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DEC 15 2009

To The Planning Commission
From Chestine Edgar, 1811 S.W. 152nd st, Burien
December 15, 2009

CITY OF BURIEN

Re: Shoreline Master Program Document/Unequal Protection of the Shoreline on Lake Burien as Compared to the Other Shorelines in the Document

I am writing to the Planning Commission because when I made these points about the unequal protection of the Lake Burien Shoreline (due to rezoning) in the document under consideration, I was told that even though they were very valid points, they had to be brought to the Planning Commission rather than the Shoreline Master Program Advisory Committee.

I raised concerns about the unequal representation of Lake Burien residents on the advisory committee as well as an apparent lack of knowledge about the lake from most of the committee members. I believe this has resulted in some issues that were not thoroughly addressed in the development of the document on shorelines that is coming before you.

Lake Burien is a critical area because it is:

- A. on seismically active land,
- B. on landslide prone land,
- C. on an aquifer,
- D. a head water to Miller Creek,
- E. critical habit land for resident and migratory waterfowl, especially since the Port of Seattle filled/destroyed the 25+ acres that were previously used by these creatures (a number of these birds are on the threatened list for the state of Washington),
- F. a clean, small, fresh water habitat and is in far shorter supply on this planet compared to saltwater habitats,
- G. contains protected wetlands.

On Page IV-14, 20.30.050 Dimensional Standards for Shoreline Development, Figure 5, Lot Size.

The lot size on these lands was always RS-12,000 until the late 1990s. Then the City of Burien put together its growth plan (GMA) and rezoned the lot size to RS-7,200 without an adequate analysis of the critical/sensitive nature of this lake. The conversation at one of the rezoning meetings amounted to the COB saying that someone had to take the hit on lot size to complete their master plan. Many of the residents around the lake did not support this rezoning because they did not believe that the RS-7,200 would adequately protect the health and sustainability of the lake. None of the current residents have sold their property to allow that kind of lot development yet. However, when most of the lots are sold in the future, the number of houses allowed by the city on the current land will increase from anywhere to two to six houses per current lot. Compared to the RS-12,000 for salt-water lot sizes, the city is requiring that the land around Lake Burien be

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DEVELOPED AT 167% THE AMOUNT that it is requiring for land development on 2009
Puget Sound. If this lot size issue is not addressed by the Planning Commission (no
matter how many buffers you stick in this plan), you will not be able to keep the water
quality and shoreline of the lake FROM DECLINING. I believe that the shoreline master
plan should address this. However if this is not the domain of the Master Plan/
Document, then it remains the responsibility of the Planning Commission to address it.
The purpose of the Shoreline Master Plan Document is to protect shorelines not destroy
them. Decisions on the rezone of these lands should be based on best science not just
because the COB was trying to please King County on density issues to get funding. I
strongly suggest that this plan recommend that the lot size around Lake Burien be the
same as the lot size on the other protected shorelines and the urban conservancy. This is
urgent for the future protection of the lake shoreline.

The comment I heard at one shoreline meeting suggested that a seller could keep a
developer from developing at the level allowed by the COB. In fact, the seller has no
control over lot size allowed to developers by the city. Therefore, it is urgent that you
address this lot size issue for the protection of the lake shoreline. If you do not, then are
you really protecting the shoreline of Lake Burien in the same way you are protecting the
other shorelines?

On Page IV-7, 20.30.025 Critical Areas, 2. Regulations, c.

While there is a discussion about no intrusion into critical saltwater habitats, the whole
buffer issue of intrusion into critical fresh water habitat is neglected. I suggest that some
buffer and statement be added here. A definition for critical freshwater habitat needs to
be created. In addition, I believe the map shown to the public and the members of the
shoreline committee is inaccurate. It does not adequately reflect the shore lands of the
second class that are owned by a number of properties around the lake. These shorelines
have the right to the same protections that secondary tidelands/ saltwater habitats on the
Sound. Any construction that can affect these shore lands should have to show zero
impact or diminishment of them as required on saltwater habitats on the Sound.

On Page IV-10, 20.30.035 Public Access, 2. Regulations, e.

Due to the rezoning of the lots on Lake Burien, this now means that at least 5 to 8 current
properties would be required to have public access when they are developed at RS-7,200.
That many public access points on the lake would be a disaster to the shoreline, would
present parking problems for the actual residents and the COB would not have the
available staff or police to monitor them. Small lakes typically have a single access point
that is regulated by the city county or state. As the law/regulation allows for exceptions
to the 4 parcel rule, I suggest that that be changed to read 6 parcels. Also when the one
representative from Lake Burien asked for some promised protections for the lake should
public access occur-like gates or a security guard or a park ranger, he was to told to forget
it. The COB was not committed to providing that. I find it very strange that the COB is
willing to protect Seahurst Park with gating and staffing but is not willing to do the same
for Lake Burien, if it is needed in the future.

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I do not want to be sent around in an endless loop with these two committees arguing about whose job it is to make sure that Lake Burien has equal protection on lot size and development to a critical/sensitive area. One of these two committees needs to step up to the plate and address the issue based on best science of shoreline/shore land development. It is the elephant in the room that no one seems to want to discuss. But it needs to be discussed.

Lastly, no one was willing to commit to any agency, person or source of funding from the COB that would monitor Lake Burien for its ongoing health. Currently there is a lake steward who does this. However under the document that is before you, this steward is not mentioned and has no authority. If Lake Burien is to remain one of the last lakes in King County that; has excellent water quality, no major noxious weed invasions and a sanctuary for wildlife; there needs to be some provision for lake monitoring and the role of the lake steward.

As the Planning Commission, I believe it is your obligation to address the above mention areas of concern about this shoreline document.

Sincerely,
Chestine Edgar

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DEC 15 2009

To: The Planning Commission
From Bob Edgar, 12674 Shorewood Dr SW, Burien
December 15, 2009

CITY OF BURIEN

Before the Planning Commission forwards any recommendations to the Burien City Council regarding the Shoreline Master Program Document, you will need to address the topic of unequal protection of the Shoreline on Lake Burien as Compared to the Other Shorelines in the Document.

For example:

1. The fresh-water waterfront lot size on Lake Burien is zoned as RS-7,200. However, the salt-water waterfront lot size on Puget Sound is zoned as RS-12,000. As a result, the city is requiring that the land around Lake Burien be developed at 167% the amount that it is requiring for land development on Puget Sound. Small, fresh water habitats are in far shorter supply on this planet compared to saltwater habitats and should be afforded greater, if not equal protection.
2. The Shoreline Master Program defines critical a salt-water habitat but does not provide any definition of a critical fresh-water habitat. This suggests that the fresh-water is less critical than salt-water. Small, fresh water habitats are in far shorter supply on this planet compared to saltwater habitats and should be afforded greater, if not equal protection.
3. The shore lands of the second class that are owned by a number of properties around Lake Burien should have the same protections that secondary tidelands have. This also should be saltwater habitats on the Sound.
4. There is no inclusion of protections for Lake Burien should public access occur. No gates, security guard or a park ranger. The COB is willing to protect Seahurst Park with gating and staffing but is not willing to do the same for Lake Burien, if it is needed in the future. Lake Burien should be afforded equal protection.

As the Planning Commission, I believe it is your obligation to address the above mention areas of concern and unequal protection of the Shoreline on Lake Burien as compared to the other shorelines in the document before forwarding any recommendations to the Burien City Council regarding the Shoreline Master Program Document.

Sincerely,
Bob Edgar



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Dear Mr. [Name],

I have your letter of [Date] regarding [Subject].

The information you provided is being reviewed.

We will contact you again once a decision has been reached.

Thank you for your patience.

Sincerely,
[Name]

[Address]

