

March 26, 2012

East Monroe CPA
806 W. Main St.
Monroe, WA 98272

RE: Draft Phased Environmental Impact Statement for the East Monroe Amendment to the City of Monroe Comprehensive Plan and Concomitant Rezone – February 2012

To Whom It May Concern:

I welcome the opportunity to submit comments on the Draft Phased Environmental Impact Statement (DPEIS) that was submitted February 2012 regarding the proposed amendment to the City of Monroe Comprehensive Plan for rezoning approximately 50 acres of land in East Monroe from Limited Open Space to General Commercial. I have many concerns regarding this possible rezone which stems from being a Monroe citizen, a father with young children and a contiguous property owner. The possible rezone of this property could put my family and many others in harms way if the obvious environmental concerns are not properly addressed of which the current DPEIS fails to achieve.

Comment noted.

The purpose of an environmental impact statement is to determine what environmental impacts changing the zoning would have which this DPEIS fails to achieve. The DPEIS has a recurring theme throughout that the proposed action of changing the zoning has no environmental impact. I want to know what the environmental impact would be once it would be built out as a commercial property. I think the DPEIS needs to address the effects of several different types of commercial development. If a commercial property were built we know that it would most likely involve needing access, utilities, a parking lot, a building and lighting yet this is never discussed in this proposal. If the zoning were to change from Limited Open Space to General Commercial, the property owner would expect to be allowed to develop the property for commercial use. By changing the zoning the City of Monroe would establish that the intended use of the property is commercial. The city could probably be sued by the property owner (present or future) if they were not allowed to use the property commercially. The property is also currently being advertised for sale for future general commercial with the advertisement reading great location for big-box retail, gas/convenience store, shopping center, etc. These are the types of build-out that should be addressed in the DPEIS. The city would be negligent by not requiring an environmental impact statement addressing how

Comment noted. This is a non-project proposal.

commercial development would affect the environment prior to a rezone of the property. The document does state that future development would be required to supplement or amend this environmental impact statement but fails to mention that the property would ever be evaluated as a whole again. I want to know the impact of a full commercial build-out on the property. If there is no intent to do anything there is no reason to rezone.

The floodplain definitely needs to be more closely evaluated than it is in the DPEIS. The DPEIS incorrectly states that the project area is located in the shaded X area which is defined as area 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 per the 1999 flood insurance rate maps (FIRM). This information is incorrect as the current adopted FIRM was revised and the currently adopted FIRM has a revision date of September 18, 2005. The currently adopted FIRM dated September 18, 2005 does show the property to be classified as Zone AE. The DPEIS then goes on to state the properties are now shown to be Zone AE with base flood elevation of 66 feet and 68 feet on the 2007 FIRM which has yet to be adopted. The DPEIS then states that the adoption of these new designations has been delayed due to concerns of whether non-certified levees can be used to remove floodplain areas from a special flood hazard area. More research on the 2007 FIRM can substantiate that the reason for not yet adopting this map is due to a series of appeals regarding levees on specific properties. From my research of reading 30 pages of appeals I see no appeals regarding these properties. Here is what we do know:

- Monroe Municipal Code 14.01.050 states that the currently adopted FIRM's are dated September 16, 2005.
- Both the currently adopted FIRM and the proposed 2007 FIRM show the base floodplain level is between 67 feet and 68 feet.
- Both the currently adopted FIRM and the proposed 2007 FIRM show the properties are within the Zone AE floodplain.
- The properties elevations are considerably lower than the floodplain elevation averaging around five feet below the floodplain elevation.
- A stream runs through the properties and is connected to the Skykomish River.
- The stream runs through large culverts under the highway and railroad at both the East and West end of the properties (obviously this can't be considered a levee).
- The property is known to flood and has flooded many times. Many have commented on the floods they have seen since living here. Pictures of many floods have been submitted for review during the pre-docket review of the property.
- The property relieves flooding in other areas by acting as a large water storage area.

Comments noted. The Flood Insurance Rate Map for this area is Map Number 53061C1377 E with an effective date of November 8, 1999 which shows the property as "Shaded X". Page 14 of the EIS notes that this is a frequently flooded area and as such further study is required when a pspecific project proposal is submitted.

The above facts alone should be enough to realize that this DPEIS does not provide nearly enough information on the environmental effects of commercial build-outs of these properties. What amount of fill would need to be brought in? How much water storage would be lost during a flood? What effect would this have upstream and downstream (the water has to go somewhere)? Who pays for the flood clean-up? Having all this information as part of public record would again put the city at risk of negligence if they allow build-out of these properties.

A concern of mine and other contiguous property owners is the danger of landslides. A build out on these properties would channel the water more into the hill side which creates the potential for a large landslide risking both property and the lives above and below. The DPEIS on page 10 does show that the area to the North is in a landslide hazard area. The DPEIS does mention future build out would increase these risks but fails to provide any real information on risks associated with a commercial build-out of these properties. If land slide problems develop on the ridge to the North the properties on top of the ridge will become worthless, who will reimburse us for our losses? The potential effects of General Commercial development on the project site needs to be evaluated by a qualified geotechnical engineer and should be included in the Environmental Impact statement. This is a life safety issue.

The DPEIS discusses Noise with no real study on the effect it would have. The DPEIS simply says the Noise would need to comply with the maximum allowed sound pressure level. Taking a quiet neighborhood and turning up the Noise to the maximum allowed level does not meet the goals established within the City of Monroe Comprehensive Plan. The goals established in the Natural Environment Element are NEG6.1 – *“Preserve the quiet residential environment of the city by limiting increases in noise and reducing unnecessary noise where it now exists.”* The DPEIS should further evaluate the effects of various types of commercial uses as to the expected Noise levels. Sound carries and it would add a lot of noise to a quiet residential neighborhood both during the day as well as night as trucks make deliveries. A noise in an open air environment only reduces by 6dB every time the distance is doubled. In the middle of the night a truck makes a delivery - here is how sound carries – 84dB at 10’, 78dB at 20’, 72dB at 40’, 66dB at 80’, 60dB at 160’, 54dB at 320’. A second truck pulls in and all of a sudden it is 57dB. Two more trucks and it is 60dB. At night the dB level at my home is under 40dB so this would be a drastic change from just a few trucks. I do not see any mention of any dB level studies anywhere in the document. Comments noted.

The DPEIS discusses Light & Glare with no real studies on the overall effect of different types of commercial use. Light is normally measured in lumens which I do not see any mention of in the DPEIS. The night sky from our residential neighborhood is currently very dark and we can see the stars at night. Will my children continue to be able to see the stars? The City of Monroe Comprehensive Plan Natural Environment Element has the following goal – NEG6.2 – *“Protect*

the dark night skies in Monroe's residential neighborhoods." I do not see how the DPEIS addresses this. Comments noted.

How will the air quality be affected? The next goal is NEG6.3 – *"Protect and improve local and regional air quality."* The homes up on the bluff above have a continuous updraft coming from the properties below. All fumes originating from potential development would travel up the slope and into our homes. More information on this should be provided in the EIS.

Transportation is also briefly discussed in the DPEIS with no real solutions. I would think you would need to review this as a worst case scenario using the additional 8000 trips on a Saturday as the bases for impacts. More information is needed on how this traffic load could be supported. How much would it back up traffic coming to Monroe, getting across town, etc? How many accidents would result from the added congestion. The State Route 2 Safety coalition has expressed their concern about egress to the property. The DPEIS also discussed a frontage road. Who would pay for a frontage road? How much of the property would be needed for the frontage road to better understand how much remaining available buildable space would remain? Comment noted. See pages 26-27 for WSDOT mitigation measure and requirements.

In conclusion I feel that the current DPEIS is very incomplete and lacks the necessary information to be able to make an educated decision regarding rezoning the properties involved from Limited Open Space to General Commercial. I feel as a property owner, WA state resident, father of three children, a hard working citizen that I have the right to a full Environmental Impact Statement which is an in depth study of all the potential impacts that could be a result of future commercial development on these properties as it will directly impact my life and others.

Sincerely,

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A phased EIS is provided for in WAC 197-11-060(5). This non-project proposed action is a policy decision for the City Council on the type of land use that will be allowed on the eastern gateway to the City of Monroe. The phased EIS outlines the potential impacts that may occur with future development if the land use designation and zoning classification are amended. As there is no specific proposal at this time there are no specific impacts to analyze. The use of the phased EIS recognizes that while the proposed action does not have any significant environmental impacts there may be future impacts and as such requires further environmental review when specific projects are proposed.