

Lisa Clausen

From: Public Council Inbox
To: Cyndi Upthegrove
Subject: RE: Why the weir?

Thank you for your message. It will be included in the Correspondence for the Record for an upcoming City Council meeting.

L. Clausen
Burien City Manager's Office

From: Cyndi Upthegrove [mailto:cyndiu@comcast.net]
Sent: Sunday, August 01, 2010 2:13 PM
To: Public Council Inbox
Subject: Why the weir?

CFTR: 08/16/10

July 31, 2010

To: Burien City Council

From: John Upthegrove
1808 SW 156th

Re: Why the weir?

While attending a meeting of the SMP Advisory Committee in the fall of 2009, I overheard a strange conversation. The committee was beginning its review of the flood section in the draft SMP. Don Warren asked what areas of the city were considered flood problems. David Johanson listed the areas, none of which included the Ruth Dykeman Center.

Mr. Warren then asked why this section contains the following language, "The City of Burien will maintain the Lake Burien weir." In other words, what does the Lake Burien weir have to do with flooding? At this point Mr. Warren recommended the language be removed from the draft.

One member of the committee, who was also a member of the Planning Commission, asked if the Lake Burien Shore Club was willing to assume liability for the weir? She further opined that the shore club would need a permit to maintain the weir. Mr. Warren pointed out that the shore club has cared for the weir for almost 80 years and that inquiries to the state have determined no permit is necessary. **It was discussed and also noted that other than Mr. Warren, no Advisory Committee member, city staff member or consultant knew the location of the weir or what it is for.** However, Mr. Warren's request to remove this language from the SMP was denied. Within a week or two Mr. Johanson went to the Ruth Dykeman Center, asked to see the weir and photographed it. According to their staff he left the impression that there was some sort of liability attached to caring for the weir.

At this point I began inquiring as to *who* initially introduced the weir language into the draft plan. No one can tell me. Staff, consultants and SMP Advisory Committee members said they did not know. Interestingly, as the draft plan passed from the Advisory Committee to the Planning Commission, the language was changed. It now reads, "the weir will be maintained," with no reference to *who* will maintain it or *how* it will be maintained. The unusual aspect of this is that it was not discussed or recommended either by the Advisory Committee or the Planning Commission. The decision-making has not been transparent on this issue.

I have asked David Johanson, Councilmember Bennet and Mr. Martin who introduced the weir language and no one can give me an answer. If none of these people know why it is there, or who placed it there, let's simply remove the language. **If the city didn't put it there in the first place, I fail to see its necessity.** Please remove this superfluous language from the Shoreline Master Plan.