

Lisa Clausen

From: Public Council Inbox
Sent: Monday, April 05, 2010 9:35 AM
To: 'Ryan, Andrew F'
Subject: RE: Draft Shoreline Mgmt plan

Thank you for cc'ing the Burien City Council on your correspondence. Your message will be included in the Correspondence for the Record for an upcoming City Council meeting.

L. Clausen
City Manager's Office

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

From: Ryan, Andrew F [mailto:andrew.f.ryan@boeing.com]
Sent: Monday, April 05, 2010 9:05 AM
To: Mike Martin
Cc: Public Council Inbox
Subject: Draft Shoreline Mgmt plan

Mr Martin,

As you know, the Planning Commission has completed their review of the Shoreline Management Program and will be forwarding it to the City Council. Minimal citizen involvement was allowed, only 2 weeks for 1 way (citizens to commission) comments. No subsequent comments or dialogue was permitted in the public meetings. Mr Johansen, as he stated at a recent commission mtg, only included the initial written comments into his matrix that was used for the Commission's review process, thereby for all practical purposes ignoring all subsequent citizen concerns.

As I stated in City Council meeting in March, since you are the soon to be Shoreline Administrator (ref Section 20.40.125, page VI-4), I felt it prudent to request your clarification of draft language that may soon become part of BMC 20.

In the draft it states:

Page IV-10, Section 20.30.040, 2(a) discusses "shoreline jurisdiction", which is all property under control of the Burien SMP. It says Alterations are not allowed but then the latest revision allows "maintenance of existing conditions". I would think most peoples definition of normal yard maintenance would include weeding pruning, trimming, but under definitions, section 20.40.000, pg VI-1, Alteration, specifically precludes those activities. Mr Johansen, in response to a question from Mr Clingan, said, something to the effect of "pruning your rose bushes is probably ok, but tree branches are not". How the hell are we supposed to know what's "allowed" with responses like that? It is certainly not clear in the written documentation. How much minutia do we need to get into here? What's an existing condition, a dandelion that was not apparent a week ago, but now is - is that an existing or a new condition? Does removal of that weed cause a loss of ecological function? Bottom line - what is acceptable vs not acceptable?

Paragraph 2(b) is more specific and says NO Alterations (the revision for maintenance was not included within the 150' shoreline vegetation buffer w/o a vegetation mgmt plan) But then Para 2(c) states that alterations w/i the 50' shoreline riparian buffer shall (mandatory) comply with i. "shall provide veg mgmt plan" - I'm guessing these things can run thousands of dollars, this is an absolutely absurd requirement for someone doing normal yard maintenance or minor home repairs.

iii. must mimic natural conditions - does this mean if you pull your dandelion or cut ivy you need to re-landscape with all native trees, shrubs, and groundcover (see iv. below) iv. "Vegetation planting areas shall consist of mix of native trees, shrubs, and groundcover". Does this mean I can't plant flowers, vegetables, or have fruit trees if I make any alterations (i.e. - weed or prune)?

CFTR: 04/12/10

vi. "Lawn is a prohibited vegetation...." - does this mean I can no longer have a lawn if I choose to mow it? (I'm assuming mowing is same as cutting which would fall under the definition of "Alterations"? (or if I "alter" something else?)

H. "Hand removal of noxious weeds or invasive vegetation may be allowed w/o approval of a vegetation mgmt plan.... Following a consultation with the shoreline administrator...." It sounds like I can pull noxious weeds in the 50' shoreline riparian buffer after talking w/ you. But in the 150' shoreline vegetation buffer but I can do maintenance, as long as I don't do alterations, and if I'm in the shoreline jurisdiction (which is defined as all property regulated by City of Burine SMP). Does this sound confusing to anyone but me? What does this mean?

The overall goal is good, and it would make sense for these types of regulations to apply to new construction, so that new work sites did not devastate and diminish the surrounding vegetation, damage the ecology, etc. But there are few of those properties around. These rules should just apply to major new development with a different set developed for existing developed properties. The majority of us that have lived here for a while take pride in maintaining our properties, performing normal yard maintenance, including pruning trees and don't need these Orwellian regulations. With Puget Sound as our front yard, we have as much, or more, interest in maintaining the ecological functions as anyone, but this is regulation is extreme overkill in my opinion.

If you could please clarify what is allowed and what buffers apply in the new revised draft SMP, I would greatly appreciate it.

In the meantime, I'll continue performing a basic right of private property ownership, normal yard maintenance, as I have for the past 10 years w/o your assistance. This potential TAKING of my property rights has slowed my progress however as it's hard working one handed when the other one is giving the one-fingered salute of contempt in the general direction of city hall. This regulation, as written, is unclear and absolutely ridiculous.

Sincerely
Andrew Ryan