

Sophia Cassam

From: Gary & Nicki Ottinger <ottingerfamily@yahoo.com>
Sent: Tuesday, July 12, 2022 12:51 PM
To: Comp Plan Update
Subject: Comprehensive Plan Update
Attachments: Attachment A.pdf; Attachment B 20070723 Letter to Buck.pdf; Attachment C 20071003 Paula to Buck.pdf

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My name is Nicholene Sundstrom Ottinger and my address is 1483 Lampard Road. I am submitting my comments to the Planning Commissioners regarding Steve Buck's request to place his four parcels on Lampard Road into the UGA, and eventually to be annexed to the Town of Friday Harbor to build a housing development. My property borders Mr. Buck's to the west and is zoned for agricultural use.

- I am very concerned about additional water runoff with the development of Mr. Buck's property if it is included in the UGA and brought into the Town of Friday Harbor. The development would include the installation of roads, sidewalks, tennis courts, etc., creating a lot of impermeable areas. My property is downhill from Mr. Buck's and I already get his runoff; however, since it is currently in a natural state so the ground can absorb some of it as it comes towards my property, it is less than what it would be with a development. Furthermore, I have not been impressed with how the County handles runoff. In two locations along Lampard Road the County has installed culverts from north to south under the road which direct runoff from the north to flow onto and across my property. I have tried to talk to the County about this but they do not appear to be interested in properly directing the runoff so it will not drain onto my fields. I am already receiving enough of everyone else's runoff for one property owner. I am afraid I will get the same treatment from Mr. Buck and the County should his property be annexed and developed into home sites creating more water flowing my way.
- I already mentioned above my concern about additional runoff. In reading the SEPA Environmental Checklist of Mr. Buck's original application request under B. Environmental Elements, 3. Water, c. Water runoff (including storm water), I was shocked to see his solution was to direct his water runoff for his development onto my property! His reply to the question to describe the source of runoff, method of collection and disposal, and where this water would flow is definitely not acceptable. Please see my Attachment A. His response: "Storm water currently flows in primarily two areas from this property onto the property to the west, which includes a low spot in the middle that flows onto the Sundstrom farmland and where the irrigation pond is in the northwestern corner. If need be, a storm water system could be designed so that the vast majority of runoff goes to the irrigation pond in the northwestern corner and then that water would flow just as it does now during the winter so there should be no additional impact." Consequently, my property would be taking all of Mr. Buck's runoff since I own the property to his west and the pond. The overflow from my pond goes across my field below into Paula Sundstrom's pond, and then down to the marsh below, and I believe towards San Juan Valley after that. Adding the runoff from his development to the current amount of runoff would definitely increase the volume and could possibly affect others down the line. I do not believe this is legal. Since the passing of my father, the pond has not been used for irrigation so the water level is not drawn down by irrigating during the summer, but is used for the watering of livestock and wild life so more water would be flowing to the south.
- I am also concerned about runoff from a development polluting my pond and the waters beyond. Many times in neighborhoods oil leaks from vehicles and other pollutants get into the storm drain system. If my property/pond is the

“storm drain,” it could end up being polluted and the water not good for the livestock or wildlife. I would think there should be an environmental impact study completed prior to the approval of Mr. Buck's development because other properties will be impacted.

- From past experience, Mr. Buck is very slow to act upon a water issue coming from his property. In case you are not aware, I inherited the property in 2015 after the passing of my father, Al Sundstrom. Attached is a letter from my father’s attorney to Mr. Buck dated July 23, 2007, as well as a letter dated October 3, 2007, written by Paula Sundstrom on behalf of our father. Please see Attachments B and C. He had already discussed this matter with Mr. Buck trying to get him to fix his leaking pond before finally resorting to an attorney for help. I do not recall the exact date Mr. Buck’s pond became a problem but it was obviously prior to 2007. A section of our field could not be farmed during that 10 year period because it was too wet and farm equipment got stuck in that area, thus requiring repairing ruts in the field. It wasn’t until August 1, 2016 that Mr. Buck finally had a pond liner installed to stop his pond from leaking. Obviously, the problem was not resolved in a timely manner. Mr. Buck did not appear to be concerned about the impact this caused to my father, the property, or the ability to farm it. If Mr. Buck allows runoff to go to my middle field where there is a low spot (which he mentions in Attachment A), you can see from our past experience we may not be able to farm the field because equipment will get stuck.

Attachment A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. No withdrawals. Perhaps diversions if erosion is an issue at all, and then I would have the ability to divert to the pond in the northwestern corner, but I don't expect there would be much if any of that.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No.

b. Ground Water: [\[help\]](#)

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. If this property is allowed to be annexed into the Town of Friday Harbor then Town water and sewer hook ups will be used.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. If this property is allowed to be annexed into the Town of Friday Harbor then Town sewer hook ups will be used.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. I expect a storm water plan to be part of the project and will do whatever is necessary to accommodate it. Storm water currently flows in primarily two areas from this property onto the property to the west, which includes a low spot in the middle that flows onto the Sundstrom farmland and where the irrigation pond is in the northwestern corner. If need be, a storm water system

could be designed so that the vast majority of run off goes to the irrigation pond in the northwestern corner and then that water would flow just as it does now during the winter so there should be no additional impact.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. Not that I can think of.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. The drainage patterns should be essentially the same unless the storm water plan requires that I divert it.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: The design and layout of the community with adequate spacing between the homes should absorb most of the runoff. The amount of runoff should end up being not much different than it is now.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
 evergreen tree: fir, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 Orchards, vineyards or other permanent crops.
 wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

b. What kind and amount of vegetation will be removed or altered? Much of the ground is rocky or has rocky soils and grass. There are some evergreen trees and frankly a lot of scotch broom and hawthorns that keep coming back. All of the scotch broom will be removed eventually and what trees will be removed will depend on how the development lays out. There is one maple tree that will never be removed.

c. List threatened and endangered species known to be on or near the site. None that I know of.

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July 23, 2007

Hand-Delivered

Personal and Confidential

Steve Buck

c/o Coldwell Banker San Juan Islands, Inc.

P. O. Box 100

Friday Harbor, WA 98250

Dear Steve:

Our office has been retained by Al Sundstrom regarding certain issues related to damage to the Sundstrom property caused by the pond on your property.

Al would like to resolve these matters amicably but he is obviously frustrated by your lack of action. According to Al, he has advised you repeatedly that your pond is leaking, causing serious damage to his hay field. Only recently Thor Black's truck became mired in the Sundstrom field because the field was so sodden from water that apparently emanated from your pond.

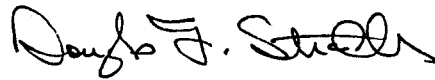
As you know, Al has owned and farmed his property for over 48 years. Before he purchased the property in 1959, he leased it for several years and farmed it without any water problems. Until you built your pond, he never had any problems whatsoever. Based on the history of the respective properties, as recounted by Mr. Sundstrom, your pond has obviously altered the natural flow of water on to the Sundstrom property. It is therefore your responsibility to correct this problem. In addition Mr. Sundstrom believes that you should pay for the recent damage to his field. Enclosed is an estimate from Black Family Enterprises, Inc. for repair of the damage to the field.

Mr. Sundstrom requests that you advise our office, within fourteen (14) days of the date of this letter, of the specific steps you agree to take to resolve these matters.

If you wish to keep your pond, rather than fill it in, you might confer with Mike Carlson. Mike constructed a 160' x 100' pond on my property, and we then installed a fabric pond liner from Bend Tarp and Liner. I will be glad to provide you a sample. We have had no leakage out of the pond since it was installed, and our pond is naturalizing very nicely and is safe for both swimming and fish.

Al certainly hopes this matter can be settled shortly, but, as you can see, he is no longer willing to let it go unresolved.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Douglas F. Strandberg". The signature is written in a cursive style with some loops and flourishes.

Douglas F. Strandberg

DFS:js

Encl.

187.001\07buck0719

October 3, 2007

Steve Buck
P.O. Box 100
Friday Harbor, WA 98250

Dear Steve,


This has been on my mind for some time, and up until now I have chosen to stay out of it because I work in your office. You know that your pond is leaking on our property, and have addressed in writing that you would fix the problem this summer—it is now October. Since this is time sensitive, it may be too late to drain this year, at best we have until the end of October.

When there was a problem with the Sandwith pond my dad talked to Bob once and it was taken care of. You are a 3rd generation islander. I would have hoped the same from you. Instead my dad has felt it necessary to contact an attorney. This is the 2nd year hay equipment has gotten stuck in the field, with the field now requiring significant repair.

Removing hawthorns is routine in fence repair (an expense customarily shared by both parties). That repair became necessary when your alpacas broke the fence. The work was started only after you said you were going to fix the pond, but now without that, even fence repair can't be done since the property is too drenched to work with. My dad has been more than patient.

The farm is a business and you run a real estate business. I'm sure you can appreciate how you would feel if things were reversed. Your lack of respect for my father and his property is becoming personal. He is not only your neighbor, he is a repeat client of yours. It makes it awkward for me to work here. For everyone we need to have resolution. To start the communication, please let us know what you plan to do and your timeframe.

Sincerely,



Paula Sundstrom for Al Sundstrom

cc: Doug Strandberg