroe site and the damage that could ensue from future floods to any development of the East Monroe site.

We respectfully submit that these issues be more fully addressed in the final DEIS.

Very truly yours,

  
\_\_\_\_\_  
Lowell Anderson

  
\_\_\_\_\_  
Jeffrey W. Rogers

Comparative Values

**Walmart, 24 Acres (1,045,440 sq ft)**

Approx. sale price	<u>\$7,500,000</u>	= \$7.17 sq ft
	1,045,440 sq ft	

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Existing Sale from the City (public record)

**Providence Medical, 5 Acres (217,800 sq ft)**

Sale Price	<u>\$2,500,000</u>	= \$11.48 sq ft
	217,800 sq ft	

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**East Monroe Property, 42.81 Acres 1,864,804 sq ft**

Price based on 11.33 developable acres	<u>\$2,700,000</u>	= \$5.47 sq ft
	493,535 sq ft	

Add estimated development costs	<u>\$11,200,000</u>	= \$22.69 sq ft
	493,535 sq ft	

(See attachment 2)

<b>Total East Monroe Property</b>		<b>=\$28.16 sq ft</b>
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Note: East Monroe Property costs approximately 4 times more than Walmart.

East Monroe Property costs approximately 2.5 times more than Providence.

Estimated Development Costs of East Monroe Property

Frontage Road (2 Lane Asphalt road in Rural Area)	\$1,750,000
Roundabout	\$5,000,000
Electricity (to site)	\$ 100,000
Water and Sewer	\$2,000,000
Natural Gas (excluded from DEIS) to site	\$1,600,000
Cut, Fill and Landscape Ref Fig 10 & 11	\$ 750,000
Piling unknown (may be required in build area)	\$0
	<hr/>
	<b>\$11,200,000</b>

Rezone changed from Limited Open Space to General Commercial

## **Financial Impact**

Approximately 40 homes on Ridge **reduced value**

of **\$100,000 each = \$4,000,000**

Non view homes excluded

### **Reduces tax fees for:**

- ✓ Monroe School District No. 103
- ✓ Fire District 03
- ✓ City of Monroe
- ✓ Monroe Library CAP FAC area
- ✓ Public Hospital #1 Valley General

### **Appendix C: GeoEngineers Geotechnical Soils Evaluation**

Little description of foundation and bearing values of building site.

Should have deep soil logs of building area.

### **Appendix D: Wetland Resources Inc., Sht 2, 3 & 4.**

Does not show Southern portion of site and culvert under State Highway.

Refers to Ditch only.

### **Appendix E: FEMA – Firm Map 53061C1377G (Preliminary)**

Map submitted is not dated September 16, 2005 nor stamped January 12, 2007 as specified in Title 14 Floodplain regulations 14.01.050.

Additionally, no base flood elevation of 66 feet is shown in project area as stated on page 36 of PACE DEIS.

## **3.12 Utilities**

Natural Gas (omitted from DEIS)

Attachment 5



Flood of 3-9 - C.N.R.R. View



**From:** Kim Shaw <kshaw@ci.monroe.wa.us>  
**Sent:** Friday, September 13, 2013 1:43 PM  
**To:** Megan Hawkins; Susan Boyd  
**Subject:** FW: DEIS

Megan / Susan,

Please see the comment received below.

*Kim Shaw, CPT*

Permit Supervisor  
PH-360.863.4532  
Fax-360.794.4007  
[www.monroewa.gov](http://www.monroewa.gov)



Permit Assistance Center hours (submittal and pick-up) are Monday-Friday from 9:00 - 12:00 and 2:00 - 4:00.

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**From:** Melissa Sartorius  
**Sent:** Friday, September 13, 2013 1:14 PM  
**To:** Cheryl Robinson  
**Cc:** Kim Shaw  
**Subject:** RE: DEIS

Cheryl,

This is from Kim Shaw. I am checking Melissa's emails for comments, so this is confirmation that I have received yours and will be forwarding to our consultant as part of the DEIS process.

Thanks,  
Kim Shaw  
360.863.4532  
[kshaw@monroewa.gov](mailto:kshaw@monroewa.gov)

---

**From:** Cheryl Robinson [<mailto:classicphotosbycheryl@live.com>]  
**Sent:** Friday, September 13, 2013 12:21 PM  
**To:** Melissa Sartorius  
**Subject:** DEIS

Friday, September 13, 2013

Attention: Melisa Sartorius

I am writing in regards to the Draft Environmental Impact Statement (DEIS) pertaining to the property located just east of Monroe. Currently the 40+ acres are zoned Limited Open Space and the proposal is to zone it General Commercial. I have concerns with this amendment for a variety of reasons. I am concerned with traffic flow, wildlife preservation, agriculture impact and community affects. I feel that the change in zoning would have a detrimental effect on the community of Monroe as well as the commuters that travel through our town. The land that is affected is prime agricultural land and could serve the community as well as the local farmers in a much greater way than currently proposed. It is also home to a great wealth of native animals including but not limited to Eagles. I am excited to watch Monroe grow and change and do not want to stifle growth, but I feel this is a poor choice of land rezoning and there would be grave ramifications to our community if this goes through. Please look at the big picture of what is good for the community prior to making any lasting changes.

Thank you!

Cheryl Robinson

E-mail is a public record and subject to public disclosure.

**Megan awkins**

---

**From:** Kim Shaw <kshaw@ci.monroe.wa.us>  
**Sent:** Friday, September 13, 2013 2:25 PM  
**To:** 'benenaS@wsdot.wa.gov'  
**Cc:** Paul Popelka; Melissa Sartorius; Susan Boyd; Megan Hawkins  
**Subject:** FW: WSDOT Review of DEIS for East Monroe Comp Plan Amendment-Rezone  
**Attachments:** FW: WSDOT Review of CPA2011-01 E. Monroe; WSDOT Letters 2011 & 2004.pdf; WSDOT Letters 2012 & 2011.pdf

Steve,  
This is confirmation that your comments for the East Monroe DEIS have been received.

Thank you,  
Kim

Kim Shaw, CPT  
Permit Supervisor  
PH-360.863.4532  
Fax-360.794.4007  
[www.monroewa.gov](http://www.monroewa.gov)

-----Original Message-----

From: Benenati, Steve M. [<mailto:BenenaS@wsdot.wa.gov>]  
Sent: Friday, September 13, 2013 2:18 PM  
To: Kim Shaw  
Cc: Melissa Sartorius; Paul Popelka; Don Stout  
Subject: FW: WSDOT Review of DEIS for East Monroe Comp Plan Amendment-Rezone

From: Benenati, Steve M.  
Sent: Friday, September 13, 2013 2:08 PM  
To: [msartorius@monroewa.gov](mailto:msartorius@monroewa.gov)  
Cc: Pazooki, Ramin; Swires, Mike  
Subject: WSDOT Review of DEIS for East Monroe Comp Plan Amendment-Rezone

Melissa,

The Washington State Department of Transportation (WSDOT) has reviewed the subject DEIS and would like the following comments to be part of the record.

We have reviewed TIA portion of the Draft EIS for the East Monroe Comprehensive Plan Amendment and Subsequent Rezone. The site is made of five adjoining parcels covering a 42.81 acre with 11.33 acres of developable area on the north side of US 2. The site is approximately 0.8 miles east of Main Street/Old Owen Road, near the east city limits.

The site does not currently have direct access to US 2; access rights were purchased by WSDOT as part of the planning for the Monroe Bypass for US 2. As stated in an email on 6/24/13(attached) to the developer consultant (Gibson Traffic) in response to questions about access, options for access to US 2 include the following:

The developer should pursue acquiring an easement from the owner of the adjoining parcel east of the site (referred to as Parcel F under a previous rezone proposal, but not included as part of this action), then connecting to US 2 east of the existing Limited Access (LA) boundary. The access connection to US 2 through Parcel F is under jurisdiction of the city of Monroe since it's within city limits and outside LA; no break in access would be required. An easement and access through Parcel F would provide opportunity for consolidated joint access, minimizing the number and spacing of access connections along this section of US 2. The added benefit is that the owner of Parcel F would be able to use any improvements on US 2 required as mitigation for development of this site, in particular if they choose to pursue similar Comprehensive Plan Amendment and rezone in the future.

If an easement through Parcel F is not feasible or possible, then a request for break in access (BIA) will be required. Because WSDOT purchased access rights from the property owners, a BIA will also require purchase of the access rights back from WSDOT at fair market value. A request for BIA to gain access to US 2 will require thorough justification and review before possible approval. It will need to demonstrate that access to US 2 will not affect safety and operations, and that any impacts can be mitigated.

WSDOT generally supports a single break in access to provide site access to US 2. The current concept for the Monroe Bypass no longer includes a "North Monroe Interchange", which provided ramps connecting the bypass to mainline US 2 in this general area. Instead, a roundabout is currently planned for the bypass connection. The location for the roundabout hasn't been firmly established, but is generally in the area east of Woods Creek and west of the Rivmont Dr bluff above US2; in short, west of the rezone property area.

With site access located at the east end of Parcel E, our expectation is that the minimum distance between the site access connection point and the bypass connection roundabout will be met.

The following three alternatives were analyzed in the DEIS TIA for developing this site:

Alt. 1: Fitness Facility, Daycare, and Church (1,602 ADT/169 PM Trips)

Alt. 2: Retail and Restaurants (3,628 ADT/290 PM Trips)

Alt. 3: Office and Residential (1,825 ADT/149 PM Trips)

As stated in prior comments(see attached WSDOT Letters) to the city, whether the access connection is via Parcel F or a new BIA, we request a roundabout be analyzed and constructed at the site access for either of the proposed

development alternatives, even if LOS criteria are met without a roundabout. A roundabout will to reduce the risk and severity of collisions from conflicting traffic movements at the site access. This section of US 2 transitions from U1 (Urban-Principal Arterial) to R1 (Rural-Principal Arterial), has limited roadside development, is rural in character, and has a 55mph posted speed limit.

If you have any questions, please contact Ramin Pazooki, WSDOT Local Agency, and Development Services Manager at [pazookr@wsdot.wa.gov](mailto:pazookr@wsdot.wa.gov) <<mailto:pazookr@wsdot.wa.gov>> (206) 440-4710 or contact me.

Thank you,

Steve Benenati

WSDOT Development Services Review Engineer

(206) 440-4915

[benenas@wsdot.wa.gov](mailto:benenas@wsdot.wa.gov)<<mailto:benenas@wsdot.wa.gov>>



**Washington State  
Department of Transportation**  
Paula J. Hammond, P.E.  
Secretary of Transportation

**Northwest Region**  
15700 Dayton Avenue North  
P.O. Box 330310  
Seattle, WA 98133-9710

206-440-4000 / Fax 206-409-7250  
TTY: 1-800-833-6388  
www.wsdot.wa.gov

March 29, 2012

Mr. Brad Feilbert  
City of Monroe Public Works Director  
806 W. Main St.  
Monroe, WA 98272

Subject: SR 2, MP 16.00 Vic.  
WSDOT Review Comments on Draft EIS - East Monroe Comprehensive Plan Amendment

Dear Mr. Feilbert:

We are responding to the East Monroe Comprehensive Plan Amendment to change the land use designation and concomitant rezone, changing the zoning classification of approximately 50 acres of land located north of US 2 near the eastern city limits from Limited Open Space to General Commercial.

WSDOT has reviewed this draft EIS and has the following comments:

We request that all our previous comments stated in the letter of August 18, 2011 (attached) be included in this EIS. In addition to those previous comments, we would like to emphasize the following items:

- A traffic signal will not be permitted by WSDOT on SR 2 for the single access point to these parcels. A roundabout will be allowed, if the new generated volumes warrant it.
- In planning for future developments of these parcels, sufficient right of way must be set aside to accommodate a future 4-lane highway.

Should you have any questions, please feel free to contact Mr. Steve Benenati (206) 440-4915 of my Developer Services section.

Sincerely,

Ramin Pazooki  
Local Agency and Development Services Manager

RSE/smb

cc: Ed Conyers, WSDOT Highways and Local Programs  
Mike Swires, WSDOT Area Traffic  
Project File



**Washington State  
Department of Transportation**  
Paula J. Hammond, P.E.  
Secretary of Transportation

**Northwest Region**  
15700 Dayton Avenue North  
P.O. Box 330310  
Seattle, WA 98133-9710

August 18, 2011

206-440-4000  
TTY: 1-800-833-6388  
www.wsdot.wa.gov

Brad Fielberg  
City of Monroe Public Works Director  
806 W. Main St.  
Monroe, WA 98272

Subject: SR 2, MP 16.00 Vic.  
Determination of Significance and Request for Comments on Scope of EIS  
E. Monroe Economic Development Group, LLC  
CPA2011-01 East Monroe

Dear Mr. Fielberg,

We received your request for comment on the proposed action to change Comprehensive Land Use designation of certain properties from Limited Open Space to General Commercial. The location of this proposal is at the east end of Monroe on the north side of US 2 in vicinity of MP 16.00.

WSDOT has reviewed the proposal and has the following comments:

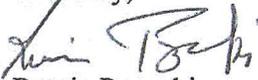
- 1) The access rights along SR 2 for some of these parcels have been purchased by WSDOT for the future SR 2 Monroe by-pass. Please refer to the enclosure. No future access through the SR 2 limited access boundary shall be allowed unless the property owner applies for and is granted such access according to provisions of Chapter 530.10 of WSDOT's Design Manual.
- 2) WSDOT supports a single access point to be jointly shared by all parcels covered under this proposed action. This access point should be located to the east of the acquired limited access boundary. Internal site circulation shall be provided for access to these parcels.
- 3) Per highway access classification criteria, spacing between the future SR 2 roundabout to be constructed as part of the SR 2 Monroe by-pass and a new access shall be a minimum of 1,320 feet.
- 4) A traffic signal will not be permitted by WSDOT on SR 2 for access to parcels covered under this proposed action. Instead of a signal, a roundabout must be built for controlled access to SR 2, if warranted by future development volumes.
- 5) Per WSDOT Route Development Plan (RDP), this segment of SR 2 is designated as a future 4-lane highway which may include median barrier.

Mr. Brad Fielberg  
CPA2011-01 East Monroe  
Page 2 of 2

- 6) WSDOT stands by all provisions of the March 3, 2004 letter to Hiller West, city of Monroe, Director of Community Development regarding access to SR 2 in this area. See enclosed letter.

Should you have any questions, please feel free to contact Mr. Steve Benenati (206) 440-4915 of my Development Services section.

Sincerely,



Ramin Pazooki

Local Agency and Development Services Manager

Enclosure

cc: Lorena Eng, Regional Administrator  
Russ East, Assistant Regional Administrator  
Mike Swires, Traffic Engineer – Snohomish Area



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Ramin Pazooki  
Local Agency and Development Services Manager

RSE/smb

cc: Ed Conyers, WSDOT Highways and Local Programs  
Mike Swires, WSDOT Area Traffic  
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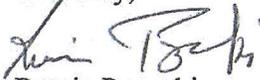
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Mr. Brad Fielberg  
CPA2011-01 East Monroe  
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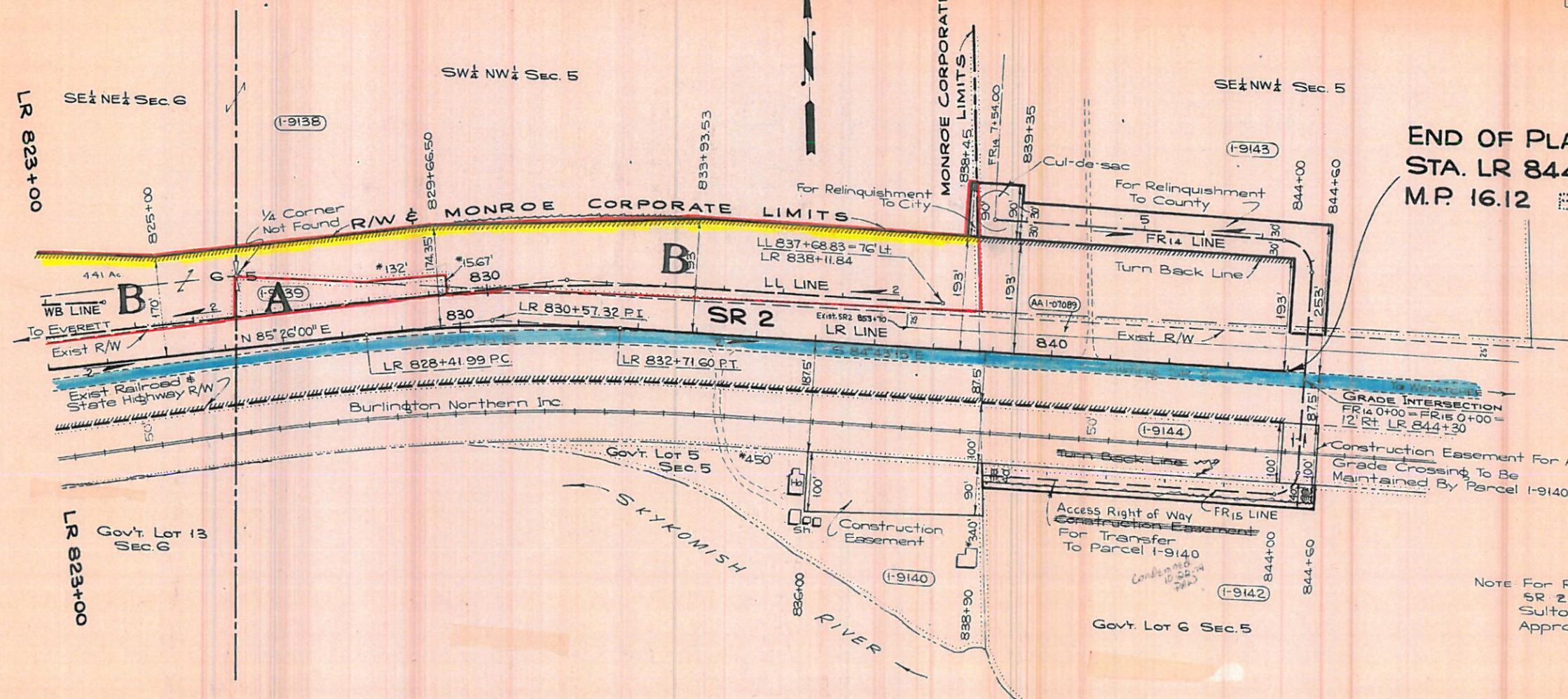
Ramin Pazooki

Local Agency and Development Services Manager

Enclosure

cc: Lorena Eng, Regional Administrator  
Russ East, Assistant Regional Administrator  
Mike Swires, Traffic Engineer – Snohomish Area

T. 27 N, R. 7 E, W.M.



END OF PLAN  
 STA. LR 844+00.00 =  
 M.P. 16.12 Exist SR2 860+20 (12' Rt.)

NOTE: For R/W Ahead See  
 SR 2 Monroe to  
 Sultan Sheet 3 of 11 Sheets  
 Approved May 6, 1949

NUMBER	LESSEE	LOCATION
AA1-07089	Ford & Schwend	Exist. SR2 853+70 to 867+50 on Lt.-Drain Ditch

PI STATION	Δ	R	T	L
LR 830+57.32	9°50'45" Rt	2500'	215.33'	429.61'

Note: All Bearings And Distances  
 Preceded By An Asterisk Are Taken From  
 From Title Reports And/Or  
 Plat Maps.

PARCEL No.	NAME	TOTAL AREA	TAKE	Lt REMAINDER Rt.	EASEMENTS
1-9138	PAUL L WAGNER	See	Sheet 10		
1-9139	LEROY ANDERSON	15,500SF	15,500SF		
1-9140	THOMAS FURLONG	2.68 Ac	0		
1-9142	LOYD R HANSEY	29.90 Ac	0.53 Ac.	29.37 Ac.	0.63 Ac
1-9143	DION F ELLIS	25.31 Ac	2.67 Ac.		
1-9144	BURLINGTON NORTHERN INC	UNKNOWN	Access		0.13 Ac

**LEGEND**  
 Access To Be Prohibited Shown Thus   
 Property Ownership Number (I-0000)   
 Property Line   
 Scale In Feet

Note: For Total Parcel Detail See Sheet 2

**CENTER LINE RECORDED**  
 VOLUME B HIGHWAY PLATS.  
 PAGE 122 AUD. FILE # 2195644  
 RECORDS OF COUNTY ST. JWN  
 6-7-71

This plan conforms to the access provisions in the  
 Findings and Order issued by the Highway Commission  
 on October 27, 1970.

SR 2 MP 9.92 TO MP 16.12  
**WESTWICK ROAD TO NORTH  
 MONROE INTERCHANGE**  
 SNOHOMISH COUNTY

RIGHT OF WAY AND LIMITED ACCESS  
 FULLY CONTROLLED  
 Station LR 823+00 to Station LR 844+00.00



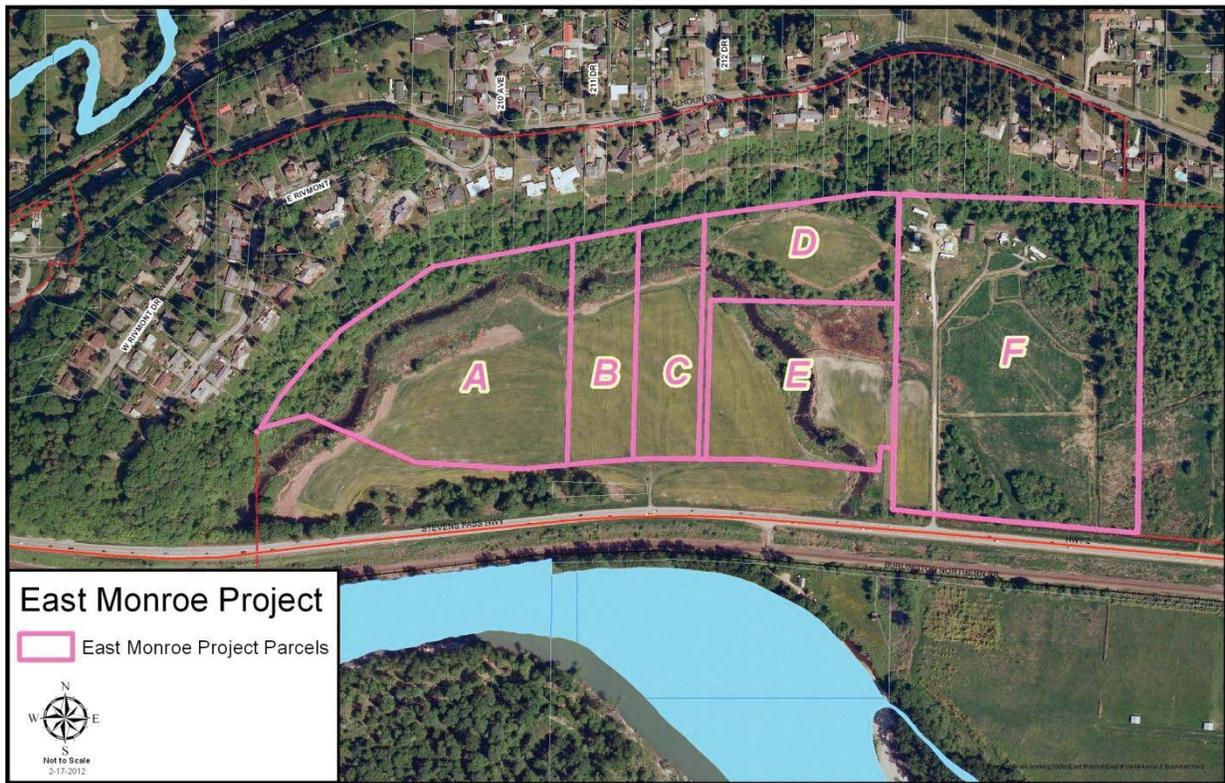
WASHINGTON STATE HIGHWAY COMMISSION  
 DEPARTMENT OF HIGHWAYS  
 OLYMPIA, WASHINGTON  
 GROUP 2 STAFF CHAIRMAN  
 ASSISTANT DIRECTOR FOR  
 HIGHWAY DEVELOPMENT  
 JOHN H. GUPP

April 1, 1971

LETTER	DATE	DESCRIPTION	BY
Letter 9-17-70	10-5-70	Added Airspace Lease AA1-07089	RLS
Letter 5-2-74	5-21-74	Revised consent. to access R/W 839+00 to 844+60mRt, areas parcel 1-9142	RLS
Letter 10-20-72	11-10-72	Revised R/W & L/A on Lt. Sta. 829+66.50 to 833+93.53 as acquired	RLS
Letter 6-10-71	7-7-72	Revised ownership boundary areas parcel 1-9144	RLS

**Table 1 Project Area Parcels**

	Assessor's Parcel Number	Approximate Size (Acres)		
		Gross	Preferred Alternative	Reduced Scope Alternative
Parcel A	27070600102500	15.73	4.17	4.17
Parcel B	27070500206100	5.01	2.61	2.61
Parcel C	27070500206200	5.20	2.87	2.87
Parcel D	27070500206300	6.85	5.38	2.67
Parcel E	270705002006400	10.02	9.90	2.84
Parcel F	27070500203300	25.30	25.30	7.94



**Figure 2 Original Extent of Proposed Action.**

If the land use designation change and concomitant rezone are approved by the City of Monroe City Council, the allowed uses and development potential of the property will be changed to what is considered more intensive uses.

The proposed action is a change in the comprehensive land use designation and concomitant rezone of the project area from limited open space to general commercial. This action in and of itself does not have any environmental impacts. However, as this action is the first in an anticipated series of related actions this proposed action is being reviewed with a phased environmental impact statement. Future development within the project area will be required to





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000*

September 13, 2013

Melissa Sartorius, Senior Planner  
City of Monroe  
806 West Main Street  
Everett, WA 98272

Dear Ms. Sartorius:

**RE: Ecology SEPA Comments for East Monroe Comprehensive Plan Amendment  
Draft Environmental Impact Statement**

Thank you for notifying the Washington State Department of Ecology (Ecology) that the Draft Environmental Impact Statement (DEIS) for the proposed East Monroe rezone is available for our review and comment. As the Ecology Wetland Specialist responsible for Snohomish County, I wish to have the following comments entered for the record. This proposal involves amending the City of Monroe (City) Comprehensive Plan to rezone approximately 43 acres immediately north of U.S. Highway 2 near the eastern city limits. The five parcels are currently zoned Limited Open Space (LOS) and the DEIS analyzed three alternatives ranging from limited development under the current zoning, the no action alternative, to rezoning the parcels as General Commercial, the proposed action.

While this DEIS is a considerable improvement over the phased EIS issued last year and includes more detail on critical areas, Ecology believes that there are still problems with the analysis not addressed in the current draft. We appreciate the proponent's enthusiasm for the project, but, as a general statement, the DEIS needs to more equitably balance the potential environmental impacts with the economic interests. Because the existing undeveloped site condition is not used as the baseline for alternative comparisons, it gives the impression that the DEIS is not a balanced, objective analysis of the alternatives or potential impacts. To avoid the possible appearance of being pre-decisional and to accurately portray potential impacts, the existing undeveloped condition needs to be used as the baseline for alternative comparisons in the final environmental impact statement (FEIS). There is no discernible difference in the developed footprint in the conceptual drawings for the three proposed alternatives, only in the intensity of development within that footprint. All of the alternatives are a significant change from the existing site conditions and it is unclear how the proposed no action alternative accurately reflects the existing conditions and use of the property.

As described in the DEIS, the intent of the proposal is to balance environmental protection with maximizing the socio-economic value (economic return) of the property, consistent

with the stated goals of the Growth Management Act (GMA) (RCW 36.70A; DEIS pp. Fact Sheet, 3, 62). While impacts to critical areas have been avoided for the developed footprint in all the alternatives, there are still, nonetheless, permanent impacts to site wetlands (excavation for flood storage) and the slough which are not adequately assessed.

Equating environmental protection with economic development is not entirely consistent with the GMA. Case law has clarified that designation of critical areas and protection of their functions is a GMA requirement that is a higher standard than GMA goals (see *Quadrant Corporation V. State Growth Management Hearings Board*, Washington Supreme Court Case No. 75076-9, 2005; and *Washington State Department of Ecology and Washington State Department of Community, Trade and Economic Development V. City Of Kent*, GMHB Case No. 05-3-0034). Critical areas should be protected and then the other GMA goals should be balanced.

We understand and support the City's desire to promote economic development. This particular site, however, has value as open space and agricultural land and seems ill-suited to more intensive development given the lack of existing services and access in addition to the critical areas on and adjacent to the property. It is unclear how commercial development of the site will provide a net benefit to ecological function, as the DEIS Summary concludes. When the full environmental and public infrastructure costs of developing the site are considered, retaining the existing LOS zoning, rural character and environmental services (e.g., floodplain and habitat) of the site are in fact "the highest and best use for the property" (DEIS, p. 1).

There are three principal concerns with the DEIS: Alternative 1 (no action alternative), the basis for comparing environmental impacts from Alternatives 2 and 3, is not based on the current site conditions and therefore, does not accurately assess the degree of environmental impact from the other alternatives; there is little or no discussion of the impact of converting productive agricultural land to a developed use, nor any proposed mitigation to compensate for that loss of agricultural land; and there is only a cursory discussion of the environmental impacts (and required permitting) to the slough and associated wetlands from excavating along the slough for flood storage.

#### *No Action Alternative*

The no action alternative presented in the DEIS is for prospective development (church, fitness club and day care facility) of the property under the existing LOS zoning. The development footprint for all three DEIS alternatives is virtually the same, with some variation in building configuration within the footprint between alternatives. There is very little discussion of the current conditions (baseline) in the DEIS, which makes an objective evaluation of impacts difficult for any of the alternatives. As written, the DEIS no action alternative is more similar to the other development alternatives than it is to the existing conditions. While the baseline can be the same as the no action alternative, they are not necessarily synonymous. The DEIS no action alternative is a significant departure from the current conditions and therefore, is not the baseline.

We recommend that a more detailed description be provided of the baseline conditions for analysis and comparison of the potential impacts for each of the alternatives (and affected environment elements), including the no action alternative; particularly since there are currently no services (sewer or water) or access adequate to support more intensive development of the site. Given the potential for significant environmental impacts (e.g., critical areas and traffic on US 2) just from providing utility services and access to these parcels, it is not reasonable to use a future developed condition as the baseline for the no action alternative. The FEIS needs to use the existing condition as the baseline for assessing impacts from all of the proposed alternatives.

#### *Loss of Agricultural Land*

One of the critical elements missing from the DEIS is a discussion about the potential impact to the City and surrounding area from the loss of open space and specifically the permanent loss of over 20 acres of productive agricultural land. There is no proposal or discussion of mitigation to compensate for the loss of agricultural land. The conversion of agricultural land on this site to a developed use directly contradicts the stated agricultural preservation goals and policies of the City's Comprehensive Plan (City of Monroe Comprehensive Plan 2005-2025):

LUP-4.4 - Support agricultural land preservation, particularly in the county's designated river way agricultural lands located generally west of the city limits, east of the city limits along the US-2 highway corridor, and generally south of the city and the Skykomish and Snohomish Rivers.

Loss of productive farmland, particularly in the Snohomish Basin, is a matter of ongoing concern to the farming community and Snohomish County Government. The Sustainable Lands Strategy [http://www1.co.snohomish.wa.us/County\\_Services/Focus\\_on\\_Farming/sustainablelands.htm](http://www1.co.snohomish.wa.us/County_Services/Focus_on_Farming/sustainablelands.htm) > has been convened for the express purpose of preserving and improving farmland while allowing for salmon restoration projects in the Snohomish and Stillaguamish basins. Protection of farmland is a GMA requirement and the FEIS needs to more fully assess the potential impacts on agriculture from the permanent conversion of this site (see SEPA checklist guidance for assessing potential impacts to Agricultural Lands: [http://www.ecy.wa.gov/programs/sea/sepa/enviro\\_checklist\\_guidance.html](http://www.ecy.wa.gov/programs/sea/sepa/enviro_checklist_guidance.html)>). Also, the FEIS should include proposals to compensate for the loss of open space and productive agricultural land associated with rezone or subsequent development.

#### *Impacts of Compensatory Flood Storage*

The DEIS emphasizes that direct impacts to critical areas from the proposed development alternatives have been avoided and minimized. While true that most of the developed footprint is located outside of shoreline jurisdiction and the City's critical area buffers, the proposed habitat enhancements and excavation for compensatory flood storage have the potential to significantly alter the slough and wetlands. The ordinary high water mark

(OHWM) determination as well as wetland boundaries and ratings should be verified by Ecology and I would be happy to meet the proponent's representatives for that verification. The project proponents should provide Ecology with a memorandum summarizing the methods and field indicators used to determine the OHWM. That memorandum, and Ecology's OHWM verification, should be added to the FEIS appendices.

Excavation for additional flood storage and or stormwater discharge does not appear to be a compatible use in the Urban Conservancy designation. While existing flood hazard management is an allowed use within Urban Conservancy designation, dredging (i.e., stream or wetland excavation) and filling are prohibited (see SMP Shoreline Modifications section of Shoreline Use and Modification Matrix, p. 26). If these activities could be approved without amending the Shoreline Master Program, which appears unlikely, excavation and placement of flood control or stormwater structures within shoreline jurisdiction on this site would require approval from Ecology (Variance or Conditional Use Permit) as well as the City. Shoreline permitting by Ecology would be in addition to the required Section 401 Water Quality Certification from Ecology for work within wetlands or the slough.

Any ground disturbing activity within the slough or wetlands, including habitat enhancement, will require state and federal approval and excavation within these regulated waters for flood storage will very likely require compensatory mitigation. While there would likely be some ecological lift from planting shrubs and trees in the areas of the site dominated by blackberries and herbaceous vegetation, the DEIS does not include sufficient detail on potential impacts to water quality, hydrology and habitat to fully assess the degree of impact or benefit from the proposed development. Specific concerns that should be assessed in more detail in the FEIS include:

1. Potential impacts to water quality from excavation of the compensatory flood storage and alteration of the existing vegetation. Grasses, including reed canarygrass (*Phalaris arundinacea*) are very effective at slowing surface runoff and improving water quality. The elevated development pad will be a source of increased runoff and potential contaminants and sediment. Based on the typical cross section shown on page 29 of the DEIS, there is a strong likelihood that wetlands or channels will develop or expand in the area excavated for flood storage. The loss of herbaceous vegetation and likely shortening of the transit distance for runoff between the development pad and state waters has the potential to adversely impact water quality. Any stormwater released to the slough or wetlands will need to be fully treated before being discharged.
2. Potential impacts to wetland and slough hydrology from floodplain excavation and stormwater input. Any alteration of the wetland or slough hydroperiod or water depths will need to be assessed and site development should not alter the natural hydroperiod (see Appendix I-D, *Stormwater Management Manual for Western Washington, Volume I*, Ecology Publication No. 12-10-030). More details need to be provided on the location of the stormwater treatment system, including the location of detention vaults/ponds and outfalls.

3. While the planting of shrubs and trees will diversify the existing onsite plant communities, more analysis is needed on the potential that the excavation for flood storage will increase the potential spread of reed canarygrass. This species thrives in areas with increased nutrient input and “flashier” hydrology. It will take at least a few years for the shrub/tree canopy to develop enough to shade out reed canarygrass. Without vigorous (annual) weed control the first few years after planting shrubs and trees, reed canarygrass can oftentimes overtop the desired plantings and shade them out.

It is also difficult to understand how commercial (or institutional) development on the site will improve the habitat values of the site as the DEIS indicates. While there will be some future diversification of the habitat through shrub and tree planting, there will be a significant increase in human activity on the site during and after construction. The proposed habitat enhancement will more likely than not be inadequate to compensate for the increased disturbance from site use in any of the DEIS alternatives.

More analysis is needed on the potential for fish stranding in the excavated flood storage area. Since the slough is fish accessible during high flows, the period when the flood storage area is also inundated, what is the risk that fish will be stranded in the excavated area, unable to return to the slough and Skykomish River once the water recedes<sup>1</sup>?

Due to its location, existing suitability as agricultural land and critical areas on the site the current LOS zoning is appropriate and we recommend that the City not go forward with the proposed rezoning of this property.

We look forward to receiving a copy of the revised EIS for our review and comment. If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7148 or send an email to [paan461@ecy.wa.gov](mailto:paan461@ecy.wa.gov).

Sincerely,



Paul S. Anderson, PWS  
Wetland Specialist  
Shorelands and Environmental Assistance Program

---

<sup>1</sup> See (see

[http://www.fws.gov/arcata/fisheries/reports/technical/Trinity\\_River\\_Juvenile\\_Fish\\_Stranding\\_Evaluation\\_May\\_-\\_June,\\_2002.pdf](http://www.fws.gov/arcata/fisheries/reports/technical/Trinity_River_Juvenile_Fish_Stranding_Evaluation_May_-_June,_2002.pdf))

Melissa Sartorius  
RE: Ecology SEPA Comments for East Monroe DEIS  
September 13, 2013  
Page 6

PSA: ca

cc: Erik Stockdale and Barbara Nightingale, Ecology  
Jamie Bails, Washington Department of Fish and Wildlife  
Matthew Bennett, U.S. Army Corps of Engineers



**THE TULALIP TRIBES**

The Tulalip Tribes are the successors in interest to the Snohomish, Snoqualmie, and Skykomish tribes and other tribes and band signatory to the Treaty of Point Elliott

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6406 Marine Drive  
TULALIP, WA 98271  
(360)716-4000

Friday, September 13, 2013

City of Monroe  
Attn: Mellissa Sartorius  
SEPA Official  
806 W. Main St,  
Monroe, WA 98272

RE: DEIS for the East Monroe Comprehensive Plan Amendment and Subsequent Rezone

To Whom It May Concern:

This letter is in regards to the above mentioned Draft Environmental Impact Statement and outlines the comments and concerns of our staff. This site is a valued area for rearing and flood refuge for juvenile fish including endangered species of salmonids. Because of this, we would like to take this opportunity to comment on the activities described within the above mentioned document.

It has been determined through our preliminary analysis that the Haskell Slough and Riley Slough both are known sources of steelhead. Since these waters are located in the same area and share similar characteristics, it is presumed that steelhead would correspondingly be present in the slough located in the project area. Steelhead also being an endangered species is just one more reason this habitat should be protected to the fullest. We appreciate the significance of the developer building outside of the 200ft shoreline buffer but hope that the City of Monroe upholds these buffers through to the conclusion of the project.

Generally speaking we do not advocate the cutting of natural material from any shoreline buffer and would suggest fill for the developable area be sought from outside the project area. If this activity is unavoidable, we hope that the City requires that all cut areas within buffers be enhanced and restored to increase habitat value and function on site.

The proposed development of this site will cause unavoidable impacts which will increase stormwater runoff to streams and wetlands. A main concern is the drastic increase in impervious surface from the previous use of the property. Subsequently, we encourage the use of low impact development (LID) principles. When clearing and grading land for development or other uses, these principles include minimizing the area cleared to the space needed for construction and limiting soil compaction to construction areas. When developing sites for buildings, parking lots or roads, infiltration into the ground is preferred for drainage, in appropriate soil conditions. Permeable pavement (concrete, asphalt or paving stones) is encouraged for parking lots, roads and driveways. Other LID techniques that could be incorporated into drainage design include rain gardens, bioswales, and constructed wetlands.

Thank you for the opportunity to voice our concerns and comment on this project.

Sincerely,

Kelly Finley  
Tulalip Natural Resources  
6404 Marine Drive  
Tulalip, WA 98271  
(360)716-4604



September 13, 2013

Monroe City Council  
806 West Main  
Monroe, WA 98272

RECEIVED  
SEP 13 2013  
CITY OF MONROE

Dear Monroe City Council and other interested individuals,

As a local resident and business owner, I strongly oppose the rezoning of the 43 acres of property on the east side of Monroe.

Historically this land has been agriculture land. The city of Monroe needs to be encouraged to recognize the history and future importance of maintaining agriculture lands for further generations. The protection of agriculture land needs to be viewed as a community infrastructure investment. Current world and economic indicators suggest that the local and sustainable food production will continue to grow. Responsible land use and zoning that allows for local farmers to produce products that reduce carbon footprint impact, support local employment, and produce products available for local businesses must be supported. The average farm size in Snohomish County is just 46 acres; any reduction in the agriculture acreage reduces the potential for the industry that is growing. In ten years between 2002 and 2012 the county saw an increase by 100 farms. The Snohomish county agriculture industry was worth to the county over \$126 million dollars alone in 2007. Once paved over and built up, ag-land is too expensive to "undo" to make farming available again. The Local Farm, Food, and Jobs Act of 2013, Senate Bill 679 and House Bill 1414, encourage the creation of jobs and measures that spur economic growth through food and farms. All 50 states have farm to school programs in place and the reduction of agriculture land will reduce the effectiveness of such programs.

Monroe is positioned ideally to support agriculture. Major transportation corridors, prime climate, farm land, and local family based communities all prime Monroe to continue to be on the cutting edge of the ever growing local agriculture enterprises.

Susan Boyd, in the Economic Impact Statement, noted several constraints to the land in question that directly benefit the further support to maintaining this land as open farm land. The farm land, mountains, rivers and valleys create a natural separation that occurs by cresting the hill and exiting Monroe. This is a welcome feel after navigating the chaos of the city. Noise, aesthetics, public utilities, and traffic are all non-issues if this land is to be maintained as ag-land. Additionally, the flood mitigation and filling of the location would directly impact fellow farmers in the area. To ignore the fact that during flood occurrences the water that would be displaced would impact neighbors is concerning. Our farm is located upstream from this property. Therefore, any reduction or impingement in flow and dispersment of water has a direct result on my farm and fellow individuals upstream.

Please do not neglect the open space that this location provides for wildlife. This valley is rife with wildlife. Farm land provides habitat to animals large and small and any rezoning of this property will have dire consequences for the wildlife that thrive in these areas. Proper drainage, invasive species removal, and habitat restoration are reasonable improvements to the property but this can more realistically be accomplished by maintaining this land in open space and not paving it over with small habitat sanctuaries located with in developed lots.

As a fifth generation farmer in the Monroe-Snohomish area, I recognize that changes occur. However, I encourage you as individuals to consider both the immediate and long range consequences involved in rezoning this acreage. Protecting the land base for local-sustainable agriculture usage makes good stewardship usage. Please oppose the rezone of this property east of Monroe.

Sincerely,

Anna Groeneveld  
29524 Fern Bluff Road  
Monroe, WA 998272





September 13, 2013

Comment Letter 10

RECEIVED

SEP 13 2013

CITY OF MONROE

Dear Monroe Planning Commission,

I am writing this letter pursuant to the cities ill conceived plan to change the zoning on the East Monroe Property.

This property serves as the gateway to the farms of the Skykomish Valley.

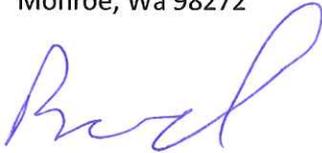
With all of the unused property in the present industrial parks there is no need to develop more property.

Susan Boyd's comments are totally transparent and should be recognized for what they are, completely self serving.

The church bought Ag Land, live with it. To expect others to suffer for the financial gain of the church is wrong.

Brad Beetchenow

22127 Yeager Road  
Monroe, Wa 98272





**Scott & Vicki  
Furrer**

23811 SR 2  
Monroe, WA 98272

**Comment Letter 11**

RECEIVED  
SEP 13 2013  
CITY OF MONROE

September 13, 2013

City of Monroe Planning Commission  
Attn: Melissa Sartorius

Dear Ms. Sartorius:

We are opposed to the rezone of the property East of Monroe on Hwy 2.

Over the last 25 years we have seen several attempts by individuals and groups to purchase Ag land and rezone or annex into city limits for their own financial gain. If you want to build a commercial building you should buy commercial property. In the past the county has always seen through the deceptive practices used by these "developers". We hope the city sees clearly enough to recognize these motives. It is surprising this property was annexed into the city. I remember at a city planning meeting several years ago the utilities department stated they had no plans to extend services past Woods Creek due to the cost and environmental impact.

The natural barrier of Woods Creek and the bridge has forever established the East boundary of Monroe. With available commercial land currently in the city and the drive to revitalize the city core there are many opportunity for commercial development. The current speculators need to accept the fact they are not owed a profit when they buy Ag land, wet lands and sensitive areas and attempt to work the system for financial gain.

Again we urge you to deny any rezone of the property East of Monroe.

Sincerely,



Scott & Vicki Furrer  
23811 State Route 2  
Monroe, WA 98272



September 13, 2013

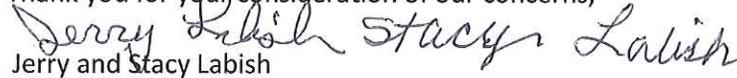
RECEIVED  
Comment Letter 12  
SEP 13 2013  
CITY OF MONROE

Dear Monroe Planning Commission,

We have lived in the Skykomish Valley for over 25 years. In this time it has been apparent that as we leave the Monroe City limits, there is a natural break at the east end of town. As you crest the hill, the "Mountains to Sound Scenic Byway" naturally begins by the break that exists with the end of the city limits and the commencement of the agricultural lands. With the proposed rezone we feel that any reduction in the acreage designated as agricultural land compromises the position of those of us currently engaged in Ag production here in the east Monroe area. It is relevant to note that the reduction of local Agriculture land reduces our ability to feed the local population. The local and sustainable movement is driven by our local Ag producers, this movement is critical to the reduction of our carbon footprint and the reliance on fossil fuels. Feeding the local community by utilizing local producers is not possible when local Ag land is taken out of potential productivity, by being paved over or built up.

With the proposed rezone the increased traffic expected, due to increased development, would negatively impact the ability for agricultural producers to efficiently maintain our Ag enterprises. Without effective transportation upgrades the frequent slow moving equipment, common in agricultural areas, would be dangerous for the agricultural producers as well as the general public.

Thank you for your consideration of our concerns,



Jerry and Stacy Labish

Ag Producer and Snohomish Ag Board Member  
16603 275<sup>th</sup> Ave SE



COmment Letter 13

9/12/2013

RECEIVED

SEP 13 2013

CITY OF MONROE

Attn: Melissa Sartorius, SEPA  
City of Monroe  
806 West Main St.  
Monroe, WA 98272

RE: Comments for East Monroe Comprehensive Rezone

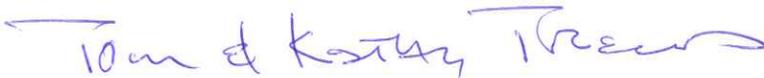
Having just heard about this rezone request, I have not yet had an opportunity to read the 300-page document regarding the environmental impact. I did however spend three years attending public meetings on the Highway 2 improvements and listened to the Washington State Department of Transportation list all the reasons why Highway 2 could not be expanded to accommodate additional traffic lanes, which would be an obvious requirement of any commercial setting for this property.

There is already a record of ever-increasing traffic on Highway 2 and extending retail East of Monroe brings an additional traffic burden that the road cannot accommodate. Because of our involvement in trying to get a left turn lane installed at 245<sup>th</sup>, (which has been a life saver, literally, for residents who live off highway 2) we were introduced to many to studies and documents provided by the Department of Transportation, all of which made clear that expansion of Highway 2 is not likely. You simply can't move the railroad or the river.

The second factor that should be considered seriously is the impact of the fill required to accommodate a commercial setting, which will significantly change the water table impacting the surrounding properties.

Monroe does not need a location for one more gas station as the gateway to our City. We hope that the Commission will continue to keep the zoning of open space. Please decline this application for commercial rezoning.

Tom & Kathy Treves



24032 153<sup>rd</sup> Place SE  
Monroe, WA 98272



City of Monroe

Attn: Melissa Sartorius, SEPA  
806 West Main St.  
Monroe, WA 98272

RECEIVED  
SEP 13 2013  
CITY OF MONROE

9/12/2013

RE: Written Comments for Draft Environmental Impact East Monroe Comprehensive Rezone

Rezoning the property East of Monroe will have countless impact on the land itself since much of it is wetlands, which will disturb the waterways, fish, blue herons, insects, wildlife and eagles (golden and bald) that frequent the open space and agricultural areas East of Monroe. Zoning this property as commercial also requires the extremely expensive task of bringing sewer systems into this environmentally sensitive area. An expense that will take the City a very long time to recoup.

Additionally, having been one of the thousands of people injured in an automobile accident on Highway 2 due to the road conditions, I ask that the committee decline this rezone as opposed to escalate the hazardous road conditions.

Korri Marie Treves



24032 153<sup>rd</sup> Place SE  
Monroe, WA 98272



Douglas Hamar  
PO Box 1104  
Monroe, Wa 98272  
503-245-6593

Comment Letter 15

RECEIVED

SEP 12 2013

CITY OF MONROE

September 9, 2013

**RE: Draft Environmental Impact Statement – East Monroe Comprehensive Plan Amendment and Subsequent Rezone**

Dear PACE , City of Monroe and Planning Commission Members,

The Draft Environmental Impact Statement prepared by PACE is an impressive document, but in presenting a full and unbiased disclosure of the likely environmental impacts of the proposed rezone, it falls short. The following are my concerns:

**PAGE “FACT SHEET” - Subheading “PROPOSED ACTION”**

That this proposed action “*will help maintain and enhance critical areas and supports a balance between socioeconomic growth, development and protection of the environment*” is an assertion not a “fact.” If you have any “facts” to support this assertion, please include them.

My own assertion would be that all the relevant government studies, the present day “facts” on the ground, and even much of the information in this DEIS suggest that the proposed action will hinder rather than “help” achieve these objectives.

To back up my assertion, I include the following:

1. Later in this DEIS, under “**Transportation**,” we find that the rezone to General Commercial would increase traffic “*3,628 average daily trips and 290 PM peak-hour trips over the existing zoning.*” And that is only if the property is developed under the “existing zoning” to the level you suggest, which is highly unlikely. Otherwise the increase in traffic would be closer to 5,000 trips a day. Either way, how is this not going to further muck up rather than “help” the already heavy congestion problem on SR2?
2. With regard to “*socioeconomic growth*,” the 2012 Snohomish County Build-able Lands Report found that Monroe currently has more than enough build-able lands to satisfy its employment needs through 2025. In fact, as with the 2007 version of the same report, it found Monroe short of residential capacity. The property that is the subject of this DEIS is currently zoned residential.
3. The location of this proposed rezone is a mile and a half down the road and isolated from what everyone knows as Monroe. A “big box” discount retailer in this location will almost certainly put additional stress on the retail environment of the real Monroe—far from supporting, enhancing or balancing the “socioeconomic” situation in Monroe, it is more likely to undermine it.

I would also contend that while the stated objectives of this rezone may be “*consistent with the goals and objectives of Growth Management Act Planning*,” the more likely outcomes of this rezone are not.

## PAGE ONE: SECTION 1. SUMMARY

At the bottom of the first paragraph we find that *“Despite multiple land use action proposals, the applicant is still searching for the highest and best use for the property.”*

It is not clear what “highest” use means in this instance. Perhaps it refers to the need to raise the elevation of the property with 46,500 cubic yards of material to get it above the base floodplain. At any rate, It is good to know the applicant is still searching for the best use. They would likely do better with a land use action different than the one they have repeatedly proposed.

In paragraph three we have the first of repeated assurances in the DEIS that whatever project ensues from this rezone, it will have to comply with the standards in the Monroe Municipal Code:

*“Any application for a project action will be required to demonstrate that work in critical areas complies with Monroe Municipal Code (MMC) requirements. It is incumbent on the applicant to demonstrate compliance with the standards in the MMC”*

Unfortunately, in my reading of the MMC, I find language that is not at all reassuring.

For example:

### ***20.05.050 Applicability, exemptions, and exceptions.***

*2. Reasonable Use. If the application of this chapter would deny all reasonable use of the property, development may be allowed which is consistent with the general purpose of this chapter and the public interest; provided, that the hearing examiner, after a public hearing, finds to the extent consistent with the constitutional rights of the applicant:*

- a. This chapter would otherwise deny all reasonable use of the property;*
- b. There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer;*

It seems evident to me that to develop this property as Commercial retail, the mitigation required would be so onerous as to *“deny all reasonable use of the property.”* Changing the “underlying zoning” to commercial will allow a developer to vigorously pursue these “exemptions and exceptions.”

Again from the MMC:

### *14.01.150 Floodways.*

*D. In areas with base flood elevations (but in which a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community’s Flood Insurance Rate Map, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.*

“The community” is not defined here, and even if it were, flood waters do not recognize community borders. With so many variables in a flood event, how could an increase of one foot of elevation somewhere in the “community” ever be attributed with certainty to a particular construction project or

other development? An extra foot of water over an entire community is a lot of water. How could this section of the Code ever be enforced?

The effectiveness of the Municipal Code is entirely dependent upon successful enforcement. With the last hearings examiner being fired shortly after ruling against the City on a previous attempt at this same zoning change, my confidence in the City's interpretation and enforcement of the Municipal Code is pretty low.

In paragraph four, we again have the completely unsubstantiated claim that there is a need for developable commercial land along SR2

*"The DEIS also recognizes the site as one of great potential for responding to the limited amount of undeveloped commercial property in the area, addressing market demand for land, promoting economic development and setting the precedent for future development in Monroe."*

At this writing there are at least 148,000 sq ft of retail space available in Monroe. The same real estate listings in March of 2012 during the last attempt on this rezone showed 150,000 sq feet available, so no one is snapping it up. And again, even Monroe's new "revised" Comprehensive plan sites the Snohomish County Build-able Lands Report, which states that Monroe has no need for additional land dedicated to commercial retail.

#### **Page 4: 1.2 OBJECTIVES OF PROPOSED ACTION**

Paragraph one:

*"The following objectives presented for the Proposed Action are examples and in no way represent requirements by the City or any private party."*

It is a good thing they are not "requirements" because the "proposed action" will make achieving most of these goals much more difficult.

And the objectives are:

*"Respond to demand for, and lack of, undeveloped commercial property along the SR-2 transportation corridor"*

What we have here is the "need"/demand of a particular property owner to realize a profit on their investment; the "need"/demand of commercial developers for property to develop (because that is what they do); and the supposed desire/demand of yet another "big box retailer" for this particular site all being conflated with the very real socioeconomic needs/hopes, dreams, and reasonable expectations of the community of Monroe. They are not at all the same, and, in this case they are in direct opposition.

*"Support and encourage regional and local economic development"*

How so? And where is the evidence? The rezone is far more likely to have the exact opposite effect, but I repeat myself.

*"Protect sensitive areas to the north of the stream/slough, while providing opportunities for coordinated mitigation and enhancement of impacted areas"*

The "opportunities" for enhancement of this area exist without the rezone. As Planning Commissioner

Sherwood pointed out at the 9/5/2013 informational meeting at City Hall, while codes and zoning may mandate a do-no-harm approach, there is no mandate for “enhancement” of critical areas. In other words, there is no legal requirement for a developer to act on those “opportunities” with the rezone in place.

*“Provide a gateway to the City for travelers entering Monroe from the east”*

How many “gateways” have you go out the way you came in to get to where you were supposedly entering???? It is even confusing to describe. Being completely isolated from Monroe physically and visually, a retail development here would be a “gateway” to Monroe like Fred Meyers at one end of town is a gateway to Albertsons at the other.

Monroe's 2005-2025 Comprehensive Plan reads: “The area was annexed some years ago, primarily as a means of “protecting” the City's scenic gateway from the east...” Here it is quite clear “scenic gateway” refers to the inviting nature of the area's natural beauty and is a far more appropriate use of the term and the property than, say—a Target store.

*“Promote businesses that offer goods and services to current and future City residents and the traveling public”*

*“Provide for coordinated land use and transportation improvements”*

As the ingress and egress to this property would surface immediately East of the scheduled Monroe SR2 bypass, it would be more of a coordinated assault on transportation improvements. It would likely be the subject of much ire from taxpayers and the “traveling public.”

#### **Page 7: 1.4.1 ALTERNATIVE 1: NO ACTION – RETAIN LIMITED OPEN SPACE ZONING**

I believe the interpretation of “no action” in this DEIS is scaled beyond anything realistic.

*“This alternative is based on retaining the existing Limited Open Space (LOS) Comprehensive Plan designation and future development under zoning as is. For this proposal, “no action” does not indicate that no development will occur, but only that no changes to the zoning designation will be made and that the property will be developed as permitted by the City of Monroe Municipal Code. At a minimum level of development, one dwelling unit per five acres is currently allowed. However, to evaluate the full range of potential impacts associated with development under LOS, Alternative 1 includes a mixture of fitness club, day care facility and church activities.”*

Although “one dwelling unit per five acres is currently allowed,” the “NO ACTION” alternative includes a fitness club, daycare facility and a church. I realize it is not PACE's job to consider inconsistencies in Monroe's Municipal Code, but the reality is that the “potential impacts” at the scale represented in this DEIS for the “NO ACTION” alternative would require considerable action on other fronts.

As noted in this DEIS, the Monroe Municipal Code describes LOS zoning as:

*“The purpose of the limited open space zoning district is to provide for low-density residential uses on lands that lack the full range of public services and facilities necessary to support*

*urban development and that are severely impacted by critical areas. This zone also provides a buffer between urban areas and transitional land uses on the urban growth boundaries of the city, and/or may also provide for enhanced recreational facilities and linkages to existing trails or open space systems.*”

Obviously, a “Gold's Gym” on this property would be totally inconsistent with the stated “purpose” of the zoning. I would really like to know how and when a “fitness club” ever got into the matrix of allowable uses for this property. This is another example of the loose wording in the MMC allowing for a range of unintended consequences. Other municipalities with similar zoning specify community playgrounds under “recreational facilities” for this zoning. And for daycare they specify “in home daycare.” Even these require a “Conditional/Special use” permit.

Yes, Heritage Baptist apparently has a conditional use permit for a church. I can't find any record of it, so how and when it was obtained I can't say. I don't recall being notified or any public hearings on the subject. In this case, a conditional use permit was effectively a rezone without the burden of an EIS or Comp Plan Amendment. It begs the question, was that conditional use permit simply a Trojan Horse ploy to leverage a zone change to General Commercial?—“Under the NO ACTION alternative, look what you can build!—so, what's the difference!?” Indeed, if the stated purpose of the LOS zoning is not meant to be taken seriously then there isn't much difference.

### **Table 3: Impacts and Mitigation Measures--Transportation**

2. *“The site access will require an inbound left-turn lane.”*

I don't think this would be approved by the Washington Department of Transportation. A letter from WSDOT concerning the ingress and egress of this proposal required a roundabout at least 1320 feet east of where they are planning to put their own roundabout for the SR2 Monroe bypass—two roundabouts a quarter of a mile apart. Won't that be fun for all concerned?

### **Page 21: 2.4 BENEFITS AND DISADVANTAGES OF DELAYING THE PROPOSED ACTION**

*“Benefits to delaying adoption of this proposal until a future date include:*

- No additional traffic generated;*
- Existing aesthetic environment of the property remains;*
- No temporary disturbance to animal and plant habitat; and*
- No temporary impacts associated with construction.”*

And I would add:

No migration of retail sales down the road a mile and a half where the sales multiplier of proximity to Monroe's established retail areas will be lost.

No compounding of Monroe's weak retail real estate market—fewer empty storefronts.

Greater and faster economic recovery for Monroe's downtown core.

No setback to Monroe's existing retail environment while market conditions are favorable.

No property tax losses due to the devaluation of the 40 residences along Rivemont and Calhoun rd.

*“Disadvantages of delaying the proposal until a future date include:*

*- Does not address need for additional develop-able commercial property along SR-2 corridor;”*

There is no evidence whatsoever to back this claim up.

*- “Potential loss of opportunity to develop while market conditions are favorable;”*

The only favorable market conditions relative to this proposed action are low interest rates, which benefit only the developer. This is not a community-based reason to proceed.

*- “Potential loss of opportunity to increase employment opportunities for Monroe and area residents;”*

More likely it will take jobs away from smaller businesses in town and move them to lower paying jobs down the road.

### **Page 23: 3. Affected Environment, Impacts & Mitigation Measures**

In paragraph one we find the disclaimer:

*“Identified potential impacts and avoidance and mitigation strategies are not intended to be attached to the property or encumber it in any way.”*

Many of the enhancement and mitigation strategies outlined in this DEIS paint a glorious picture of the proposal, but the reality is that these strategies do not “encumber it any way.” The question is, are they truly “reasonable” under the Monroe Municipal Code for a property zoned General Commercial, and how many will ever reach fruition?

### **Page 36:Flood Hazard**

I'm glad this DEIS is using the most recent flood maps, but:

*“.....the Preliminary Maps were used for the conservative evaluation put forth herein”*

I would like to point out that what you consider “conservative” now will likely be seen as rash and foolish a few years hence. In June of this year FEMA released a report on climate change and the prospects for future flooding:

[http://www.aecom.com/deployedfiles/Internet/News/Sustainability/FEMA%20Climate%20Change%20Report/Climate\\_Change\\_Report\\_AECOM\\_2013-06-11.pdf](http://www.aecom.com/deployedfiles/Internet/News/Sustainability/FEMA%20Climate%20Change%20Report/Climate_Change_Report_AECOM_2013-06-11.pdf).

Frankly, it is scary. The areas of the greatest increase in flood risk for the near future and beyond are the “riverine environments of the Great Lakes and Pacific Northwest.” Their maps indicate an increase

in the size of "Special Flood Hazard Areas" for this region (of which the East Monroe property is one) at 20 to 40% by the year 2020. This is consistent with EPA projections of "wetter" winters and springs for Northern areas and more frequent "Heavy precipitation events." Though far more accelerated, it is also consistent with the trend upward recorded by river gauges near Monroe over recent decades. And it is consistent with the fact that the property in question was moved from the 500 yr floodplain to the 100yr floodplain in 2007. By the time other municipalities give up on trying to save the National Flood Insurance discounts allowed by their present levees FEMA will have issued a new "Preliminary" flood map that blows your 68' proposed grade elevation not out of the water but into it.

This property is not just a floodplain, it is the "abandoned" oxbow of a major river. There is one abandoned oxbow in this state that has commercial development on it. In fact half of the City of Burlington sits on it, but it is five miles long, one mile across, and diked from one end to the other and beyond. There are no other commercial developments on any abandoned oxbows in this state. It is unlikely that there are many elsewhere because it has been recognized for thousands of years as a reckless and regrettable move.

With respect to FEMA's National Flood Insurance discounts, the NFIP awards a higher discount for every acre of Special Flood Hazard Area within a city's UGA that is left as Open Space. This rezone would remove 25% of that acreage from consideration for that discount—another economic hit for the community of Monroe.

FEMA's words to live by are "The best option is to not build in a floodplain in the first place."

Finally, with regard to the cut and fill ...46,500 cubic yards is a lot of dirt. It is a Professional football field (300'x160') more than 26 feet thick. The native soil has absorption and flood retention characteristics that the more or less cleared channel and compacted soil described in this DEIS will not, raising the prospect of faster moving flood waters, increased erosion and additional downstream flooding. From the description and illustrations in the DEIS it looks like the plan is to scrape away almost the entire surface area of the wetlands south of the stream—down several feet. Further because the native soil is not sufficiently compact-able for use as foundational material, it must be hauled away and an equivalent quantity of compact-able soil must be brought in. Somehow, this is supposed to create an "enhanced" wetland area? This 46,500 cubic yards of material that the wetland came by through natural processes will be gone. The resulting landscape may appear better groomed, but better grooming is not always an indication of better health.

I hope the concerns I have raised here and those of others will once again lead to the rejection of this rezone.

Thank you for your attention,

Douglas Hamar

A handwritten signature in black ink, appearing to read "Douglas Hamar". The signature is stylized and cursive, with the first name "Douglas" written in a larger, more prominent script than the last name "Hamar".



Comment Letter 16  
RECEIVED

SEP 12 2013

CITY OF MONROE

September 13, 2013

Dear Monroe City Planners,

Since 1938 our family has been involved in the agricultural pursuits of the Skykomish Valley. We have watched the highway and subsequent developments push into a highly rural and agricultural area. As you contemplate the rezoning of the East Monroe Property we encourage you to review the impact this will have on the farming community.

Over the generations, the urban development has continued to expand and Monroe's expansion has swallowed up many previously productive agricultural lands. There is continued availability for the future of Ag production in the areas that lie outside of the natural physical boundaries of Monroe.

Countless times over the years, the resounding comments from friends, family, and strangers have been in regards to what a beautiful location this is to live, raise a family, and farm. These comments would not be heard if we continue to expand the city areas and push out into the farmland that provides these picturesque scenes. Wall to wall developments do not promote agricultural pursuits. Each time acreage is swallowed by development the future of agriculture in this area is reduced.

Fertile ground, good for growing, is difficult to find outside of flood plains. It is disconcerting to see that this flood plain farm land is even being considered for rezoning and development.

As we watch our grandkids grow –up in this scenic and agriculture based valley we implore you to reevaluate the impact the rezoning of this 43 acres would have on the future of agriculture in this valley.

Respectfully,

  
Wiard and Jean Groeneveld

29126 Fern Bluff Rd.  
Monroe, WA 98272



**CITY OF MONROE**  
**SPECIAL PUBLIC HEARING FOR EAST MONROE DEIS**  
**September 5, 2013**

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**Paul Popelka**

My name is Paul Popelka. I am the Planning & Permitting Manager for the City. I have with me Melissa Sartorius. She's our Senior Planner and SEPA Official and we also have Susan Boyd and Megan Hawkins who are with PACE Engineers (*inaudible*) tonight.

I will now open this public hearing with the following statement: This public hearing has been called by the City of Monroe for the purpose of taking oral comments on the Draft Environmental Impact Statement (DEIS) for the proposed East Monroe Comprehensive Plan Land Use and Zoning Amendment. This is not a required public hearing, but this hearing was scheduled as an opportunity for the public to offer us verbal comments on this proposed amendment. Your comments will become part of the public record for this application. In addition to oral comments, you should know that you may also submit written comments to the City of Monroe by 5pm, next Friday, September 13<sup>th</sup> (I did say 5pm, didn't I?) next Friday (*inaudible*) we will accept written comments.

The intent and purpose of this Environmental Impact Statement is to satisfy the requirements of the State Environmental Policy Act, including the requirement to inform the public of agency determinations, that would be us, the City, pursuant to the State Environmental Policy Act. The Environmental Impact Statement is not an authorization for an action, nor does it constitute a decision or recommendation for an action; in its final form, it will accompany a recommendation from the Planning Commission to the City Council and it will be considered in making the final decision on the proposed amendment in December.

As this hearing is being recorded and a transcript will be included in the Final Environmental Impact Statement, if you wish to speak tonight, please make sure you sign in clearly printed (*inaudible*) clearly printed your name and contact information on the sign-in sheet so that your remarks may be correctly attributed. When you begin your remarks, please speak clearly and enunciate so that your name and your testimony are clear for the record. In the interest of providing everyone an opportunity to speak, a five minute limit will be placed on each speaker. If there is anyone here with prepared comments which they believe will exceed five minutes and for whom this time limit will present a hardship, please estimate how long you think your remarks will take prior to beginning when you come to the microphone. Otherwise, you will be asked to conclude your remarks at the end of five minutes and yield to the next speaker. No attempt will be made to limit the subject matter of any speaker, but you should be aware that only comments which pertain to the Draft Environmental Impact Statement or to the environmental review process can be expected to have an influence on the process or the outcome. As a courtesy to others, I encourage you to limit your remarks to issues which others have not already addressed.

Tonight's hearing is not a question and answer session. All comments and questions will be reviewed and responses will be included in the Final Environmental Impact Statement. Please note that this Draft Environmental Impact Statement will be reviewed at the Planning Commission next Monday, September 9<sup>th</sup> at 7 o'clock and there will be more discussion with that group. A Final Environmental Impact Statement is scheduled to be completed by September 27, 2013 and will be made available in the same manner as the Draft Environmental Impact Statement was made to you earlier.

Prior to public comment, I'm going to ask Susan Boyd to make a presentation on the Draft Environmental Impact Statement. Following her presentation, we will take public comments. Thanks Susan.

I have six people signed up to speak and if you did not sign up yet we will give you an opportunity to speak before we adjourn tonight. The first speaker is Lowell Anderson.

## **CITIZEN COMMENT**

### **Lowell Anderson**

I'm Lowell Anderson, 129 East Rivmont Drive and we're here to tell you that your Environmental Impact Statement is flawed. We'll give you the written comments on the 13<sup>th</sup> of September at 5:00 pm, if, if you're there. I'd like to call this the Incredible Shrinking Property. I can remember about three years ago...I'll be about ten to fifteen minutes if that matters. I call this the Incredible Shrinking Property. It started out at eighty acres with two (*inaudible*) salesman coming in here with car brochures saying, grow fast (*inaudible*). And then it went down to seventy acres, because ten acres was total wetlands. From the seventy acres the City decided to write their own Environmental Impact Statement. We had a meeting with the hearing examiner and he found at least thirteen flaws with that. He ruled in our favor and he was fired. Okay.

So now and then we're down to what I think is probably correct, from this eighty acres site (*inaudible*) of 11.33 acres, 10.17 acres are the continuous properties along Highway 2. Highway 2 did not provide any access. And you have the three previous letters we'll be looking at a frontage road and a roundabout. We'll get into the cost of that a little bit later, but what I'd like to explain to you is that to develop this property it will be by far the most expensive property ever developed in the City of Monroe. And what property, is it happens to property is you have comfortable sale values.

So if, to give you a snapshot and run real quickly through this, Wal-Mart with twenty-four acres sold for 7.5 million dollars. I won't go into the calculations of square footage, but it was \$7.17 a square foot. Providence Medical was five acres and it cost 2.5 million dollars, \$11.48 a square foot. Now we come to the East Monroe property, 42.81 acres. It's listed as commercial property now by the realtor for 2.7 million dollars. So of the 42.81 acres, 11.33 and (*inaudible*) developable (*inaudible*). We'll get into that in a minute. If you divide that by 2 million you come up 2 million 700 thousand. You come up with the price of \$5.47 cents. You add the estimated development cost and that's (*inaudible*) shown and we'll go through those in a minute, you come up with \$22.69. It's now 11 million 200 thousand dollars will take to get the utilities to the property line like you do have up here in Monroe.

Alright, so based on that (*inaudible*) the estimated development cost to the East Monroe Property the frontage road. Now I've taken the short, the shortest distance as I can for frontage road and it's a 2 million asphalt road built in rural, in a rural area, which this is. One million seven hundred fifty thousand dollars, but if you were to do this right you would put the roundabout, which you're going to have to build on the intersection of Calhoun and so as the, in Highway 2. You're going to frontage road from that area up to the property, which is about a mile and you'd be north of twenty thousand dollars or two hundred...I mean twenty million dollars to do this. This is almost making it (*inaudible*). So I'll give you the benefit of doubt and I said that you can have frontage road there to get to the Highway 2 for one million seven hundred fifty thousand dollars and after the roundabout, five million dollars electricity to the site a hundred thousand dollars, water and sewer two million dollars. Natural gas, which you excluded from your DEIS (*inaudible*), but it's one million and six hundred thousand based on temperature.

Sixteen months at least for permits, because of what you have to do and would have to go and to cut fill and landscape is seven hundred and fifty thousand dollars and finally you're going to know when you decide to do a building in a floodplain and you have the *(inaudible)* you should've had some *(inaudible)* so that you know whether or not you get foot foundation. *(Inaudible)* we'll give you the benefit of the doubt. *(Inaudible)*, but it very well could be building in a floodplain. This property sits, is connected to the Skykomish River. Now as far as the FEMA is concerned, you'll never consider the *(inaudible)*. In 1959 adjacent to that property the *(inaudible)* and that probably doesn't work now. My concern is the financial impact of this. This property is so expensive to do what you folks wanted to do and build this on ten acres on, on, on a frontage road that will never happen. So what you'll know commercial property and devalue all the homes on the hill, mine included. Now there's approximately forty homes on the hill *(inaudible)* about one hundred thousand dollars each, which if four million dollars. Now this is an unintended consequence, but a fact of life. This little reduction in fee will impact Monroe School District, the Fire District, City of Monroe, Monroe Library and the public hospital.

Now then, building in a floodplain is, as an example, Chehalis. Chehalis is a great example of what's happened. In about 2004 they had people that wanted to build in floodplain. The manager there said no. He was fired. He was replaced. They built in the floodplain and the flood came in and it flooded the Wal-Mart, the car dealerships, the farms, the homes, including the I-5 *(inaudible)*. In this little town here we have the river that is pointed directly at the property. There's been a *(inaudible)* in 1959 it will force the water directly at that. If, if you're creating the target and so that's not a very good idea and I don't know that you provided anything for that and your cut and fill may or may not work.

Now in a figurative level, what happens when it floods in that particular area is all these beautiful plants and these very expensive plants they will be get suffocated and die and have *(inaudible)* in there and there's no record of who's going to maintain this so it will be the ugliest pond that you've ever seen with standing water, frogs and blackberries planted by the *(inaudible)*. I'm *(inaudible)* opposed to this, but some of the comments that people make and, and I take them out of the, the Seattle Times that it's a, with something like this the more things you put in the floodplain the more things are at risk.

We can never assume we've seen the worse of what Mother Nature can do. And that's true. I just told you about the flood of '59. In the 70's the highway under here was under water. In the 1990 it almost took the bridge out here on Highway 2. *(Inaudible)* commercial and residential floodplain development ends up costing everyone else. We should not be subsidizing those land issues with *(inaudible)* and rebuilding things *(inaudible)*. The question is what are you building in the first place? *(Inaudible)* it's kind of sad to keep repeating the same mistakes even when we know better. I want to thank you for your time. I, think it's a bad idea. *(Inaudible)* to get your written comments *(inaudible)* issue on the 13<sup>th</sup>. Thank you for your attention.

**Paul Popelka**

Thank you Lowell. Next speaker is Jeff Rogers.

**Jeff Rogers**

Jeff Rogers. I live at 127 East Rivmont Drive Monroe, 98272.

I'll try to

be brief. I'll try to keep this within the five minutes, but I can't necessarily assure you it will be strictly within five minutes. First of I think, I think the timeframe for receiving public comments, particularly from governmental agencies that will be important to receive comments should be

extended. This project is not going to go anywhere without the department of transportation's input. So I think it'll be fool hearted to just kind of (*inaudible*) ahead until you get the input from WSDOT and potentially other agencies, particularly governmental agencies. And if necessary I think the City or they should challenge them. There's no rush to this. I recognize there's a rush from a political standpoint, because the applicant wants to get this through under the current city administration, but this is too important to rush this through.

As we said consistently this property is properly zoned as limited open space. Under the Monroe municipal code 18-10-045, purpose of a limited open space zoning district, the purpose of LOS is to provide for low density residential uses on lands that lack a full range of public services and facilities necessary to support urban development and that are severely impacted by critical areas. This property fits that to a T. So we don't believe the rezone is appropriate and we recognize this is not necessarily the date for that discussion, but I think it's important to recognize this is properly zoned as limited open space and we recognized it to be developed. There's a lot of potential development under the limited open space and we respect that. I think Lowell's hit on this, and we mentioned this before, somebody needs to do some very baseline analysis of whether this is economically fine. I think it'd be fool hearted for the City to go through this extensive process, affect the comprehensive plan amendment and rezone and thirty years from now say, 'Why isn't this developed?' Well, it won't develop because it's too darn costly. It doesn't pencil out. I think under any scenario this is a property that's played by economic realities. It'd be great if all this wonderful mitigation could occur, but somebody's gotta pay for that and there's plenty of available property in Monroe right now.

I mentioned before the Ford dealership sits there empty. There's no lack of commercial property in the City. In terms of, one of the issues that I think those of us who live on (*inaudible*), property owners (*inaudible*) to the north and I'm not a scientist by any means, but this concept of compensatory flood storage gives me (*inaudible*), because as I understand it what you're gonna be doing is you're gonna be cutting and filling and raising the property above the floodplain on this ten continuous acres of developable property. What that means is you're gonna move, divert, displaced water in other areas. The toll of that is slow, is already at risk of erosion and slow degradation and landslide so it seems to me, the water that you displaced is gonna move against the total (*inaudible*) and putting all of us who live there at risk. So somehow that issue needs to be effectively addressed.

There's expectation of heavy rain tonight and I'll be honest with you, every time it rains in the fall there's that worry, am I gonna hear some rambling in the middle of the night and so if the water level is increased by this displacement, this cut and fill, I'm, I don't understand that it's been effectively addressed and maybe that it has been, but I think that's an area that those of us who aren't scientist need more, a more plain explanation.

The other issue that's been touched on is the access issue and that's why I don't think the City should move forward until there's a complete and well understood relationship with WADOT as to how this property will be accessed. Probably under any scenario and the State has been pretty clear in its letters in the past that it's gonna to take a frontage road and a roundabout and we know those don't come cheap and I don't think the State is going to pay for those. The other question I think that somebody needs to address is, those of us who looked down on that property and over onto Highway 2, on Sunday afternoons, Saturday afternoons, it's backed up. Who in their right mind is gonna want to drive from Monroe out to the site whatever ultimately is developed there to fight the traffic and have a hard time getting back on the road and what happens when Highway 2 ultimately is a two-lane or a four-lane divided highway? And the only people who will access that site are coming from Sultan or Gold Bar.

So these are practical issues that somehow need to be taken into account and once again I think it comes down to economic and practical realities about can this property can properly developed? The other plan I'd like to touch on briefly is, Lowell has mentioned that the issue of the cut and fill and, and once again I'm not a developer and I don't understand construction very well, but if you're doing a lot of cutting and filling and this is in a floodplain, how do you assure that you're gonna have the appropriate foundation and subsurface support to (*inaudible*) or otherwise to make sure that the buildings or whatever ultimately is developed are sound and once again it gets to the issue of economic realities so those need to be carefully considered. One final minor point I now those of us who have opposed this have been accused of being involved in some unlawful or unconstitutional taking of the property. I would remind everybody the property was purchased was as limited open space. Nobody is taking anything. The only property owners who may be adversely affected and (*inaudible*) to some sort of taking are those of us on the hill, 'cause our property will likely be devaluated as a result of the general commercial zoning. And we're at risk. So we have a physical jeopardy that the property could be subject to landslides. So if there's a taking, we're the one the ones who are subject to an unlawful taking if you wanna make that argument. I'm not making it, but I heard a lot of propositions about that and to be perfectly honest it irritates me. Enough said. We'll be submitting our written comments as well by the 13<sup>th</sup>. Thanks.

**Paul Popelka**

Thank you. Next speaker is Jeff Sherwood.

**Jeff Sherwood**

I'm Jeff Sherwood. I live on 17493 136<sup>th</sup> Place Southeast here in Monroe. I am a member of the City of Monroe Planning Commission, but I'm not here to represent them or on their behalf. Also for, for disclosure I've appraised this property several times in the past and (*inaudible*) on the property line for the first time. I'm gonna try to keep my comments as quick as possible and more to the actual EIS.

The water is characterized as a type one water and I looked at RCW 90.58.030 and that twenty...222-16-431 and does not appear that this stream meets the requirements of a type one water in regards to its average in the flow. It maybe that there, I know there's a conversion underway of the stream types from numbers to whether or not they have fish being the greater priority and if there's fish issues that keep them as classification then so be it, but I am concerned that because I walked down the railroad tracks today and got beat by the 10:22 train coming through, but I looked down on the (*inaudible*) Skykomish River and the railroad tracks were about ten/fifteen feet above me. So I'm not sure that, except for a limited times in the year that there would be actual practical functional fish access through the (*inaudible*) that runs out of southwest corner of the property.

The shoreline designation is dubious at best I believe it was arbitrary and (*inaudible*) placed on this property for whatever reason and again a mistake in local statues it appears that it should not be designated as a shoreline. I don't think it meets the criteria to be a shoreline of the state by definition and I understand may be an expensive process to challenge that, but it's something that we need to look at I think as a City. And I looked at other shoreline designations both inside and outside the city limits and this one seemed to be a bit stance into, as to how it was placed on the property.

Throughout the EIS document there's a lot of language concerning enhancement of the wetlands and I understand if you go into the buffers or the wetlands themselves or the shoreline areas especially for compensatory flood storage creation that there would need to be some mitigation measures, but other than that I looked in the City of Monroe codes in regards to critical areas and I don't find anything that tells me that there is a mandated enhancement of the wetlands placed as permit condition on any particular project, whatever project may come along.

So the, an oxbow is by definition an abandoned channel. Most oxbows are cut off. This one probably is artificially connected to the Skykomish River (*inaudible*) property back in the day. Any case in trying to enhance this property from a wetland basis you are playing entropy because the natural order of a, an abandoned oxbow is that it will become (*inaudible*) overgrown and over time it will take on a different character than it did when it was originally abandoned. So what is happening here is completely natural and if you wanna reverse it that's fine, but that's public benefit, but I don't see how that becomes the property owner's responsibility to have to pay five or ten dollars a square foot in mitigation fees to enhance a wetland with plantings and clearing vegetation and considered to be unsuitable.

So to me that's and that's a large issue here that throughout the EIS document there's this thread of enhancing these wetland areas. If some particular user would come in and say enhancing the wetland areas would enhance the value of our property great, you know we get it free; otherwise it should be the public's money to enhance this property outside of any required enhancement associated as to a flood storage. Because this thing would only get filled in more and more. The water flow would become slower and the water would become aggressively more deoxygenated. Already all the water with little exception that supplies this area goes through a sand and gravel deposits that are on the hill above and when they did the work to install three, I think (*inaudible*) septic systems on the old Monroe golf course to support sixty to eighty homes they drill it and they found that that was the case.

Well, one of the characteristics of sub soils is that they are inherently deoxygenating because oxygen cannot penetrate more than a few feet into the (*inaudible*) just because of (*inaudible*) issues and all. So anyways the water goes in, travels vertically and it travels very slow horizontally. I don't see that there is a significant danger here that will be an accumulation of water in the stream that would cause an erosion of the bank, which would endanger houses and that indeed is the opinion of the engineer that you hired in his, you know work is in the EIS. There seems to be some confusion about where the water in the oxbow goes. I...I don't know, this issue has never been solved. I think that some of the water may go to the southwest and some may go to the southeast. There's a (*inaudible*) at each place along Route 2 and so I think it's just important if you want to get it factually correct to make sure you know where the water goes. The inference in the EIS is that the water comes from the east down a ditch, goes into the oxbow, flows around the oxbow and exits through the (*inaudible*) in the southwest corner of the property. I'm not sure that's entirely true.

I think something that would've helped in the EIS and I don't know if you have access to it, but would be a topographic map of, and I realize with the flood maps and a few of the other maps there's some implication in regards to (*inaudible*) and whether you can do it through (*inaudible*) or some other means, but it would just help from a conceptual basis to understand the property physically to have a topographic map at (*inaudible*) whatever would be (*inaudible*). I know that the, that the flood issues have been raised and the Snohomish County flood map that I looked at is different from the (*inaudible*) map and that it shows the either Route 2 and/or the railroad as being functional (*inaudible*) and I understand it was language in the Environmental Impact Statement, the draft, that indicated that that issue may not have been settled between the feds and the number of local jurisdictions. I heard and I don't know if this is true and I need to be elucidated on this point as whether or not the City of Monroe has adopted the (*inaudible*), which I think is definitely a premature decision.

This is something that I understand that there tends to be this inflexibility within the Growth Management Act in regards to the supply of utilities to properties that were inside the urban growth area and I think in this particular case if there's any possibility that at least we need to ask this question back in the day when we first looked at this, whether or not the utilities, some of the utilities at least,

could be supplied onsite through a well and/or septic system, because the septic system up on the hill is functioning quite amiably as I understand it. So I think that possibility exists, because one of the things we talked about here is the Environmental Impact would be a much bigger environmental impact extending public utilities out to the site rather than accommodating them onsite. The technology exists. Obviously we have adequate hydraulic pressure at this site that we could get, you know adequate water supply.

I understand that would be a project specific issue if (*inaudible*) came in and it would just have a couple restroom like a box store the water and sewer usage would be very low where as if you have (*inaudible*) something residential then indeed you may have to extend the utilities. I think it's just something we need to look at because it is an issue that I think a lot, it can be a lot of cost saving for the City, a lot of less risk, because in the last commission meeting there was a discussion regarding utility risk, extending utilities, spending all this money and then the whole thing going flat. So just something to consider and see if there is some sort of a variance that might be possible in that regard. One thing that would help is, knowing the dates of the imagery in the report, because you look at one image another image and there seems to be some changes. It would just, it would just help to have that. And my, my last point is, because this Pandora box has been opened, that the issues of economic feasibility really are not ours to address. Anybody who would take the risk of buying several million dollars worth of property is gonna do their own feasibility analysis and it's up to them to make a decision whether or not they want to buy the property. We know as evidence by this attendance that any project that will ever get done on this property would be so heavily scrutinized that anything that would be done there would not be a stance. I think we can assure ourselves of that. Thank you.

**Paul Popelka**

Thank you Jeff. Next speaker is Doug Hamar.

**Doug Hamar**

Doug Hamar, 21122 Calhoun Road.

First I want to say that really good presentation. You know I mean this is so much better than the one that was done before. You did a really good job and if I hadn't done a ton of research on this project I might've been swayed somewhat, but I have done a lot of research and in all the things that come up after the, from the last speaker is that a lot of the assurances they're given about how, you know nothing is gonna be, is gotta be done this way. Is gotta be done, obviously not necessarily. I mean never (*inaudible*) stuff.

The property question is not just a floodplain. It's the old oxbow river and it's still (*inaudible*) still intimately connected to that river underground and above ground. There, there's an old, there's an old oxbow in Burlington where half the city of Burlington is sitting on that piece of ground, but it's five miles long. It's a mile across. It's, it's certainly more elevated from the river than this property and it is (*inaudible*) entire length and beyond. So it's totally different from this property. In no regard, there's no, there is no...I've...I've looked and I searched the entire state. There's no other oxbow in the state that has abandoned oxbow; let's even call it, that, that has commercial development. And, now there's a reason for that. It's not the wise place to build. I doubt that there's very many, in any state that have commercial development on them. They're really not suitable for structural human habitat in the first place.

Now (*inaudible*) like that you really you should have really, really compelling reasons for doing so and so far foremost important reasons by the advocate is to respond to some desperate short falling commercially developable land along on SR 2. Now while there may be a shortfall somewhere along 2

from here to Main. It doesn't exist here in Monroe and I, I was interested that you said, 'Someone told us that there was a shortfall.' Who told you and what evidence do they have? Because there is no, there's no, there's no hard evidence that that exist. The only hard evidence suggests exactly the opposite. There's, there's a hundred forty-eight thousand square feet of retail space available in Monroe right now. The 2012 Snohomish available buildable lands report says that Monroe has an adequate amount of buildable land to meet its employment needs if commercial (*inaudible*) meet employment needs until 2025. But the average price of commercial retail property in Monroe has dropped by eight percent just in 2013 so it's really, there's no need.

And there isn't none in the future like I said. There's a huge difference between the needs of a particular property owner (*inaudible*) on their investment and the needs of developers to develop a piece of property, because that's what they do and the needs of some big box retailer to have another store, because that's what they do and the needs of the community of Monroe, which is what really the City had to be representing. And I, I, I'm just totally flabbergasted by anybody who can honestly convince themselves that signing yet another big box retail discount store a mile and a half down the road it's completely isolated from what everybody knows as Monroe. There's somehow gonna enhance the retail environment in Monroe. You know, how does that work? (*Inaudible*).

It's really, it's really not a buildable piece of property for...for anything (*inaudible*) and according to a study that just came out, FEMA published in June about how climate change is likely to affect flooding. The river environments of the Northwest can expect the highest increase in the area of special flooding zones, which this property is in and the only way to get it out of it is to bring these forty-six thousand cubic yards of soil and raise it up. (*Inaudible*). If you're looking at their map and it looks to me like they (*inaudible*) expect that about twenty to forty percent increase in those zones by 2020 at a hundred percent, ninety to one hundred percent by the end of the century. So really I don't I don't think this is a really great time to build and nobody's building for all those years so there's, there's a reason for that.

And Jeff is talking about the some confusion under compensatory storage. I, I can (*inaudible*). You know I'm not a (*inaudible*), but what, what I read in this thing is it, it all started as forty-six thousand five hundred cubic yards of (*inaudible*) we're going to move over here. I can take forty-six thousand five hundred yards there and it's just an even swap. Well, in the DEIS they suggesting digging this compensatory thing, actually I'm worried it's already below (*inaudible*). So what you're doing is you're taking; you're removing forty-six thousand five hundred cubic yards sponge that's full of water and replacing it with one, with a brick basically, 'cause that's what you need as a (*inaudible*) for constructing in something that actually will hold it up. And I don't see how that adds up to no increase flooding.

There's only, and, and the other problem I have (*inaudible*) is that it keeps relating back to the municipal code of Monroe as, as the final arbitral on this stuff and in my opinion, especially in the flooding areas there's, there's holes in there big enough to drive a dump truck to. I mean one, it says there'll be no construction allowed in a flood (*inaudible*) that would increase flooding by one foot in the community. (*Inaudible*) what, what defines a community and how do you track something like that, how can you ever enforce something like that? A flood, a flood water going somewhere else. You know how, and, and attributing into some particular piece of construction, to me I, I, again this is something that seems impossible and a foot of water spread out on the entire community is a hell of a lot of water.

Anyways those are my two takes. I thank you. I will compliment on the presentation. It was very good. Thank you.

**Paul Popelka**

Thank you Doug. Next speaker is Thomas Minnick.

**Thomas Minnick**

Actually now that I understand the limited scope of this, I don't have anything to add.

**Paul Popelka**

The next person I have signed up is Bob Martin.

**Bob Martin**

Thank you. My name is Bob Martin. I live at 103 East Rivmont Drive, Monroe.

My comments will be brief. I want to add my voice to the three speakers who have had concerns about this project previous to me. I'm not gonna reiterate their concerns, but I do support them. In particular my, my biggest concern is the water issue on my property and I got our property, we've had several incidents of unstable episodes in front of us, slides and nothing that I heard gives me much confidence that any proposed impact from development would not impact at all on the water table in front of my property and that's my biggest concern.

As well, I don't think it's, I, I think it's fair to say that any use of this property in a commercial development it's bound to be more intentionally than in most respects than, than five residential development that would be permitted or any other use that would be permitted on the current zoning. There is also as a member of the planning commission from 1998 through 2004, which I was, we dealt with this property on at least two occasions, maybe three on proposals relating to comprehensive plan or comprehensive plan amendments and I never saw one nor have I ever seen or heard about any detail analysis by the City of proposed utility extensions to this property.

It has been historically the property was always considered to be protected gateway into the east, southern Monroe. That's the way we always felt that it was most appropriate was my understanding why the property was bought into the City in the beginning and I think that's the way it gotta stay. Thanks.

**Paul Popelka**

Thank you Bob. Is there anyone else, anyone else who has not signed up and would like to speak?

**Steve Jensen**

I think I might. I'm...

**Paul Popelka**

Go ahead.

**Steve Jensen**

(*Inaudible*). My name is Steven Jensen. I am, my address is 17041 155<sup>th</sup> Street Southeast here in Monroe. I am also a member of the Monroe City Planning Commission and I'm not here on their behalf or in any way representing them tonight. I'm just myself.

It was mentioned earlier part of the municipal code that defines limited open space and you read part of it, but I'm gonna read the rest, which says: this zone also provides a buffer between urban areas and transitional land uses on the urban growth boundaries of the city and/or may also provide for enhanced recreational facilities and (*inaudible*) to existing trails or open space.

So if this is in fact intended as a City to be one of these buffer areas between other open spaces in the city I'm not sure that any other development at this location is appropriate, because of why, why it was, why, you know it's zoned limited open space for a reason. It's not just somebody who flipped a coin and told us that.

But what I wanted to really bring up was, and it's a beautiful presentation, but there is I think a series flaw and what I want to point out is I was looking up, I'm looking at the part, the, you showed under Alternative One what can potentially be done with the property today as limited open space and, and you show in there a potentially open space, a potential Health Club I think you had potentially built on there, because under the, and it is (*inaudible*) municipal code there's a lot of things not allowed there. You know (*inaudible*) to farming and some green houses and (*inaudible*) plants or whatever it is and you can't do it on open space and you use of probably farmland or whatnot, but then as I look through here and I looked through your charts you made, there's one thing that stands out and to me it looks like an (*inaudible*) and that is the Health Club that's marked in the chart as P, which is permissible. To me a Health Club, as you might define it as a physical structure is a commercial entity. If in fact and I, if in fact that P, in my mind I believe that's a mistake and if I, you know, when looking back doing, planning council business I'm gonna be looking into that mistake, because I don't think it can, commercial anything should be permissible in limited open space.

And to add to that the other option and things like a daycare, they are conditionally used and the conditions on there are quite restricted in fact, but I believe under the daycare it said (*inaudible*) it said, it was under group homes or something, it was, it would have to be an essential public facility to be permitted, which I doubt is gonna be the case out there.

But if chance is not a mistake and you really thought you could put a Health Club out there, what's missing and it's on the last page of your thing, is parking lots. On right here it's not even got an A under general commercial is listed as A, meaning accessory, meaning you can build your building and you can have accessory parking lot. You can't have an accessory parking lot on limited open space. So yeah, maybe you could go out there and build you a nice little Health Club and nobody can go there, because you can't have a parking lot. And yet you based that as your no action alternative one. I find alternative one seriously mistaken, because of that. You'd assume sixteen hundred car or trips in and out of there of this place and there's no parking. So I think that my second problem is that you've taken the alternative one and put it to its maximum (*inaudible*), you know the worse that you can build out there with parking and the most trips than alternative two and three don't look at the maximum. In fact you've taken the opposite push and all of a sudden we're taken the worst case scenario and taken the least amount of land we think we can develop on, eleven some acres.

I would like to see an alternative that says, maybe alternative three would be more appropriate if it said this is what would happen if in fact the regulations weren't so tight or they don't change. We might see they could change or other evaluations that hey we found we can actually build on twenty acres. To me that could be a more appropriate use of the alternatives in the EIS rather than just three cookie cutter things that by design have been made to look very similar where in fact alternative one no action is very, very wrong, because it, you painted on there, you actually said parking lot on your draft so I'll probably more comments, not here, but later (*inaudible*). That's what I have to say tonight.

**Paul Popelka**

Thanks Steve.

Is there anyone else who would like to speak? Okay, seeing, seeing none, no other speaker, we'll close the public hearing and as reminder the Planning Commission does meet next Monday night, the night of September (*inaudible*) more discussion at that point and just very quickly in terms of process of this (*inaudible*) plan amendment and two other (*inaudible*) that we have will be processed between now and December. This EIS (*inaudible*) will be found in the parallel path with the other (*inaudible*) amendments, including East Monroe, although I will simply say that the final environmental impact statement from us will be completed and go through appeal (*inaudible*) and so forth and be cleared before actions taken on the (*inaudible*) amendment for East Monroe.

With that I will close this public meeting and I sincerely thank you for your attendance and for your input.