

Martin Nizlek, WSSA Bd. Member

RE: Supplemental Input - Lake Sammamish Water Levels & OHWM

Mayor & Members of the Council,

It's my understanding that the historic OHWM for Lake Sammamish is being questioned. Some are advocating that either the OHWM level determined in the City's 2004 Study be used or each property owner be required to have a costly study done.

Let's look at the facts that continue to justify something other than those two options.

First, the City study was conducted under unnaturally raised water levels. A recent County study confirmed that, stating -

"...vegetation conditions in the TZ have an influence on high lake levels. It is interesting to note that nearly 90 percent of the (high lake) events ... have occurred since annual TZ maintenance was discontinued." (H&H Phase 1 Report, Willowmoor Project, Oct. 2013)

One must ask, "Has the County been on notice this is a problem?" The Corps notified the County in 1999, stating the following -

"... While the Corps supports your concern for providing for fish habitat, we are also constrained by flood control requirements and the safety of people ... the transition zone in the Sammamish River was not designed to accommodate extensive vegetation, and may compromise the flood control effectiveness of this operating project... King County should advise the public of repeated and potential adverse impacts to lake elevations."

Then in 2001 the Corps notified the County we follows -

"We conducted a review of the ... project ... It was found that the transition area ... is out of compliance with ... Corps standards... The work done ... last fall was helpful, but not adequate ... (for) flood flow passage." (US ACOE to King County March 2001)

As I've briefed the Council in the past, not until residents compiled substantive data and unearthed the above correspondence, did the County acknowledge the issue and take action. But the flood channels have not been returned to the Corps' standard.

If flood flows are not passing, other flow levels are not being achieved and thus, the OHWM is being kept artificially high.

While the obvious solution may seem - just make each applicant do their own OHWM study - this fails to recognize several factors -

- First, the artificially raised water levels have encroached 10-15 feet on many properties.

- Second, while the County's increased maintenance efforts have begun to make a difference, the County has acknowledged they cannot go much further. WHY? Because what was a floodway has now been coerced to wildlife habitat and the environmental mitigation costs to proceed to full, Corps floodway opening would be too costly.

So we we're being asked to wait for a multi-million dollar, habitat project; but its' ability to restore the channel's outflow uncertain, and, since it's unfunded, its off somewhere in the future.

Meanwhile, others ask us to simply accept the high water property loss AND to further restrain use of our property by "attempting" to create vegetated, view blocking growth AND then, stay away from that part of our property.

The PC deliberated this conundrum and provided you a viable, thought out, defensible plan. We urge you to support it and that you help us get the OHWM issue equitably resolved.

CC: WSSA June 4, 2014 Memo to King County,
US Army Corps of Engineers 2001 Letter to County