

Laurelhurst Community Club

Serving the Laurelhurst community since 1920

August 24, 2008

Rochelle Knust, SEPA Center Manager
1111 Washington Street SE
P.O. Box 4715
Olympia, Washington 98504-7015

RE: SEPA File # 09-072701, Lewis Waterway 1 Permits

Dear Ms. Knust:

The Laurelhurst Community Club Board of Trustees (LCC) appreciates the opportunity to comment on the Declaration of Nonsignificance (DNS) for the above-referenced permits. The LCC offers the following comments on the DNS and other issues.

Waterway No. 1 is complicated as a residential waterway because of both the proprietary and the regulatory interests of the state and the city and also for other reasons. The city has legally permitted the private uses of public property on Waterway No. 1 by the adjacent property owners and significant fees are required for the private use of public property. Now, the state is appropriately addressing its role as steward of the property to ensure navigation routes and public access. As far as LCC has determined, there are few residential state waterways and this is an opportunity for DNR to begin to address the types of issues that arise with waterways in residential neighborhoods such as Laurelhurst. To us this means that there must be some kind of decision to accomplish the goals of the state in its legal authority to issue leases and to also consider the mutual goals of the affected community.

The goals of DNR basically relate to providing navigation and public access. Commercial navigation is not an issue with Waterway No. 1, but public access is important. The bulk of Waterway No. 1 is open to public access. LCC has worked in cooperation with the city and DNR in a separate permitting process to improve public safety and encourage access for launching non-motorized boats with an installation of several very large flat granite rocks near the shoreline.

Public access is something LCC would like to enhance and intends to do so with the oversight of DNR through its future Waterway No. 1 Enhancement Project. The temporary leases on the upland area allow for plenty of time for the adjacent property owners to consider and install landscaping to ensure privacy on their properties. The temporary nature of the lease(s) and the required fees from both DNR and the city provide important incentives for

removal of the private uses of public property and for ultimately increasing public access. LCC understands that it is by nature a lengthy process to eliminate existing private uses on residential public property.

For over six decades, Waterway No. 1 has been an eyesore—overgrown with noxious weeds and invasive species with use limited to kids and others who play on the old basketball court, neighbors who use the waterfront area to launch non-motorized boats, and a few others who stroll to the waterfront with their dogs or just to enjoy seeing the water. Nearby neighbors have cleared invasive blackberries in the past and continue to mow the weed-infested grass. It's not been an easy task for our community to transform this public space into a community asset that meets the requirements of the city and DNR, but LCC continues to move forward and has appreciated the oversight provided by DNR.

Since 2002, LCC has worked with the Seattle Department of Transportation (SDOT) and DNR to develop a framework to implement improvements to Waterway No. 1. The LCC adopted policies modeled after those implemented by Seattle in its shoreline street ends program. These policies call for respecting the privacy of adjacent homeowners, working closely with the adjacent families who are most directly affected, and developing agreement among neighbors regarding future improvements to the waterway—policies consistent with how DNR manages its aquatic lands.

With this background, LCC offers specific comments about the DNS checklist:

First, LCC notes that the lead agency, the Department of Natural Resources (DNR) has scrupulously adhered to the environmental checklist required by WAC 197-11-960 and the many environmental elements subject to review.

Regarding the water element, LCC is pleased to learn that the adjacent landowner will be removing two steel pilings as part of the lease. In past years, our community council has heard complaints from neighbors about the possibility that these pilings could interfere with the launching of non-motorized boats at the water's edge of the waterway and certainly interfere with visual access to the water. LCC is also glad to learn that the boat lift will be moved to the other side of the dock, thus enhancing use of the water portion of the waterway for non-motorized boats.

Another water-related issue relates to the fact that the waterway is in the inner portion of a bay. Debris collects at the shoreline here which at times results in stagnancy of the water due to lack of circulation of water within the area. The prior owners' replacement of the dock a few years ago with a floating dock has made a difference and water circulation issues remain a problem. LCC is hopeful that in the future, an environmental stewardship plan will be developed with neighbor and DNR participation to address this issue. LCC understands that the recent bacterial problems in many areas in Laurelhurst have been investigated are in no way related to the floating dock.

Regarding the plant element, since the Lewis purchase of the property a few years ago, they have employed skilled landscapers to maintain the existing hedge and now will be obligated to continue to keep the hedge at eight feet or less. This relates to the aesthetics element of the checklist, which notes that this requirement may increase views in the vicinity, thus promoting and ensuring view protection for nearby neighbors. Because of the temporary nature of the lease, LCC is hopeful that the hedge and other private use of the public area will eventually be removed or minimized consistent with DNR and LCC policies.

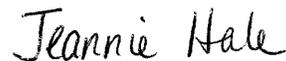
Regarding the historic and cultural element, LCC notes that Waterway No. 1 has a history as so many places in Seattle do. This site was a docking site of the “Laurelhurst Launch,” one of Seattle’s mosquito fleet ferries which shuttled folks back and forth from Madison Park until 1916 until the lake was lowered. But, as noted in the checklist under historic and cultural preservation, there has never been any kind of historic designation to warrant further environmental comment than has been provided on the checklist or that would warrant denial of the proposed temporary lease. That certainly does not mean that this wonderful site does not merit the attention of DNR and the Laurelhurst community in transforming the waterway, both upland and on the water to an amenity for our community to meet the goals of public access and water-dependent uses.

We hope you will appreciate the background we have provided and our comments on this project. LCC is pleased that DNR has begun the process of addressing encroachments on residential state waterways in a comprehensive and sensitive manner. Thank you for considering the views of the Laurelhurst Community Club.

Sincerely,



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