

ADAMS, JOHNSON & DUNCAN, INC., P.S.

A Professional Service Corporation
LAWYERS

BANK OF AMERICA BUILDING, SUITE 616

1604 HEWITT AVENUE
EVERETT, WASHINGTON 98201

THOMAS D. ADAMS
tda@adamslaw.cc

TELEPHONE: (425) 339-8556
FACSIMILE: (425) 339-2353

FROM: Thomas D. Adams

DATE: August 31, 2006

FAX COVER SHEET

TO: Ms. Jennifer A. Dold
Bricklin Newman Dold, LLP
Business (206) 264-8600
Fax (206) 264-9300

Re: *Panther Lake*

MESSAGE:

NUMBER OF PAGES FOLLOWING THIS COVER SHEET: 37

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8/30/02

MR. Backstein

This letter is in regard to the Panther Lake Ridge Development.

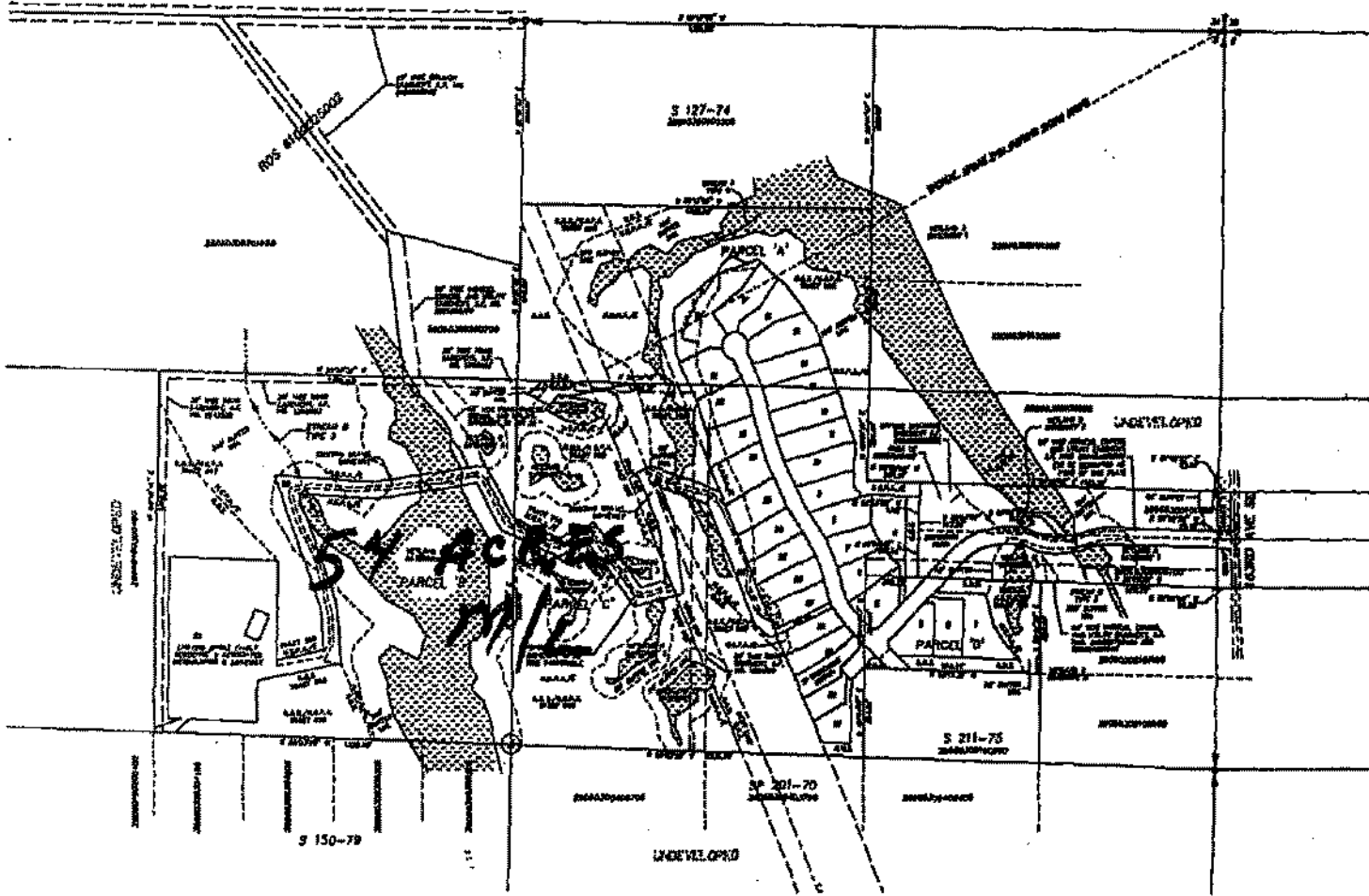
The western and central portion of this land block, a 40 acre and a 14 acre piece, are totally unacceptable for development. The streams, beaver ponds, minor and major wetlands are a animal wild life habitat. Septic systems, roads & detention ponds would destroy this pristine environment forever.

We are totally apposed to any development of this 54 acres.

We are in favor of the development, as long as the 54 acres are declared open land and that there will never be any development, as we have been told by Wayne Fjelstad.

Michael J. Candener
Juatha A. Candener

SW 1/4, NE 1/4, SE 1/4 NW 1/4 & S 1/2, NW 1/4, NE 1/4 SECTION 3, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M.



SITE LAYOUT PLAN
SCALE 1" = 500'



- VERTICAL CURVE
- SECTION CORNER
- QUARTER CORNER
- CORNER OF SECTION

WETLAND NOTE
WETLAND INFORMATION FOR THIS PLAN PROVIDED BY WETLAND SERVICES

- LEGEND
- [Pattern] SHADING WETLAND
 - [Symbol] SECTION CORNER
 - [Symbol] QUARTER CORNER
 - [Symbol] CORNER OF SECTION

REVISIONS

NO. 1	DATE	DESCRIPTION

HARMSEN & ASSOCIATES INC
 PROFESSIONAL ENGINEERS - LANDSCAPE ARCHITECTS
 163RD AVE SE (PANTHER LAKE RD)
 PANTRY, MN 55045
 PHONE: (763) 479-1111
 FAX: (763) 479-1112



PANTHER LAKE RIDGE
 PRELIMINARY PLAN
 RURAL CLUSTER SUBDIVISION
 163RD AVE SE (PANTHER LAKE RD)
 SITE LAYOUT PLAN

DATE: 8/31/06
 P2.0
 SHEET 2 OF 21

PFN# 04-112029

August 8, 2006

Robert Backstein
Hearing Examiner
Snohomish County
M/S 405
3000 Rockefeller Ave.
Everett, WA 98201

Dear Mr. Backstein,

This letter will communicate to you my concern regarding any residential development in the western or central areas of the proposed Panther Lake Ridge project due to visibility issues. The area that has been referred to as the 'alternative area' which is west of the BPA power lines and east of Wetland F is a prominent topographical feature in that it is part of the same eastern ridge where the developer, Cimarron West, LLC has proposed to place it's housing cluster. This area east of Wetland F rises above Wetland F and is visible from my property which is adjacent to the south of the Cimarron property (see attached map), especially in winter when the leaves are off the trees. Homes built in this 'alternative area' would be very visible from my home.

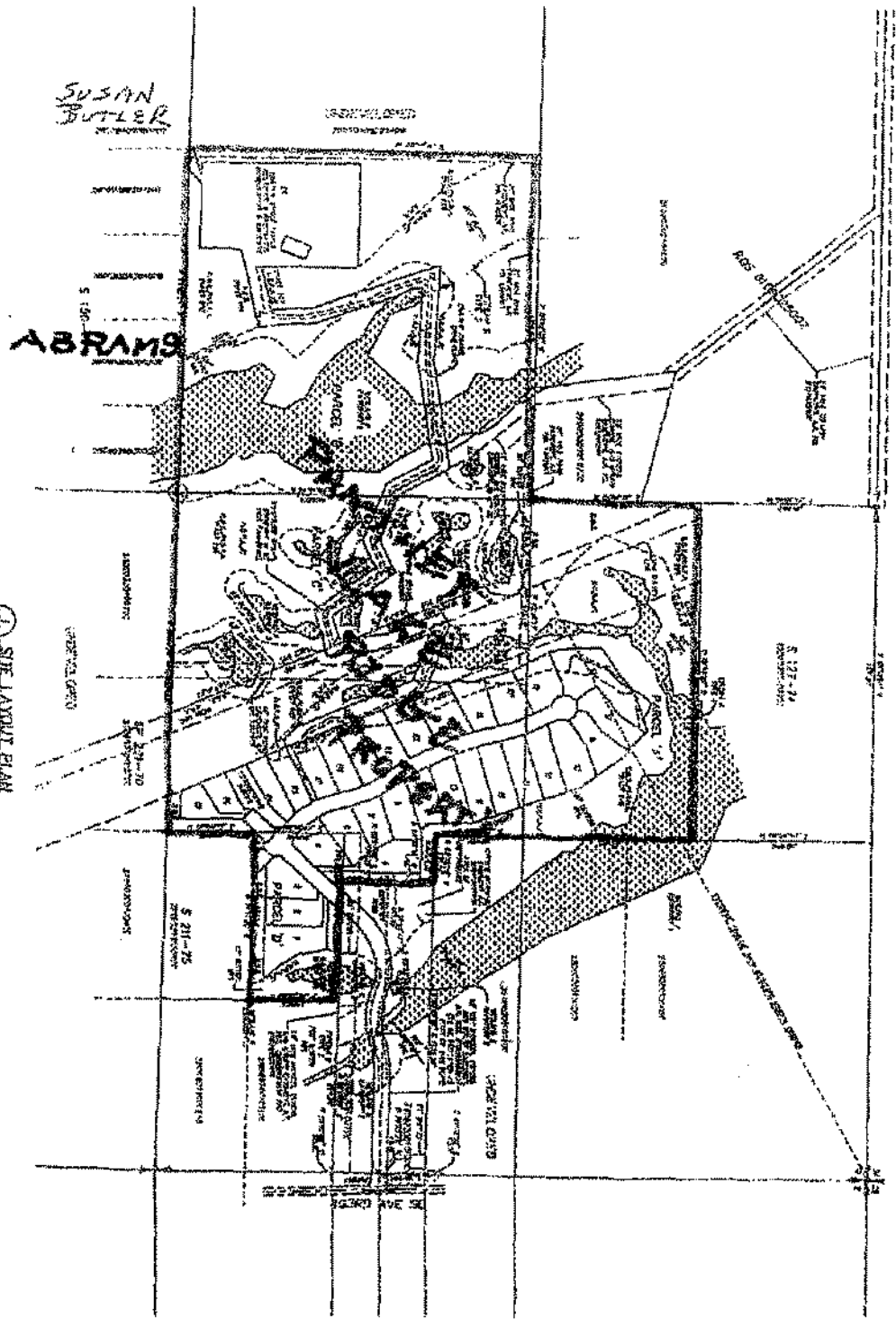
Sincerely,



John Abrams
P.O. Box 40
Snohomish, Washington 98291

Cc: PDS, Snohomish County

SW 1/4, NE 1/4, SE 1/4 NW 1/4 & S 1/2 NW 1/4, NE 1/4 SECTION 2, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M.



SITE LAYOUT PLAN

GENERAL NOTES:

- 1. THE SHADING INDICATES THE EXISTING UTILITIES.
- 2. THE SHADING INDICATES THE EXISTING UTILITIES.
- 3. THE SHADING INDICATES THE EXISTING UTILITIES.

LEGEND:

- EXISTING UTILITIES
- PROPOSED UTILITIES
- PROPOSED ROAD
- PROPOSED LOT
- PROPOSED LOT
- PROPOSED LOT

GENERAL NOTES:

- 1. THE SHADING INDICATES THE EXISTING UTILITIES.
- 2. THE SHADING INDICATES THE EXISTING UTILITIES.
- 3. THE SHADING INDICATES THE EXISTING UTILITIES.

PRMA 04-112828

P.2.0

PANTHER LAKE RIDGE
PRELIMINARY PLAN
RURAL CLUSTER SUBDIVISION
T36D AND SE (PANTHER LAKE RD)



HARMSEN & ASSOCIATES INC
CONSULTING ENGINEERS - SURVEYORS - LANDSCAPE ARCHITECTS
1200 WEST 14TH AVENUE, SUITE 100
DENVER, COLORADO 80202
(303) 733-1111
WWW.HARMSEN-AND-ASSOCIATES.COM

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/31/06	ISSUED FOR PERMITS

August 8, 2006

Susan Butler
6102 151st Avenue SE
Snohomish, WA 98290

Robert Backstein
Hearing Examiner
M/S 405
3000 Rockefeller Avenue
Everett, Washington 98201

Mr. Backstein,

I own 5 acres adjacent to the proposed Panther Lake Ridge plat near Snohomish. As a long time owner of my property, I have been watching the proposed Panther Lake Ridge project with interest.

My view is that the applicant in this case, Cimarron West, LLC has made the proper decision to place the lots on the far eastern portion of the site, and avoid the Western Ridge, the numerous wetlands which dominate the central portion of the site, and the ridge area directly west of the BPA power lines. I lived in this area when I was young, and know the property around here very well. I hiked in the proposed Panther Lake Ridge property with my brother many times, crossing through the beautiful woods, with its fish bearing creeks, beaver dams, and ponds. The property is fairly simple. It has an eastern ridge that is very wooded on the east side of the BPA power line. This eastern ridge extends all the way to Wetland F, and the area west of the BPA power line in particular is very visible to adjacent properties to the south because it sits high above Wetland F. Then, going east to west, you come to Wetland F (with its many species of birds and bull trout), and further to the west and directly adjacent to Wetland F is the Western Ridge. The Western Ridge of the Panther Lake Ridge RCS is very visible from my home, especially in the wintertime, when the leaves are no longer present. We would be able to see homes built on the Western Ridge, and they would be even more visible once trees are cut down to make room for the houses.

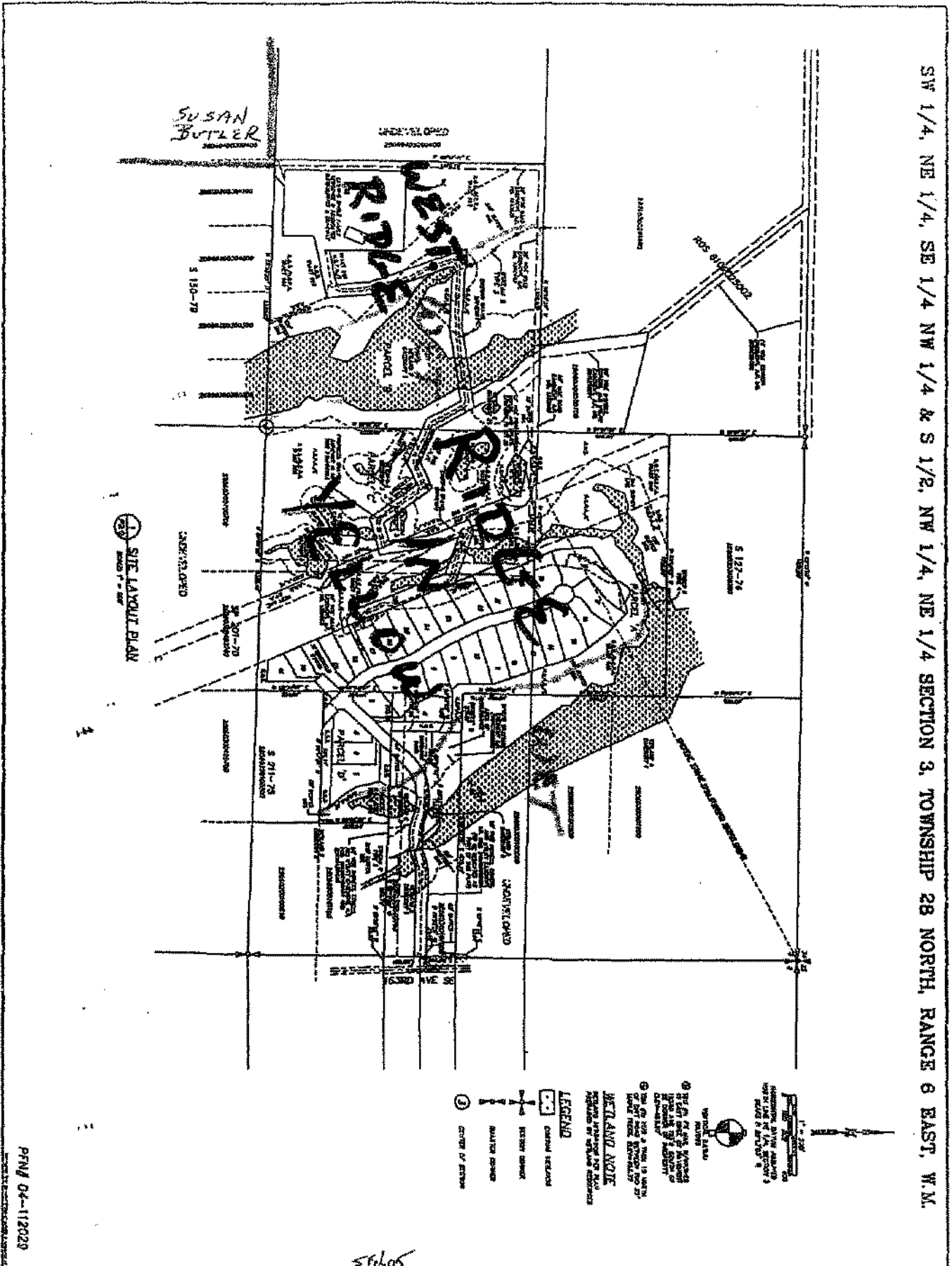
The Western Ridge is a high point for miles around to the west. Summer and winter, we can see all the way to the City of Snohomish and the City of Everett from this Western Ridge. If development were to occur on this Western Ridge, the area would be de-forested and homes would be built that could be seen from virtually every direction.

Sincerely,



Susan Butler

CC: Paul MacCready - Snohomish County Planning and Development Services



SW 1/4, NE 1/4, SE 1/4 NW 1/4 & S 1/2, NW 1/4, NE 1/4 SECTION 3, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M.

1 SITE LAYOUT PLAN
20' = 1" SCALE

PRNG 04-112020

P2.0
DATE: 8/31/06

PANTHER LAKE RIDGE
PRELIMINARY PLAT
RURAL CLUSTER SUBDIVISION
163RD AVE SE (PANTHER LAKE RD)
SITE LAYOUT PLAN



HARMSEN & ASSOCIATES INC
ENGINEERS - SURVEYORS - PLANNERS - LANDSCAPE ARCHITECTS
1635 14TH AVE SE
SUITE 100
FARGO, ND 58103
701-799-8800
FAX: 701-799-8801
WWW.HARMSEN-ND.COM

DATE: 8/31/06
BY: ADAM JOHNSON
CHECKED BY: ADAM JOHNSON
SCALE: AS SHOWN

REVISIONS
NO. DESCRIPTION
DATE

August 6, 2006

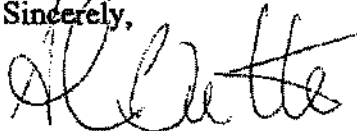
Mr. Robert Backstein
Hearing Examiner
Snohomish County

Dear Mr. Backstein:

As a well driller for many years, I have had the opportunity to consult with many people with respect to locating their domestic wells. Wells can be expensive, and as such, we get to know each site thoroughly with the idea of selecting the very best possible location for the well. I look at all sorts of topography, and need to keep in mind that the terrain may limit my ability to drill in certain locations. I am well acquainted with the many hills and ridges that are characteristic of much of Snohomish County.

In my own neighborhood, there is a dominant ridgeline that can be seen for miles. The prospect of having a development on this same high ridge (western portion of the Panther Lake Ridge property) is not only unappealing, but as I understand the RCS rules, is not allowed if other land is available. It would seem to me that the developer, Cimarron West, LLC's proposal is the best fit for the land, placing the homes in and among the trees on the low ridge to the east.

Sincerely,



Al Butler

Cc: PDS


8-6-06

Mr. Backstein,

I am the owner 5 acres to the southwest of the Panther Lake Ridge property now under consideration for development (map attached). My driveway is literally within 50 feet of the west side of this property, and the development of this parcel is of concern to me in the sense that I consider the prospect of placing homes high on this western ridge makes little sense. Why not place them where the developer has proposed them, on the far eastern portion of the property, where the developer has the proper utilities, and would only need to build a minimal amount of road.

Building roads through over a 1000 feet of wetlands to gain access to one of the highest and most visible portions of the Panther Lake Ridge property (far western ridge) is not the interests of the environment, or in the interests of the people who live around this portion of the Panther Lake Ridge property.

Sincerely,

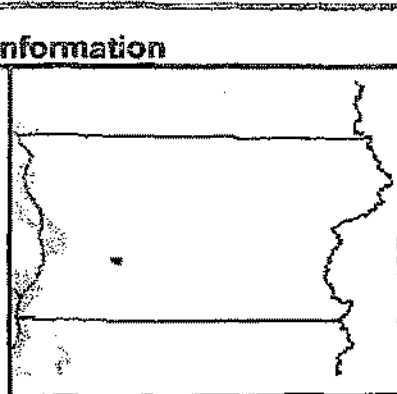
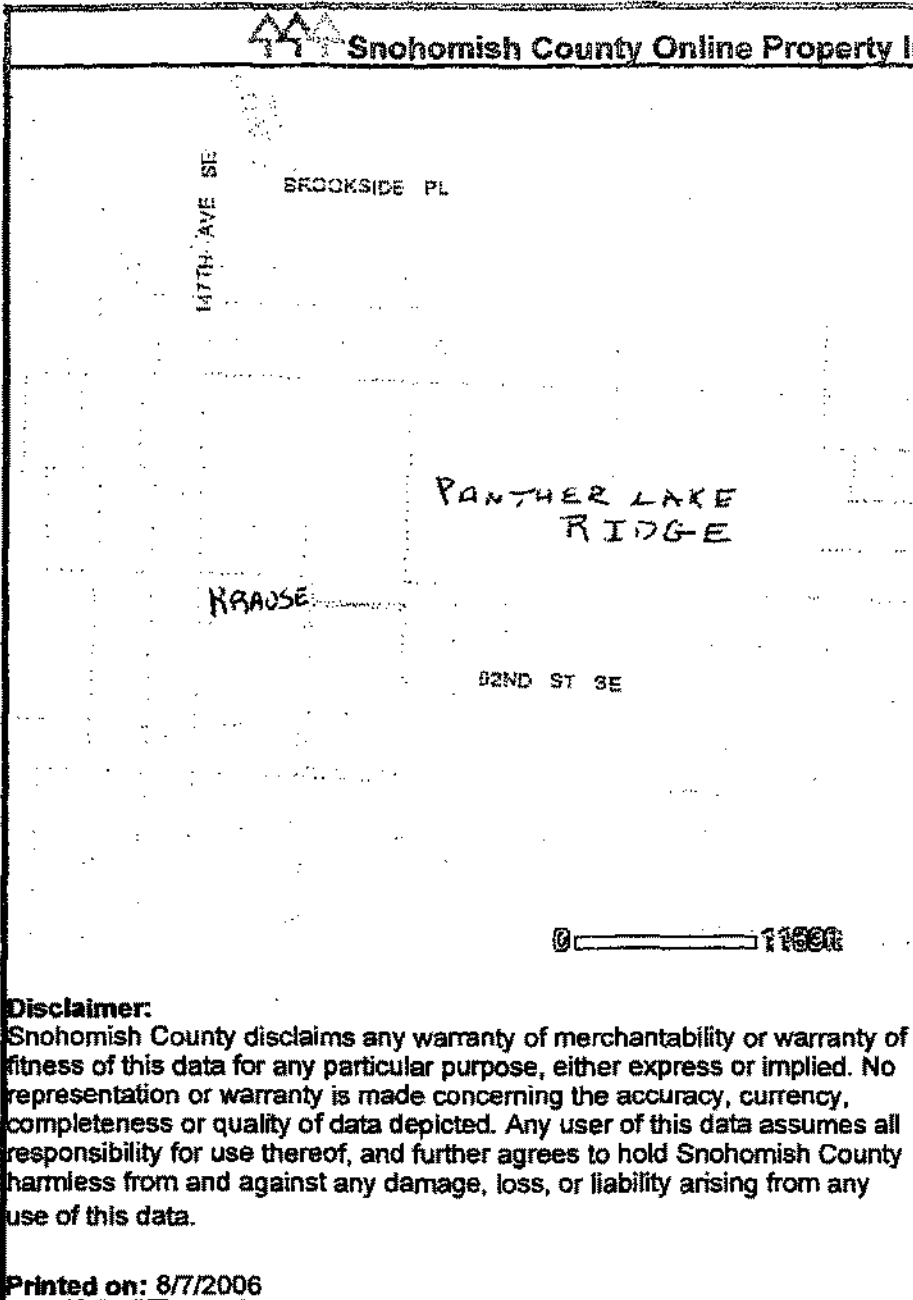


Nate Krause
6323 151st Avenue SE
Snohomish, WA 98290

CC: PDS



Snohomish County Online Property Information



Legend

Street Names

Cities

Snohomish County

Unincorporated City

Tax Parcels

Rural Miles

Township/Range Grid

Section Grid

Major Waterbodies

Bay

Canal (dike)

Lake or pond

Land surrounded by a body of water

Not man-made water

Smaller grade in open water

Stream

Airports

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Printed on: 8/7/2006

August 7, 2006

Alma Repp
6326 151st Avenue SE
Snohomish, WA 98290

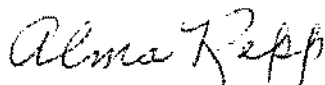
Robert J. Backstein
Hearing Examiner
M/S 405
3000 Rockefeller Ave.
Everett, WA 98201

Dear Mr. Backstein,

I am the owner of 36 acres adjacent, to the west of the property proposed for development, Panther Lake Ridge. I have owned my property for many years, and am well familiar with the properties surrounding mine. My property and the area of the Panther Lake Ridge property located west of the large wetland (known as Wetland F in the Panther Lake Ridge map) is high on a prominent ridge (western ridge). This 'western ridge' which is also known as the area around Lot 32 is very visible from my property. Once trees are removed for homes, then the property becomes even more visible, especially in the winter time when the leaves fall. In winter, this ridge can be seen for miles around, all the way to Snohomish and even Everett.

I can see no reason for placing any lots on this western ridge, when there is some very nice property to the east, where the owners are proposing to place their lots. Please also consider the great amount of environmental damage that would be done to the many wetlands in the central and western areas of the Panther Lake Ridge property, should the owners be forced to develop over here. The many wetlands, streams, blue heron, beaver, and bull trout habitat located in the central and western portions of the Panther Lake Ridge property are supposed to be protected under Rural Cluster developments, are they not?

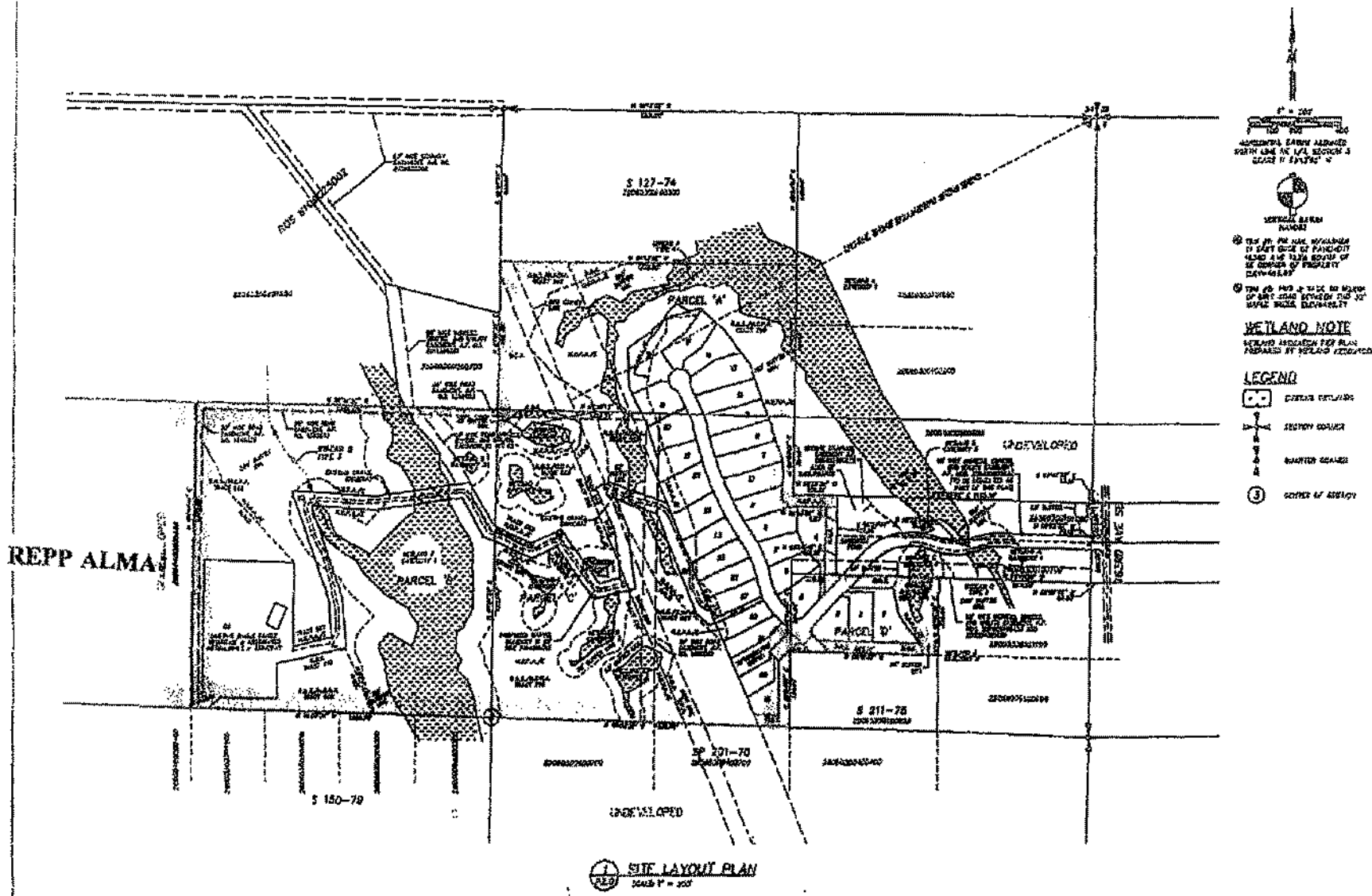
Sincerely,



Alma Repp

- Attachment
- Cc: Paul MacCready, PDS

SW 1/4, NE 1/4, SE 1/4 NW 1/4 & S 1/2, NW 1/4, NE 1/4 SECTION 3, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M.



THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN.

HARMSEN ASSOCIATES INC
ENGINEERING ARCHITECTURE SURVEYING
1000 14th Street, Suite 200, Grand Forks, ND 58201
701-775-1111



PANTHER LAKE RIDGE
PRELIMINARY PLAN
REGISTERED WITH DIVISION
OF LAND MANAGEMENT
(PANTHER LAKE RD)

P2.0

August 29, 2006

Alma Repp
6326 151st Avenue SE
Snohomish, WA 98290

Robert Backstein
Hearing Examiner
M/S 405
3000 Rockefeller Ave
Everett, WA 98201

Regarding: Panther Lake Ridge

Dear Mr. Backstein,

I understand there is a hearing coming up on the proposed Panther Lake Ridge plat, and I will not be able to attend for health reasons. However, as a long time tax payer here in Snohomish County, I wanted to make sure that you have read and understood my thoughts on this project, as not only my property is being impacted, but also the environment is being impacted based on your decision.

I have owned my land for 55 years, raising my family in the area. Now, I know that does not entitle me to any more than the next person, but one thing I have always done is be a good steward of my land. We have not clear cut the timber on our land for profit like so many others have done. We have kept our land largely wooded to protect the land and the wildlife that live in the area. When I see another property owner (Cimarron West, LLC - Panther Lake Ridge) proposing to develop on the driest, least environmentally sensitive area of their land, then I applaud their efforts. They are proposing to keep over 75% of their land in open space and native growth protection, protecting over a dozen wetlands west of the BPA power lines. They propose more open space area than is required. This area (west of the BPA power line) is home to Blue Heron and Beaver, and while they may not be officially protected, this is unique wildlife to our area. Why in the world anyone would want to destroy their habitat is beyond comprehension, especially under a code that is specifically designed to protect them.

I am surprised that an opposition group to the Panther Lake Ridge RCS would propose to build roads and homes in and through such an important feature, a nationally recognized wetland area, and a bull trout habitat with its 300 foot setbacks. I understand their desire to win, but at this point, it is not a decision on whether or not the plat can be approved, the decision is simply where to locate the homes. The location of the homes should not be at the cost of destroying/displacing wildlife and damaging the environment, violating the very code designed to protect it.

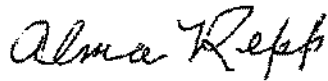
The developer has a proposal that won the support of PDS, because they proposed minimal impact on the environment, shorter roads, less trenching and the like.

Now, it's up to you to make your determination, and I hope you can see that while the neighbors to the east would prefer to have homes placed here on the Western Ridge, or in and around wetlands, the code is clear, an RCS is supposed to 'minimize the alteration of the topography'. When a developer needs to build a bridge across a major wetland and bull trout stream, destroy numerous smaller, but important wetlands (you should see this area flood in the winter), excavate up and down hillsides, and put in two or three times as much road as would otherwise be required, this is NOT minimizing topographic alteration, that is maximizing it.

Now, how would that look as a headline in the local press, 'HEARING EXAMINER ORDERS DESTRUCTION OF WETLANDS MEANT FOR PROTECTION'.

I hope you will see the wisdom of the very intent of the code, 'to build on the most buildable, least environmentally sensitive portion of the site'.

Sincerely,



Alma Repp

Snohomish County

Critical Areas Regulations Update

Why Should Wetlands be Protected?

Critical "Functions and Values" of wetlands:

Water storage (storing floodwaters, maintaining surface flow during dry periods)

Water filtration (protecting and improving water quality)

Fish and wildlife habitat

Wetland-related recreation (hunting, fishing, bird-watching photography)

Did you know:*

An acre of wetland can store 1 - 1.5 million gallons of floodwater

Up to 1/2 of North American birds species nest or feed in wetlands

Wetlands are home to 31% of the plant species in the U.S. Mainland

Wetlands are categorized in 4 types, depending on their rarity, the difficulty of replacing their functions, and their ability to perform the functions above.



*"Functions and Values of Wetlands," U.S. Environmental Protection Agency.

Snohomish County

Critical Areas Regulations Update

How much protection do wetlands need?

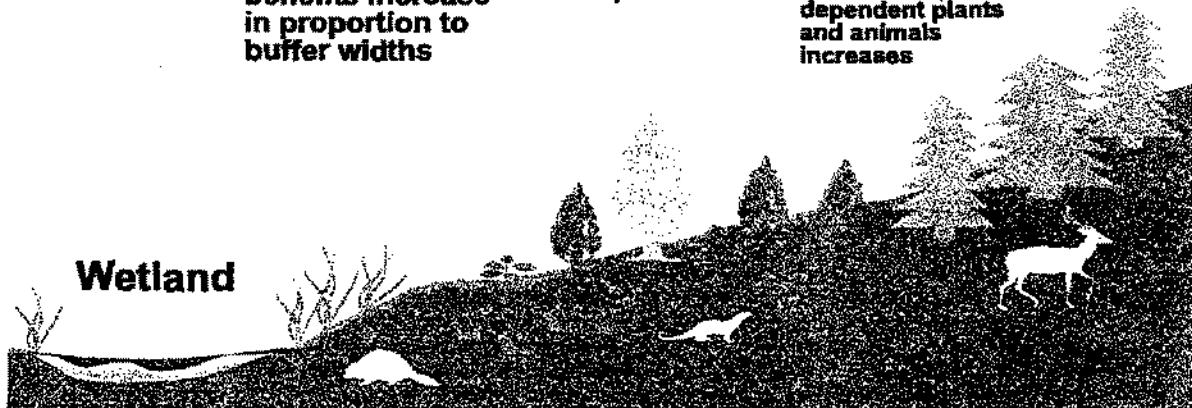
- The more fragile or rare the wetland is, the more buffer is needed to ensure its protection.
- The more critical the wetland's function is (i.e., flood storage, etc) the more buffer is needed to ensure its protection.

As buffer width increases...

Environmental benefits increase in proportion to buffer widths

Water quality improves

Environment for water and riparian-dependent plants and animals increases

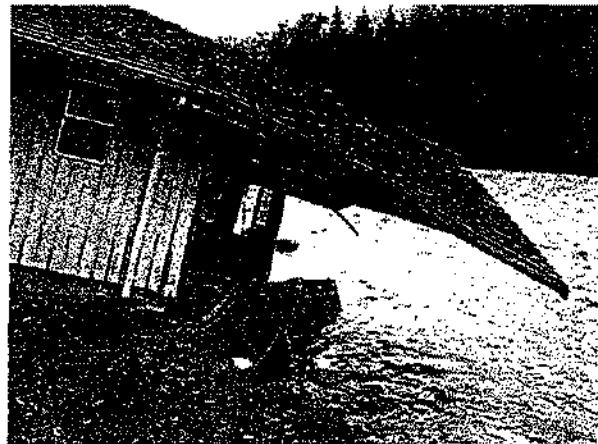


Snohomish County

Critical Areas Regulations Update

Why is it important to develop carefully near rivers and streams?

- Landscape changes related to land use and development can impact stream structure and process, contributing to fish and wildlife habitat loss, water pollution, sedimentation and other problems.
- Alteration of a stream's natural structure or its surrounding landscape by filling, bank stabilization, straightening, or increasing impervious surfaces can significantly affect the quantity, quality, and velocity of water flowing through a system.
- As stream flows increase, channel-stabilizing large woody debris can be washed downstream, stream banks eroded, and stream beds are scoured, removing stream channel variability and significantly affecting habitat function.
- Deposition of eroded silt and debris in spawning beds can also smother fish eggs and destroy viable spawning areas.
- Rivers change their course over time, placing people and structures in channel migration zones at risk.



H A R M S E N &



ASSOCIATES INC

LAND USE CONSULTANTS

17 August 2006

Neil Latta, P.E.
WEB Engineering
149 West Kellogg Rd.
Bellingham WA 98226

Re: Panther Lake Ridge Rural Cluster Subdivision, PFN 04-112029
West Ridge and East Ridge Elevation Summary

Dear Neil,

This proposed plat consists of two distinct parallel ridges running in a southeasterly to northwesterly direction. A profile line from the east side of the plat to the west side is defined as follows: From the west side of Wetland A, the easterly ridge rises in a westerly direction from an elevation of about 450 feet to a top ranging from about 530 feet to about 560 feet. The easterly ridge then descends to an elevation of about 500 feet on the east side of the B.P.A. power lines. The grade of this easterly ridge continues down through an area containing several wetlands until it reaches the east side of Wetland F at an elevation of about 460 feet. Wetland F lies between the two ridges and bisects the property completely from the south line to the north line. From the west line of Wetland F, the westerly ridge rises to an elevation of about 520 feet at the top, and then flattens to the west line of the plat before descending to the west.

That portion of the plat lying east of the B.P.A. power lines was mapped by my survey crew in the fall of 2003, with the bulk of the work being completed in December. The contour lines on the map were derived from my field measurements. The contour lines in that portion of the site lying west of the B.P.A. power lines were derived from the USGS Snohomish quadrangle map revised in 1973. The contour lines from the USGS map were adjusted to the vertical datum used in my field survey. The vertical datum of the USGS map is NGVD 1929 while the vertical datum of my field survey is NAVD 1988. NAVD 1988 datum is about 3.5 feet above NGVD 1929 datum in this area.

Using GPS equipment, I had my survey crew check the elevation near the southwest corner of the plat and near the house on proposed Lot 32. About 150 feet south of the southwest plat corner, I measured a ground elevation of 488 feet (NAVD 1988). The USGS map shows an elevation of about 500 feet. I also measured two ground elevations near the house and they were both 512 feet (NAVD 1988). The USGS map shows an elevation of about 520 feet. The contour interval of the USGS map is 20 feet. My elevations fall close to within half a contour interval of the USGS elevations. (Note: National map standards state that 90% of actual ground elevations must be within one half of the contour interval (Civil Engineering Handbook, 4th Add'n, by Leonard Urquhart).) I have walked the site several times. About 300 feet southeast of the house on proposed Lot 32 (at the top of the westerly ridge), a gravel driveway descends in an easterly, and then northerly direction until it comes to the bottom at the west side of Wetland F. The road then crosses Wetland F in an easterly direction to the east side of the wetland. At that point, leaving the existing road and proceeding easterly, the land rises

Z:\F\elated\Panther Lake\Fielstad-Panther Lake-Albors Ridge Report 8-16-05.doc

A N T I C I P A T E U N D E R S T A N D G U I D E D E L I V E R

from Wetland F to the west side of the BPA power lines. In my professional opinion, the USGS map accurately depicts this grade change.

To summarize, the elevations of Wetland A and Wetland F are the lowest on the property, Wetland A (450 foot elevation) being 10 feet below Wetland F (460 foot elevation). The highest points within the property are clearly the easterly ridge which encompasses the entire area between Wetlands A and F, and the westerly ridge which lies west of Wetland F. I have reviewed the USGS quadrangle map and aerial photos and they confirm the existence of two distinct ridges on the property. Having walked the property several times, driven around the proposed plat, and viewed the site from adjoining properties, I conclude that both the easterly and westerly ridges as reflected on my preliminary plat map are prominent topographic features, visible to adjacent and vicinity properties.

Sincerely,

Jim Mc Daniel, Professional Land Surveyor
Registration No. 21359

A N T I C I P A T E U N D E R S T A N D G U I D E D E L I V E R

