

**Public Comment Summary: City of Maple Valley Locally Adopted SMP
Ecology Public Comment Period, December 16, 2019 – January 17, 2020**

Prepared by Maria Sandercock, WA Dept. of Ecology, January 23, 2020

Comment Number	Comment Topic and Section Number (Citation)	Commenter	Comment	Local Government Response and Rationale
1	SMP: Page 4	Allen Scott	<p>“It states here that the intent of the Maple Valley SMP is that the city’s lakes (Wilderness, Lucerne, and Pipe) once again be “edens of sylvan beauty” and that they remain so. The “edens of sylvan beauty” language was taken from a brochure of the 1920’s, which was nearly 100 years ago. My comment is that we cannot reasonable expect Maple Valley to be precisely the same today as I was 100 years before. We have an obligation to the citizens of Maple Valley to balance conservation and progress. As a result, I’d like to suggest a more balanced approach, which would be one that preserves beauty and at the same time encourages homeowners to update and modernize their private property and residences. If we all agree to be more balanced, the “edens of sylvan beauty” should be removed, and other similar language changes to reflect this balance should be considered.”</p>	<p>This is a historic quote from a booklet published in 1925. It is for reference and to give people a historical prospective into what the area of Maple Valley was like. It wouldn’t be appropriate for the City to alter with historic published work.</p>
2	SMP Page 7, section 1.2.3	Allen Scott	<p>“This section states “The use of bulkheads should be minimized, and should not extend across the frontage of the lot.” While I agree with the use of the term “minimized,’ I’m commenting that there should be room for exceptions to the “should not” language; current wording leaves no room for exceptions. An example is clear to me in the property owned by my wife and myself. Our property has a bulkhead. If we saw a reasonable need to replace our bulkhead, the current language appears to forbid that, which seems to lack fairness to existing property owners. My additional comment is that it be</p>	<p>Yes, for brand new areas we do want to minimize bulkheads. However, that is only for the construction of a brand new one. Per the letter received and staffs research the property in question has and existing bulkhead, where this wouldn’t affect them or any other property owner that has an existing bulkhead.</p>

			clear in the SMP document that exceptions will be given fair consideration. This would equally protect homeowner property rights and general shoreline vegetation.”	
3	SMP Page 7, Section 1.2.3	Allen Scott	<p>“Bulkhead discussion above under page 7, section 1.2.3 says bulkheads should not extend across the “frontage of the lot.” Then on page 67 [6.3.1 Shoreline Stabilization (Including Bulkheads / Applicability)], paragraph 6, it states, “The Washington Administrative Code, at WAC 173-27-040 (2) (i) states that ‘normal protective’ bulkhead common to single family residences does not require a substantial development permit.” My interpretation is that this means no bulkheads will be allowed on lot frontage, except normal protective bulkheads on lot frontage and common to single family residences are acceptable, and are even acceptable without permit. My comment here is that greater clarity is in order on the subject of bulkheads.</p>	<p>On page 79-80</p> <p>8. Where structural shoreline stabilization measures are demonstrated to be necessary, the size of stabilization measures shall be limited to the minimum necessary.</p> <p>11. If the repair, maintenance or replacement activity changes the location of the stabilization or alters any dimension of the stabilization by more than 10 percent, it shall be treated as a new stabilization and the City may require mitigation in accordance with this master program.</p> <p>12. The City may only approve a major repair, requiring the replacement of 50 percent or more of the length of the structure, or replacement of an existing hard structural stabilization measure with a hard structural shoreline stabilization measure to protect existing primary structures or principal uses, including detached dwelling units, if conclusive evidence is provided to the City that the primary structure or use is in danger from shoreline erosion caused by currents or waves.</p> <p>13. The applicant must submit the following for replacement or major repair of hard structural shoreline stabilization:</p> <p>a. A written narrative that provides a demonstration of need. The written narrative shall be prepared by a qualified professional (e.g., shoreline designer or other consultant familiar with lakeshore processes and shore stabilization), but not necessarily a licensed geotechnical engineer. The written narrative shall consist of the following:</p>

				<p>i. An assessment of the necessity for hard structural stabilization, considering site-specific conditions such as water depth, orientation of the shoreline, wave fetch, and location of the nearest structure.</p> <p>ii. An assessment of erosion potential resulting from the action of waves or other processes operating at or waterward of the OHWM in the absence of the hard structural shoreline stabilization.</p> <p>iii. An assessment of the feasibility of using nonstructural or soft structural stabilization measures in lieu of hard structural shoreline stabilization measures.</p> <p>b. Design recommendations for minimizing impacts and ensuring that the replacement or repaired stabilization measure is designed, located, sized, and constructed to assure no net loss of ecological functions.</p> <p>14. 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 are overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing shoreline stabilization structure.</p> <p>15. Bulkhead design and development shall conform to all other applicable City and state agency policies and regulations including the Washington Department of Fish and Wildlife criteria governing the design of bulkheads.</p> <p>The City in the Shoreline Master Program is clear about how to maintain and that a bulkhead maybe replaced, but there are steps.</p>
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				Even though a Substantial Development Permit, doesn't mean it doesn't need a Building Permit, SEPA, and an HPA. The commenter is concerned about not being able to replace a bulkhead, but regulations clearly allow for replacement with appropriate measures.
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