



City of Sultan

Public Works Department

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March 15, 2001

Ms. Veronica Haywood
Valworks Joint Venture
Monroe Office
16981 158th PL SE
Monroe, WA 98272

RE: Willow Run
Winter's Creek Buffer
Letter of Follow up from Meeting (Date)

ATTENDING:

Doug Works – JE Works
Veronica Haywood – Valworks 2000
Connie Dunn – Public Works Director – City of Sultan
Gary Keeley – Public Works Construction Inspector - City of Sultan
Kurt Beardstee – Washington Trout

The purpose of the meeting on February 23, 2001 was to clarify the position of Valworks 2000 to the allegations that the Tribe has raised regarding the Winter Creek buffer location and possible wetland filling. This letter is written with the purpose to reiterate the City's understanding of your viewpoint. It is my understanding, after hearing their concerns, that Valworks 2000 feels confident the mitigation of the buffer location on Winter Creek (report prepared by Randy Middaugh) satisfied the laws and codes pertaining to Winter Creek at that time. This report was presented to your engineering firm, Harmsen and Associates, was surveyed in the field per the requirements, and installed correctly per the laws and codes. It was also understood it is Valworks 2000's position that it is up to the Tribes to provide further information and prove that Randy Middaugh's biologist report was incorrect.

The other issue of concern voiced by the Tribes was fill that was placed on the north side of Winters Creek. This location is designated to be a park/open space and is part of the additional buffer, which is required to meet the City's code, UDC 16.060. The Tribes concern is that there might have been wetlands affected in that area. The City of Sultan's Critical Area Mapping Study, done by Barrett Consulting Group, (March 1994), identifies wetland locations in that area. In reviewing the report, it appears that the wetlands were not affected by the fill placement. This cannot be confirmed as the survey hubs have been removed. The City of Sultan's process of approval of Willows Run development required submittals (report done by Randy Middaugh, engineered by Harmsen and Associates) which, included wetland and buffer information for development approval.

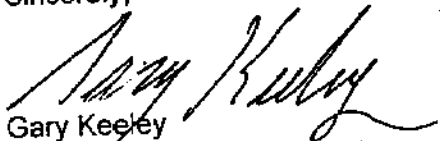
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The City of Sultan's main concern is that your position, expressed at this meeting, could possibly result in civil action being filed by the Tribes and other governmental agencies. If this should take place, the City will look to Valworks 2000 with respect to liability of any infractions or non-compliance with the codes or laws and any corrective action that would be deemed necessary.

It was agreed that a report from Harmsen and Associates on their process of preparing the survey for the buffer location on the south side of Winters Creek would be forwarded to the City of Sultan.

We will keep you informed of any communication from the Tribes or any governmental agencies involving this issue. If your concerns are different than our understanding expressed herein, please provide written clarification.

Sincerely,



Gary Keeley
Public Works Construction Inspector
City of Sultan

Cc: Connie Dunn, Public Works Director
Christi Amrine, City Planner

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