

City of Burien, Washington

Shoreline Advisory Committee Meeting Agenda

Wednesday, June 11, 2008, 4:00 – 6:00 pm

Burien City Hall, 15811 Ambaum Blvd. SW, Suite C
(206) 241-4647

MEETING # 2

- (1) SIGN IN/ROLL CALL – (5 min.)
- (2) CONFIRM AGENDA - (5 min.)
- (3) REVIEW AND APPROVE MEETING #1 SUMMARY – (10 min.)
- (4) OPEN HOUSE DEBRIEF – (15 min.)
 1. Summary
 2. Roundtable Comments
- (5) SHORELINE GOALS AND POLICIES, DISCUSSION – (1 hr, 20 min.)
 1. Overview
 2. Working Session
- (6) NEXT MEETING - (5 min.)

TENTATIVE DATE: Wednesday, September 10, 2008, 4:00 - 6:00 pm:
Shoreline Advisory Committee Meeting # 3
Burien City Hall
15811 Ambaum Blvd. SW, Suite C

Mr. Jim Branson
PO Box 904
Seahurst, WA 98062

Mr. George Yocum
12044 5th Ave NE
Seattle, WA 98125

Mr. Joe Weiss
5041 SW Prince
Seattle, WA 98116

Ms. Kim Otto
12237 2nd Ave S
Seattle, WA 98168

Mr. Brian Bennett
12423 14th Ave SW
Burien, WA 98146

Mr. Patrick Haugen
12122 Shorewood Dr SW
Burien, WA 98146

Ms. Cyrilla Cook
911 Western Ave, Suite 580
Seattle, WA 98104

Mr. Lee Moyer
11917 8th Ave SW
Seattle, WA 98146

Ms. Victoria Hall
15226 26th Ave SW
Burien, WA 98166

Ms. Emelie McNett
13637 3rd Ave S
Burien, WA 98168

Ms. Annie Phillips
17600 Sylvester Rd SW
Burien, WA 98166

Mr. Don Warren
15702 13th Ave SW
Burien, WA 98166

Mr. Bruce Berglund
15643 Maplewild Ave SW
Burien, WA 98166

Mr. Joe Fitzgibbon
2205 SW 170th St
Burien, WA 98166

Ms. Rebecca McInteer
2405 SW 151st St
Burien, WA 98166

Mr. Bob Fritzen
Washington State Dept. of Ecology
1440 10th St, Suite 102
Bellingham, WA 98225

Mr. Dan Bath
City of Burien
15811 Ambaum Blvd SW, Suite C
Burien, WA 98166

Ms. Laura Arber
Washington State Dept. of Fish and
Wildlife
16018 Mill Creek Blvd
Mill Creek, WA 98012

Mr. Scott Thomas
City of Burien
425 SW 144th St
Burien, WA 98166

Mr. David Johanson
City of Burien
15811 Ambaum Blvd. SW, Suite C
Burien, WA 98166

Karen Stewart
Senior Planner
Reid Middleton, Inc.
728 134th St SW, Suite 200
Everett, WA 98204

**CITY OF BURIEN, WASHINGTON
MEMORANDUM**

DATE: June 4, 2008
TO: Burien Shoreline Advisory Committee
FROM: David Johanson, AICP, Senior Planner *D.J.*
SUBJECT: Burien Shoreline Master Program Policy Discussion

The purpose of this memo is to provide background information and general guidance to assist in the discussion of shoreline master program goals and policies.

BACKGROUND

The Shoreline Advisory Committee held a discussion on March 12, 2008, to explore and list issues and opportunities for Burien's shorelines. The meeting summary capturing the discussion can be found as Attachment 1. On May 14, 2008, the City hosted an open house at which all participants were asked to list their issues and opportunities. These conversations serve as the starting point and basis for beginning the policy discussion.

PURPOSE

Now that we have captured a wide range of issues and opportunity statements we will begin to draft goals and policies that will form the backbone of the new shoreline master program. These goals and policies then will be used to help guide the City with other shoreline-related tasks, such as drafting new regulations, developing restoration plans, supporting capital improvement plans and generally providing guidance for shoreline related issues.

ACTION/DISCUSSION

We have prepared the beginnings of the shoreline master program that contain the goal and policy portions (see Attachment 3). This working document was organized to replicate how it may be formatted in our shoreline master program and is intended to add structure to our discussion. The attached document is broken into required elements of a shoreline master program. Under each element you will find a number of subheadings and they are summarized below along with a brief description:

Issues and Opportunities - A list of the issues and opportunities as identified by either the Shoreline Advisory Committee or at the open house. Please note that some elements do not have identified issues or opportunities.

DOE Requirements - A list of known requirements that must be addressed in our shoreline master program. This list is being provided to inform the committee of our mandatory obligations to receive shoreline master program (SMP) approval from DOE.

Existing Burien Goals – A list of existing shoreline applicable goals in Burien planning documents. Please note that existing goals in Burien’s Comprehensive Plan address many of the issues and opportunities identified to date.

Other Goals - A list of goals from other sources. This list is being provided to inform the committee of other goals that may be applicable to our update process or helpful in determining what goals are appropriate for Burien.

Existing Burien Policies - A list of existing shoreline applicable policies in Burien planning documents. Like the goals section above, it is worth noting that existing policies in the Burien Comprehensive Plan address many of the issues and opportunities identified to date.

Other Policies - A list of policies from other sources. This list is being provided to inform the committee of what other jurisdictions have adopted, and is intended to assist the committee in determining appropriate policies for Burien.

Key questions that we have for the committee are as follows:

- 1) **Do the existing goals and policies adequately address the shoreline vision and identified issues and/or opportunities?**
- 2) **Do any existing goals and policies need to be amended to accurately capture the shoreline vision, issues and/or opportunities?**
- 3) **Are additional goals and policies needed to address the identified issues and opportunities? If so what issues and opportunities need to be converted to goals and/or policy statements?**
- 4) **Do any of the “other” goal and policy statements capture your vision for Burien’s shoreline or address the identified issues and opportunities?**
- 5) **There are three “optional” elements identified on page 2 of the working document, are these worth exploring or adding to the working document?**
[Staff and our consultants recommend including elements 2.13.2 (*SMP Goals and Policies Applicable to all Elements*) and 2.13.3 (*SMP Goals Coordination Element*)]

Our objective is to work through each of the elements and capture consensus of the committee. Staff will then craft a preliminary set of goals and policies.

Attachments

1. Burien Shoreline Advisory Committee Meeting Summary, March 12, 2008
2. Burien Shoreline Open House Public Comment Summary, May 14, 2008
3. Burien Shoreline Element, working policy document

City of Burien, Washington

Shoreline Advisory Committee

Meeting #1 Summary

March 12, 2008
4:00pm

(1) ATTENDANCE

The committee introduced themselves and commented why they were interested in serving on the committee.

SAC Members present	Technical Staff Present	Interested Parties Present
Dan Bath Brian Bennett Jim Branson Cyrilla Cook Joe Fitzgobbon Bob Fritzen Victoria Hall Patrick Haugen Rebecca McInteer Kim Otto Annie Phillips Scott Thomas Joe Weiss George Yocum	Gretchen Coker Mark Daniel Scott Greenberg Liz Ockwell Karen Stewart	Margi Berendzen Andy Kleitsch

David Johanson, AICP opened the meeting at 4:05pm and thanked members for volunteering to assist the City in updating it's shoreline master program. David provided a brief background on Burien's shoreline master program.

(2) SHORELINE ADVISORY COMMITTEE OPERATING GUIDELINES

1. Selection of Chair and Vice Chair

Chair: Andy Kleitsch

Vice Chair: Patrick Haugen

2. Operating Guidelines

- The Committee reviewed Advisory Committee's responsibilities
- The Committee reviewed Ground Rules for work

(3) SHORELINE MANAGEMENT ACT AN OVERVIEW

1. Presentation by Bob Fritzen with the Washington State Department of Ecology outlining the Shoreline Master Program and Shoreline Management Act.

- Presentation included policy provisions, shoreline jurisdiction, concepts, and challenges

(4) PROJECT GOALS AND TIMELINES

1. Overview by David Johanson, AICP of the Shoreline Master Program timeline and task schedule (schedule attached).
 - Discussion included funding sources and other nearby jurisdictions who are currently updating their master program (Seattle), or will be within the next couple of years (Normandy Park).

(5) PRELIMINARY SHORELINE INVENTORY INFORMATION

1. Overview of Shoreline Inventory Information by Gretchen Coker with Grette Associates.
 - Information provided included background from the Washington Administrative Code (WAC), inventory reaches along the Burien coastline, and general findings regarding Burien shorelines.
2. Questions/Answers:
 - Are there any documented hazardous waters in the inventory? The Burien marine shoreline is Category 5 (polluted) for fecal coliform and Category 4c (impaired) for algal blooms. Nothing of significance found regarding Lake Burien.
 - When the consultant doesn't have some information, can the committee members or the public bring in new information? Yes, this is encouraged.
 - What properties will the Shoreline Master Program affect? Reviewed the jurisdiction of the Shoreline Management Act, which is 200-feet landward of the ordinary high water mark.

(6) ISSUES AND OPPORTUNITIES

1. Impacts of climate change
 - Rise of sea level and how it affects our shorelines and adjacent development.
 - Can Shoreline Master Program assist residents with the affects of climate change or provide incentives (ie. shoreline armoring)
2. Integrating the Growth Management Act (GMA) and the Shoreline Master Program (SMP)
 - Pressure on ecology to reduce/eliminate development impacts on shorelines such as urban infill
3. The new SMP should protect the City of Burien from litigation
 - Slides and liquefaction
 - Impacts of development
4. Salmon Creek Ravine open space

- Will Salmon Creek open space connect to the Puget Sound? What is the receptiveness to connect the open space to the Sound?
5. Septic Systems and their affect on the shoreline
 6. Lake Burien
 - Utility upgrades and their affect on the natural functions of the lake
 7. Access to the beach – Physical and Visual
 - Existing access is adequate through existing parks
 - Gated communities prohibit access to some areas
 - No public access to Lake Burien – why has it remained private?
 - Public access along the Puget Sound leads people onto private property
 - Available parking near access points
 - Clearer signage identifying public access points needed
 - Incentives to provide more access: use of conservation easements, tax breaks?
 8. Developer/Resident issues with regulation of shorelines with the Shoreline Master Program
 - Piers, docks, McMansions.
 9. How will the City repair/restore the shoreline
 - Will the City do a good, quality job that will last?
 - Opportunities at street ends?
 10. Stewardship and Public Education
 - Educate the community and their impact on the shoreline: armoring, hydrological connections, public access, community responsibilities.
 - Shoreline Advisory Committee should educate them selves and use resources available to gain information on what is in Burien on the shoreline
 - Input from the community – community pride
 - Look ahead into the future

(7) HOMEWORK

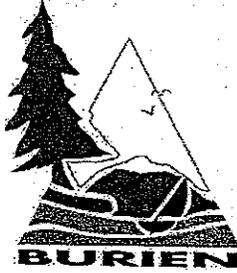
1. Review existing shoreline policies (provided)
 - Think about a 20-year vision – your ideal shoreline in 20 years
2. Invite others to open house

(8) NEXT MEETING/PUBLIC OPEN HOUSE

1. Next meeting is the open house on Wednesday, May 14th at Gregory Heights Elementary from 6-8pm.

- A mailing will be distributed to all property owners within 200 feet of the shorelines to notify them of the open house.

The meeting concluded at 6pm.



Burien

Washington, USA

15811 Ambaum Blvd SW, Suite C, Burien, WA 98166

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***Burien Shoreline
Community Open House #1
May 14, 2008***

***Gregory Heights Elementary School
6:00 to 8:00pm***

**Discussion Group Summaries
(Direct Transcription)**

Lake Burien (Facilitators: Karen Stewart, Liz Ockwell)

- Get Ruth Dykeman involved
- Density (allowable) on the Lake no commercial or multi-family
- Do not want public access
- Dock development
- Official regulations regarding no motorized motorcrafts/boats on the lake
- Keeping storm sewers open and clean (city should take care of this)
- Keep oil out of the lake
- Fertilizer
- Titles to some properties show ownership to center of Lake -opportunity
- Shore club have self regulation within boundaries of law

Puget Sound 1 (Facilitators: Mathew Boyle, Susan Coles)

- Bulkheads and how they affect the land and the marine environment
- Global warming's affect on rising waters and properties
- Question about Coast and Harbor's study indicating southerly drift on north side of 3 Tree Point
- Conflicting ecological agencies – Burien needs to advocate for Citizen between DFW and CORPS
- Would be no homes w/o bulkheads; the beaches would be public
- Can a bulkhead be designed that protects property yet benefits the beach/marine environment?
- How was 200' jurisdiction determined?
- Vessel wakes and affect on properties
- Don't impose stricter regs. than State requires
- Buoys – are there regs. Where do you find out about them if there are
- Protect ability to place buoys
- Concerns about whether City will enforce regulations
- If you have a bulkhead and your neighbor doesn't, is doesn't do you any good- understand construction of effective bulkheads
- Environment already too altered to regulate native plants – it's too late to make a difference. Recommendation ok.
- Public access – preserve – parks are wonderful
- See people harvesting (commercially?) during red tide bloom, ect (strangers, not residents)
- Liability of access – enforcement –police matter?
- Public education re:tidelands

Puget Sound 2 (Facilitators: Gretchen Coker, Scott Thomas)

- What restoration opportunities are we considering?
- What point in time are we restoring to?
- Who pays for restoration?
- Whose properties are we restoring?
- Private property issues to be protected through this plan
- Will we be required to remove our mooring buoys?
- How will plan affect mooring buoys? (Existing and new)
- How will plan affect public access?
- We don't want DOE to regulate every aspect of our life.
- Clams declined 30 years ago when sewer line and pump station went in. Finally coming back. Will plan counter act this?
- Concern about maintaining existing public access on Indian Trail
- Human safety over ecology, bulkheads protect people and property from storms
- Waves from ships impact private property, bulkheads help protect property sensible and practical
- Bulkhead construction materials and design
- City negotiations with DOE need to convey/capture citizens concerns (stand up to DOE)
- Concern about grandfathering limitations. You can't rebuild in every situation.
- Concern about increasing public access at 3 Tree Point. Don't want liability, garbage, traffic, toilets. Preserve the neighborhood character.
- More explicit directions/rules for park/public access use.
- Proper signage

(use a different meeting space, neighborhood meeting)

Puget Sound 3 (Facilitators: Mark Daniel, David Johanson)

- Education on yard maintenance
- Concern that regulation will be applied "generally" not on a site specific basis
- Concern regarding septic systems draining to beach
- Concern regarding oil from City storm drains
- Mooring buoys are desirable
- Want to maintain ability to repair bulkheads
- Simple permit process to repair bulkheads
- Concern that after storm events restoration will be required
- Taking of private property restricting potential development
- No horses in park (or private property) on beach
- No expansion/greater use of private beaches
- It's ok to walk on beach
- Concern that increased public access could degrade the beach
- Educate beyond the beach (uplands)
- Boat launch (public) should be at Seahurst Park
- Existing private ramps should remain
- Proper management of public access/impacts
- Proactive management of activities within the 200'

2.13 SHORELINE ELEMENT

Terminology:

Goals:

Address longer-term, quality objectives for a particular issue or subject (i.e. Recreation facilities provided by the city are to serve the recreation needs of all citizens of the neighborhood.)

Policies:

Are shorter-term objectives that are measurable and have a schedule for accomplishment. (i.e. The amount of recreational space provided by the city for the neighborhood is to meet the national parks standards as measured in area per neighborhood citizens by the year 2006.)
[Salmon Creek Neighborhood Plan]

DOE Requirements:

SMP Content:

Any **goals** adopted as part of the SMP are consistent with the SMA. (Note: Goal statements are not required.)

Policies (A) are consistent with guidelines and policies of the SMA; (B) address elements of RCW 90.58.100; and (C) include policies for environment designations, accompanied by a map or physical description of designation boundaries in sufficient detail to compare with comprehensive plan land use designations. (D) are consistent with constitutional and other legal limitations on regulation of private property. WAC 173-26-191(2)(a)(i)

SMP implements **preferred use** policies of the SMA. WAC 173-26-201(2)(d)

Uncategorized Issues and Opportunities:

(PS 1.1) How was 200' jurisdiction determined?

2.13.1 - Other Shoreline Master Program Element (Optional)

"Any other element deemed appropriate or necessary to effectuate the policy of this chapter" [Ecology SMP Guidelines]

2.13.2 - Shoreline Master Program Goals and Policies Applicable to All Elements (Optional and Recommended)

Issues and Opportunities:

(PS 1.1) Private property issues to be protected through this plan

(PS 2.1) We don't want DOE to regulate every aspect of our life.

(PS 3.1) Concern that regulation will be applied "generally" not on a site specific basis

(PS 3.2) Taking of private property restricting potential development

(PS 3.3) Proactive management of activities within the 200'

EXISTING BURIEN GOALS: None

Other Goals: None

EXISTING BURIEN POLICIES: None

Other Policies: None

2.13.3 - Shoreline Master Program Coordination Element (Optional and Recommended)

Issues and Opportunities:

(LB 1) Shore club have self regulation within boundaries of law

(PS 1.1) Conflicting ecological agencies – Burien needs to advocate for Citizen between DFW and Corps

(PS 1.2) City negotiations with DOE need to convey/capture citizens concerns (stand up to DOE)

EXISTING BURIEN GOALS: None

Other Goals: None

1. Coordination of shoreline management with other relevant local, state, and federal programs. [Ecology SMP Guidelines]

EXISTING BURIEN POLICIES: None

Other Policies:

1. Adjacent jurisdictions shall identify and protect habitat networks that are aligned at jurisdictional boundaries. Networks shall link large protected or significant blocks of habitat within and between jurisdictions to achieve a continuous Countywide network. These networks shall be mapped and displayed in comprehensive plans. *[Countywide Planning Policy CA-7]*
2. The Washington State Departments of Fisheries and Wildlife and the Indian Tribes both manage fish and wildlife resources. However, local governments have authority for land use regulation. Jurisdictions shall coordinate land use planning and management of fish and wildlife resources with affected state agencies and the federally recognized Tribes. *[Countywide Planning Policy CA-11]*
3. Promote informed, sustained commitment of key watershed interests. *[WRIA 9 Objective]*
4. Provide management actions that are doable, practical and effective. *[WRIA 9 Objective]*
5. Implement an adaptive management approach to respond to changes and to ensure continued effectiveness. *[WRIA 9 Objective]*
6. Coordinate with other WRIA 9 planning activities. *[WRIA 9 Objective]*

2.13.4 - Shoreline Master Program Economic Development Element

"An economic development element for the location and design of industries, industrial projects of statewide significance, transportation facilities, port facilities, tourist facilities, commerce, and other developments that are particularly dependent on their location on or use of shorelines of the state"
[Ecology SMP Guidelines]

Issues and Opportunities: None

DOE Requirements: None

EXISTING BURIEN GOALS:

1. Expand and improve services supporting quality business and residential environments. *[Based on Burien Comp Plan Goal ED.8]*
2. Develop a balanced regulatory environment promoting economic activity and a high quality of life. *[Burien Comp Plan Goal ED.9]*
3. Make every resident an ambassador for Burien. *[Burien Comp Plan Goal ED.10]*
4. Make Burien a safe and attractive place to work, live, shop and visit. *[Burien Comp Plan Goal ED.11]*

Other Goals:

1. Insure healthy, orderly economic growth by allowing those economic activities which will be an asset to the local economy and which result in the least possible adverse effect on the quality of the shoreline and surrounding environment. *[1994 SMP Handbook Goal 2 of 9]*
2. Insure that any economic activity taking place along the shoreline operates without harming the quality of the site's environment or adjacent shorelands. *[1994 SMP Handbook Goal 4 of 9]*
3. Proposed economic use of the shoreline should be consistent with local comprehensive plans. Conversely, upland uses on adjacent lands outside of immediate shoreline jurisdiction (in accordance with RCW 90.58.340) should be consistent with the purpose and intent of this master program as they affect the shoreline. *[1994 SMP Handbook Goal 8 of 9]*
4. To foster a balanced, diversified and sustainable local economy that contributes to Burien's high quality of life, through the protection and enhancement of the community's natural, historical, and cultural amenities, and the improvement of the financial well being of its residents. *[Based on Port Townsend SMP Economic Development Goal]*

EXISTING BURIEN POLICIES:

1. Continue to provide an active code compliance program that is equitable and responsive. *[Burien Comp Plan Pol. ED 8.4]*

2. Protect the beauty and function of the natural environment to maintain a community where workers want to live and work. [*Burien Comp Plan Pol. ED 8.6*]
3. Balance zoning and land use regulations to stimulate economic growth and re-development while promoting a high quality of life. [*Burien Comp Plan Pol. ED 9.1*]
4. Regularly evaluate how regulations promote or constrain economic development. [*Burien Comp Plan Pol. ED 9.2*]
5. Provide high quality customer service and an equitable and efficient development review/land use permitting process. [*Burien Comp Plan Pol. ED 9.3*]
6. Promote actions ensuring a clean and attractive community. [*Burien Comp Plan Pol. ED 11.4*]

Other Policies:

1. New development or redevelopment should avoid or mitigate additional loss of shoreline ecological functions. [*City of Edmonds Draft SMP Policy 5*]
2. Development on shorelines should result in no net loss of ecological function. Redevelopment should be encouraged to improve ecological functions and restore riparian buffers. [*City of Bellingham Draft SMP Economic Development Policy 1*]

2.13.5 - Shoreline Master Program Public Access Element

"A public access element making provision for public access to publicly owned areas" [Ecology SMP Guidelines]

Issues and Opportunities:

- (SAC 1) Access to the beach – Physical and Visual
 - (a) Existing access is adequate through existing parks
 - (b) Gated communities prohibit access to some areas
 - (c) No public access to Lake Burien – why has it remained private?
 - (d) Public access along the Puget Sound leads people onto private property
 - (e) Available parking near access points
 - (f) Clearer signage identifying public access points needed
 - (g) Incentives to provide more access: use of conservation easements, tax breaks?

- (LB 1) Get Ruth Dykeman involved

- (LB 2) Do not want public access

- (PS 1.1) Public access – preserve – parks are wonderful

- (PS 1.2) See people harvesting (commercially?) during red tide bloom, ect (strangers, not residents)

- (PS 1.3) Liability of access – enforcement – police matter?

- (PS 1.4) Public education re: tidelands

- (PS 2.1) How will plan affect public access?

- (PS 2.2) Concern about maintaining existing public access on Indian Trail

- (PS 2.3) Concern about increasing public access at 3 Tree Point. Don't want liability, garbage, traffic, toilets. Preserve the neighborhood character.

- (PS 2.4) More explicit directions/rules for park/public access use

- (PS 2.5) Proper signage

- (PS 3.1) No horses on park (or private property) on beach

- (PS 3.2) No expansion/greater use of private beaches

- (PS 3.3) It's okay to walk on beach

- (PS 3.4) Concern that increased public access could degrade the beach

- (PS 3.5) Proper management of public access/impacts

DOE Requirements:

Public Access. WAC 173-26-221(4):

Policies and regulations protect and enhance both **physical and visual access**. WAC 173-26-221(4)(d)(i)

Public entities are required to incorporate public access measures as part of each development project, unless access is incompatible with safety, security, or environmental protection. WAC 173-26-221(4)(d)(ii)

Non-water-dependent uses (including water enjoyment, water related uses) and subdivisions of land into more than four parcels include standards for dedication and improvement of public access. WAC 173-26-221(4)(d)(iii)

Maximum height limits, setbacks, and view corridors **minimize impacts to existing views** from public property or substantial numbers of residences. WAC 173-26-221(4)(d)(iv); RCW 90.58.320

EXISTING BURIEN GOALS:

1. Increase and enhance public access to shoreline areas, consistent with the natural shoreline character, private rights, and public safety. *[Burien Comp Plan Goal SA.1]*

Other Goals:

2. Provide, protect and enhance a public access system that is both physical and visual, utilizing both private and public lands, which increases the amount and diversity of public access to the State's shorelines and adjacent areas, consistent with the natural shoreline character, private rights and public safety. *[1994 SMP Handbook Goal 1 of 1]*
3. Integrate public access to shorelines as part of the City's public trail system. *[1994 SMP Handbook Goal 2 of 2]*
4. Prepare and implement a comprehensive public access plan that incorporates public access into new shoreline development and unifies public access elements into an organized system. *[1994 SMP Handbook Goal 3 of 3]*

EXISTING BURIEN POLICIES:

1. Waterfront street ends should be recognized as:
 - a. An important community resource that provides visual and physical access to the Puget Sound;
 - b. Special use parks which serve the community, yet fit and support the character of the surrounding neighborhoods;
 - c. A destination resource, where limited facilities and enhancements are provided. *[Burien Comp Plan Pol. SA 1.1, Page 2 - 117]*
2. The City should manage and develop water front street ends by:
 - a. Supporting their use by residents city-wide, yet ensuring that the street ends and their supporting facilities are developed at a level or capacity which are appropriate to the neighborhood character, promotes safety, and is consistent with City risk management practices;
 - b. Ensuring that the waterfront street ends are preserved and maintained with limited enhancements, such as places to sit or rest which fit in with the natural character of the area;

- c. Installing signs that indicate the public's right of access and encourage appropriate use;
 - d. Installing limited trail improvements and enhancements to allow access to the water;
 - e. Minimizing the potential impacts associated with their use on adjacent private property; and
 - f. Developing a street ends plan that promotes waterfront access. [*Burien Comp Plan Pol. SA 1.2, Page 2 – 117*]
3. Waterfront street ends or other shoreline access should be planned in conjunction with the affected neighborhoods. However, the broader community should be notified during the public notification process. [*Burien Comp Plan Pol. SA 1.3, Page 2 – 117*]
 4. The City should seek opportunities to develop new waterfront access points or other shoreline access through:
 - a. tax-title properties;
 - b. donations of land and waterfront areas; and
 - c. acquisition using grants and bonds. [*Burien Comp Plan Pol. SA 1.4, Page 2 – 118*]
 5. Public access to the City's shorelines should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy. [*Burien Comp Plan Pol. SA 1.6, Page 2 – 118*]
 6. The public' visual access to the City's shorelines from streets, paths, trails and designated viewing areas should be conserved and enhanced. [*Burien Comp Plan Pol. SA 1.7, Page 2 – 118*]
 7. Public views from the shoreline upland areas should be enhanced and conserved, while recognizing that enhancement of views should not be necessarily construed to mean removal of vegetation. [*Burien Comp Plan Pol. SA 1.8, Page 2 – 118*]
 8. The vacation or sale of street-ends, other public right of ways and tax title properties that abut shoreline areas shall be prohibited. The City should protect these areas for public access and public viewpoints. [*Burien Comp Plan Pol. SA 1.10, Page 2 – 118*]

Other Policies:

1. Water bodies and rivers of the Puget Sound region form an important element of the open space system. Jurisdictions shall work to protect visual access to water bodies and rivers, and provide for physical access where appropriate. [*Countywide Planning Policy CC-8*]
2. Public access should be considered in the review of all private and public developments (including land division) with the exception of the following:
 - a. One- and two-family dwelling units; or
 - b. Where deemed inappropriate due to health, safety and environmental concerns. [*Based on 1994 SMP Handbook Policy 1 of 9*]
3. Developments, uses and activities on or near the shoreline should not impair or detract from the public's access to the water. [*1994 SMP Handbook Policy 2 of 9*]

4. Public access should be provided as close as possible to the water's edge without adversely affecting a sensitive environment and should be designed for handicapped and physically impaired persons. *[1994 SMP Handbook Policy 3 of 9]*
5. Public access afforded by shoreline street ends, public utilities and rights-of-way should be preserved, maintained and enhanced. *[1994 SMP Handbook Policy 5 of 9]*
6. The public access area should be a comfortable and safe place to visit. *[1994 SMP Handbook Policy 7 of 9]*
7. There should be a physical separation or other means of clearly delineating public and private space in order to avoid unnecessary user conflict. *[1994 SMP Handbook Policy 8 of 9]*
8. The city should use street ends and other publicly owned or controlled land within the shoreline area as a means of providing additional safe public access to shoreline areas. **When these types of areas are developed, the city should also provide for some associated limited off-street parking or public transportation connection in order to minimize impacts to surrounding properties. [Emphasis added]** *[City of Edmonds SMP Policy 1]*
9. The city, where practicable, should acquire key shoreline parcels that become available; such parcels are... *[Based on City of Edmonds SMP Policy 4]*
10. Visual access should be maintained, enhanced and preserved on shoreline street ends, public utilities and rights-of-way and within public "**view corridors**" as designated by the city. **[Emphasis added]** *[City of Edmonds SMP Policy 14]*
11. Publicly owned shorelines should be limited to water-dependent or public recreational uses, otherwise such shorelines should remain protected open space. *[1994 SMP Handbook Policy 4 of 9]*
12. The city should develop signage and informational programs which identify and explain unique scenic and cultural opportunities. Furthermore, the city should develop public information brochures and publications for distribution which identify all locations for public access to the shorelines, and underwater activities with information about each site location. *[City of Edmonds SMP Policy 2]*
13. The city should maintain public shorelines, waterways and tidelands in public ownership for continued public access and use. *[City of Edmonds SMP Policy 3]*
14. Art and cultural amenities should be provided along waterfront pedestrian corridors wherever practicable. *[City of Edmonds SMP Policy 5]*
15. Incorporate building and landscape design standards to protect and enhance public access. Design standards should include but are not limited to height, bulk, scale, setbacks, signage, lighting and preservation of view corridors through modulation of building heights and massing. Encourage the use of native vegetation where landscaping is required. *[Port Townsend SMP Policy 4.5.1]*
16. Promote a coordinated system of connected pathways, sidewalks, passageways between buildings, beach walks, and shoreline access points that increase the amount and diversity of opportunities for walking and chances for personal discoveries. *[Port Townsend SMP Policy 4.5.3]*

2.13.6 - Shoreline Master Program Recreational Element

"A recreational element for the preservation and enlargement of recreational opportunities, including, but not limited to parks, tidelands, beaches, and recreational areas" [Ecology SMP Guidelines]

Issues and Opportunities:

(PS 3.1) Boat launch should be at Seahurst Park

(PS 3.2) Existing private ramps should remain

DOE Requirements:

EXISTING BURIEN GOALS: None

Other Goals:

1. Insure optimal recreational opportunities now and in the future in shoreline areas that can reasonably tolerate during peak use periods active, passive, competitive or contemplative uses without destroying the integrity and character of the shoreline. [1994 SMP Handbook Goal 1 of 6]
2. Coordinate with the City Department of Parks and Recreation to optimize opportunities for water-oriented recreation. [1994 SMP Handbook Goal 2 of 6]
3. Integrate recreational elements into federal, state and local public access and conservation planning. [1994 SMP Handbook Goal 3 of 6]
4. Encourage federal, state and local government to acquire additional shoreline properties for public recreational uses. [1994 SMP Handbook Goal 4 of 6]
5. Insure existing and proposed recreational uses are of a safe and healthy nature. [1994 SMP Handbook Goal 5 of 6]
6. Consider both active and passive recreational needs in development of recreational areas. [1994 SMP Handbook Goal 6 of 6]
7. The amount of shorelines dedicated to public recreation should be increased and their potential optimized. [City of Bellingham Draft SMP Recreation Goal 1.a.]
8. Development of recreation uses should not result in a net loss of shoreline ecological function. [City of Bellingham Draft SMP Recreation Goal 1.b.]

EXISTING BURIEN POLICIES: None

Other Policies:

1. The City shall plan to provide, in coordination with other agencies, a range of park facilities that serve a variety of recreational and open space purposes. Such planning should use the following designations and guidelines to provide such diversity:

1. Mini or Pocket Park

Use Description: Passive recreation or specialized facilities that *may* serve a concentrated or limited population such as children or senior citizens.

Service area: Approximately 1/3 of a mile radius.

Size: No Minimum to approximately one-acre

Desirable Characteristics: These parks should be in close proximity to dwellings and or other centers of activity. Mini parks should be designed for intensive use and should be accessible and visible from surrounding area.

Examples: In Burien these types of parks are primarily private parks consisting of play areas in large multiple family developments (such as Seahurst), beach access for adjacent subdivisions, view appreciation areas (bench or platform), picnic tables and trees in a small area, children's play area, game tables, or public gardens or planted areas.

Other Considerations: Since maintenance costs of these smaller parks are high relative to their service areas, few jurisdictions are able to meet the desired quantity. This type of park is most suitable to provide unique local needs, such as the Shore accesses, or as a consideration in the design of new development. The City should seek a variety of means for financing and maintaining mini-parks, including considering opportunities for community stewardship and grant or private funding. [Burien Comp Plan Pol. PRO 1.5, Page 2 - 106]

5. Special Use Park

Use Description: Specialized or single purpose recreational activities such as golf courses, walking and bicycle trails, skateboard parks, street ends, zoos, arenas or areas that preserve buildings, sites or features of historical significance.

Service area: Variable

Size: Depends on nature of facility.

Desirable Characteristics: Compatibility with adjacent facilities and uses.

Examples: Examples within the incorporated limits of Burien consist primarily of limited access high school athletic fields, designated view points and historical markers, and waterfront street ends (including those at SW 170th Pl., SW 163rd Pl., and at the intersection of Maplewild Ave. SW and SW 172nd St.). [Burien Comp Plan Pol. PRO 1.5, Page 2 - 108]

7. Conservancy Park

Use Description: Conservancy Parks are formally designated public resource areas. In such parks the primary management objectives are protection and management of historical, cultural and natural resources, including fish and wildlife habitat areas and may include appropriate passive recreational activities.

Service area: None

Size: As appropriate for the resource.

Desirable Characteristics: As appropriate for the resource.

Examples: Currently Salmon Creek Ravine is most appropriately classified in this category although its feasibility for including other types of park activities consistent with its character should be evaluated. This category would also apply to any significant formally designated land, protected wetlands or steep slope areas by private or public means. [Burien Comp Plan PRO 1.5, Page 2 – 109]

Figure 2-PRO1 (page 2-111) shows shoreline trails and beach access points

2. The coordination of local, state and federal recreation planning should be encouraged so as to mutually satisfy recreational needs. Shoreline recreational developments should be consistent with all adopted park, recreation and open space plans. [1994 SMP Handbook Policy 1 of 16]
3. The location and design of shoreline recreational developments should relate to local population characteristics, density and special activity demands. [1994 SMP Handbook Policy 2 of 16]
4. Recreational developments and plans should promote the primacy of preserving the natural character, resources and ecology of the shorelines of state-wide significance (see use preferences, Chapter 95.58.020 RCW). [1994 SMP Handbook Policy 3 of 16]
5. Recreational developments should be located, designed and operated to be compatible with, and minimize adverse impacts on, environmental quality and valuable natural features as well as on adjacent surrounding land and water uses. Favorable consideration should be given to proposals which complement their environment and surrounding land and water uses, and which leave natural areas undisturbed and protected. [1994 SMP Handbook Policy 4 of 16]
6. Shoreline areas with a potential for providing recreation or public access opportunities should be identified for this use and acquired by lease or purchase and incorporated into the public park and open space system. [1994 SMP Handbook Policy 5 of 16]
7. A variety of compatible recreational experiences should be encouraged to satisfy diverse recreational needs. [1994 SMP Handbook Policy 6 of 16]
8. The concentration of recreation use pressure at a few points along the shoreline should be avoided by encouraging development of smaller, dispersed recreation areas. [1994 SMP Handbook Policy 7 of 16]
9. The linkage of shoreline parks, recreation areas and public access points with linear systems, such as hiking paths, bicycle paths, easements and/or scenic drives, should be encouraged. [1994 SMP Handbook Policy 8 of 16]
10. Recreational developments should be located and designed to preserve, enhance or create scenic views and vistas. Such scenic views should be identified in the shoreline inventory. [1994 SMP Handbook Policy 9 of 16]
11. Where appropriate, nonintensive recreational uses may be permitted in floodplain areas. [1994 SMP Handbook Policy 10 of 16]
12. Artificial marine life habitats should be encouraged in order to provide increased aquatic life for recreation. Such habitats should be constructed in areas of low habitat diversity

and in consultation with the Department of Fisheries. *[1994 SMP Handbook Policy 11 of 16]*

13. The use of shoreline street ends and publicly owned lands for public access and development of recreational opportunities should be encouraged. *[1994 SMP Handbook Policy 12 of 16]*
14. All recreational developments should make adequate provisions for:
 - a. Vehicular and pedestrian access, both on-site and off-site;
 - b. Proper water supply and sewage waste disposal methods;
 - c. Security and fire protection;
 - d. The prevention of overflow and trespass onto adjacent properties, including but not limited to landscaping, fencing and posting of property; and
 - e. Buffering of such development from adjacent private property or natural area. *[1994 SMP Handbook Policy 15 of 16]*
15. Trails and pathways on steep shoreline bluffs should be located, designed and maintained to protect bank stability. *[1994 SMP Handbook Policy 16 of 16]*
16. Development of recreational facilities along City shorelines should implement Low Impact Development techniques whenever feasible. *[City of Bellingham Draft SMP Recreation Policy 2.b.]*
17. Recreation facilities in the shoreline area should be restricted to those dependent upon a shoreline location, or those benefiting from a shoreline or in-water location that are in the public interest. *[City of Edmonds SMP Policy 5]*
18. Prohibit recreational facilities and activities that adversely affect the integrity and character of the shoreline, or which threaten fragile shoreline ecosystems and ecological functions. *[Port Townsend SMP Policy 4.6.3]*
19. Public information and education programs, and attendant enforcement procedures, should be developed and implemented to help ensure that the public is aware of park regulations and private property rights, and to prevent the abuse of the shoreline and its natural ecological system. *[City of Edmonds SMP Policy 7]*
20. Existing and new upland activities should be developed and/or monitored to preserve water quality for continued water-enjoyment recreational uses (e.g. swimming, boating, fishing and bird-watching). *[City of Bellingham Draft SMP Recreation Policy 2.f.]*

2.13.7 - Shoreline Master Program Circulation Element

"A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other public utilities and facilities, all correlated with the shoreline use element"
[Ecology SMP Guidelines]

Issues and Opportunities:

(SAC 1) Lake Burien

(a) Utility upgrades and their affect on the natural functions of the lake

DOE Requirements: None

EXISTING BURIEN GOALS: None

Other Goals:

1. Provide safe, reasonable and adequate circulation systems to shorelines where routes will have the least possible adverse effect on unique or fragile shoreline features and existing ecological systems, while contributing to the functional and visual enhancement of the shoreline. [1994 SMP Handbook Goal 1 of 8]
2. Locate land circulation systems which are not shoreline dependent as far from the land-water interface as feasible to reduce interference with either natural shoreline resources or other appropriate shoreline uses. Where possible avoid creating barriers between adjacent uplands and the shoreline. [1994 SMP Handbook Goal 2 of 8]
3. Route transportation corridors to harmonize with the topography and other natural characteristics of the shoreline. [1994 SMP Handbook Goal 3 of 8]
4. Provide for alternate modes of travel with some freedom of choice and encourage multiple-use corridors where compatible. [1994 SMP Handbook Goal 4 of 8]
5. Acquire and develop physical and visual public access where topography, view and natural features warrant as a result of new transportation development in shoreline areas (e.g. turnouts, rest areas). [1994 SMP Handbook Goal 5 of 8]
6. Discourage shoreline uses which curtail or reduce existing free movement of the public unless such restriction is in the interest of the environment, public health and safety, or is necessary to a proposed beneficial use. [1994 SMP Handbook Goal 6 of 8]
7. Where feasible relocate existing shoreline transportation facilities such as rail lines or freeways that are disruptive to public shoreline access or other shoreline uses or convert such rights-of-way to new public access routes. [1994 SMP Handbook Goal 7 of 8]
8. Protect, manage and enhance those characteristics or shoreline roadway corridors that are unique or have historic significance or aesthetic quality, for the benefit and enjoyment of the public. [1994 SMP Handbook Goal 8 of 8]
9. Develop balanced and efficient water and land transportation system that minimizes adverse environmental impacts on shorelines while contributing to the functional and visual enhancement of the system. Development of new circulation plans should

emphasize alternative modes of transportation (e.g. bicycles, pedestrians) within close proximity to shorelines as opposed to new systems for automobiles. *[Bellingham Draft SMP Circulation Goal a.]*

EXISTING BURIEN POLICIES: None

Other Policies:

1. Parking in shoreline areas should directly serve a permitted shoreline use. *[1994 SMP Handbook Parking Policy 1 of 3]*
2. Parking facilities should be located and designed to minimize adverse impacts including those related to stormwater runoff, water quality, visual qualities, public access and vegetation and habitat maintenance. *[1994 SMP Handbook Parking Policy 2 of 3]*
3. Parking should be planned to achieve optimum use. Where possible, parking should serve more than one use (e.g. serving recreational use on weekends, commercial uses on weekdays). *[1994 SMP Handbook Parking Policy 3 of 3]*
4. Utilities are necessary to serve shoreline uses and should be properly installed so as to protect the shoreline and water from contamination and degradation. *[1994 SMP Handbook Utilities Policy 1 of 3]*
5. Utility facilities and right-of-ways should be located outside of the shoreline area to the maximum extent possible. When utility lines require a shoreline location, they should be placed underground. *[1994 SMP Handbook Utilities Policy 2 of 3]*
6. Utility facilities should be designed and located in a manner which preserves the natural landscape and shoreline ecology and minimizes conflicts with present and planned land uses. *[1994 SMP Handbook Utilities Policy 3 of 3]*
7. Site non-water dependent transportation and parking facilities as far upland from the shoreline as feasible to reduce interference with both the shoreline ecology as well as other more appropriate shoreline uses. *[Port Townsend SMP Policy 4.4.1]*
8. Minimize impacts to the topography and other natural characteristics of the shoreline by appropriately locating transportation routes. *[Port Townsend SMP Policy 4.4.2]*
9. Where new roadways do occur in shoreline jurisdiction, the result should be no net loss of shoreline ecological function. *[Bellingham Draft SMP Circulation Objective 2b]*
10. New roadways for vehicle circulation should be located outside of or minimized within the shoreline jurisdiction. Where no feasible alternative exists for new roadways, mitigation should be provided and should be designed for a variety of transportation modes or multi-modal. *[Bellingham Draft SMP Circulation Objective 2a]*
11. Provide and/or enhance physical and visual public access along shoreline public roads (i.e., turnouts, viewpoints and rest areas) when appropriate given topography, views and natural features. *[Port Townsend SMP Policy 4.4.3]*
12. Encourage the use of bicycles, shuttles and other alternative modes of transportation for general access to and from the waterfront. *[Port Townsend SMP Policy 4.4.4]*

13. Wherever practicable, safe pedestrian and bicycle movement on and off roadways in the shoreline area should be encouraged as a means of personal transportation and recreation. *[City of Edmonds SMP Policy 2]*
14. Existing shoreline circulation should be redesigned to accommodate varied modes of transportation and, where feasible, be used as a means of increasing public enjoyment of the shorelines. *[Bellingham Draft SMP Circulation Objective 2e]*
15. Public transit systems should be linked to the urban waterfront. *[City of Edmonds SMP Policy 9]*

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2.13.8 - Shoreline Master Program Use Element

"A use element which considers the proposed general distribution and general location and extent of the use on shorelines and adjacent land areas for housing, business, industry, transportation, agriculture, natural resources, recreation, education, public buildings and grounds, and other categories of public and private uses of the land" [Ecology SMP Guidelines]

Issues and Opportunities:

- (SAC 1) Integrating the Growth Management Act (GMA) and the Shoreline Master Program (SMP)
 - (a) Pressure on ecology to reduce/eliminate development impacts on shorelines such as urban infill
- (SAC 2) Developer/Resident issues with regulation of shorelines with the Shoreline Master Program
 - (a) Piers, docks, McMansions
- (SAC 3) Septic Systems and their affect on the shoreline
- (SAC 4) The new SMP should protect the City of Burien from litigation
 - (a) Slides and liquefaction
 - (b) Impacts of development
- (LB 1) Density (allowable) on the Lake no commercial or multi-family
- (LB 2) Dock development
- (LB 3) Titles to some properties show ownership to center of Lake-opportunity
- (PS 1.1) Bulkheads and how the affect the land and the marine environment
- (PS 1.2) Would be no homes w/o bulkheads; the beaches would be public
- (PS 1.3) Can a bulkhead be designed that protects property yet benefits the beach/marine environment?
- (PS 1.4) Vessel wakes and affect on properties
- (PS 1.5) Don't impose stricter regs. than state requires
- (PS 1.6) Buoys-are there regs. Where do you find out about them if there are
- (PS 1.7) Protect ability to place buoys
- (PS 1.8) Concern about whether City will enforce regulations
- (PS 1.9) If you have a bulkhead and your neighbor doesn't, it doesn't do you any good-understand construction of effective bulkheads
- (PS 2.1) Will we be required to remove our mooring buoys?

- (PS 2.2) How will plane affect mooring buoys? (Existing and new)
- (PS 2.3) Human safety over ecology, bulkheads protect people and property from storms
- (PS 2.4) Waves from ships impact private property, bulkheads help protect property
- (PS 2.5) Bulkhead construction materials and design
- (PS 2.6) Concern about grandfathering limitations. You can't rebuild in every situation.
- (PS 3.1) Concern regarding septic systems draining to beach
- (PS 3.2) Mooring buoys are desirable
- (PS 3.3) Want to maintain ability to repair bulkheads
- (PS 3.4) Simple permit process to repair bulkheads

DOE Requirements:

Geologically Hazardous Areas. WAC 173-26-221(2)(c)(ii)

Prohibition on new development (or creation of new lots) that would:
cause foreseeable risk from geological conditions during the life of the
development prohibited. WAC 173-26-221(2)(c)(ii)(B)
require structural shoreline stabilization over the life of the development. (Exceptions allowed
where stabilization needed to protect allowed uses where no alternative locations are
available and no net loss of ecological functions will result.) WAC 173-26-221(2)(c)(ii)(C)

New stabilization structures for existing primary residential structures allowed only where no
alternatives (including relocation or reconstruction of existing structures), are feasible, and less
expensive than the proposed stabilization measure, and then only if no net loss of ecological
functions will result. WAC 173-26-221(2)(c)(ii)(D)

Critical Saltwater Habitats. WAC 173-26-221(2)(c)(iii):

Prohibition on new docks, bulkheads, bridges, fill, floats, jetties, utility crossings and other
human-made structures that intrude into or over critical saltwater habitats, except where:
public need is clearly demonstrated;
avoidance of impacts is not feasible or would result in unreasonable cost;
the project include appropriate mitigation; and
the project is consistent with resource protection and species recovery.

Private, non-commercial docks for individual residential or community use allowed if it is
infeasible to avoid impacts by alternative alignment or location and the project results in no net
loss of ecological functions. WAC 173-26-221(2)(c)(iii)(C)

Where inventory of critical saltwater habitat has not been done, all over water and near-shore
developments in marine and estuarine waters require habitat assessment of site and adjacent
beach sections. WAC 173-26-221(2)(c)(iii)(C)

Critical Freshwater Habitats. WAC 173-26-221(2)(c)(iv):

Requirements that ensure **new development** within stream channel, channel migration zone, wetlands, floodplain, hyporheic zone, does not cause a net loss of ecological functions. WAC 173-26-221(2)(c)(iv)(C)(I) and WAC 173-26-221(2)(c)(iv)(B)(II)

EXISTING BURIEN GOALS: None

Other Goals:

1. Establish an implement policies and regulations for shoreline use consistent with the Shoreline Management Act of 1971. These policies and regulations should insure that the overall land use patterns that result in shoreline areas are consistent with existing shoreline environment designations and will be sensitive to and not degrade habitat and ecological systems and other shoreline resources. *[1994 SMP Handbook Goal 1 of 10]*
2. Insure that activities and facilities are located on the shorelines in such a manner as to retain or improve the quality of the environment as it is designated for that area. *[1994 SMP Handbook Goal 3 of 10]*
3. Insure that proposed shoreline uses do not infringe upon the rights of others or upon the rights of private ownership. *[1994 SMP Handbook Goal 5 of 10]*
4. Encourage joint-use activities in proposed shoreline developments. *[1994 SMP Handbook Goal 7 of 10]*
5. Designated shorelines of state-wide significance are of value to the entire state and should be protected and managed. In order of preference, the priorities are to:
 - a. Recognize and protect the state-wide interest over local interest;
 - b. Preserve the natural character of the shoreline;
 - c. Result in long-term over short-term benefit;
 - d. Protect the resources and Ecology of shorelines; and
 - e. Increase public access to publicly owned areas of the shorelines. *[1994 SMP Handbook Goal 8 of 10]*
6. Encourage restoration of shoreline areas that have been degraded or diminished in ecological value and function as a result of past activities or catastrophic events. *[1994 SMP Handbook Goal 9 of 10]*
7. Ensure that planning, zoning and other regulatory and nonregulatory programs governing lands adjacent to shoreline jurisdiction are consistent with SMA policies and regulations and the provisions of this SMP. *[1994 SMP Handbook Goal 10 of 10]*
8. Ensure that residential development in the shoreline area is compatible with adjacent uses and minimizes impacts to shoreline ecological processes and functions. *[City of Edmonds Draft SMP Goal 12]*

EXISTING BURIEN POLICIES:

1. The City will ensure that infill development is compatible with the character, scale and design of surrounding development. The City will encourage infill projects when and where the conditions for development are met. *[Burien Comp Plan Pol. LU 1.6, Page 2 - 6]*

2. The city will strive to ensure that basic community values are reflected in the City's land use and decision making processes, while recognizing the rights of individuals to use and develop private property in a manner consistent with City regulations. [*Burien Comp Plan Pol. LU 1.7, Page 2 – 6*]
3. The planned densities for single family development should encourage a lower development potential in areas with development constraints. [*Burien Comp Plan Pol. RE 1.2, Page 2 – 6*]
4. Any existing single-family lot that was legally subdivided or legally created prior to enactment of subdivision statutes prior to incorporation or annexation shall be considered a legally conforming lot for building purposes, providing the size of the lot was not reduced by more than 50 percent through acquisition for public purposes, and on such lots new homes may be built and existing houses may be expanded and remodeled, provided that applicable setbacks, lot coverage, critical area restrictions, design review requirements (if any), height limits and other applicable regulations in the zoning code are met. [*Burien Comp Plan Pol. RE 1.3 Page 2 – 11*]
5. When determining buildable lot size for residential development, the area of a lot covered by water (including but not limited to lakes or the Puget Sound) shall not be included in the calculation. [*Burien Comp Plan Pol. RE 1.4, Page 2 – 11*]
6. The *Low Density Residential Neighborhood* designation will provide for low-density residential development. Development within this designation includes existing neighborhoods that are zoned for four units per acre or less. [*Burien Comp Plan Pol. RE 1.5, Page 2 – 11*]
7. *Allowed Uses and Description:* The *Low Density Residential Neighborhood* designation allows single family residential uses and their accessory uses at a density of 4 units per acre or less, due to the constraints posed by critical areas. This policy may be implemented by more than one zoning category, based on the ability of the land and public facilities to support development. Development standards, for such items as impervious surfaces, streetscapes, sidewalks and stormwater drainage, may vary within each zoning category based on the existing character of the area.
8. *Designation Criteria:* Properties designated *Low Density Residential Neighborhood* should reflect the following criteria:
 1. The area is already generally characterized by single family residential development at four units per acre or less; and
 2. Relative to other residential areas within the City, the area is characterized by lower intensity development as shown on Map LU-2.
 3. The land is designated as a potential landslide hazard area, steep slope area, or wetland on the City of Burien's Critical Areas Map,
 4. The existing and planned public facilities for the area cannot adequately support a higher density.
 5. The area is subject to existing impacts from high levels of airport-related noise.
9. Clustering of housing units may be allowed on lots designated for residential development that contains steep slopes and are located adjacent to an urban environment. [*Burien Comp Plan Pol. EV 1.6, Page 2 – 37*]
10. The City shall develop land use regulations to buffer critical areas from the impacts of adjacent land uses. [*Burien Comp Plan Pol. EV 1.7, Page 2 – 38*]

11. The City shall ensure that uses and development in shoreline areas is compatible with the shoreline environments designated in the City's Shoreline Master Program. Adherence to these designations will ensure that sensitive habitat, ecological systems, and other shoreline resources are protected. *[Burien Comp Plan Pol. EV 2.1, Page 2 – 38]*
12. The City Shoreline Master Program, hereby adopted as an element of this Plan, shall govern the development of all designated Shorelines of the City. Lands adjacent to these areas shall be managed in a manner consistent with this Program. *[Burien Comp Plan Pol. EV 2.5, Page, 2 – 38]*
13. As slope increases, development intensity, site coverage, and vegetation removal should decrease and thereby minimize the potential for drainage problems, soil erosion, siltation and landslides. Slopes of 40 percent or greater should be retained in a natural state, free of structures and other land surface modifications.
 1. Single family homes and detached single-family garages on existing legally established lots are exempted from this restriction, provided that:
 - a. The application of this restriction would deny any appropriate use of this property;
 - b. There is no other appropriate economic use with less impact;
 - c. The proposed development does not pose a threat to public health, safety or welfare on or off the development site;
 - d. Any alterations permitted to the critical area shall be the minimum necessary to allow for economic use of the property;
 - e. An analysis of soils, footings and foundations, and drainage be prepared by qualified professionals, certifying that the proposed activity is safe and will not adversely affect the steep slope hazard area or buffer; and
 - f. There are adequate plans, as determined by the City, for stormwater and vegetation management.
 2. Short plats or other divisions of an existing legal lot shall only be approved if all resulting lots are buildable under this restriction.
 3. It is the applicant's responsibility to show that these provisions are met through an appropriate mechanism such as, or similar to, the SEPA process. *[Burien Comp Plan Pol. EV 3.1, Page 2 – 40]*
14. The City should prohibit development on areas prone to erosion and landslide hazards. Further, the City should restrict development on potentially unstable land to ensure public safety and conformity with existing natural constraints, unless the risks and adverse impacts associated with such development can be appropriately mitigated. *[Burien Comp Plan Pol. EV 3.2, Page 2 – 40]*
15. Land uses on steep slopes should be designed to prevent property damage and environmental degradation, and to enhance open space and wildlife habitat. *[Burien Comp Plan Pol. EV 3.5, Page 2 – 41]*
16. Where there is a high probability of erosion, grading should be kept to a minimum and disturbed vegetation should be restored as soon as feasible. In all cases, the City shall require appropriate site design and construction measures to control erosion and sedimentation. *[Burien Comp Plan Pol. EV 3.6, Page 2 – 41]*
17. Native plant communities and wildlife habitats shall be integrated with other land uses where possible. Development shall protect wildlife habitat through site design and landscaping. Landscaping, screening, or vegetated buffers required during development

review shall retain, salvage and/or reestablish native vegetation whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect and enhance wildlife habitat values. *[Burien Comp Plan Pol. EV 4.8, page 2 – 42]*

Other Policies:

1. All jurisdictions shall protect and enhance the natural ecosystems through comprehensive plans and policies, and develop regulations that reflect natural constraints and protect sensitive features. Land use and development shall be regulated in a manner which respects fish and wildlife habitat in conjunction with natural features and functions, including air and water quality. Natural resources and the built environment shall be managed to protect, improve and sustain environmental quality while minimizing public and private costs. *[Countywide Planning Policy FW-4]*
2. Encourage management of land use changes and development standards to minimize impacts. *[WRIA 9 Objective]*
3. New uses and developments in shoreline areas that have established desirable development patterns should be designed to be compatible with those areas; provided the existing uses are consistent with the Shoreline Management Act and the City's comprehensive plan and shoreline master program. *[City of Edmonds Draft SMP Policy 1]*
4. Protect existing shoreline and water views, promote public safety, and avoid adverse impacts to marine bluffs and nearshore habitat in designing new residential development. *[Port Townsend SMP Policy 4.2.3]*
5. Ensure public safety, enhance public access, and achieve no net loss of shoreline ecological functions by appropriately locating, designing, and operating all activities, development and redevelopment. *[Port Townsend SMP Policy 4.2.4]*
6. Over-water structures other than docks, piers, walkways, breakwaters and other similar structures should be prohibited with the exception of minor appurtenant buildings, buoys, divers resting floats, and art sculpture. *[Based on City of Edmonds Draft SMP Policy 3]*
7. Uses in shoreline areas should not degrade water quality nor disrupt any more than is essential the land covered by water and the land area adjacent to the ordinary high water mark. *[City of Edmonds Draft SMP Policy 5]*
8. Shoreline stabilization and protective measures should be limited in number and extent. The use of "soft" stabilization and protective measures, such as vegetation, is preferred over the use of "hard" measures, such as concrete bulkheads. *[City of Edmonds Draft SMP Policy 12]*
9. Uses which adversely alter or degrade the defined shoreline "natural systems" should be prohibited. *[City of Edmonds Draft SMP Policy 9]*
10. Shoreline use and development should be provided for through a process of review and analysis that gives priority to:
 - i. The protection and enhancement of the shoreline natural system;
 - ii. The provision for shoreline-dependent uses;
 - iii. The provision for shoreline-oriented uses; and

iv. The accommodation of necessary uses that are neither shoreline dependent nor shoreline-oriented.

11. The priority system will recognize, but not be limited to, the following criteria:

i. Protect and enhance natural systems:

(A) Biological:

- (1) Critical areas for fish spawning, rearing, feeding, and migration, including beaches, marshland, aquatic vegetation and nearshore/subtidal areas;
- (2) Waterfowl and water associated bird nesting, resting, feeding and nursery areas;
- (3) Shellfish life – supporting areas;
- (4) Upland mammal breeding, rearing and feeding areas;
- (5) Upland plant growth areas (greenbelts, etc.);
- (6) Aquatic (non-fish and non-shellfish) marine organisms life supporting areas; and
- (7) Other.

(B) Geological:

- (1) Bluff and landslide areas;
- (2) Beaches and tidelands – shoals and coves;
- (3) Marshland and slough areas;
- (4) Streams and ravines;
- (5) Below low water submerged lands – canyons, cliffs, rock reefs, sand or mud flats, etc.; and
- (6) Other.

ii. Provide for shoreline-dependent uses, such as:

- (A) Ferry and passenger terminals;
- (B) Terminal and transfer facilities for marine commerce and industry;
- (C) Marine and fresh water construction, dismantling and repair;
- (D) Marinas – boats;
- (E) Intakes and outfalls;
- (F) Boat launch facilities;
- (G) Shoreline recreation – including parks, bike and walking trails, beaches, etc.
- (H) Water-related recreation – including scuba diving, waterway trail system, fishing, and small craft boating;
- (I) Marine and limnological research, interpretation and education;
- (J) Piers and related facilities for the loading and unloading of petroleum products; and
- (K) Other uses of like intensity and dependency. *[Based on City of Edmonds Draft SMP Policy 11]*

2.13.9 - Shoreline Master Program Conservation Element

"A conservation element for the preservation of natural resources, including, but not limited to, scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection" [Ecology SMP Guidelines]

Issues and Opportunities:

- (SAC 1) Impacts of climate change
 - (a) Rise of sea level and how it affects our shorelines and adjacent development.
 - (b) Can Shoreline Master Program assist residents with the affects of climate change or provide incentives (i.e. shoreline armoring)
- (SAC 2) Stewardship and Public Education
 - (a) Educate the community and their impact on the shoreline: armoring, hydrological connections, public access, community responsibilities.
 - (b) Shoreline Advisory Committee should educate them selves and use resources available to gain information on what is in Burien on the shoreline
 - (c) Input from the community – community pride
 - (d) Look ahead into the future
- (LB 1) Official regulations regarding no motorized motorcrafts/boats on the lake
- (LB 2) Keeping storm sewers open and clean (city should take care of this)
- (LB 3) Keep oil out of the lake
- (LB 4) Fertilizer
- (PS 1.1) Global warming's affect on rising waters and properties
- (PS 1.2) Question about Coast and Harbor's study indicating southerly drift on north side of 3 Tree Point
- (PS 1.3) Environment already too altered to regulate native plants – it's too late to make a difference. Recommendation ok.
- (PS 2.1) Clams declined 30 years ago when sewer line and pump station went in. Finally coming back. Will plan counteract this?
- (PS 3.1) Education on yard maintenance
- (PS 3.2) Concern regarding oil from City storm drains
- (PS 3.3) Educate beyond the beach (uplands)

DOE Requirements:

Critical areas. WAC 173-26-221(2)

Policies and regulations for critical areas (designated under GMA) located within shorelines of the state: (i) are consistent with SMP guidelines, and (ii) provide a level of protection to critical areas within the shoreline area that is at least equal to that provided by the local government's

existing critical area regulations adopted pursuant to the GMA for comparable areas other than shorelines. WAC 173-26-221(2)(a) and (c)

Planning objectives are for protection and restoration of degraded ecological functions and ecosystem-wide processes. **Regulatory provisions** protect existing ecological functions and ecosystem-wide processes. WAC 173-26-221(2)(b)(iv)

Critical area provisions **promote human uses and values**, such as public access and aesthetic values, provided they do not significantly adversely impact ecological functions. WAC 173-26-221(2)(b)(v)

Wetlands. WAC 173-26-221(2)(c)(i):

Wetlands **definition** are consistent with WAC 173-22.

Provisions requiring wetlands delineation method are consistent with WAC 173-22-035.

Regulations address all **uses and activities** listed in WAC 173-26-221(2)(c)(i)(A) to achieve no net loss of wetland area and functions including lost time when the wetland does not perform the function. [WAC 173-26-221(2)(c)(i)(A) + (C)]

Wetlands **rating** or categorization system is based on rarity, irreplaceability, or sensitivity to disturbance of a wetland and the functions the wetland provides. Use Ecology Rating system or regionally specific, scientifically based method. WAC 173-26-221(2)(c)(i)(B)]

Buffer requirements are adequate to ensure wetland functions are protected and maintained in the long-term, taking into account ecological functions of the wetland, characteristics of the buffer, and potential impacts associated with adjacent land uses. WAC 173-26-221(2)(c)(i)(B)

Wetland **mitigation** requirements are consistent with WAC 173-26-201(2)(e) and which are based on the wetland rating. WAC 173-26-221(2)(c)(i)(E) and (F)

Compensatory mitigation allowed only after mitigation sequencing is applied and higher priority means of mitigation are determined to be infeasible.

Compensatory mitigation requirements include (I) replacement ratios; (II) Performance standards for evaluating success; (III) long-term monitoring and reporting procedures; and (IV) long-term protection and management of compensatory mitigation sites. WAC 173-26-221(2)(c)(i)(F)

Compensatory mitigation requirements are consistent with preference for "in-kind and nearby" replacement, and include requirement for watershed plan if off-site mitigation is proposed. WAC 173-26-201(2)(e)(B)

Critical Freshwater Habitats. WAC 173-26-221(2)(c)(iv)

Regulations **protect hydrologic connections** between water bodies, water courses, and associated wetlands. WAC 173-26-221(2)(c)(iv)(C)(IV)

Vegetation Conservation (Clearing and Grading). WAC 173-26-221(5):

Vegetation **standards** implement the principles in WAC 173-26-221(5)(b). Methods to do this may include setback or buffer requirements, clearing and grading standards, regulatory incentives, environment designation standards, or other master program provisions. WAC 173-26-221(5)(c)

Selective **pruning** of trees for safety and view protection is allowed and removal of noxious weeds is authorized. WAC 173-26-221(5)(c)

Water Quality. WAC 173-26-221(6)

Provisions protect against adverse impacts to water quality and storm water quantity and ensure mutual consistency between SMP and other regulations addressing water quality. WAC 173-26-221(6)

EXISTING BURIEN GOALS:

1. Preserve and enhance critical areas in order to protect public health, safety, and welfare, and to maintain the integrity of the natural environment. [*Burien Comp Plan Goal EV.1*]
2. Maintain and promote a safe and healthy environment and preserve the quality of life in Burien. [*Burien Comp Plan Goal EV.2*]
3. Promote soil stability and to ensure against the loss of both public and private property in areas with steep slopes. [*Burien Comp Plan Goal EV.3*]
4. Conserve fish and wildlife resources and maintain bio-diversity. [*Burien Comp Plan Goal EV.4*]
5. Protect and enhance the functions and values of the City's wetlands. [*Burien Comp Plan Goal EV.6*]
6. Recognize the significant role that the natural environment plays in creating a healthy and attractive community. [*Burien Comp Plan Goal EQ.1*]

Other Goals:

1. Protect and restore physical, chemical and biological processes and the freshwater, marine and estuarine habitats on which salmonids depend. [*WRIA 9 Goal*]
2. Protect and restore habitat connectivity where feasible. [*WRIA 9 Goal*]
3. Protect and improve water quality and quantity conditions to support healthy salmonid populations. [*WRIA 9 Goal*]
4. Prevent toxic contamination. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 2*]
5. Prevent harm from stormwater runoff. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 3*]
6. Prevent nutrient and pathogen pollution. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 4*]
7. Protect functioning marine and freshwater habitats. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 5*]
8. Protect species diversity. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 7*]

9. Develop and implement management practices that will insure a sustained yield of renewable resources of the shorelines while preserving, protecting, enhancing and restoring unique and nonrenewable shoreline resources or features, including forested areas, wetlands and wildlife habitat. *[1994 SMP Handbook Goal 1 of 4]*
10. Insure that utilization of a resource takes place with the minimum adverse impact to natural systems and quality of the shoreline environment. *[1994 SMP Handbook Goal 2 of 4]*
11. To preserve shoreline natural resources including scenic vistas, aesthetics, estuaries, beaches, shorelines, fragile ecological areas, fish and wildlife habitats, native vegetation and landforms, water and air. *[Port Townsend SMP Goal]*

EXISTING BURIEN POLICIES:

1. The City of Burien's Critical Areas Map shall be used as a reference for identifying the City's critical areas. Other unmapped critical areas do exist throughout the city. Any site containing critical areas are subject to the special development regulations and conditions found in the City's Critical Areas Ordinance. *[Burien Comp Plan Pol. EV 1.1, Page 2 - 36]*
2. Development should be directed toward areas where their adverse impacts on critical areas can be minimized. *[Burien Comp Plan Pol. EV 1.2, Page 2 - 37]*
3. The City shall maintain a system of development regulations and a permitting system to prevent the destruction of critical areas. Development regulations should at a minimum address wetland protection, aquifer recharge areas important for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. *[Burien Comp Plan Pol. EV 1.3, Page 2 - 37]*
4. The City shall require permit review approval before any activity or construction is allowed to occur in, adjacent to, or impact a critical area. *[Burien Comp Plan Pol. EV 1.4, Page 2 - 37]*
5. If no feasible alternative exists, a limited amount of development may occur on wetlands and floodplains. In these instances, a broad range of site planning techniques should be explored to minimize impacts on these critical areas. *[Burien Comp Plan Pol. EV 1.5, Page 2 - 37]*
6. Clustering of housing units may be allowed on lots designated for residential development that contains steep slopes and are located adjacent to an urban environment. *[Burien Comp Plan Pol. EV 1.6, Page 2 - 37]*
7. The City shall develop land use regulations to buffer critical areas from the impacts of adjacent land uses. *[Burien Comp Plan Pol. EV 1.7, Page 2 - 38]*
8. The City requires the use of Best Available Science for protecting critical areas within the community pursuant to the Growth Management Act [RCW 36.70A.172(1)]. *[Burien Comp Plan Pol. EV 1.8, Page 2 - 38]*
9. Encourage minimizing the amount of impervious surfaces in new development through the use of appropriate low-impact development techniques and removing paved areas or

- using retrofit options in existing developments, where applicable, to minimize runoff. *[Burien Comp Plan Pol. EV 1.9, Page 2 – 38]*
10. The City shall consider the impacts of new development on water quality as part of its environmental review process and require where appropriate any mitigation measures. *[Burien Comp Plan Pol. EV 2.4, Page 2 – 38]*
 11. The City shall consider the impacts of new development on the quality of land, wildlife and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats. *[Burien Comp Plan Pol. EV 2.9, Page 2 – 39]*
 12. The City shall encourage an increase in tree canopies through the addition and the preservation of existing vegetation and use of landscaping as an integral part of development plans. *[Burien Comp Plan Pol. EV 2.10, Page 2 – 39]*
 13. Educate the public on water quality issues and impacts of stormwater flow. *[Burien Comp Plan Pol. EV 2.15, Page 2 – 39]*
 14. Educate individuals and households about different ways to reduce pollution. *[Burien Comp Plan Pol. EV 2.16, Page 2 – 40]*
 15. The City should require development proposals to include measures to stabilize soils, hillsides, bluffs and ravine sidewalls and to promote wildlife habitat by retaining or restoring native vegetation. *[Burien Comp Plan Pol. EV 3.3, Page 2 – 41]*
 16. The City should consider developing policies that balance the removal of vegetation to preserve and enhance views with the need to retain vegetation to promote slope stability and open space. *[Burien Comp Plan Pol. EV 3.4, Page 2 – 41]*
 17. The City should maintain and enhance existing species and habitat diversity including fish and wildlife habitat that supports the greatest diversity of native species. *[Burien Comp Plan Pol. EV 4.1, Page 2 – 41]*
 18. All development activities shall be located, designed, constructed and managed to avoid disturbance of adverse impacts to fish and wildlife resources, including spawning, nesting, rearing and habitat areas and migratory routes. *[Burien Comp Plan Pol. EV 4.2, Page 2 – 41]*
 19. Fish and wildlife habitat should be protected, conserved and enhanced, including:
 - a. Habitats for species which have been identified as endangered, threatened, or sensitive by the state or federal government;
 - b. Priority species and habitats listed in the Adopted King County Comprehensive Plan, November 1994;
 - c. Commercial and recreational shellfish areas;
 - d. Kelp and eel-grass beds;
 - e. Herring and smelt spawning areas; and
 - f. Wildlife habitat networks designated by the City. *[Burien Comp Plan Pol. EV 4.3, Page 2 – 41]*
 20. Fish and wildlife should be maintained through conservation and enhancement of terrestrial, air and aquatic habitats. *[Burien Comp Plan Pol. EV 4.4, Page 2 – 42]*

21. The City shall work with adjacent jurisdictions and state, federal and tribal governments during land use plan development review to identify and protect habitat networks that follow or are adjacent to jurisdictional boundaries. *[Burien Comp Plan Pol. EV 4.6, Page 2 - 42]*
22. The City should ensure that habitat networks throughout the City are designated and mapped. The network should be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds. These networks should be protected through incentives, regulation and other appropriate mechanisms. Site planning should be coordinated during development review to ensure that connections are made or maintained amongst segments of the network. *[Burien Comp Plan Pol. EV 4.7, Page 2 - 42]*
23. The City should protect salmonid habitats by ensuring that land use and facility plans (transportation, water, sewer, power, gas) include riparian habitat conservation measures developed by the City, affected tribes, and/or state and federal agencies. Development within basins that contain fish enhancement facilities must consider impacts to those facilities. *[Burien Comp Plan Pol. EV 4.9, Page 2 - 42]*
24. In order to minimize adverse impacts related to noise, unless prohibited by federal or state law, fish and wildlife habitat conservation areas within the City should be protected from exterior noise levels which exceed 55 dBA Ldn. *[Burien Comp Plan Pol. EV 4.10, Page 2 - 42]*
25. The City shall promote voluntary wildlife enhancement projects which buffer and expand existing wildlife habitat, through educational and incentive programs for individuals and businesses. *[Burien Comp Plan Pol. EV 4.11, Page 2 - 42]*
26. The City shall protect its wetlands with an objective of no overall net-loss of functions and values. *[Burien Comp Plan Pol. EV 6.1, Page 2 - 43]*
27. All wetland functions should be considered in evaluating wetland mitigation proposals, including fish and wildlife habitat, flood storage, water quality, recreation, educational opportunities, and aesthetics. *[Burien Comp Plan Pol. EV 6.2, Page 2 - 44]*
28. The City will protect wetlands by maximizing infiltration opportunities and promoting the conservation of forest cover and native vegetation. *[Burien Comp Plan Pol. EV 6.3, Page 2 - 44]*
29. Mitigation for any adverse impacts on wetlands shall be provided in the same basin within which the impacts occur. *[Burien Comp Plan Pol. EV 6.4, Page 2 - 44]*
30. The City shall seek to retain as open space, those areas that provide essential habitat for any rare, threatened or endangered plant or wildlife species. *[Burien Comp Plan Pol. OS 1.2, Page 2 - 121]*
31. The City should maintain, protect and enhance greenbelts riparian corridors and wildlife habit corridors so that the extent and intensity of the built environment is balanced by these natural features. *[Burien Comp Plan Pol. EQ 1.2, Page 2 - 52]*
32. The City shall work with property owners to encourage non-purchase options such as conservation easements, current use easements, and development covenants to preserve open space and greenbelts within the city's neighborhoods. The City should also accept

donations of properties where public access is anticipated or planned. *[Burien Comp Plan Pol. EQ 1.3, Page 2 - 52]*

Other Policies:

1. All jurisdictions shall identify critical fish and wildlife habitats and species and develop regulations that:
 - a. Promote their protection and proper management; and
 - b. Integrate native plant communities and wildlife with other land uses where possible. *[Countywide Planning Policy CA-7]*
2. Enhance riparian vegetation to improve water quality conditions where possible. *[WRIA 9 Objective]*
3. Protect and restore natural ecosystem processes; where restoration is not possible, consider sustainable engineered solutions. *[WRIA 9 Objective]*
4. Protect currently functioning habitat. *[WRIA 9 Objective]*
5. Protect and restore headwater areas, streams and wetlands where feasible. *[WRIA 9 Objective]*
6. Encourage management of flows to support habitat-forming processes. *[WRIA 9 Objective]*
7. Encourage maintenance and protection of corridors that link habitats and (re) connect freshwater, estuarine and saltwater habitats and their associated zones, as required by salmonids during all life stages. *[WRIA 9 Objective]*
8. Reduce processes and inputs that degrade water quality where possible. *[WRIA 9 Objective]*
9. Encourage management of water withdrawals and groundwater recharge to maintain cool water inputs in key areas. *[WRIA 9 Objective]*
10. Provide public outreach and education, and engage the public in stewardship, restoration and enhancement activities. *[WRIA 9 Objective]*
11. Eliminate the harm from toxic pollutants entering Puget Sound. *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 2 Long-term goal]*
12. Stormwater runoff and combined sewer overflows do not impair water quality in any waters of the basin *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 3 Long-term goal]*
13. Nutrient and pathogen pollution meets water quality standards and protects public health in all Puget Sound waters *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 4 Long-term goal]*
14. Preserve marine and freshwater habitats and the ecological processes that create and maintain them. *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 5 Long-term goal]*

15. Manage Puget Sound to protect the full range of its biological diversity. *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 7 Long-term goal]*
16. Protect critical areas and shoreline ecological processes and functions through regulatory and non-regulatory means that may include acquisition of key properties, regulation of development, and incentives to encourage ecologically sound design. *[Port Townsend SMP Policy 4.7.1]*
17. Development should take the appropriate steps to avoid shoreline modification and stabilization, utilize a range of Low Impact Development techniques, minimize site disturbance, and avoid or minimize impacts to critical areas within shorelines. *[City of Bellingham History, Restoration and Conservation Policy 2c]*

2.13.10 - Shoreline Master Program Historic, Cultural, Scientific, and Educational Element

"An historic, cultural, and scientific, and educational element for the protection and restoration of buildings, sites, and areas having historic, cultural, scientific, or educational values" [Ecology SMP Guidelines]

Issues and Opportunities: None

DOE Requirements:

Archaeological and Historical Resources. WAC 173-26-221(1):

Developers and property owners required to **stop work** and notify the local government, state office of archaeology and historic preservation and affected Indian tribes if archaeological resources are uncovered during excavation. WAC 173-26-221(1)(c)(i)

Permits issued in areas documented to contain archaeological resources require **site inspection** or evaluation by a professional archaeologist in coordination with affected Indian tribes WAC 173-26-221(1)(c)(ii)

EXISTING BURIEN GOALS:

1. Ensure that historic properties and sites are identified, protected from undue adverse impacts associated with incompatible land uses or transportation facilities, and protected from detrimental exterior noise levels. [Burien Comp Plan Goal HT.1]

Other Goals:

1. Identify, protect, preserve and restore important archaeological, historical and cultural sites located in shorelands of the State for educational, scientific and enjoyment of the general public. [1994 SMP Handbook Goal 1 of 3]
2. Acquire historical/cultural sites through purchase or gift, so as to insure their protection and preservation. [1994 SMP Handbook Goal 2 of 3]
3. Encourage educational projects and programs that foster a greater appreciation of shoreline management, maritime activities, environmental conservation and maritime history. [1994 SMP Handbook Goal 3 of 3]
4. Protect the public's interest in the conservation, preservation, and protection of the state's archeological resources, and the knowledge to be derived and gained from the scientific study of these resources. [City of Bellingham History, Cultural and Education Goal 1a]

EXISTING BURIEN POLICIES:

1. The City should protect local historic, archeological and cultural sites and structures through designation and incentives for the preservation of such properties. [Burien Comp Plan Goal HT 1.1, Page 2 - 45]
2. The City should consider developing and implementing a measure which would preserve trees of historical significance. [Burien Comp Plan Goal EV 2.11, Page 2 - 39]

Other Policies:

1. Due to the limited and irreplaceable nature of the resource, public or private uses and activities should be prevented from destroying or damaging any site having historic, cultural, scientific or educational value as identified by the appropriate authorities. *[1994 SMP Handbook Policy 1 of 1]*
2. Protect the public's interest in the conservation, preservation, and protection of the state's archeological resources, and the knowledge to be derived and gained from the scientific study of these resources. *[City of Bellingham History, Cultural and Education Goal 1a]*
3. Shoreline areas having historical and/or cultural significance...should be identified, preserved, protected, and restored. *[Based on City of Bellingham History, Cultural and Education Policy 2a]*
4. Funds for the acquisition and/or restoration of sites having historic/cultural significance should be sought. *[City of Bellingham History, Cultural and Education Policy 2d]*
5. Efforts to protect and promote the historical, cultural, scientific and educational resources within the City of Burien should be prioritized. These include but are not limited to:... *[Based on City of Bellingham History, Cultural and Education Policy 2e]*
6. Cooperation among public and private groups in the research and study of historical or cultural sites within the City should be encouraged. *[City of Bellingham History, Cultural and Education Policy 2b]*
7. Historical or cultural sites should be considered in park and open space and public access planning... *[Based on City of Bellingham History, Cultural and Education Policy 2c]*
8. Educational projects and programs including signage should be encouraged that foster a greater appreciation of the importance of shoreline management, maritime activities, environmental conservation, cultural and maritime history. *[City of Edmonds Draft SMP Policy 3]*
9. Ensure that new development is compatible with existing historic structures and cultural areas, and that it promotes the creation of our own legacy for the future *[Port Townsend SMP Policy 4.6.3]*

2.13.11 - Shoreline Master Program Flood Prevention and Minimization Element

"An element that gives consideration to the statewide interest in the prevention and minimization of flood damages" [Ecology SMP Guidelines]

Issues and Opportunities: None

DOE Requirements:

Flood Hazard Reduction. WAC 173-26-221(3):

New structural flood hazard reduction measures allowed only:

where demonstrated to be necessary, and when non-structural methods are infeasible and mitigation is accomplished.

landward of associated wetlands and buffer areas except where no alternative exists as documented in a geotechnical analysis. WAC 173-26-221(3)(c)(ii) & (iii)

EXISTING BURIEN GOALS: None

Other Goals:

1. Prepare for and adapt Puget Sound efforts to a changing climate. [Priority 8 2007-2009 Puget Sound Conservation and Recovery Plan]
2. It is a goal of the city to reduce the likelihood of flood damage by locating development away from flood-prone areas and by protecting and restoring shoreline ecological functions and ecosystem-wide processes. [City of Edmonds Draft SMP Goal]
3. Establish and implement appropriate floodplain management strategies to minimize private and public property damage, and to improve the ecological functions and prevent habitat loss in wetlands, streams, estuaries and the marine nearshore. [City of Bellingham Flood Minimization Goal 1a]

EXISTING BURIEN POLICIES:

1. The capacity of natural drainage courses shall not be diminished by development or other activities. [Burien Comp Plan Pol. EV 2.3, Page 2 – 38]

Other Policies:

1. Environmental policy and management in Puget Sound is informed by ongoing and comprehensive science. [2007-2009 Puget Sound Conservation and Recovery Plan Priority 8 Long-term goal]
2. New scientific studies/information on tsunamis and sea level rise should be used to guide shoreline development as it becomes available and accepted as scientifically valid. [City of Bellingham Flood Minimization Policy 2a]
3. Structural flood control devices should be allowed only after it is demonstrated that nonstructural solutions are not feasible to reduce the hazard. [City of Edmonds Draft SMP Policy 1]

4. Participate in watershed-wide programs to reduce flood hazards and improve the shoreline ecology. *[City of Edmonds Draft SMP Policy 2]*
5. Discourage new development in shoreline areas that would be harmed by flood conditions, or which would create or intensify flood hazard impacts on other properties. *[City of Edmonds Draft SMP Policy 3]*
6. Ensure that flood hazard reduction measures do not result in a net loss of ecological functions in shoreline areas. *[City of Edmonds Draft SMP Policy 4]*

2.13.12 - Shoreline Master Program Restoration Element

"Master programs shall include goals, policies and actions for restoration of impaired shoreline ecological functions. These master program provisions should be designed to achieve overall improvements in shoreline ecological functions over time, when compared to the status upon adoption of the master program."
[WAC 173-26-201 (2)(f)]

Issues and Opportunities:

- (SAC 1) How will the City repair/restore the shoreline
 - (a) Will the City do a good, quality job that will last?
 - (b) Opportunities at street ends?

- (SAC 2) Salmon Creek Ravine open space
 - (a) Will Salmon Creek open space connect to the Puget Sound? What is the receptiveness to connect the open space to the Sound?

- (PS 2.1) What restoration opportunities are we considering?

- (PS 2.2) What point in time are we restoring to?

- (PS 2.3) Who pays for restoration?

- (PS 2.4) Whose properties are we restoring?

- (PS 3.1) Concern that after storm events restoration will be required

DOE Requirements:

Critical areas. WAC 173-26-221(2)

Planning objectives are for protection and restoration of degraded ecological functions and ecosystem-wide processes. **Regulatory provisions** protect existing ecological functions and ecosystem-wide processes. WAC 173-26-221(2)(b)(iv)

Critical Freshwater Habitats. WAC 173-26-221(2)(c)(iv)

Authorization of appropriate **restoration projects** is facilitated. WAC 173-26-221(2)(c)(iv)(C)(III)

EXISTING BURIEN PLAN and NEIGHBORHOOD PLAN GOALS:

1. Eliminate fish blockages and return fish. *[Based on Salmon Creek Neighborhood Plan Goal NE 8.1]*

2. Organize, educate, and conduct water quality volunteer programs that are pertinent to restoration. The program should be structured using scientifically recognized methods to ensure validity and usefulness of information and knowledge obtained through the program. *[Based on Salmon Creek Neighborhood Plan Goal NE 8.2]*

3. Improve natural conditions to an environmental quality level that supports the return and continuation of salmon runs. *[Based on Salmon Creek Neighborhood Plan Goal NE 8.3]*

4. Restore degraded critical areas with native species. [*Salmon Creek Neighborhood Plan Goal NE 8.5*]

Other Goals:

1. Provide an implementable plan that supports salmon recovery. [*WRIA 9 Goal*]
2. Clean up contaminated sites and sediments. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 1*]
3. Restore degraded marine and freshwater habitats. [*2007-2009 Puget Sound Conservation and Recovery Plan Priority 6*]
4. Reclaim and restore areas which are biologically and aesthetically degraded to the greatest extent feasible while maintaining appropriate use of the shoreline. [*1994 SMP Handbook Conservation Element Goal 3 of 4*]
5. To achieve No Net Loss and strive to improve impaired shoreline ecological functions with the goal of achieving improvement over time, when compared to the status at the time of adoption of the master program [*Port Townsend SMP Restoration and Adaptive Management Element Goal*]

EXISTING BURIEN PLAN and NEIGHBORHOOD PLAN POLICIES:

1. Stream banks and stream channels should be maintained or restored to their natural condition wherever such conditions or opportunities exist. [*Burien Comp Plan Pol. EV 2.2, Page, 2 – 38*]
2. The City shall be a good steward of public lands and should integrate fish and wildlife habitats into capital improvement projects whenever feasible. [*Burien Comp Plan Pol. EV 4.5, Page 2 – 42*]
3. The City shall promote voluntary wildlife enhancement projects which buffer and expand existing wildlife habitat, through educational and incentive programs for individuals and businesses. [*Burien Comp Plan Pol. EV 4.11, Page 2 – 42*]
4. The City should work with and utilize expertise of other agencies such as the Department of Ecology and King County to assist in restoration efforts. [*Based on Salmon Creek Neighborhood Plan Policy NE 8.2.1*]
5. Restoration efforts should include an educational component to benefit younger generations. [*Based on Salmon Creek Neighborhood Plan Policy NE 8.2.2*]
6. The City should provide opportunities for education regarding techniques and methods to reduce the impacts of stormwater runoff and water quality. [*Salmon Creek Neighborhood Plan Policy NE 8.2.3*]
7. The City should incorporate low impact development practices to reduce the amount of stormwater runoff. [*Salmon Creek Neighborhood Plan Policy NE 8.3.1*]
8. The City should improve water quality with the use of catch basin inserts. This method should generally be used in basins that are most susceptible to debris and contaminants. [*Salmon Creek Neighborhood Plan Policy NE 8.3.2*]

Other Policies:

1. Where feasible, restore fish access where limited by dams, culverts, revetments and other barriers. *[WRIA 9 Objective]*
2. Connect side channels and floodplain areas to the mainstream where feasible. *[WRIA 9 Objective]*
3. Obtain support of ILA jurisdictions, federal and state agencies and Tribes in their recovery efforts, and the support of the business community. *[WRIA 9 Objective]*
4. Develop a strategy to secure adequate funding for implementation. *[WRIA 9 Objective]*
5. Clean up all sites and sediments exceeding state standards for contamination. *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 1 Long-term goal]*
6. Restore streams, nearshore, and estuarine habitats within Puget Sound to achieve a net gain in ecological function and area. *[2007-2009 Puget Sound Conservation and Recovery Plan Priority 6 Long-term goal]*
7. Remove or improve fish- and wildlife-passage barriers. *[City of Edmonds Draft SMP Policy 7]*
8. Establish incentives that could provide opportunities for new development to restore impaired shoreline ecological functions. *[City of Edmonds Draft SMP Policy 12]*
9. Implement the Restoration Plan as described in Chapter X of this master program. *[Based on Port Townsend SMP Policy 4.8.1]*
10. Encourage projects that restore/rehabilitate/enhance shoreline resources. Strategies may include but are not limited to a simplified permit process, reduced or waiver of permits fees, public outreach encouraging landowners to replant with native vegetation, tax relief, and city participation in a pilot project. *[Based on Port Townsend SMP Policy 4.8.2]*
11. Provide incentives to restoration by implementing tools which may include, but are not limited to: modifying the buffers that would apply to the restored areas or allowing a grater range of uses or flexible development standards (e.g. setbacks, height limits, lot coverage) on properties providing restoration and/or affected by restoration buffers. *[Based on Port Townsend SMP Policy 4.8.3]*
12. Craft a preferential tax incentive in coordination with the County through the Public Benefit Rating System administered by the County under the Open Space Taxation Act (RCW 84.34) to encourage private landowners to preserve natural shoreline features for "open space" tax relief. *[Based on Port Townsend SMP Policy 4.8.4]*
13. Employ Adaptive Management: Monitor and analyze the cumulative impacts of development permitted in shoreline areas, including development exempt from a shoreline Substantial Development Permit. Where impacts are occurring beyond that anticipated, the City should revise the Master Program to address the cumulative impacts, and/or revise the conditions of approval of development to address the new information. *[Based on Port Townsend SMP Policy 4.8.5]*

14. The City shall develop a "scorecard" as a tool to evaluate potential restoration projects consistent with the criteria listed in Chapter X. *[Based on Port Townsend SMP Policy 4.8.6]*
15. Restoration should improve the ecological functions of aquatic and upland areas within shorelines. *[City of Bellingham Restoration and Conservation Policy 2a]*
16. Protect and/or restore freshwater, nearshore, and estuarine habitat and habitat-forming processes. *[City of Edmonds Draft SMP Policy 1]*
17. Protect and restore wetland and restore salt marsh habitat to improve shoreline ecological functions. *[City of Edmonds Draft SMP Policy 2]*
18. Remove intertidal fill; restore beach deposits and processes and ecological functions. *[City of Edmonds Draft SMP Policy 3]*
19. Remove/replace creosote-treated logs, pilings, and debris. *[City of Edmonds Draft SMP Policy 4]*
20. Increase availability of large woody debris and opportunities for recruitment in the nearshore zone. *[City of Edmonds Draft SMP Policy 5]*
21. Protect and restore native species of vegetation, fish, and wildlife. *[City of Edmonds Draft SMP Policy 6]*
22. Manage and treat stormwater to improve water quality, decrease peak flow events, and increase implementation of low impact development (LID) practices. *[City of Edmonds Draft SMP Policy 8]*
23. Protect naturally eroding bluffs and associated ecological functions. *[City of Edmonds Draft SMP Policy 9]*
24. Protect and restore wildlife corridors. *[City of Edmonds Draft SMP Policy 10]*
25. Ensure that shoreline restoration projects do not degrade critical areas and water quality. *[City of Edmonds Draft SMP Policy 11]*

Attendance SAC 6/11/08

✓ Mr. Jim Branson
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✓ Mr. George Yocum
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✓ Mr. Joe Weiss
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✓ Ms. Kim Otto
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✓ Ms. Victoria Hall
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✓ Ms. Emelie McNett
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✓ Mr. Don Warren
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✓ Mr. Bruce Berglund
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✓ Ms. Rebecca McInteer
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✓ Mr. Bob Fritzen
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16018 Mill Creek Blvd
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✓ Mr. Scott Thomas
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✓ Mark Daniel



David Johanson

From: Susan Coles
Date: Tuesday, June 10, 2008 8:30 AM
To: David Johanson
Subject: FW: SMP public involvement process

-----Original Message-----

From: Fritzen, Bob (ECY) [mailto:BFRI461@ECY.WA.GOV]
Sent: Tuesday, June 10, 2008 8:03 AM
To: Emelie; Jim Branson; Susan Coles
Cc: Victoria Hall; Annie Phillips; Brian Bennett; Bruce Berglund; Cyrilla Cook; Don Warren; George Yocum; Joe Fitzgibbon; Joe Weiss; Kim Otto; Laura Arber; Lee Moyer; Patrick Haugen; Scott Thomas; Dan Bath; Rebecca McInteer
Subject: RE: SMP public involvement process

For those that want to learn more, the language below comes from Ecology's website:

http://www.ecy.wa.gov/programs/sea/sma/laws_rules/public_trust.html

The Public Trust Doctrine

The Public Trust Doctrine is a legal principle derived from English Common Law. The essence of the doctrine is that the waters of the state are a public resource owned by and available to all citizens equally for the purposes of navigation, conducting commerce, fishing, recreation and similar uses and that this trust is not invalidated by private ownership of the underlying land. The doctrine limits public and private use of tidelands and other shorelands to protect the public's right to use the waters of the state. (Visit the [MSRC Web site](#) and search for the State Supreme Court case *Caminiti v. Boyle*, 107 Wn. 2d 662, 732 P.2d 989)

The Public Trust Doctrine does not allow the public to trespass over privately owned uplands to access the tidelands. It does, however, protect public use of navigable water bodies below the ordinary high water mark.

Protection of the trust is a duty of the State, and the Shoreline Management Act is one of the primary means by which that duty is carried out. The doctrine requires a careful evaluation of the public interest served by any action proposed. This requirement is fulfilled in major part by the planning and permitting requirements of the Shoreline Management Act. (Court case: [MSRC Web site](#) and search for *Portage Bay v. Shorelines Hearings Bd.*, 92 Wn.2d 1, 593 P.2d 151)

Local governments should consider public trust doctrine concepts when developing comprehensive plans, development regulations and shoreline master programs. There are few "bright lines," however, as the Public Trust Doctrine is common law, not statutory law. The extent of its applicability can only be determined by state court decisions. The documents below are a good introduction to the case law in Washington State.

- **Washington Public Trust Doctrine Symposium** (proceedings of a 1993 conference)
- The **Public Trust Doctrine and Coastal Zone Management in Washington State**, Johnson, Ralph W., Craighton Goepple, David Jansen and Rachel Pascal, 1991.

For a national perspective, consider:

- **Putting the Public Trust Doctrine to Work**, 2nd Ed., by David Slade, examines the issue from a national perspective. Copies available for purchase from the [Coastal States Organization](#).

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From: Emelie [mailto:Emelie@psmt.biz]
Sent: Tuesday, June 10, 2008 7:47 AM
To: 'Jim Branson'; 'Susan Coles'
Cc: 'Victoria Hall'; 'Annie Phillips'; Fritzen, Bob (ECY); 'Brian Bennett'; 'Bruce Berglund'; 'Cyrilla Cook'; 'Don Warren'; 'George Yocum'; 'Joe Fitzgibbon'; 'Joe Weiss'; 'Kim Otto'; 'Laura Arber'; 'Lee Moyer'; 'Patrick Haugen'; 'Scott Thomas'; 'Dan Bath'; 'Rebecca McInteer'
Subject: RE: SMP public involvement process

Thank you so much, Jim. That's why I wanted to nominate you for Burien's Environmentalist of the Year. Your thoughts are always timely, wise, and insightful. I appreciate Jim's suggestion that we begin an email dialogue. There is so much to be said that cannot be packed into a couple of hours or a list of public comments. Here are mine:

Many countries and some states in the United States bordered by saltwater consider beaches public domain. I would like to study their laws concerning this issue and perhaps incorporate some of their regulations into our Shoreline Management. I know this is probably stepping on the toes of waterfront property owners, of whom there are many who show up at the public meetings. (Afterall, they have the most to gain or lose in this issue.) I, as a resident of Burien who lives on the east side of First Avenue, am a wee bit intimidated by the fact that I am such a minority at these meetings. Hence, email comments give me courage.

Secondly, "we all live downstream." My comment regarding the fact that the Growth Management Act and the Shoreline Management Act can create conflict because of the pressures put on shorelines by condensing populations in our urban areas (including Burien) is another side of Jim's concern about the "200 feet" issue. We cannot address shoreline management without addressing urban impacts on the shorelines. It's all connected."

Emelie McNett

206-241-5717

www.psm.biz

From: Jim Branson [mailto:james.branson.206@gmail.com]
Sent: Monday, June 09, 2008 10:45 PM
To: Susan Coles
Cc: Victoria Hall (victoriachall2@yahoo.com); Annie Phillips (felicity@nwlinc.com); Bob Fritzen (bfri461@ecy.wa.gov); Brian Bennett (bcbennett@hotmail.com); Bruce Berglund (bberggo@peoplepc.com); Cyrilla Cook (ccook@pugetsound.org); Don Warren (donwarren@seanet.com); Emelie McNett (emelie@psmt.biz); George Yocum (gyocum@pacifictorque.com); Joe Fitzgibbon (jcfitzgibbon@gmail.com); Joe Weiss (weiss_joe@msn.com); Kim Otto (kotto444@hotmail.com); Laura Arber (arberlma@dfw.wa.gov); Lee Moyer (MoyerLA@aol.com); Patrick Haugen (path41@msn.com); Scott Thomas; Dan Bath; Rebecca McInteer
Subject: SMP public involvement process

I have some comments about the meetings, notes, and process so far of the SMP. I have participated in and observed the public involvement process for various projects in Burien, ranging from the creation of a small park to the decision to double the size of the City. In all instances, public involvement created no net difference in the final outcome. One person says X. Another person says the opposite of X. Their comments are reduced to a single sentence on a piece of paper (often a nonsensical and unintelligible sentence) and the policy decision comes out the same as if no one cared or spoke up. I see the same thing happening with the Shoreline Master Program.

We are supposed to be doing this to Save Puget Sound. In the several decades that people have been

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"saving" Puget Sound, it has gotten far worse. None of the problems have been solved. The main reason for this is that everyone wants a pristine Puget Sound as long as they don't have to pay for it. Eventually we will learn that we all have to pay for the degradation of our environment. The question is whether we will learn in time. A recent article quotes Puget Sound Partnership Director David Dicks on how this process has played out in the past:

Traditionally, Dicks points out, "we'll go into a room and decide what we want to do," run through a lengthy but meaningless "public involvement" process, then do just what they had decided to do anyway. <http://www.crosscut.com/puget-sound/14151/There's+nothing+new+in+a+plan+to+save+Puget+Sound/>

The way things are going, I predict that after two years of going to these meetings, the end result will be the same as if I never said a word. To try to combat that problem, to improve the "public input process," and to at least correctly record my thoughts before my name is added to the SMP, I would like to clarify my comments from the form they were "blurred" in the notes. I would also ask others to clarify their comments. I don't want to take up meeting time for this, so I am sending my comments by email, hoping they will make it into the final record of this whole process.

My comments on Salmon Creek Ravine were summarized as follows: "Will Salmon Creek open space connect to Puget Sound? What is the receptiveness to connect the open space to the Sound?" This is not incorrect, but it does not adequately capture the point I was trying to make. As other people pointed out, the quality of our shorelines depends entirely on the activities upstream from the shorelines, meaning the entire rest of the City. In focusing on Salmon Creek Ravine, I was trying to call attention to a situation where one entity, The City, has control over 75 acres of uplands and their impact on the shore. One street and one property owner are standing between Salmon Creek Ravine and the Puget Sound Shoreline. If the City could find a way to work with this property owner, the stream could be made friendly to salmon once again, with no net loss of property value or livability to the private property owner. I would like the SMP to recognize this connection between the shoreline and the uplands, I would like to see incentives for stewardship of the entire watershed. The SMP only regulates 200' from the water's edge, but it needs to have an impact on the whole City if it is to be meaningful or effective. Salmon Creek Ravine is an opportunity to improve our environment with great potential rewards and minimal obstacles to success. (Even my one paragraph of explanation doesn't capture everything I want to say on the subject, but it at least carries some meaning, unlike the two sentences in the official record.)

I would like some clarification on comments that other people made. For example, one person commented that, "It's okay to walk on beach." Another comment said that Private Property needs to be protected by this plan. These two statements are contradictory and they point to a large and complex issue that can't be summarized in two sentences. If the SMP is to be effective or meaningful, it needs to address the issue of the general public using private beaches for recreation. Whoever said "It's okay to walk on beach," I would like you to expand and explain your comment. Is it okay for the general public to walk on the shores of Lake Burien? Why or why not? Is it okay to walk on privately owned tidelands adjacent to public saltwater beaches? Why or why not? Is it okay to build fires, use alcohol and drugs, leave graffiti, and have your dog off-leash on private beaches? Is the owner of a private beach required to provide insurance for the potential injury or loss of life of someone who is trespassing on private tidelands? The Shoreline Management Act calls for "no net loss" of the quality of our beaches, and yet every day hundreds of trespassers degrade the quality of private tidelands by taking home clams, driftwood, shells and rocks, and leaving behind pollution, fire damage, dog waste, and trash. How does the SMP address this issue?

At every step of this process, our comments and ideas will be condensed, compressed, summarized, and marginalized. The meeting time allotted for the process won't allow us to adequately address every issue raised by every member of this committee. I would like to start a dialogue in email to supplement the process, and I would like this dialogue included in the final record of our proceedings.

Thank you

Jim Branson

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The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The document also notes that records should be kept for a sufficient period of time to allow for a thorough review if necessary.

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