

Debbie Beadle

From: Melonie Anderson
Sent: Tuesday, June 11, 2013 9:23 AM
To: Debbie Beadle
Subject: FW: Susan's testimony to final ECA session
Attachments: SB tstimony to 6-4-13 ECA hearing.docx

From: Reid Brockway [mailto:waterat@comcast.net]
Sent: Monday, June 10, 2013 7:46 PM
To: Melonie Anderson
Subject: Susan's testimony to final ECA session

Melonie,

Attached in electronic form is the testimony my wife, Susan, presented in the final session of public testimony on the ECA update. I don't find it among the Public Comment postings. If I somehow missed it, could you please give me the CC number? Otherwise would you please add it?

Thanks,
Reid

EXHIBIT NO. CC93

Testimony to 6/4/2013 ECA hearing
From: Susan Brockway
Subject: Fixing the inequities in the ECA code

You recall the dramatization Reid and I presented to you a few weeks ago. That concerned a situation that is not unique in our current code; there is a whole class of such situations that our code creates where, unless the letter of the code is ignored, it imposes unjustifiable restrictions on residents near critical areas in developed neighborhoods. These are restrictions that other residents don't face and that in many cases provide little or no environmental benefit. So they violate the GMA rule against arbitrary and discriminatory requirements. Reid has tried to work with Staff to fix these, but with limited success.

The Citizens for Sammamish mark-up of the Planning Commission Recommended Draft identifies where many of these issues arise, but fixing *all* of them is more work than the city seems willing to do in this update. Providing citizens with the option of buffer delineation is an alternative solution to most of them. That option was *not rejected* by the Planning Commission, it was shot down by an evaluation form intended to kill it. Reid submitted a mark-up of that evaluation form to the Commission expecting that they would refer to it, but like so much other testimony, it never came up for discussion. Hopefully that won't be repeated in this phase.

So Reid and I have two requests:

1. Please give careful consideration to each of the issues and recommendations appearing in the Citizens for Sammamish code mark-up. With the exception of the isolated wetlands and erosion hazard near sensitive water bodies issues, whose assessments he left to their advocates, Reid has submitted an accounting of the extent to which these issues were addressed in the Council Review Draft¹. It reflects that two have been resolved and one partially addressed, but the large majority remain.
2. Reid has emailed you today his mark-up of the Evaluation Form 2-10, which is the buffer delineation amendment. It is a Word document with change tracking visible, rather than the scanned pdf that is filed on the ECA web page. Please refer to this mark-up when you consider Councilman Gerend's amendment, called Site Specific Stream Buffer Location. That amendment offers a solution to many of the inequities in the current code.

Those are our two requests. I have submitted this in writing for your reference.

In closing, I'd like to say that the inequities and inconsistencies in our current code may in some cases be unintentional, but they are there and need to be fixed. The time to do that is now, not several years from now when the next update finally occurs.

¹ Ref. CC61A