Evan Maxim

From: George Toskey <getoskey@comcast.net>
Sent: Tuesday, August 07, 2012 2:52 PM
To: ECA
Subject: Public Comment
Attachments: Response to AMEC.doc

I am very disappointed with ECON's response to my comments on April 19, 2012.

I have attached my response. Please note that the yellow text is the original "BAS" statement by ECON within quotes from my original comments on April 19.

The comments that ECON was responding to are in bold BLACK letters.

My responses are in bold RED letters.

I plan to attend tomorrow's meeting to summarize my responses and propose a "fix" to the buffer width issue.

Regards,
George

PS: I am concerned that the meetings were published as PC public meetings without requiring a PC quorum.

EXHIBIT NO. 187

Matrix Public Comment #72 on April 19, 2012 by George Toskey

Response to AMEC response lacking BAS

"Further, the reports contain generalized statements like the following that exaggerate the impact of the Sammamish ECA regulations. This statement is about Lake Sammamish.

'The lake's surface water temperature, nutrient and pollutant loading, and sediment and organic debris inputs are all affected by Sammamish's regulations protecting wetlands, streams, and riparian buffers.'

Firstly, the surface water temperature is overwhelming controlled by the temperature of the air and the heat from the sun. The temperature of the water from Sammamish streams has no measurable impact on the surface temperature of Lake Sammamish.

Secondly, how does building a house on one's property near a stream cause nutrient and pollutant loading? What is the source of the nutrients and pollutants? A structure actually blocks phosphorous and other nutrients in the soil from reaching the wetlands and streams.

Thirdly, are buffers the best solution for keeping sediment and organic debris from entering wetlands and streams and eventually Lake Sammamish? Wouldn't bank stabilization techniques between a house and a stream provide better protection? Buffers offer nothing to control the spread of sediment and organic debris; they are just there."

Response from AMEC:

Where is the response affecting the Lake's surface water temperature?

THERE IS NO RESPONSE BECAUSE THE CLAIM IS FALSE!!!

What are the sources for nutrient and pollutant loading when building a house near a stream?

Pollutant sources associated with building a house near a stream can be categorized by the phase of the project.

During construction, disturbing the soil can release sediment and nutrients such as phosphorous that are naturally found in soils. The Lake Sammamish watershed is somewhat unique in that there are naturally high levels of phosphorus in the soils – this was an important consideration that was accounted for when King County developed the Lake Sammamish Water Quality Management Plan in the 1990s. Construction activities also have the potential to release chemicals and pollutants associated with building materials and equipment, such as oil, grease, fuel, hydraulic fluids, antifreeze, metals from building materials, wood preservative, cleaning agents and surfactants.

Following construction, the sources of pollutants in stormwater runoff from a residence can be building materials such as roofs and gutters that leach metals, landscaping materials and activities, pet and animal wastes, fertilizers, pesticides, sand and salts applied to walks and drives, fallout from pressure washing and sanding, dirt from equipment and vehicles, dirt and grit that washes off of impervious surfaces (roofs, driveways, sidewalks, and roads), plant debris, yard and food waste, and improperly stored materials such as paints and fuels. Vehicle maintenance and power landscape equipment has the potential to release oils, grease, antifreeze, and other materials, while in general these devices can release metals from tires and brakes, and through the exhaust. Car washing has the potential to release oils, grease, sediment, and surfactants. Homes with septic systems also have the potential to release nutrients and bacteria.

THIS IS NOT BAS, BUT MERELY LISTS OF THE MOST POLLUTING AGENTS AMEC COULD IMAGINE. DURING CONSTRUCTION SILT FENCES ARE REQUIRED. AFTER CONSTRUCTION THE POLLUTATING AGENTS BORDER ON REDICULOUS; ROOFS POLLUTE, PETS WILL STAY OUT OF BUFFERS, PEOPLE WILL POUR DANGEROUS CHEMICALS ON THEIR PROPERTY, ETC.

WHY CAN I CONSTRUCT A HOUSE WITHIN 20 FEET OF LAKE SAMMAMISH, A CHINOOK SALMON BEARING LAKE, YET BE REQUIRED TO BUILD 50 FEET FROM A SEASONAL STREAM???

Are buffers the best option; could bank stabilization provide better protections?

THIS WAS NOT THE CLAIM MADE BY AMEC (SEE ABOVE) AND DOES NOT ADDRESS MY COMMENT. PLEASE NOTICE HOW AMEC CHANGES MY COMMENT FROM BANK STABILZATION TO USE OF A BULKHEAD; DOES AMEC HAVE NO SHAME?

In brief, buffers are the best known way to protect habitat value of both streams and wetlands. Bank stabilization is typically used to minimize erosion, and to protect existing/proposed developments. If natural bank stabilization is used (LWD, vegetation, etc. as opposed to a bulkhead), bank stabilization may be beneficial for the resource (typically a stream). Natural bank stabilization could potentially protect or improve habitat function, especially if it is used in combination with buffers. Buffers are definitely the preferred option for improving habitat function.

George Toskey
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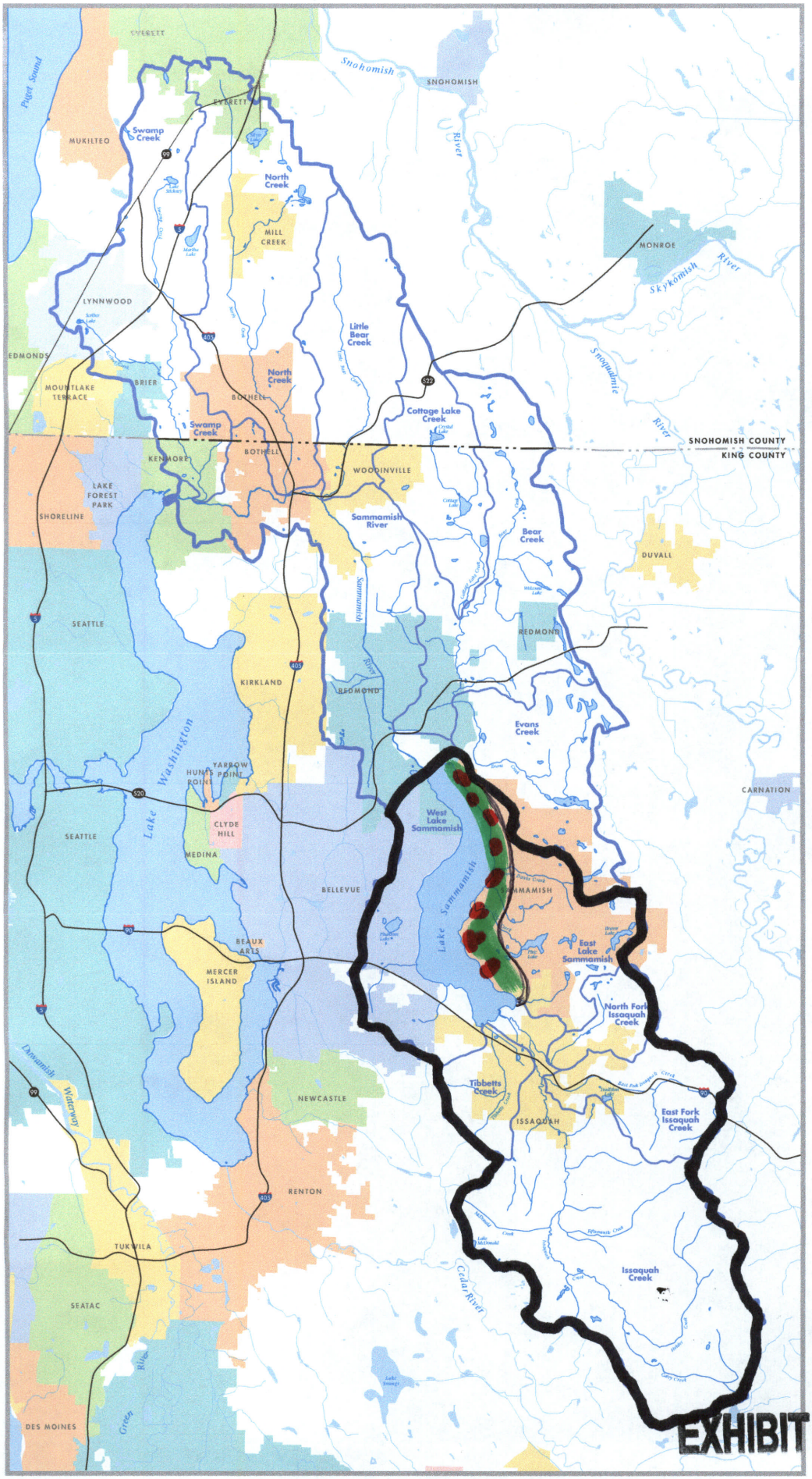
Sammamish, WA 98074

August 7, 2012

The Sammamish Watershed



EHOZ

EHOZ DEVELOPMENT PROPERTIES

Watershed Boundary
Basin Boundary LK SAMM
Stream
Major Road
Lake & River

N

0 1 2 Miles

May 2006

King County
Department of Natural Resources and Parks
Water and Land Resources Division

Produced by:
Department of Natural Resources and Parks, WLRD,
GIS, Visual Communications & Web Unit
File Name: 0605sammamishbase sk

EXHIBIT NO. 188

Gee - 8/8/12

Existing Regulation

21A.50.320 Wetlands – Limited exemption.

Isolated wetlands less than 1,000 square feet may be exempted from the provisions of SMC 21A.50.290 and may be altered by filling or dredging if the City determines that the cumulative impacts do not unduly counteract the purposes of this chapter and are mitigated pursuant to an approved mitigation plan. (Ord. O2005-193 § 1; Ord. O99-29 § 1)

EXHIBIT NO. 189

Proposed Amendment & Description

[Size Only]

21A.50.320 Wetlands – Limited exemption.

Isolated wetlands less than 4,000 square feet may be exempted from the provisions of SMC 21A.50.290 and may be altered by filling or dredging if the City determines that the cumulative impacts do not unduly counteract the purposes of this chapter and are mitigated pursuant to an approved mitigation plan. (Ord. O99-29 § 1)

Proposed Amendment & Description

[Functions and Values]

21A.50.320 Wetlands – Small and isolated wetlands with low functions or values.

Category III and IV wetlands between one thousand and four thousand square feet may be altered or displaced by filling or dredging without meeting the provisions of this Code regarding avoidance, minimization, rectification, and reducing and eliminating the impact over time; provided that the wetland meets all of the following criteria, as documented in a wetland sensitive area study:

1. The wetland is not associated with a riparian corridor; and
2. The wetland is not part of a wetland mosaic; and
3. The wetland does not score twenty points or greater for habitat in the 2004 Western Washington Rating System, and
4. The wetland does not contain habitat identified as essential for local populations of priority species identified by Washington Department of Fish and Wildlife.

Impacts of altered or displaced wetlands shall be mitigated pursuant to an approved mitigation plan.