

From: [Bainbridge Defense Fund](#)
To: [*Bainbridge Defense Fund](#)
Subject: Alice Tawresey"s Comments on the SMP
Date: Friday, August 23, 2013 11:37:30 AM

From: Alice Tawresey Alicetaw@aol.com
To: Barbara.Nightingale@ecy.wa.gov

To: Barbara Nightingale
Re: COBI SMP Update

Comments:

I am the former Mayor of Winslow (Bainbridge Island), in office when the first Shoreline Management Act on the Bainbridge Island was approved. Most of the provisions of this law went forward into the City of Bainbridge Island's shoreline plan. The result was orderly development of residential uses on the shoreline, so now 92% of the residential properties are already developed. The additional restrictions in the COBI SMP Update proposal will adversely impact the uses and assessed values of residential properties with no proof or evidence that these uses are the cause of any loss of environmental value.

I participated in the COBI SMP Update process as a member of the Vegetation Committee and the Task Force. I was optimistic when the committee work first started because there appeared to be a balance of shoreline property owners and non-shoreline property owners. However, after several substitutions when original members were replaced, I saw that balance disappear as two non-shoreline owners with extreme environmental views (and votes) were appointed as replacements. I could have resigned from the committee in protest at that point, but believe that additional environmental activists would have been appointed. The result is that votes by the committee went from 3-4 and 4-3 to 5-2 in favor of more extreme regulations. Additionally, much of the time, insufficient time was allocated to the committee to review and discuss proposed provisions. When the set time ran out, the remainder of the provisions (important issues) on the meeting agenda would not be discussed, and would go forward without committee review. The city's statements that adequate community process occurred is not true.

in the 1970s I voted for the Shoreline Management Act when it was on the ballot because it balanced the protection of the environment with private property rights. And, in fact the SMA as codified states this clearly. It also makes residences a preferred and primary use of the shoreline. The proposed SMP Update violates the principles of balance and of residences as a preferred use.

DOE Guidelines for this SMP Update require scientific evidence as a basis for regulatory provisions. The COBI technical committee considered research that was not peer reviewed and that was not relevant to Bainbridge Island saltwater shoreline.

Here are a few specific examples:

1. The COBI SMP Update Proposal abuses private property rights by setting aside an additional 25-150 feet of buffer (total in both zones) to residential shoreline property without compensation. The buffer rules in the SMP Update proposal limit and restrict common residential uses such as gardens, play structures and other desirable and property enhancing improvements. This is a taking and does not reflect a balance between private property and the environment.

No peer reviewed scientific evidence, pertinent to residences on the shoreline of saltwater

was ever presented to justify these additional buffer requirements. The technical committee considered studies on feed lots near streams, but this is not relevant to the COBI. The technical committee also considered some research that was not peer reviewed. So, there was no health, welfare, environment or safety basis to require these additional buffers.

In fact, the buffer widths proposed in the SMP Update were an arbitrary policy decision by the City staff. At a City Council meeting when Herrera Environmental was questioned about where their recommendation on buffer widths came from, Mr. Herrera specifically stated that "it was policy" from the planners, rather than anything scientific or data driven.

2. Restrictions were imposed on motor boaters in certain areas of the shoreline without differentiation between powerful, fast moving, large boats versus boats with electric or smaller gas motors. No peer reviewed scientific evidence or scientific data was ever presented to justify these additional restrictions.

Conclusion:

The buffer increase provisions and boating restrictions should be withdrawn and the existing regulations should be continued until there is adequate committee work and pertinent peer reviewed scientific input to justify them.

Best Regards,

Alice Tawressey

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