

Tracy Cui

Subject: RE: 2019 SMP Revisions

From: Christie Malchow
Sent: Thursday, May 9, 2019 10:11 PM
To: Dan Adams <daoly30@yahoo.com>
Cc: Jeffrey Thomas <jthomas@sammamish.us>; David Pyle <dpyle@sammamish.us>; Aaron Antin <aantin@sammamish.us>
Subject: Re: 2019 SMP Revisions

Mr. Adams,

I have cc'd staff members here to comment on the insurance side of things relative to the change cited. I am hopeful staff can provide information on this subject to help inform Council on this.

Thank you for bringing this to my attention.

Sincerely,

Christie Malchow - Mayor
Sammamish City Council ☎(206)247-4507

📧 cmalchow@sammamish.us

⚠ Sent via mobile 📱, please excuse typos or dictation errors. 🗑

On May 9, 2019, at 4:04 PM, Dan Adams <daoly30@yahoo.com> wrote:

Hi Mayor Christie,

I am writing to you over concern for the language for properties with legally built homes that under the original SMP were classified as grandfathered as conformance. Now the language has been changed to non-conformance. This means getting insurance for these older homes will now be difficult at best & more likely impossible. Please reconsider the changes to non-conformance. Our house on Beaver Lake was built in 1941 & is on the Sammamish Historical Register. This change will make keeping it insured hard.

Thanks,

James Daniel Adams. (Dan)

Sent from my iPad

Tracy Cui

From: Jeffrey Thomas
Sent: Monday, May 13, 2019 9:33 PM
To: Tracy Cui; David Pyle
Subject: Fwd: Shoreline Regulations

Follow Up Flag: Follow up
Flag Status: Flagged

----- Forwarded message -----

From: Aaron Smith <wakeboardsamm@gmail.com>
Date: May 13, 2019 7:44 PM
Subject: Shoreline Regulations
To: Planning Commission <PlanningCommission@ci.sammamish.wa.us>
Cc:

Planning Commission,

While watching the City staff presentation in regards to the Shoreline Master Plan update I found the following items troubling:

- The presentation included incredibly detailed information from helicopter surveys of the shoreline vegetation being trampled down, but yet the City staff hadn't walked the trail and visited these lots? Staff pretended to be unaware of very obvious things involving the ability of residents to comply with impossible requests of providing parking and bathrooms.
- The Sammamish Landing Park does not provide parking or bathrooms on the water front portion of the City's park. The City's bathrooms are located in between the trail and East Lake Sammamish Pkwy located in the King County Trail Right Away. Does City Staff anticipate that the County will grant recreational lot owners the same right to construct bathrooms in the same such manner?
- The Fecal Coliform concerns are overstated and exaggerated in regards to recreational lot users. As stated by the Water District in last months Council Meeting, the Fecal Coliform levels in Laughing Jacobs Creek are currently being measured at alarmingly high levels at or around 900 (Measured In February not during summer months!). Many of the streams flowing into Lake Sammamish (all year round), have high levels of Fecal Coli-form most likely attributed to the numerous septic systems found throughout the City. The streams flow into the lake 24 hours a day 365 days a year. If the City wants to focus on fecal coli-form, the septic systems found throughout the would be a good place to start. Attributing high fecal coli-form levels to recreation lot users is very misleading and without scientific basis. Please consider that recreational lot users only use the lake a few months out of the year during daylight hours.
- In the most recent meeting, City Staff repeatedly stated that during dock construction, lot owners were utilizing a "loop hole" to construct docks without doing any re-vegetation of the shoreline. This is simply not true. Dock construction requires a JARPA permit processed by the Army Core of Engineers. The JARPA permit requires extensive replanting of the shoreline. Such replanting also must be monitored for 5 years after the dock installation. Please ask the City Staff to share these requirements with you as part of their presentation. Once again there is NO LOOPHOLE allowing residents to construct a dock without re-vegetating the shoreline.

- Homes are now a preferred use of the shoreline instead of intermittent recreational use on heavily treed and vegetated lots? The last few homes to be constructed along the shoreline necessitated the removal of numerous significant trees and vegetation. These were mature trees that removed carbon dioxide from the atmosphere 365 days a year. They also provide shade for the lake and have a root base which keeps the shoreline in tact. Please view aerial maps of the shoreline using google maps and see for yourself the environmental impact of homes built on Lake Sammamish vs the undeveloped recreational lots. Many of the homes have fertilized lawns and carved out private beaches abutting the lake while the recreational lots (shared by many) are left undisturbed with tree cover left intact. Once again there is no scientific basis that recreational lots are any damage to the lake in fact they actually preserve the lake with recreational impacts being minimal when compared to a single family home being built in within the Shoreline.
- Many recreational lots already provide Portable Bathrooms which are serviced weekly.
- Re-fueling service is available on the lake for boat owners who have a dock and a boatlift.
- Many of the rec lot owners under state law, have the right to moor their boats on buoys in front of their property. An argument could be made that refueling a boat from a dock is better for the environment. Perhaps the City should promote the construction of a docks when considering the re-fueling argument rather than limit their construction.
- Recreational Users walk from their nearby homes to their rec lots. The comments regarding rec lots parking all over the parkway were unfounded and without merit.
- The Sammamish Landing Parking situation is the only place along the parkway which contributes to unsafe parking conditions. Does the City staff plan to remedy such unsafe conditions as part of the SMP update and provide more parking for it's users.
- Allowing Rec Lot users to make responsible use of their frees up capacity for an already over crowded Landing Park.

Thanks

Aaron

Tracy Cui

From: Karen Walter <KWalter@muckleshoot.nsn.us>
Sent: Wednesday, May 22, 2019 2:40 PM
To: Tracy Cui
Cc: maria.sandercock@ecy.wa.gov; David Pyle
Subject: RE: City of Sammamish Shoreline Master Program Periodic Review Amendment Joint Local-State Public Comment Period - May 7, 2019 to June 6, 2019 at 5 p.m.

Tracy,

Thank you for sending us the City of Sammamish's proposed changes to its Shoreline Master Program under WDOE's periodic review process. We have reviewed this information and offer the following comments:

We commented on the City's complete SMP update via a letter dated September 10, 2009. In this letter, we requested that a policy should be added that reads as follows:

Tribal notification

"All shoreline permit applications shall be sent to the affected tribes, including, applications for shoreline variances, exemptions, conditional use, and substantial development permits."

The reason for this request is that in-water projects can adversely affect Muckleshoot Indian Tribal members' ability to access its fisheries resources by displacing fishing areas, creating boating traffic that may interfere with or damage Tribal fishing gear, as well as negatively affect fish habitat. As a result, projects within the ordinary high water mark should always be coordinated early with the MITFD so that the Tribe can provide the City with input and recommendations about how to avoid, minimize, or mitigate adverse impacts to treaty fishing rights.

Fish Passage Barriers and stream typing

In our 2009 comments, we requested the City provide a definitive plan and timeframe to fix the fish passage barriers originally identified in Table 6 of the Shoreline Restoration Plan. To our knowledge this has not been completed. The City of Sammamish should assess barrier culverts on areas within the SMP jurisdiction (and beyond) to determine where fish passage barriers exist and a plan to fix them. As you know, the City replaced culverts on Zackuse Creek and salmon should have access from Lake Sammamish on the stream up through the highest natural or artificial barrier.

As part of the fish passage barrier assessment, the City of Sammamish needs to determine potential fish-bearing streams using the physical criteria from WAC 222-16-031. The City's definition of fish habitat under SMC 21A.15.1240 fails to consider the existing of artificial barriers which prevent or limit fish access, thus use by salmon. The City needs to take a more conservation approach used by tribes, state agencies (i.e. WDNR, WDOE, WDFW, etc.) and federal agencies regarding presumed fish habitat and reflected in WAC 222-16-031. Several other local governments have modified their Critical Areas Code to include presumed fish habitat based on physical criteria from the WAC. Sammamish should do the same.

We appreciate the opportunity to review this proposal and look forward to the City/WDOE's responses to these concerns.

Best regards,
Karen Walter
Watersheds and Land Use Team Leader

*Muckleshoot Indian Tribe Fisheries Division
Habitat Program
39015-A 172nd Ave SE
Auburn, WA 98092
253-876-3116*