FH DEIS: Public Hearing John McLaughlin

Thank you for providing an opportunity to comment on the FH DEIS. I commend you for your attention and your patience. I hope you will recognize the numerous, even passionate comments as evidence that this community shares your strong interest in our home and your commitment to stewardship.

I will provide detailed comments on the DEIS in written form. I will not occupy your time or that of my fellow citizens with those details here. Instead, I want to emphasize several themes from my comments that, if heeded, will support your need to obtain an adequate EIS. I will focus on impacts to plants and animals, section 3.4.

(1) Immense volume of information provided @ EIS scoping hearing in January 2008. Came @ substantial cost of public time, effort, and thought. Much ignored, dismissed, or otherwise not addressed in DEIS. Represents an affront to the public, whom you are supposed to serve. As a consequence, your credibility will suffer unless corrected in EIS.

(2) Data = plural. Datum = singular. Using "data" in the singular in a scientific analysis (throughout DEIS) undermines its credibility.

(3) The EIS should state impacts in absolute terms, not relative to the most damaging alternative. If you run over a salamander with 100 trucks, you will kill it. If instead you run over that salamander with 50 trucks, you still will kill it. Describing the latter scenario as "reduced" mortality would be dishonest. Most impacts to flora and fauna will be "significant," and the EIS should describe them in absolute terms. Obscuring those impacts with relative descriptions ("reduced impact" or "increased buffers") is misleading. By repeating this practice throughout, the DEIS becomes disingenuous.

(4) Consequences of wetland impacts.
Quote WDFW biologist Brian Williams, comment on Bellingham Draft CAO (10/3/2005)
Comment addressed stream buffers; applies equally to wetland buffers.

> "The stream buffer widths … were developed through WDFW's review of the Best Available Science to protect, enhance and maintain the structural and functional integrity of riparian habitat and associated aquatic systems. Whenever these stream buffer recommendations are compromised, it should be done with the full knowledge that the structural and functional integrity of riparian habitat and associated aquatic systems is also being compromised."

Planning staff ignored Brian's warning, and wetland buffers in current CAO compromised BAS. Compromise #1. Buffers in the old Wetland and Stream Ordinance, which FH claims vesting under, compromises on the current CAO further – by 50% on wetland buffers of concern here. Compromise #2. FH development alternatives violate even those minimal buffers. Compromise #3. Minimum wetland protection would be compromised to the 3rd order!

Further, wetland fills (destruction), including Category I wetlands, and isolating the remaining wetlands from each other, surrounded by high intensity development: buildings, pavement, contaminated runoff.

Be honest about wetland impacts: development proposals would degrade an integrated forested wetland system supporting sensitive plants and animals into several isolated mud puddles containing a few urban-tolerant tramp species.

(5) My comments on the EIS scope and on the wetland and stream application provided detailed critiques of the flawed methodology and conclusions of technical documents supporting this DEIS. Those included warnings that many of the wetlands are Category I, which proved true. Unfortunately, the DEIS did not correct most errors, but rather incorporates those documents almost without question. This means analyses of impacts are based on incomplete and unreliable information, and its assessments cannot be considered reliable. For plants and animals, that means we do not know what rare or sensitive species might use the site. SEPA (WAC 197-11-080) requires that this information be obtained and included in the EIS. If the lead agency (COB) decides appropriate flora and fauna surveys cannot be done or would be exorbitant, SEPA dictates that the EIS apply a "worst case analysis." Here, that would include potential Marbled Murrelet nesting on the site, and impacts to this federally protected species. Instead, COB should require appropriate and complete flora and fauna surveys in the EIS.

(6) Division of wetland CC into CC1 and CC2 dubious.

– NES good record delivering results favorable to client, but poor scientific credibility. (Refused to recognize Category I wetlands for years, until forced to.)

– City's arborist report shows wetland tree (large W.red cedar) @ "upland" neck between CC1 and CC2. Very doubtful that this "wetland" tree would be growing in "upland" soil, as claimed by NES.

– NES' soil pit 21 (in NES memo 8/17/2009) is located at or very close to GeoEngineers' Test Pit 23. Perhaps the "very dense, gravelly, and compact" soil described by NES within an otherwise continuous wetland actually was due to GeoEngineers backfilling their test pit.

– Regardless, NES' division of wetland CC requires careful verification, which DEIS does not provide.

(7) Foreclosed options: mitigating hydrologic impacts of climate change

– wetlands = source of cold, clean H2O @ summer low flow, when most needed in Padden, Chuckanut Creeks.

– Climate change forecasts => low flow will decrease markedly

– Wetlands on site can provide some mitigation for climate impacts

– if develop FH, then will foreclose on this option, with severe consequences for creeks and salmon they support.

(8) Regional analysis reveals ChR to be a keystone habitat, as described in EIS scoping comments. Development would impact flora and fauna throughout region, as well as on-site. Credible EIS must evaluate those regional impacts, but the DEIS fails to.

Conclusion: Bill Peet's book *Farewell to Shady Glade*. Touching story; animals facing bulldozers about to destroy their forested wetland home. Story has a happy fairy tale ending, when animals ride a passing freight train to a new home. We do not live in a fairy tale, and no such option is available to wildlife @ ChR. All but common urban species will perish, but the DEIS obscures this outcome with obtuse generalities. Worse, we may never know what is at stake, because the DEIS is based on flawed and incomplete studies. Relying on it for environmental review is asking us to throw away treasure without checking what it contains. Please go back and do the EIS right.