

Lisa Clausen

From: Public Council Inbox
Sent: Friday, March 19, 2010 9:29 AM
To: 'Concerned Burien Citizens'
Subject: RE: SMP Updates

Thank you for writing to the Burien City Council. Your message will be included in the Correspondence for the Record for a future Council meeting.

L. Clausen
City Manager's Office

From: Concerned Burien Citizens [mailto:concernedburiencitizens@gmail.com]
Sent: Thursday, March 18, 2010 6:18 PM
To: Susan Coles; Public Council Inbox
Subject: SMP Updates

Dear Planning Commissioners and City Council Members,
2010

March 16,

First we'd like to thank you for your work representing the citizen's of Burien, it's not an easy job and we appreciate your efforts. As a shoreline community we want to voice our concern regarding the Shoreline Master Program's regulations regarding bulkheads and other shoreline stabilization structures.

While many of us would support prohibitive regulations on any *new* shoreline stabilization that is proven to adversely impact ecological functions, *the ability to repair and replace existing shoreline stabilization for protection of not only primary structures, but also appurtenant structures and established uses must be accommodated.*

Many shoreline homeowners do not have homes directly on the water, but rather homes that are set back from the water or are located up the hillside. Current regulation that does not allow these residents to replace existing bulkheads will shred property values along the entire shoreline. In turn this will create millions of dollars in annual revenue loss for the city and will no doubt result in tax increases **for everyone.**

With the real estate market and economy in its current state of peril, and the City of Burien already behind in its revenue needs for basic infrastructure improvements, education and security- we simply *cannot afford* anymore regulation that inhibits our community's ability to develop and thrive economically. Maintaining property values and the subsequent revenue it brings to bear for all our citizens is a tangible part of solving Burien's difficult and ongoing revenue/growth dilemma.

We urge you to adopt the following recommended revisions to the Shoreline Master Program. In so doing you'll allow all shoreline citizens to protect their home, the property around it, and the value it brings- while saving local jobs and supporting the broader

CFTR: 04/05/10

community's ability to do legal business, build safe community and thrive through a well-funded local government.

20.30.070 Bulkheads and Other Shoreline Stabilization Structures

2. REGULATIONS:

ADDITION:

Repair of existing shoreline stabilization measures is allowed. (this language is taken directly from Marysville's DOE approved SMP document ... (c) Regulations, #12)

d. An existing shoreline stabilization structure may be replaced with a similar structure if the following apply:

REVISION:

d. An existing shoreline stabilization structure may be replaced with a similar structure if *any* of the following apply:

i. The existing structure can no longer adequately serve its purpose of stabilizing the shoreline to protect the primary structure.

REVISION:

i. The existing structure can no longer adequately serve its purpose of stabilizing the shoreline to protect the primary structure,

or where there is a need to protect established uses or structures from erosion caused by currents, tidal action, or waves.

(this language is taken from the DOE guidelines)

At the discretion of the City Engineer, the determination of adequacy or need does not necessarily require a

geotechnical report by a licensed geotechnical engineer or related licensed professional. (similar language is located in

Marysville's DOE approved SMP document)

ii. Replacement walls or bulkheads shall not encroach waterward of the ordinary high water mark or existing structure unless the

residence was occupied prior to January 1, 1992, and there is overriding safety or environmental concerns.

In such cases,

the replacement structure shall abut the existing shoreline stabilization structure.

REVISION:

ii. Replacement walls or bulkheads shall not encroach waterward of the ordinary high water mark or existing structure unless

the structure to be replaced currently exists in that location. In such cases, the replacement structure shall abut the existing

shoreline stabilization structure.

iii. Where a net loss of ecological functions associated with critical saltwater habitats would occur by leaving

the existing structure,
removal of that structure would be required as part of the construction of the replacement.

REVISION:

iii. Where a net loss of ecological functions associated with critical saltwater habitats would occur by leaving the existing structure,
removal of that structure *may be* required as part of the construction of the replacement.

g. Bulkheads shall not be installed for the purpose of creating upland by filling behind the bulkhead.

REVISION:

g. Bulkheads shall not be installed for the purpose of creating upland by filling behind the bulkhead, *except where a structure is being repaired or replaced with a similar structure and fill is part of the original construction. In this case, no additional fill shall be added beyond what is needed to repair the structure to its original form and capacity.*

h. The size and quantity of material utilized for the bulkhead shall be the minimum necessary to protect the structure from the estimated energy intensity of the shoreline hydraulic system.

REVISION:

h. The size and quantity of material utilized for the bulkhead shall be the minimum necessary to protect the structure, *appurtenant structures and established uses* from the estimated energy intensity of the shoreline hydraulic system.

i. The maximum height of a bulkhead on the marine shoreline shall be no greater than four (4) vertical feet above the OHWM.

REVISION:

i. The maximum height of a bulkhead on the marine shoreline shall be no greater than four (4) vertical feet above the OHWM.

Replacement bulkheads may be built to the height of the original. (taken from Marysville's DOE approved SMP document)

ADDITION:

Where a stabilization structure exists waterward of the OHWM and requires replacement and such replacement is prohibited,
a shoreline ecological restoration plan for the affected area that mitigates ecological impact over time may be considered as
an alternative to removal, re-location and/or alternative building materials, by applying the following set of mitigation steps to
the affected area: (the following are taken from DOE's approved and recommended mitigation steps)

(1)Reduce or eliminate the impact over time by preservation and maintenance operations; (2) Compensate for the impact

by replacing, enhancing, or providing substitute resources or environments; and (3) Monitor the impact and the compensation projects and take appropriate corrective measures.

ADDITION:

Soft shoreline replacement stabilization measures that provide restoration of shoreline ecological functions may be permitted waterward of the ordinary high-water mark. (taken directly from the DOE requirements)

ADDITION:

Shoreline stabilization measures along the shoreline that incorporate ecological restoration through the placement of rocks, gravel or sand, and native shoreline vegetation is allowed.

Sincerely,
Concerned Burien Citizens