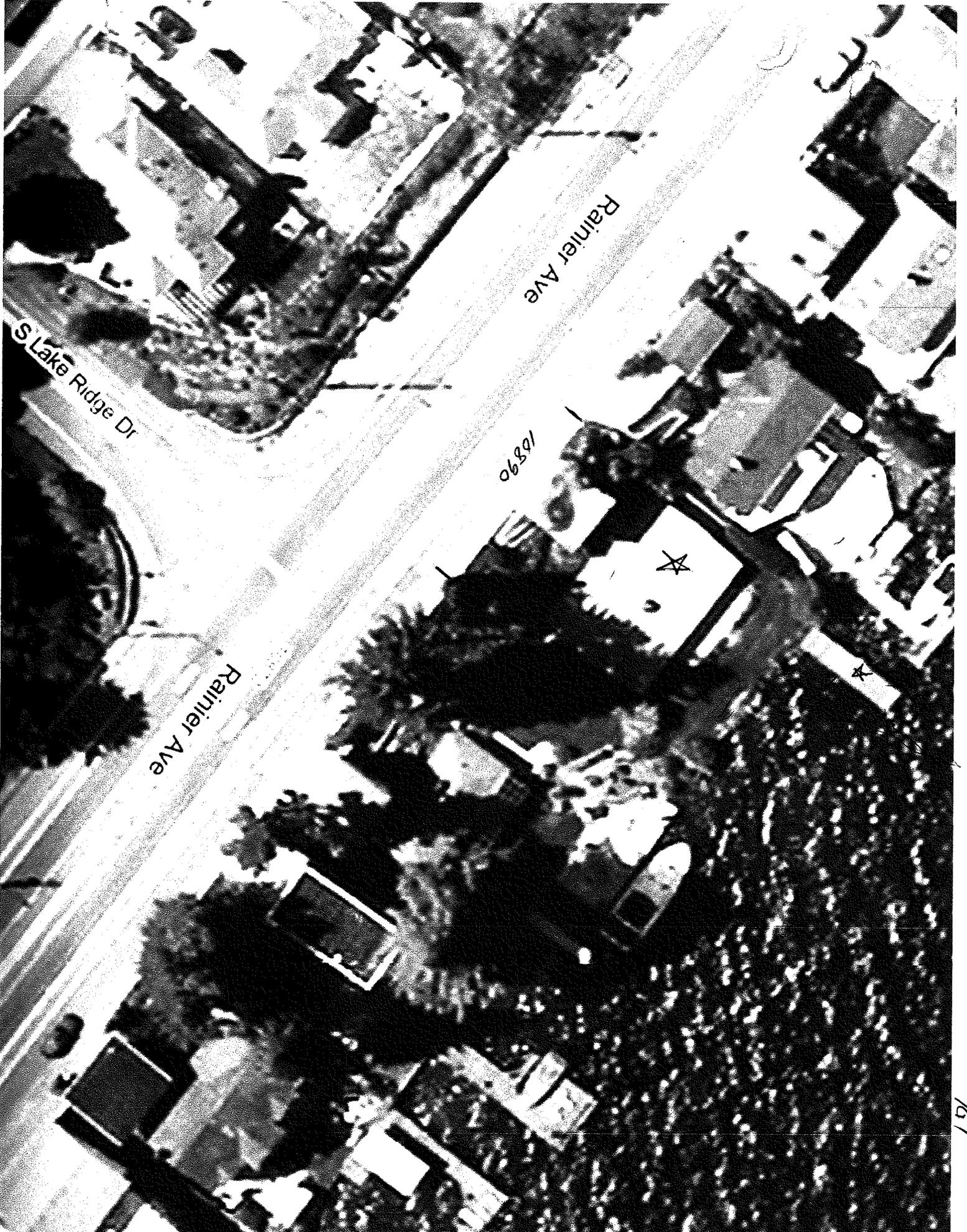


Rec'd 10-21-09 etc

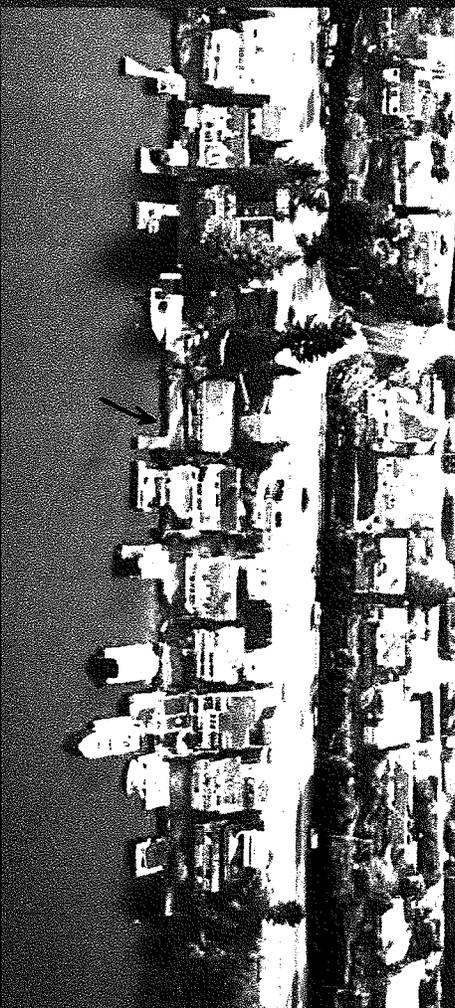
TOM GAFFNEY 10890 RAINIER AVE S



Renton Shoreline Master Program

No Net Loss Opportunities and Constraints

for Maintaining and Enhancing Ecological Productivity
Lake Washington Reach K



Shoreline Master Program Update Comments
Charlie Conner, Anne Simpson
3001 Mountain View Ave N.
Renton Wa. 98056
11-1-9

Commissioners,

As I stated at the public hearing I believe the draft Master Plan has the following serious flaws and should be revised so that it respects waterfront property owner's rights and is made consistent with the Shoreline Management Act.

The requirement that future subdivisions of more than four lots provide public access as well as view corridors and the requirements to plant native vegetation, making that portion of property unavailable for the active use and enjoyment of the property is a taking for a public purpose without compensation.

Objective SH-B requires that new or redevelopments "do not cause a net loss of shoreline ecological function". Yet much of the content of the draft plan requires even minor redevelopment to add to the "ecological functionality" yet the studies referenced in the Biological Evaluation of our Odyssey Dock Project 10-27-9 do not show a correlation between what is contemplated or restricted to specie migration or mortality.

The call to acquire more property for water access increases the tax burden on remaining private property and increases costs to the public. The cities ratio of park and public access waterfront to total waterfront appears to be greater than 10% and is probably higher than any other city on Lake Washington.

Waterfront property owners pay taxes that are exponentially higher than upland property owners because of the opportunities for direct access and use of the lake. New policies for reduced dock size and restricted use due to buffers seriously infringe on the utility of the properties affected.

Docks should be allowed to extend sufficient length and depth for safe moorage of pleasure craft with drafts of at least 8'. Historically and in other jurisdictions this has been the case. Many areas within the cities jurisdiction have low sloping lake bottom, many of the docks need to project 200' into the lake to get to a 12 foot depth from ordinary high water which is only 10 feet at ordinary low water. The standard should be rewritten to allow docks to be built to that length or depth maximum prior to triggering the expensive and time consuming variance process. There is already a rigorous Army Corps of Engineers process for docks of greater than 80 feet and what little science there is on salmonids and trout species identify the most important habitat as the shallow near shore spawning area. The only reason for limiting length would be safety for boat traffic however that is not an issue when docks throughout the lake are of that length.

After having been through nearly a 1 year process to bring helicopters to parity with float planes and sea planes by making them an allowed use it makes no sense to now require a conditional use for the basing of all aircraft. There have been no complaints resulting from these operations. Making them require conditional use is a step backwards and invites abuse by those who simply want to deny others freedom to enjoy the use their property.

Unfortunately it appears by the testimony of Mr. Sherrard that he believes man should not interrupt or inhibit any function of nature. That the deltas should be allowed to fill in the lake over time, that cedar river should be allowed to cut a new channel through the center of town. I don't believe these are the sentiments of the City's residents or leaders. His services should be terminated and the city should rely on common sense and preserve our constitutional property rights consistent with the shoreline management act.

Sincerely,

Anne and Charlie

Dear Commissioners,

11/3/09

I am having a nearly impossible time understanding the rationale behind beating up the lakeshore owners so badly with this SMP. We are not the bad guys. The reason we live on the lake is because we love it. We enjoy and want to preserve our privileged view of the waterfowl and the eagles. Many of us live to fish and care deeply about the salmon and bass. We have worked hard to fix a lake that was dead in the '60s and a large portion of the clean costs were and continue to be covered by waterfront property taxes and shoreline improvements.

But this proposed master plan is unreasonable and places unjustified burdens on lake front property owners. I am resentful that my tax dollars were used to pay Mr. Sherrard and Parametrix to develop a shoreline master program that is so biased in favor of one group, the public at the expense of another, the property owners.

I believe that I am a typical shoreline homeowner. My husband and I work hard to be able to enjoy our home on Lake Washington. We pay extraordinary taxes, some of which go to Renton's exceptional waterfront parks so that residents and non-residents can also enjoy the lake. We are involved in many other organizations where we give time and money to help those less fortunate than us. We support causes that work towards improving life and protecting the environment.

We believe in giving back but we also strongly believe that the proposed SMP is about taking property and property rights from the legal owners. Requiring the land owner to give up an average of more than 50% of their lake side property to natural vegetation with no suggestion of tax relief or even verbiage on how they get to their beach or dock sounds like free eminent domain. It is unreasonable to restrict docks to 80' when so many properties need more length to have usable boat moorage with sufficient water depth. The additional financial burden and "hoop jumping" on lakeshore owners is just simply unfair. Also, why does this new policy change float planes from an allowed use to requiring a conditional use permit? It seems that encouraging "Water-oriented recreational activities" applies only to the public not the homeowners on the lake.

I urge you to recommend that council reject this shoreline master program and any other that so blatantly dismisses the rights of property owners and the use and enjoyment of their shoreline.

Respectfully,

Anne Simpson
3001 Mountain Ave N.
Renton, WA 98056
425 572 6344

Erika Conkling

From: AMIOTTE, LALENA (DNR) [Lalena.Amiotte@dnr.wa.gov]
Sent: Friday, October 23, 2009 4:00 PM
To: Erika Conkling
Subject: DNR Habitat Conservation Plan
Attachments: 5-Conservation program-Review Draft_2009-07-21.pdf

Hi Erika:

It was really great meeting you yesterday. Hopefully that was just the beginning of our communications on issues both our agencies face.

So as promised here is some background information on the draft HCP proposal from WA DNR. I am sending you the entire planning chapter which is still of course in draft form and not for public distribution however it has been sent to the federal services for their first review so you can get an idea of where we are trying to go and where we are setting the bar for aquatic lands management. Feel free to contact me anytime about the plan or if you have questions, I am more than happy to clarify.

As far as the dredging issue that you spoke with me about yesterday with the residential dock and proponent wanting to dredge so their pleasure craft could continue to access the dock... **IF** the dredge area is on state-owned aquatic lands, the language that we have in the Draft HCP is as follows:

"Dredging, including sand and gravel mining, is not allowed on state-owned aquatic lands except where required for navigation, flood control, or maintenance of water intakes."

Since our document is still in draft form, I can see how this language may need to be clarified so I am really glad that we spoke yesterday. *Where required for navigation*, was not intended for pleasure crafts to a private recreational dock. I will bring this up to our team and keep you posted on language clarifications within our document.

In the meantime, good to meet with you and I look forward to working with you in the future. I am really glad that you spoke up yesterday. Great connection!

Lalena

<<5-Conservation program-Review Draft_2009-07-21.pdf>>

Lalena Amiotte,

Environmental Planner

Aquatic Lands Habitat Conservation Plan

Washington State DNR-Aquatic Resources Division

1111 Washington Street SE

PO Box 47027

Olympia, WA 98504-7027

(360) 902-1152

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Erika Conkling

From: AMIOTTE, LALENA (DNR) [Lalena.Amiotte@dnr.wa.gov]
Sent: Friday, October 30, 2009 4:38 PM
To: Erika Conkling
Subject: dredging for pleasure craft access

Hi Erica:

Here is some more background on that dredge issue we had talked about. I was able to get some clarification in our staff meeting this week.

Our interim guidance now reads:

Dredging, including sand and gravel mining, is not allowed on state-owned aquatic lands except where required for navigation for trade and commerce, flood control, or maintenance of water intakes.

Our outreach lead also posted the below for our land managers in our weekly update. This is cut directly from the weekly update.

Will we allow dredging to access private recreational docks?

The answer is no. Dredging destroys aquatic habitat, disturbs benthic communities, and produces large sediment plumes that affect a large area outside the immediate dredged area including aquatic vegetation. As the sediment settles, it can coat aquatic vegetation in an impenetrable layer of mud that light cannot penetrate and bury other adjacent benthic habitats and species. Aquatic vegetation is a critical component of the habitat stewardship measures and its protection is a foundational strategy. Legally, DNR is not obligated to allow dredging for access to a private recreational dock. DNR is only obligated to permit dredging to maintain access to docks inside harbor areas used for commerce and navigation. As with all things, there may be extenuating circumstances in some cases that DNR would consider.

Hope this helps with your issue. Have a great weekend, Lalena

Lalena Amiotte,

Environmental Planner

Aquatic Lands Habitat Conservation Plan

Washington State DNR-Aquatic Resources Division

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State of Washington
Department of Fish and Wildlife

Mailing Address: 1775 12th Avenue NE – Suite 201, Issaquah Washington 98027
(425) 313-5673 – Office, (425) 427-0570, TTY (800) 833-6388

October 28, 2009

City of Renton
Department of Community & Economic Development
Attn: Erika L. Conkling, AICP
1055 South Grady Way
Renton, Washington 98057

*SUBJECT: Comments regarding the Renton's Shoreline Master Program (SMP) –
Revised Draft Shoreline Inventory and Analysis and Draft Restoration
Plan*

Dear Members of the Renton Planning Commission:

The State of Washington Department of Fish and Wildlife (WDFW) appreciate the opportunity to review and comment on the City of Renton Shoreline Master Program Updates to the *Revised Draft Shoreline Inventory and Analysis and Draft Restoration Plan*. We are pleased that the inventory included information from the 2001 *Salmon and Steelhead Habitat Limiting Factors Report for the Cedar-Sammamish Basin (WRIA 8)* and the 2000 *Habitat Limiting Factors and Reconnaissance Assessment Report. Green/Duwamish and Central Puget Sound Watersheds (WRIA 9 and Vashon Island)* as well as information from other assessments that have been completed since the last SMP update. Inclusion of the updated information from the Washington Department of Fish & Wildlife's Salmonid Stock Inventory (SaSI) has provided new information as well. Although the information was included in the document and associated maps the Priority Habitats and Species (PHS) Program information was not directly referenced.

The City of Renton Shoreline Master Program Update Draft Restoration Plan referenced projects that were identified in the 2005 *Final Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan: Volumes I, II and III* as well as the *Green/Duwamish and Central Puget Sound Watershed Salmon Habitat Plan*. However the Green River plan was not included in the references, the WRIA 8 Plan was referenced twice. Both of these documents include well thought out projects to protect, restore, rehabilitate, or substitute habitat or the processes that create habitat. A significant amount of effort was put forth by the jurisdictions within WRIs 8 & 9 as well as the City of Renton. It is encouraging that these projects are included in the City of Renton's Restoration Plan.

Again we thank you for providing an opportunity to comment on the Report and are impressed with the thorough inventory and characterization as well as the documentation of potential shoreline restoration projects. We look forward to providing additional technical assistance throughout your update process. Please contact myself, Kirk Lakey, with any questions or requests for additional information.

Sincerely,



Kirk A. Lakey, PWS
Puget Sound Regional Watershed Stewardship Team Coordinator
Washington Department of Fish & Wildlife
1775 12th Avenue NW – Suite 201
Issaquah, Washington 98027
Phone: 206.310.9366
E-mail: Kirk.Lakey@dfw.wa.gov

cc: David Brock, Regional Habitat Program Manager, WDFW
Jennifer Davis, Technical Assistance Section Manager, WDFW
Larry Fisher, Area Habitat Biologist, WDFW
Katie Knight, WDFW Environmental Planner