

RE: Docks and Moorage - WA Sensible Shorelines Assoc. (WSSA) Comments

Following is input by WSSA on docks and moorage. A summary of this input can be found in our notebook of information (provided Council on April 14, 2014) at **Tab 2 under point #48 & #49.**

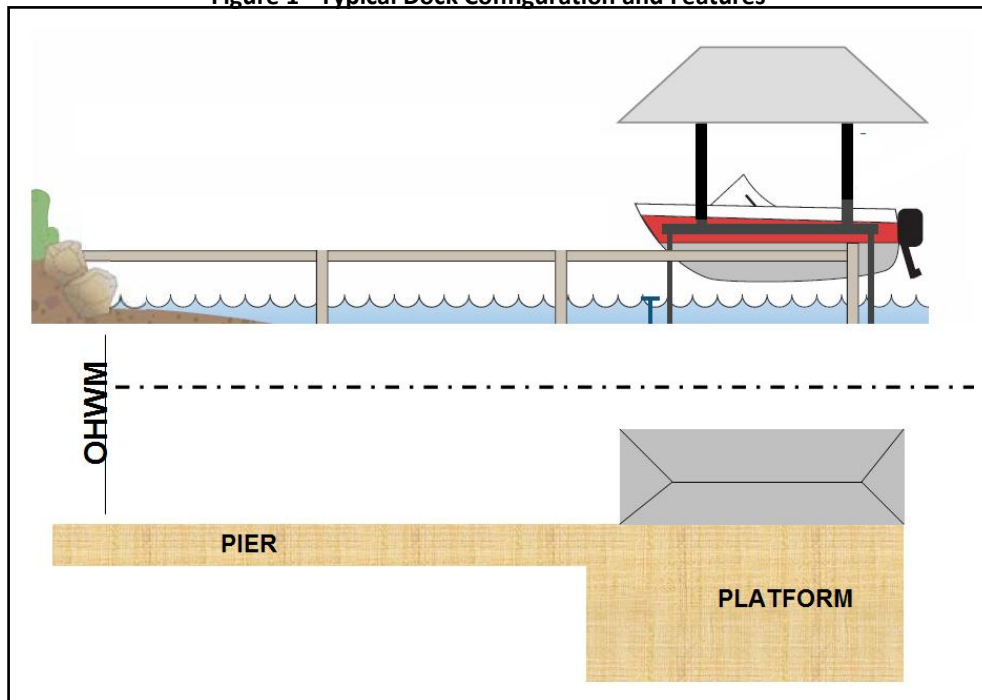
Topics Covered below -

Features	Issues	Opportunities
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Regulated Features -

Docks and their appurtenant features, such as boat lifts and canopies, are regulated by both federal and state agencies. Their size, location, and construction material are just several regulated elements which the Army Corps of Engineers and WA Dept. of Fish and Wildlife control.

Figure 1 - Typical Dock Configuration and Features



A key purpose in regulating docks is protection of endangered salmon species in WA waters. Primary among agency objectives is passing light to areas beneath the dock, since it is believed that this additional light will inhibit predators of salmonids. Provision of light is also intended to foster growth of plants that might be used by young salmon and other fish, although invasive plants might also flourish.

Among the stipulations of existing regulations the following are regulated:

- Length and Width of the Pier
- Max. Dock Sq. Footage
- Allowable Maintenance
- Deck and Structure Materials
- Number of Lifts
- Construction Season

Generally, new and replacement docks require shoreline mitigation.

Issues and Opportunities -

Regulatory Process - WSSA members are typically shoreline residents. During the SMP update process they brought a number of issues to the attention of the City Planning Commission based on their practical experience. For example, canopies, which are used to cover boat launches, are now required to be translucent. The impracticality of such a requirement is that there will be a boat beneath the canopy which will defeat the purpose of passing light through the canopy.

While the requirement for translucent canopies is not controlled by the City, our purpose in noting this and other impracticalities to the Planning Commission was to avoid codification of regulatory provisions that might change as state and federal agencies learn how impractical they are.

Therefore, WSSA recommended a provision in the draft SMP that an applicant could obtain approval from these higher agencies, who have ultimate regulatory power in this area, rather than having duplicative and potentially conflicting regulations.

Impacts of Fluctuating High Water Levels - Like many aspects of shoreline regulation, docks are controlled based on the Ordinary High Water Level of the lake it's located on. The OHWM is the demarcation from which the measurement of pier length is determined for a dock. The Corps' guidelines say a pier (or dock walkway) must reach at least 30 ft. from OHWM or have extended to a depth of 9 ft. of water. And, the top of the deck must be placed 1.5 ft. above the OHWM's water level.

Recall that the City's 2004 OHWM study claimed that the OHWM had shifted higher by 1.2 ft. from the historic level to which the Corps' flood control, Sammamish River improvements were designed. With the regulatory requirement that the dock deck surface be 1.5 ft. above the OHWM, docks are being placed 3 ft. and more above mean low water levels that occur in summer months.



**Figure 2 -
Dangerously Exposed Dock**

Figure 2 illustrates the dangerous condition that results - a dock too high to safely accommodate a boat or access to it by foot. This underlines the critical need for returning flow conditions out of Lake Sammamish into the river at Marymoor Park to those designed by the Corps of Engineers.

Narrow Pier Width - A similar safety issue exists with prescribed dock widths. State and federal agencies are now restricting pier widths to 4 ft. Minimum ADA standards are 5 ft.! When dock appurtenances, such as the railings shown in Figure 2 are added or, say, cleats to tie up to the dock, the

effective width is reduced even further. The net effect - a parent and child cannot safely walk side-by-side out to the dock platform.

Any assistance that can be provided by the City in bringing rational solutions to these and similar issues would be greatly appreciated by lake property owners.

Conclusion -

Since the City, through its SMP, does not have ultimate regulatory control of docks and dock features, WSSA supports the Commission's inclusion of a more direct process. As drafted, an applicant would be able to obtain letters of approval from State and Federal regulating agencies. This approach would avoid duplication of processes and alleviate the need for the City to alter its code should these agencies change their recommended practices.

In addition, the City can assist its residents with actions supporting safer dock design and, on Lake Sammamish, return to historic, stable lake water levels.

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for WSSA

