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**To:** [Sonja Cady](#)  
**Subject:** Project# 2023104664 Britcher Reasonable Use Exception  
**Date:** Monday, April 8, 2024 4:55:16 PM

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My name is Sandra Lee Braget, daughter of Paul H. Braget and Agnes Lee Braget, developers of the Nisqually Heights and McAllister Creek, Thurston County, Washington. My family also built our permanent home and our construction buildings along the McAllister creek beneath the Britcher property, on Salmon and Sockeye Lanes. Our property, roads, our construction garage, and storage buildings were destroyed during a land and mud slide in 1996.

This testimony shares my personal concerns and of the McAllister Creek homeowners and their family's safety, since the subject property lies within the Nisqually Hillside Overlay District.

Nisqually Bluff is a critical area under the Thurston County Critical Area Ordinance, due to its susceptibility to landslides. The bluff has had several landslides in the past and continues to this day.

I read the staff report, which was posted last week. There are major issues with how the landslide risk on the Nisqually Bluff is characterized. In the project narrative, the Geotechnical Engineer states: "With slope stability maintained, the proposed development will not result in any damage to other property and will not threaten the public health, safety, or welfare on or off the development proposal site, or increase public safety risks." That statement is absolutely not accurate. The designation of the landslide hazard area appears to be based on mapped topography, rather than a known active deep-seated hazard at the subject site and does not consider the building site to be within an active and existing landslide hazard area. The geotechnical report concentrates on the wrong sort of landslides (deep-seated) rather than the kind of surface slides that are the risk here.

There are recommendations contained in the report that are based on the understanding of the proposed development and construction activities, field observation and explorations, with no consideration of the past history and today's soil and groundwater conditions that do vary and differ between and beyond the points explored. No obvious evidence of rotational or translational failures or major toppling hazards was observed on the slope past the potential building footprint. I personally am sympathetic to the family and personal reasons of the Britcher's situation, although my concerns are based on facts and the safety of many families and their homes that are below the Britcher's property.

Under the original Nisqually Heights Covenants and Restrictions, document dated October 31, 1967, Part C - Residential Area Covenants C- Land use and building type: No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any building site other than one detached single-family dwelling not to exceed 2 stories in height and a private garage for not more than (3) cars. A building site is defined as a recorded lot or any portion of a lot or lots with more than 10,000 square feet.

Based on these facts and some direct evidence of continuous slides in our neighborhood, plus stormwater from the impervious surfaces and added water use from this addition intensifying water at the top of an already saturated and unstable slope, it is important for property owners in this critical area to abide by existing laws.

An exception granted here could cause a domino effect for others in the area to apply for similar grants and with adverse effects resulting from changes that endanger our homes and families even more. This application should NOT be approved until further site investigation methodology and field work is expanded beyond the site, to observe for and document indications of surface degradation on a much larger -scale slope instability.

Respectfully,

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