POINT WELLS URBAN CENTER - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION

Narrative: Consistency with Shoreline Management Act Policies

Section 1: Shoreline Permit Proposed Elements

The Point Wells Urban Center Project shoreline substantial development permit application includes four major elements which are described in this section of the consistency narrative. The second section of the consistency narrative describes how these four shoreline project elements are consistent with and implement the Shoreline Management Act (SMA) use preference policies (RCW 90.58.020).

1. Existing Seawall Reconstruction and Realignment – the site's existing 3,300 foot-long combination sheet pile, rip-rap rock, and timber seawall will be totally removed and reconstructed. Most of the new seawall will be relocated 40 to more than 100 feet landward of its existing location. The primary purpose of this realignment is to create 5.67 acres of productive new intertidal habitat area. These new areas will be provided with the appropriate mix of sand and gravels at the proper depths and gradients. The new seawall will also be constructed in a manner which will provide significantly improved habitat functions and values.

2. New Conveyance Channel and Nearshore Habitat Area – a new open water conveyance channel will be created through the center of the site to Puget Sound by daylighting existing drainage culverts that convey drainage from properties east of the site. The new conveyance channel will also be buffered by the creation of a new adjoining 2.04 acre nearshore planting area. The planting area will include installation of large woody debris, nest and bat boxes, and new vegetation to create the appropriate natural habitat.

3. Existing Deepwater Dock Renovation – the site's existing 1,140 foot-long deepwater dock will be extensively renovated to provide an array of new shoreline public access benefits. The dock's two existing land access piers will be replaced by a single new pedestrian access pier. The smaller dilapidated creosote piling supported pier north of the deepwater pier and a nearby mooring dolphin will also be removed. The deepwater pier's deteriorating creosote support pilings will be systematically replaced by coated steel piling. Public viewing and fishing areas will be added to the dock along with shops selling fishing tackle, scuba and boating gear, and small restaurants with outdoor eating areas. Storage and rental facilities for kayaks, scuba diving, and small sailboats will also be added.

New Shoreline Pedestrian Esplanade and Public Plazas – a continuous 12 to 20 foot-wide pedestrian esplanade will be constructed along the site's entire 3,600 foot-long shoreline edge. It will be linked to the new internal street and walkway circulation serving the project at numerous

points. A large central public plaza along with several smaller public plazas and viewing points, will also be constructed adjacent to the new shoreline pedestrian esplanade. The central public plaza will be located adjacent to the new pedestrian bridge to the renovated deepwater pier.

Section 2: Proposal Consistency with SMA Policies

These project shoreline elements are consistent with the following SMA Policies:

"Planning for and fostering all reasonable and appropriate uses" – two of the project's four proposed shoreline restoration and public access improvement actions are entirely dedicated to the provision of extensive new shoreline public access opportunities for public gatherings, bird watching, environmental education, recreational boating, scuba diving, and fishing. The other two project elements are dedicated to the creation of a major new habitat restoration area. In addition, the overall mixed use project's proposed major residential and commercial elements, are located entirely outside of the SMA jurisdiction area.

"Protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life while protecting generally public rights of navigation and corollary rights incidental thereto" – all of the project's four proposed shoreline restoration and improvement actions have been designed to minimize their potential adverse impacts on public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life. This minimal adverse impact is documented by the proposal's Critical Areas Report. This report also identifies an array of potential impact mitigation measures that can be used as needed to further minimize potential adverse impacts. It also describes the proposed habitat restoration and pollution remediation actions, contained in these project elements and the overall project, which are intended to improve the existing degraded land and aquatic habitat of a large shoreline site, that has been intensively used for petroleum related heavy industrial activities for more than 100 years.

(1) *Recognize and protect the statewide interest over local interest* – these four proposed shoreline restoration and improvement actions, will work together to provide residents in adjoining portions of Snohomish County and King County, with high quality access to this portion of Puget Sound beach and shoreline, for the first time in more than 100 years.

(2) *Preserve the natural character of the shoreline* - the creation of 5.67 acres of new intertidal habitat and 2.04 acres of new nearshore habitat, in conjunction with the construction of a new conveyance channel daylighting previously culverted streams, will provide a large amount of natural character restoration of an existing heavily degraded industrial shoreline area.

(3) *Result in long-term over short term benefit* - collectively these four proposed shoreline restoration and improvement actions, represent a very large private sector investment to provide significant long-term public shoreline access, and habitat restoration benefits to both the surrounding community and the entire Puget Sound ecosystem.

(4) *Protect the resources and ecology of the shoreline* – as noted in the previous narrative responses, the shoreline restoration aspects of the proposed actions will provide substantial habitat restoration on a large existing shoreline industrial site, which currently has minimal nearshore natural habitat. The in-water portion of the proposed actions will also eliminate a large number of creosoted piling from the site's existing in-water structures, and will significantly reduce the total over-water structure coverage. In addition, the site's existing high level of petroleum products contamination will be fully cleaned up as a result of the overall urban center redevelopment project. Continued heavy industrial use of the site would not require such a high level of cleanup. Full site cleanup will provide major long-term benefits to the resources and ecology, not only of the site's shoreline but also to the entire Puget Sound ecosystem.

(5) *Increase public access to publicly owned areas of the shorelines* – King County owns one acre of land abutting Puget Sound, adjacent to the south edge of the subject property. This land is used as the portal for the Brightwater sewage treatment system outfall into Puget Sound. This King County shoreline area cannot legally be accessed by the public unless the proposed public access improvements in this shoreline permit application are approved and constructed.

(6) *Increase recreational opportunities for the public in the shoreline* – as noted in the previous responses, the proposed shoreline public access improvements in this application, will provide a wide variety of new public recreational benefits for the surrounding communities and the region. The 3,600 foot-long shoreline esplanade, and connecting pathways into the new conveyance channel nearshore habitat areas, can be used by the public for exercise, environmental education, and bird-watching and access to the adjoining and expanded intertidal shoreline areas of Puget Sound. The central public plaza and other proposed smaller public places can be used for shoreline viewing, picnicking, relaxation, sunbathing, and various public and social events. The renovated deepwater dock can be used for public shoreline viewing, fishing, outdoor dining, and kayak, small sailboat, and scuba diving related activities.

Implementation of this policy – *"the public's opportunity to enjoy the physical and aesthetic qualities of the natural shorelines of the state shall be preserved to the greatest extent feasible"* – as documented in the preceding policy consistency responses, the four proposed shoreline restoration and public access improvement project elements, will assist in implementing virtually all of the numerous objectives recited in this final section of RCW 90.58.020. These include:

- *"control of pollution and prevention of damage to the natural environment"*

- *"dependent upon use of the state's shorelines"* including conversion of the existing deepwater dock, to a variety of water dependent and water related public enjoyment activities, that can accommodate a large number of people during peak use periods

- *"Alteration of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for ..... shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to*

shorelines of the state and other development that will provide an opportunity for *substantial numbers of the people to enjoy the shorelines of the state"* (underline emphasis added)

- *"Permitted uses in the shorelines of the state shall be designed and conducted in manner to minimize, insofar as practicable, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water"* in addition to providing the previously described shoreline area contamination cleanup and habitat restoration benefits, the proposed shoreline improvement actions will also enhance navigation and the public's use of the water. This will be done by removing an existing dilapidated wooden pier, along with a nearby dilapidated mooring dolphin located north of the site's large deepwater pier, and replacing the two existing bridges from the site to the deepwater pier with a single new pedestrian access bridge.