Public Comment submitted for Nov. 24, 2020 hearing
Regarding Point Wells

From
Betty Ngan
2432 NW 201st Place
Shoreline, Washington…

Mr. Examiner, BSRE’s proposed buildings east of the railroad tracks are located in a landslide hazard area. And the second access road is located in a landslide hazard area. BSRE has submitted a deviation request to allow it to build in a landslide hazard area.

The County’s landslide hazard rules are designed to protect the public’s health and safety. There has been lots of testimony about the boundaries of the landslide hazard area, and the landslide hazard rules.

With all this attention on the landslide hazard rules, why is it that the County, and you too, Mr. Examiner, in your 2018 decision, use outdated 2007 landslide hazard rules to assess Code compliance?

The public's health and safety should be of paramount concern. The more protective post-OSO landslide hazard rules, adopted by the County in 2015, should be applied to this project.

Under the post-OSO rules, the landslide hazard area is about four times greater than under the outdated 2007 rules.

Under the post-OSO rules, the landslide hazard area would extend considerably west of the train tracks.

The post-OSO rules also require a more comprehensive geotechnical report which, among other things, must include:

"a hazard analysis and finding of risks associated with geologic hazards and the potential impacts to public safety, the hazard area and the subject property."

Such an analysis would, for example, address the risk of a big landslide pushing oil cars off the tracks, or freight cars carrying other hazardous substances, and the need for extra-wide berms and extra-wide retaining walls to protect the residents of the proposed development from derailments.

Mr. Examiner, safety takes priority over vesting. No developer has a vested right to endanger the public's health and safety.
Mr. Examiner, we ask you to please deny BSRE’s applications, and in your written decision, please declare that BSRE is not vested to the less protective 2007 rules that were in effect when BSRE submitted its applications in 2011. Please conclude and declare that the post-OSO landslide hazard rules apply to BSRE’s project.

Thank you.
Dear Mr. Examiner,

Please find attached my written comments which I will present tomorrow 11/24/20 during the public comment period.

Betty Ngan