STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

December 29, 2010

Erika Conkling, AICP, Senior Planner
City of Renton Dept of Community & Economic Development
Planning Division
1055 South Grady Way
Renton, WA 98057-3232

Re: Public Comments received during the November 15, 2010 through December 17, 2010 public comment period, including the December 2, 2010 public hearing, on the September 27, 2010 locally adopted City of Renton Shoreline Master Program `

Dear Erika Conkling:

On November 15, 2010, Ecology opened a public comment period that extended through December 17, 2010. At that time, Ecology also advertised a Public Hearing, to be held at the Renton City Hall on December 2, 2010. Through this public comment period and the public hearing, Ecology sought public comments on the City of Renton Shoreline Master Program, as adopted by the City on September 27, 2010. During the public comment period, Ecology received a combined total of six (6) comment letters and verbal testimonies on the SMP. Eight (8) members of the public attended the hearing and two (2) testified at the hearing. 2, 2010. The following individuals and organizations submitted comments:

- Bud Dennison, representing the Renton Shoreline Coalition (RSC), provided verbal (RSC) comments with a written copy of RSC comments submitted at the December 2nd, 2010 hearing.
- Lawrence Reymann provided verbal comments at the December 2, 2010.
- Anne Simpson submitted a copy of the Renton Shoreline Coalition letter presented in the December 2, 2010 hearing by Bud Dennison.
- The Muckleshoot Tribe, represented by Karen Walter, submitted comments on December 15, 2010.
- Puget Sound Energy, represented by Cody Olson, submitted written comments on December 17, 2010.
- Laurie Baker, citizen, submitted written comments by email on December 17, 2010.

Attached please find the comment letters and transcripts of the above comments, a summary of the issues raised and a matrix of those issues along with the location of these topic areas in each of these documents.

The next step is for you to review the issues raised and prepare a written response per WAC 173-26-120(6) on how the proposed SMP addresses these issues. All parties providing comment should be specifically identified. Their individual comments, however, may be paraphrased and grouped by topic or similarity of comment. You have 45 days to prepare a written response to the issues raised or request, in writing, additional time to complete this work.

Once ecology receives your response, we will complete the review process, including drafting a findings of fact and conclusions of law memo consistent with WAC 173-26-120(7) requirements. If you have questions or need additional information, please feel free to contact me at (425)649-4309.

Kindest Regards,

Barbara Nightingale

Barbara Nightingale, Regional Shoreline Planner
Ecology Northwest Regional Office
3190 160th Ave SE
Bellevue, WA 98008-5452
425-649-4309

BN:cja

enc

Matrix of Public Comments Received by Ecology (November 15, 2010 through December 17, 2010) on 9-27-2010 Locally Adopted City of Renton SMP Pursuant to Resolution 4067

Commenting Party	SMP Topic	Policy or Regulation	Issue
Muckleshoot Tribe Karen Walter	Dredging	SH-36 (page A-27) Subject to policies providing for no net loss of ecological functions as well as local, state, and federal regulations, the water's depth may be changed to foster recreational aspects.	This policy could result in dredging or filling of regulated shoreline areas and adjacent waters to support recreation. It should be deleted from the SMP because it will likely result in adverse impacts to fish habitat that cannot be sufficiently mitigated.
	Overwater Trails	Shoreline Use Table 4-3-090. Page D-56) E. 1 (page D-56) allows overwater trails.	Potential for overwater trail to become large pier or dock structure affecting juvenile salmon habitat.
	Helipads	Shoreline Use Table 4-3-090.E.1. (page D-57) allows helipads for SFR designation 4-3-090 E.10f.iv (page D-94)	Request prohibition on helipads in all designations, particularly aquatic, to protect salmon habitat. Helipads are not water-dependent nor water oriented uses. Since the city has an existing airport on Lake Washington that is accessible to helicopters and within close proximity to shoreline properties. Do not see a need for helipads on private lots within the regulated shoreline environment.
	Dock and Pier Design Standards – width & length dimensions	4-3-090.E.7.d (page D77-81)Pier and dock design standards	Missing footnote 4 (Page D-79). Request standards to mirror ACOE RGP 3. Requests additional language to require new and redeveloped docks to fully mitigate for salmon habitat impacts.
	Pier & Dock Variances	4-3-090.E.7.g. (pages 82-83)	To only allow variances, if no other alternative and if the project can fully mitigate impacts.
	New utilities pipeline and cables	4-3-090 E.11a.xv (page 3-97)	New utilities on shorelines, where no other feasible options exist, should be required to fully mitigate impacts.
	Vegetation Conservation	4-3-090 F.1.i.v (page D-112)	30% view standard applied to trees is too high and will limit successful riparian restoration. Trees can be pruned so that views can be provided through the tree cover, while still providing riparian functions.
	Cedar River Levee Project		Wants SMP to acknowledge conflict between SMA goals for riparian areas and ACOE levee maintenance, in lower Cedar River. Requests SMP indicate how City will work with federal gov. to resolve this.

Matrix of Public Comments Received by Ecology (November 15, 2010 through December 17, 2010) on 9-27-2010 Locally Adopted City of Renton SMP Pursuant to Resolution 4067

Commenting Party	SMP Topic	Policy or Regulation	Issue
Puget Sound Energy Cody Olson	Defining Utility as specified use.	4-3-090.E.1 Shoreline Use Table (page D-57)	PSE needs to continue to operate utilities in Natural designation.
	Continue uses in May Creek and Cedar River UC areas.	4-3-090 .E.1 (page D-57	"Major Service Utilities" not specified in Shoreline Use Table and as a use not specified, appear to be prohibited in natural and Urban conservancy environments. PSE has facilities crossing May Creek and the Cedar River in UC designations. Requested conflict resolution.
	Utility upgrades to allow for growth	4-3-090.E.11 (page D-94)	Unclear if SMP always allows for upgrading existing infrastructure to accommodate growth in energy demand.
	Utility Criteria	4-3-090. E.11.a.ii (page D-95	Should "regional utility systems" be replaced by the phrase "major utility systems?
		4-3-090.E.11.a.vii. (Page D-95)	Add section to address "major service utility" facilities.
	Electric Installations	4-3-090.E.11.c.i.a.2 (page D-99)	Objects to power-line structure design being stipulated in SMP. New suggested wording.
	Vegetation Management	4-3-090.F.1.i (page D110)	WAC and National Electric Code (NERC) regulate clearances between vegetation and power-lines. Therefore PSE requests wording added to 4-3-090.F.1.i to allow for local and major service utility facility requirements.
	Trails on utility rights-of-ways	SH-43 (page A-28)	If a utility is on an easement, the utility does not have land rights to grant trail rights to anyone.
	Cooperative Restoration	SH-49 (page A-30)	PSE wants to be among other listed organizations as a Restoration cooperator.
	Utilities	4-3-090 D.2.d.ix.a 9page D-18)	Confirms this to be an appropriate section to allow necessary utility infrastructure with environmental protection through other SMP provisions.
Lawrence Reymann	Preserving fish and wildlife habitat and public access		Development around Lake Washington has precluded natural shoreline and impacted salmon runs. Wants to see everything possible done to allow development harmonious with the needs of sockeye, chinook and coho runs in May Creek and Lake Washington shorelines.

Matrix of Public Comments Received by Ecology (November 15, 2010 through December 17, 2010) on 9-27-2010 Locally Adopted City of Renton SMP Pursuant to Resolution 4067

Commenting Party	SMP Topic	Policy or Regulation	Issue
Renton Shoreline Coalition (RSC) Bud Dennison. Also submitted 12-2-10 RSC letter.			Painstaking collaboration between the City, RSC and stakeholders helped shape the present locally-adopted SMP. All parties involved were recognized and thanked. Although, the RSC requested further revisions to alleviate restrictions on private property, the City stayed its course. RSC requests Ecology take no action that would further burden shoreline property owners.
Anne Simpson			Submitted written copy of above-cited RSC letter. Anne is signor of the RSC letter.
Laurie Baker			Complaints on update process.

MUCKLESHOOT INDIAN TRIBE
Fisheries Division
39015 - 172nd Avenue SE • Auburn, Washington 98092-9763
Phone: (253) 939-3311 • Fax: (253) 931-0752

December 15, 2010

RECEIVED
DEC 17 2010
DEPT OF ECOLOGY

Ms. Barbara Nightingale
Shoreline Planner
WA Dept. of Ecology
3190 160th Avenue SE
Bellevue, WA 98008

RE: Renton's Shoreline Master Program Update

Dear Ms. Nightingale:

The Muckleshoot Indian Tribe Fisheries Division (MITFD) has reviewed the City of Renton's proposed 2010 Shoreline Master Program (SMP) Update (City Resolution 4067) materials. We are attaching our comments in the interest of protecting and restoring the Tribe's treaty protected fisheries resources.

To date, the City has incorporated many of our previous comments. However, some of concerns remain outstanding and are discussed in the attached comments. In addition, we are concerned about the serious conflict between SMA objectives for fish habitat and water quality, and the seemingly arbitrary and inflexible US Army Corps of Engineers levee maintenance standards that require removal of trees and brush on along bank-adjacent levees on the Cedar and other rivers. While public safety is a shared concern, we believe this conflict should be discussed in the SMP update along with the need to resolve this problem. The MITFD appreciates the City's commitment and ongoing efforts to protect and restore salmonid habitat. Clearly, the Shoreline Master Program can be a powerful tool that City can use for this purpose. As noted previously, we recommend that the Final SMP be revised to acknowledge the importance of the Cedar River, Lake Washington, May Creek, and the Green River and associated shoreline tributaries to the Tribe's ceremonial, commercial and subsistence fisheries prior to approval by Ecology. Tribal members fish in Lake Washington and the Green-Duwamish River, including areas within the City of Renton. Ecology and the City should ensure that the SMP and its implementation do not continue the degradation of treaty protected fisheries resources or impact Tribal members' ability to access these resources.

Thank you for the opportunity to review and comment on the SMP. Please call me at 253-876-3116 if you would like to meet and discuss these comments.

Sincerely,

Karen Walter
Watersheds and Land Use Team Leader

Cc: Erika Conkling, City of Renton, Dept. of Community and Economic Development

Exhibit A- Shoreline Management Element of the Comprehensive Plan

1. Policy SH-36, Recreation, page A-27

This policy could result in dredging or filling of regulated shoreline areas and adjacent waters to support recreation. It should be deleted from the SMP because it will likely result in adverse impacts to fish habitat that cannot be sufficiently mitigated.

Exhibit D-Amended Renton Municipal Code Provisions

2. 4-3-090.E.1 Shoreline Use Table, page D-56

Overwater trails should not be allowed in any of the shoreline designations, particularly the aquatic designation. An overwater trail will result in basically a very large pier or dock structure with its associated overwater coverage and piles. Since trails are usually required to be ADA accessible, the overwater trail pier or dock will likely be larger than most piers and docks used in residential settings. Piers and docks provide habitat for known salmonid predators. Preferred habitat for juvenile Chinook is shallowly sloped, sandy beaches interspersed with small woody debris and overhead vegetation. In-water and overwater structures provide ideal habitat for predators and are avoided by rearing and migrating Chinook, according to research by the US Fish and Wildlife Service and others in Lake Washington. Such structures force fish to move into deeper water where they are more vulnerable to off-shore predators. The jurisdictions in Lake Washington, including Renton, should be seeking to remove overwater structures, not facilitate additional structures.

3. 4-3-090.E.1. Shoreline Use Table, page D-57

Helipads should not be allowed within the regulated shoreline jurisdiction under any environmental designations, particularly aquatic, because they can result in permanent loss of shoreline functions and adversely affect salmon habitat. They are not water dependent or water oriented uses. Since the City has an existing airport on Lake Washington that is accessible to helicopters and within close proximity to shoreline properties, there is no need for helipads on private lots within the regulated shoreline environment.

4. 4-3-090.E.7.d, Piers and Docks design standards, pages D-77 through D-81

The table is missing footnote 4, which is related to dock width. We also recommend that the Table be modified to match the numeric criteria found in the US Army Corps' Regional General Permit 3 for Piers and Docks in Lake Washington (see http://www.nws.usace.army.mil/publicmenu/DOCUMENTS/REG/RGP%203%20Final%20Text%20_6-13-05_.pdf).

The table also should have additional language to require new and redeveloped docks to fully mitigate for their impacts to salmonids and aquatic habitat. Examples of mitigation include the reduction of the overwater area and effects of docks along the southern shoreline of Lake Washington, and restoring gently sloping shorelines with dense native shoreline vegetation is important to improve survival rates particularly for Cedar River Chinook.

5. 4-3-090.E.7.g, Piers and Docks variances, pages D-82 and D-83
Variances should only be allowed if there is truly no other alternative and the project can fully mitigate for its impacts.

6. 4-3-090.E.10f.iv, Aviation, page D-94
Helicopter landing facilities are not an appropriate use on shoreline areas of single family lots. See previous comments regarding helipads.

7. 4-3-090. E.11a.xv, Utilities, page D-97
New utility pipeline and cables on shorelines, where no other feasible option exists, should be required to fully mitigate their impacts including the permanent loss of restoration areas and opportunities due to their vegetation standards.

8. 4-3-090. F.1.i.v, Vegetation Conservation, D-112
The maximum 30% view standard applied to trees is too high and will limit successful and necessary restoration of riparian functions along the shoreline. Trees should be allowed to be planted on redeveloped or altered lots within the vegetation buffer. Trees can be pruned so that views can provide through the tree cover, while still providing other riparian functions.

9. The lower mile and one half of the Cedar River shoreline in Renton consists of a federal levee project. This and perhaps other levee shorelines in Renton, is subject to riparian tree and brush removal according to recently invigorated US Army Corps of Engineers levee maintenance standards. These standards are considered by many to be arbitrary and inflexible, and are in nonetheless in severe conflict with the SMA goals for riparian areas and streams. While public safety is a concern for everyone, we recommend that the SMP acknowledge this conflict and indicate how the City will work with the federal government and others to resolve this problem.

PUGET SOUND ENERGY
The Energy To Do Great Things

December 17, 2010

Washington Department of Ecology
Attn: Barbara Nightingale, Shoreline Planner
3190 160th AVE SE
Bellevue, WA 98008

RE: Renton Shoreline Master Plan

Dear Ms. Nightingale,

Puget Sound Energy (PSE) appreciates the opportunity to provide comments to the Department of Ecology regarding the draft City of Renton SMP, Resolution 4067.

PSE is Washington State's oldest and largest energy utility with a 6,000-square-mile service area stretching across 11 counties. Puget Sound Energy serves more than 1 million electric customers and 735,000 natural gas customers, primarily in western Washington.

As part of PSE's service obligation, we are required to maintain and reinforce our electric and gas system as the need arises. New growth increases demand for energy services and associated infrastructure, while decreasing available space for utility infrastructure. As part of any major project requiring utility relocation, PSE must have the ability to access and maintain safe, immediate and reliable service to our customers.

PSE is one of many utilities that have facilities on, over, under, and near the identified Renton SMP area, and we look forward to partnering with you as you consider our comments and request any follow up information to make this plan successful for all parties. That being said, please consider the following:

1. Shoreline Policy SH-43 (page A-28): Regarding trails on utility rights-of-ways, a word of caution is that if the utility is on an easement, which is common, then the utility does not have land rights whereby they could grant trail rights to the City of Renton or to anyone else.

2. Shoreline Policy SH-49 (page A-30): If PSE facilities are present; please include PSE with other listed organizations.

3. 4.3.090.D.2.d.ix.a; Utilities (pg D-18):
   a. This section is appropriate and can allow for necessary utility infrastructure while offering environmental protection through other sections of the SMP.

4. 4.3.090.E.1; Shoreline Use Table (pg D-57):
   a. "Local Services Utility" facilities are prohibited in "Natural" areas. Please note, PSE has existing "local service utility" facilities along Monster Road at the west end of the Black River area. PSE needs to be able to continue to operate, maintain and replace these facilities as needed.
   b. "Major Service Utilities" are not listed, but are defined on page D-199, and so are presumably addressed by the line item at the bottom of page D-57 titled "Uses Not Specified." A problem is that both Puget Sound Energy and also Seattle City Light have "Major Service Utility" facilities crossing both May Creek and Cedar River "Urban Conservancy" areas and which by the use table are not allowed. This conflict needs to be resolved.

5. 4.3.090.E.11; Utilities (pg D-94):
   a. Upgrading of existing utility infrastructure (local and major service types) should be allowed to accommodate growth in energy demand and to recognize restricted space for alternative locations, subject to design and mitigation stipulations in the SMP. It is not clear whether the SMP always allows for this, but the use throughout this section of the phrase "when feasible" does help address this concern.

6. 4.3.090.E.11.a.ii; Criteria for all Utilities (pg D-95):
   a. The phrase "regional utility systems" is used, but is not defined. Perhaps the phrase "major service utility" was intended.

7. 4.3.090.E.11.a.vii; Criteria for all Utilities (pg D-95):
   a. The phrase "Utilities" is used in reference to serving "new development," but the phrase "local service utility" should have been used.

      Another section should be added to address "major service utility" facilities, and we suggest wording such as: "Major service utility facilities should be located and designed to avoid or minimize impacts to shoreline areas, whenever reasonably feasible."

8. 4.3.090.E.11.c.i.a.2; Electric Installations (pg D-99):
   a. The specific design of powerline structures should not be stipulated by the SMP. A revised wording is suggested to be: "The support structures for new overhead power lines should be designed with consideration given to minimizing aesthetic impacts, including options of compact configuration, when reasonably feasible.

9. 4.3.090.F.1.i; Vegetation Management (pg D-110):
   a. Vegetation maintenance is a necessary part of power line construction and subsequent maintenance programs, allowing PSE to provide the public with service reliability. Maintenance encompasses the "right tree in the right place" idea and includes pruning, topping, removing and replanting. PSE's objectives for vegetation maintenance along powerlines located within the City of Renton are to:

      1. Comply with applicable local municipal codes and state and federal regulations and
      2. Ensure service continuity, essential for domestic use and vital public services.

To accomplish the above objectives, PSE must maintain necessary clearances between vegetation and powerlines. Properly maintained right-of-ways are essential to providing safety for PSE customers and workers, minimize tree-related outages and for timely restoration of service during emergency conditions and is mandated by the Washington Administrative Code and National Electric Safety Code. While this has always been so, new federal regulations in the last several years have introduced significant financial penalties for when utilities fail to maintain adequate clearances under certain transmission lines. The North American Electric Reliability Corporation (NERC) has adopted more restrictive vegetation maintenance standards for electric transmission lines 200 kilovolts (kV) or higher. The standards are designed to reduce tree related transmission system outages that could impact customers locally as well as across regional and interstate areas.

b. Therefore, PSE requests that wording similar to the following two statements be added to the SMP. Perhaps 4.3.090.F.1.i is an appropriate place for this wording, but if not then please identify a better location for wording like this.
    1. The installation of new plantings underneath power lines (local and major service utility facilities) is restricted so that only those species that will mature at a height of less than 15 feet are allowed.
    2. Trees and shrubs underneath overhead power lines (local and major service utility facilities) may be pruned, topped or removed to maintain safe clearances.

In general PSE is concerned about any areas regarding water crossings, landscaping, vegetation management, and mitigation.

Thank you for the opportunity to comment. If you have any questions concerning these comments, please feel free to contact me at 253-395-6809 or cody.olson@pse.com.

Sincerely,

Cody Olson
PSE -Municipal Liaison Manager

cc: Erica Conkling, City of Renton Senior Planner

12-2-10 WASHINGTON STATE DEPARTMENT OF ECOLOGY PUBLIC HEARING

On City of Renton Locally-Adopted (9-27-2010) Shoreline Master Program

TRANSCRIPTION

1st Speaker - Bud Dennison, spokesperson for the Renton Shoreline Coalition, 3717 Lake Washington Boulevard, Renton, WA

"As you know from your work with the City of Renton's SMP process, the Renton Shoreline Coalition is a non-profit corporation that was formed in early 2010 to engage in the SMP process and to more effectively express the concerns and perspectives of private property owners who own properties subject to Shoreline jurisdiction. The SMP that the Renton City Council ultimately approved, by passage of Resolution 4067, was the product of an extensive public process that brought together many stakeholders, including the Coalition. Painstaking collaboration between the City, the Coalition, and other stakeholders helped shape the ultimately adopted SMP. Part of that collaboration involved the efforts of City Attorney Larry Warren, the Coalition's attorney Sandy Mackie, attorney David Halinen, who represents one of our members and has served on the Coalition's Steering committee, and attorney Sam Rodabough, who also represents one of our members. Their efforts ensured that the city-approved SMP complies with the Shoreline Management Act (SMA) and with the SMP Guidelines, Chapter 173-26-WAC. You, Ms. Nightingale were also instrumental during the course of the process in confirming the various steps the City took to similarly ensure that the end product complies with the SMA and SMP Guidelines. Thank you for your efforts in that regard.

At the request of the Coalition and stakeholders, the City ultimately made many revisions to the various drafts of the SMP. For the most part, those revisions improved the SMP text, which the Coalition appreciates. However, the City did not include important revisions that the Renton Shoreline Coalition sought and believed would also comply with the SMA and the SMP Guidelines. As a result, portions of the approved SMP will needlessly and inappropriately restrict and burden the use of Renton's privately owned shorelines. This is a disappointment to the Coalition and its members. In view of the extensive public participation in the city's recently completed SMP public process, the Coalition urges Ecology to take no action as part of the remaining SMP adoption process that would in any way seek to make the city-approved SMP any more burdensome to private property owner interests than it is, as currently drafted. Doing so would be inconsistent with the public process.

Once again, I would like to thank on a personal note, Chip Vincent, Erika Conkling, and Barbara Nightingale, in particular, and some of our Council members here tonight, King Parker, for the collaboration and working togetherness that they demonstrated in the processes that we have

been through. We truly feel that we had a really good process that listened to the people and incorporated to come to a conclusion that works well for all of us. We encourage the Department of Ecology to take that into consideration. Thank you."

2nd speaker – Lawrence Reymann, 1313 North 38th Street, Renton, WA

I would like to thank--- and the Commission for the opportunity to speak at this hearing about shoreline regulation. I would be interested in what the previous speaker's positions are about these regulations. I'm not familiar with them. I'm very familiar with the May Creek watershed and the Cedar River. I work with the Seattle Aquarium and with the Environmental Science Center and have hiked May Creek, now for approximately 30 years, and try to be very much involved with habitat restoration along that watershed with different high schools and student groups.

I very much would like to see everything possible done to allow development harmonious with habitat needs of the sockeye, chinook and coho runs that are hanging on by finger nails to the May Creek watershed and along Lake Washington. I've worked very diligently to preserve the May Creek valley as habitat for salmon, osprey, otter, deer and other wildlife and to preserve that watershed as a corridor between Lake Washington and the Cascade mountains.

As far as development around the lake is concerned, that horse has pretty much left the barn. There is very little natural shoreline left around Lake Washington and the decline of the salmon runs I believe are greatly impacted by development policies in the past.

I would very much like to preserve, wherever possible, public access to the shoreline of Lake Washington and the May Creek watershed and the Cedar River watershed. I think there are opportunities for education, environmental restoration and economic advantage by preserving these natural areas in harmony with property owners who reside in these regions. So thank you for the opportunity to speak on behalf of the salmon, they have no voice. We have to vocalize on their behalf. When they're gone, they're gone and they don't come back and they're a critical economic resource as well as environmental, educational and our heritage for our children. I work for the day when my grandchildren can bring me to the Cedar River and we can look at the salmon in that river and in May Creek rather than me taking my grandchildren to the May Creek and Cedar River and telling them I remember when salmon use to live in this water.

Hearing is adjourned at 7:45 pm.

Renton Shoreline Coalition
P.O. Box 624
Renton, Washington 98057-0624

RECEIVED
DEC - 7 2010
DEPT OF ECOLOGY

SUBMITTED INTO THE RECORD IN PERSON AT ECOLOGY'S DECEMBER 2, 2010 PUBLIC HEARING AT THE RENTON CITY COUNCIL CHAMBERS AND VIA FIRST CLASS MAIL

December 2, 2010

Barbara Nightingale, Shoreline Planner
Washington Department of Ecology
3190 160th Avenue SE
Bellevue, Washington 98008

Re: The City of Renton's proposed 2010 Shoreline Master Program (SMP) Update (City Resolution 4067)

Dear Ms. Nightingale:

As you know from your work with the City of Renton's SMP process, the Renton Shoreline Coalition is a non-profit corporation that was formed in early 2010 to engage in the SMP process and to more effectively express the concerns and perspectives of private property owners who own properties subject to Shoreline jurisdiction. The SMP that the Renton City Council ultimately approved by passage of Resolution 4067 was the product of an extensive public process that brought together many stakeholders, including the Coalition. Painstaking collaboration between the City, the Coalition, and other stakeholders helped shape the ultimately adopted SMP. Part of that collaboration involved the efforts of City Attorney Larry Warren, the Coalition's attorney Sandy Mackie, attorney David Halinen (who represents one of our members and has served on the Coalition's Steering Committee), and attorney Sam Rodabough (who also represents one of our members). Their efforts ensured that the City-approved SMP complies with the Shoreline Management Act (SMA) and with the SMP Guidelines (Chapter 173-26 WAC). You, Ms. Nightingale, were also instrumental during the course of the process in confirming the various steps the City took to similarly ensure that the end product complies with the SMA and the SMP Guidelines. Thank you for your efforts in that regard.

At the request of the Coalition and other stakeholders, the City ultimately made many revisions to the various drafts of the SMP. For the most part, those revisions improved the SMP text, which the Coalition appreciates. However, the City did not include important revisions that the Renton Shoreline Coalition sought and believed would also comply with the SMA and the SMP Guidelines. As a result, portions of the approved SMP will needlessly and inappropriately restrict and burden the use of Renton's privately owned shorelines. This is a disappointment to the Coalition and its members.

In view of the extensive public participation in the City's recently completed SMP public process, the Coalition urges Ecology to take no action as part of the remaining SMP adoption process that would in any way seek to make the City-approved SMP any more burdensome to private property owner interests than it is as currently drafted. Doing so would be inconsistent with the public process.

Sincerely,

RENTON SHORELINE COALITION

Anne Simpson

Anne Simpson, Co-Director and Steering Committee Member

cc: Renton Shoreline Coalition Steering Committee Members Lowell Anderson, Laurie Baker, Charlie Conner and Anne Simpson, Buzz and Pat Dana, Jeanne DeMund, Bud and Marilynn Dennison, Monica Fix, David Halinen, Kevin Iden, and Marlene Winter

Sandy Mackie, Perkins Coie

Samuel A. Rodabough, Groen Stephens & Klinge, LLP

Renton Mayor Dennis Law

Renton City Council

Chip Vincent, Renton Planning Director

Erika Conkling, Senior Planner, Renton Planning Division

Nightingale, Barbara (ECY)

From: Laurie Baker [laurieb@mvseac.com]
Sent: Friday, December 17, 2010 11:37 AM
To: Nightingale, Barbara (ECY)
Subject: DOEcoments20101217.doc

Public Comment on Renton Shoreline Master Program Update

8225 S 128th
Seattle, WA 98178
December 17, 2010

Ms. Barbara Nightingale, Shoreline Planner
WA Dept. of Ecology
3190 160th Avenue SE
Bellevue, WA 98008

Re:Renton Shoreline Master Program

Dear Ms. Nightingale,

Please accept this as public comment on the City of Renton's proposed 2010 Shoreline Master Program (SMP) Update.

During the development of the Renton Shoreline Master Program, you stated numerous times that the plan was to be based on the Inventory and Characterization of Renton's shoreline. In fact, my notes indicate that you made this statement at the public hearing held on December 2, 2010.

As you know, the initial Inventory and Characterization coded Gene Coulon Park as a single-family residential area. This was still on the chart posted at the December 2 hearing, although it had been "corrected" by Staff months before. However, after this rather obvious error was initially pointed out to Staff, I found no associated change in the Draft SMP.

Other less glaring errors on the Inventory and Characterization maps were observed by citizens and shared with Staff. These included showing the Seahawks facility as within 20' of the water and showing parcels as without dock or house where there were clearly docks and houses. Staff's response was that these errors would not be corrected because the maps had "served their purpose".

From this I conclude that the Inventory and Characterization was developed only to meet a DOE requirement to produce an Inventory and Characterization document, rather than to be used as the basis for developing the provisions of the SMP

I draw a similar conclusion from the early phase of the public involvement process. It met the DOE criteria by reciting much activity. There was no mention of the effectiveness of the any of the activity. Instead, the citizens were criticized for not getting involved earlier.

As I recall, you once stated that it was "normal" for citizens to become involved only at the end of the process. I suggest, if public involvement is really wanted, there should be some measure of the effectiveness of the communication rather than allowing the requirement to be satisfied by a long list of activities. For future

reference, I suggested that signs be posted in the areas that are going to be subject to new regulations and restrictions. These signs should be in the same format as the signs used to indicate a change of land use or zoning, and indicate the specifics of the proposed changes. This would be more effective than posting notices in the libraries, community centers and in utility bill mailings.

Finally, lest you think that I am opposed to improving the environment, I'll mention that my shoreline parcel was correctly coded as restored—which was done voluntarily.

The SMP process has left me with less confidence in the DOE and the City of Renton. The process was filled with rhetoric and lacking in logic, accuracy and science. Our environment would be better served if Renton planners, and the DOE approved consultants, were as concerned with accuracy and science as the engineers who build dams and bridges for the City and State.

Renton's shoreline is a very small portion the ecological system, so there is no way to determine its contribution to achieving no net loss of ecological function. The Draft SMP sent to DOE includes citizen recommended changes that are more likely to protect the environment that the original Draft SMP. As a concerned citizen and shoreline property owner, I hope the DOE will address the bigger contributors to the ecological system effectively—with logic and appropriate science.

Sincerely,

Laurie L. Baker, PE

DEPARMENT OF ECOLOGY

HEARING SUMMARY

M E M O R A N D U M

December 2, 2010

TO: Ted Sturdevant
Director

FROM: Melanie Forster
Hearings Officer

SUBJECT: Shoreline Master Program Public Hearing Summary

WAC title: n/a

Topic: City of Renton Shoreline Master Program Update

Program name: Shorelands and Environmental Assistance

Name(s) of Ecology employee(s) at hearing: Barbara Nightingale, Cindy Avanzino, Melanie Forster

Hearing location(s): Renton City Hall, City Council Chambers

Total number of people at hearing(s): 11

Total number of testimonies: 2

Summary of Comments:

Two people testified at the hearing. The representative of the Renton Shoreline Coalition appreciated the changes made to previous iterations of the Shoreline Master Program (SMP) in response to residential property owners. He also, however, expressed concern that some of the requirements of the SMP were still too burdensome for waterfront property owners.

Another person requested more protection for salmon and other wildlife. He also spoke out in support of public access at May Creek.

cc: Polly Zehm
Gordon White
Tony Rossiter
Barbara Nightingale