

From: hwbranch@aol.com
To: [Joyce Phillips](#)
Subject: Re: Shoreline Master Program
Date: Wednesday, January 13, 2021 6:44:43 PM

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Dear Olympia planning commission

In followup to monday night's meeting by the Planning Commission...

Percival Creek was mentioned as having great ecological value because it flows more than 20 cubic feet per second. I inquired as to why no other streams are mentioned. Today I read that Moxlie Creek exceeds that number and near the confluence with Indian Creek can run, on a day like today, as high as 97 cubic feet per second. I find no data on Schneider or Ellis Creeks but my guess is that all these streams would qualify.

Once again, why are these streams considered to have no value? We have numerous opportunities for restoration in these watersheds, long sections of culvert and other armoring that could easily be removed.

The problem for these watersheds is that they are in areas where we want to direct development. The driving wheel is entirely development. If a stream exists in such an area we simply pretend that it doesn't exist.

Harry Branch

To: jphillip@ci.olympia.wa.us <jphillip@ci.olympia.wa.us>
Sent: Mon, Jan 4, 2021 7:31 am
Subject: Shoreline Master Program

Regarding the Shoreline Master Program (SMP)

City of Olympia:

The public has become keenly aware of the plight of the Souther Resident Killer Whale and their principal prey Chinook salmon. We're slowly learning about the plight of Walleye Pollock, Pacific Herring, Pacific Cod, 15 species of rockfish, chum and sockeye salmon, steelhead, various mollusks and birds, insects and invertebrates. As of December 1, 2015, there were 125 species at risk in the Salish Sea and the number continues to grow. Much of the loss has occurred over the past two decades, under current rules, the status quo, the cauldron of 'mitigation banking' 'no net loss,' and the rest of the regulatory stew.

Allowing a water body to remain physically damaged results in degraded water quality which impacts species composition which degrades water quality which impacts species composition and so on spiraling downward. There is an ongoing net loss caused by existing modifications. A stream in a pipe has no phytoplankton. This is why nitrates travel 18 times farther in a buried pipe than one that sees daylight. And why buried streams are low in dissolved oxygen.

The most critical part of any local watershed is its estuary. Estuaries are those places where fresh water coming from land meets the marine environment. Fresh water being lighter flows out on top of salt water creating persistent circulation patterns. In a pipe circulation is restricted. If we have sunlight we have a mix of phytoplankton and zooplankton and the birth of the food web. Without sunlight we have a septic tank. In the SMP, potential is never a consideration. Restoration potential should be part of every equation. The baseline should be that which existed historically.

The high water mark is the point from which setbacks are measured. The high water mark for the two major streams draining into Budd Inlet lies inside long culverts. The tide flows up a long pipe in both Moxlie and Schneider Creeks. In fact, there are 160 miles of stream-in-a-pipe in Olympia. In regulatory terms they don't even exist. To contradict this edict represents a "collateral attack" on City Codes. If you appeal before the Hearing Examiner, you'll also be informed that you lack standing, unless you or your property will be damaged. Birds, fish and marine mammals have no standing.

The most substantive issue brought up by the State in the Shoreline Master Program Periodic Review is the statement "The City's wetland buffers are not current with the State's most recent guidance." The City's response is that recommendations would result in "little change in the City's current buffer widths" and amendments would be made to chapter 18:32 of the Olympia Municipal Code (Critical Areas) rather than the SMP itself. But revisions to Olympia code 18:32 make no substantive changes to setbacks. It continues to recommend protecting critical areas, aiming at no net loss and providing mitigation for unavoidable impacts through minimizing, rectifying, reducing and compensating for loss.

Priority Riparian Areas are listed as the eastern shore of Budd Inlet, including and north from Priest Point Park, long stretches of western shore of Budd Inlet including West Bay Waterfront Park and the Port Lagoon and much of the shore of Capitol Lake. The priority areas are essentially parks. The prevailing assumption seems to be that humans must destroy any place we reside.

The most glaring unspoken conclusion is that we should simply give up on East Bay, the half-mile long embayment south of Priest Point Park. It's been severely modified and has the worst benthic dioxin contamination and the poorest water quality in Budd Inlet. Although this way of thinking is in some cases justified, in this instance it represents a clear violation of the Clean Water Act, the Endangered Species Act and numerous other State and Federal laws and regulations.

How about some real changes:

- (1) Restoration potential should be part of every equation. The potential inherent in a location should never be ignored.
- (2) Under City Code once a stream goes into a pipe in Olympia it no longer exists. Likewise if it's ever day-lighted rules don't apply. This makes sense where there's currently a structure but not as justification for new construction. We should change the rule to in such instances recognize the existence of streams.
- (4) The best available science should be employed in every study including a clearly stated observation, hypothesis, test and conclusion otherwise the effort can be incomplete, misdirected and conclusions can be buried in data. Sites should be sampled for any contaminants suspected of possibly being at the site, according to established protocols.
- (5) We need to take a holistic, ecosystem based approach to our critical areas. The baseline should be that which existed historically. Every effort should be made to determine how physical parameters like structure impact chemical parameters such as dissolved oxygen and biological parameters such as phytoplankton.
- (6) We should provide SRKW orcas with legal standing, consistent with the global Rights of Nature movement.

Harry Branch
239 Cushing St NW
Olympia WA 98502
360-943-8508



**Nisqually Indian Tribe
4820 She-Nah-Num Dr. S.E.
Olympia, WA 98513
(360) 456-5221**

January 26, 2021

Joyce Phillips, AICP
Senior Planner
City of Olympia
Community Planning and Development
601 4th Avenue
Olympia WA 98507

Dear Ms. Phillips,

The Nisqually Indian Tribe thanks you for the opportunity to comment on:

Re: 20-4936

The Nisqually Indian Tribe's THPO has reviewed the notice of application and accompanying documents that were provided for the above named project and has no further comments or concerns. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

Brad Beach
THPO Department
360-456-5221 ext 1277
beach.brad@nisqually-nsn.gov

Annette "Nettsie" Bullchild
THPO Department
360-456-5221 ext 1106
bullchild.annette@nisqually-nsn.gov

From: [Joyce Phillips](#)
To: [Esther Grace Kronenberg](#)
Cc: [Kenneth Haner](#); [Anastasia Everett](#); [Cari Hornbein](#)
Subject: RE: Public comment on SMP
Date: Monday, February 08, 2021 2:33:00 PM

Hi, Ms. Kronenberg.

I wanted to follow up and let you know that the public comment period on the SMP Periodic Review is closed. The comments you sent to me on January 5, 2021 were provided to the Planning Commission. Any new written comments received now will not be forwarded to the Planning Commission. However, any written comments received between the close of the public comment period and the date of the City Council's consideration will be forwarded to City Council. I have already received a couple of comments that came in after the public comment period closed but that will be shared with Councilmembers. You can send any comments in writing to me at this email address and I will gladly include them in the packet that goes to the Council.

If you do wish to comment to the Planning Commission, you will be able to do so during the public comment portion of the Planning Commission meeting as long as it is at least 45 days after the public hearing, which was held on January 11, 2021. The first meeting the OPC will hold after the 45-day period will be on Monday, March 1, 2021. This is consistent with both the Planning Commission and City Council policy on public testimony at public meetings.

I hope that helps.
Joyce

Joyce Phillips, AICP, Senior Planner
City of Olympia | Community Planning and Development
601 4th Avenue East | PO Box 1967, Olympia WA 98507-1967
360.570.3722 | olympiawa.gov

Note: Emails are public records, and are potentially eligible for release.

From: Cari Hornbein <chornbei@ci.olympia.wa.us>
Sent: Monday, February 08, 2021 9:56 AM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Cc: Kenneth Haner <khaner@ci.olympia.wa.us>; Anastasia Everett <aeverett@ci.olympia.wa.us>
Subject: FW: Public comment on SMP

Good morning Joyce,

Anastasia forwarded this e-mail to me. Technically Esther can't comment on the SMP tonight since the hearing is closed and the Planning Commission is in deliberations. Do you want to

forward her request to the Commissioners so they're aware of the request?

Thanks,

Cari Hornbein, AICP, Senior Planner

City of Olympia
Community Planning and Development Department
360-753-8048 | chornbei@ci.olympia.wa.us

From: Anastasia Everett <aeverett@ci.olympia.wa.us>

Sent: Monday, February 08, 2021 7:41 AM

To: Cari Hornbein <chornbei@ci.olympia.wa.us>

Subject: Fw: Public comment on SMP

Hi Cari, I received this email and am forwarding to you. She would like to provide comment tonight as well, I'll fill Ken in. Thank you!!

Anastasia

From: Anastasia Everett <aeverett@ci.olympia.wa.us>

Sent: Monday, February 8, 2021 7:39 AM

To: Esther Grace Kronenberg <wekrone@gmail.com>

Subject: Re: Public comment on SMP

Hi Esther,

I've forwarded your request and comment to the Planning Commission liaison. I will also communicate with the staff hosting the meeting tonight you'd like to make comment. Thank you.

Best,

Anastasia Everett

From: Esther Grace Kronenberg <wekrone@gmail.com>

Sent: Saturday, February 6, 2021 10:35 PM

To: Anastasia Everett <aeverett@ci.olympia.wa.us>

Subject: Public comment on SMP

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Hi,

My understanding is that there's been a public hearing January 11 and that public comment has been closed. I would like to suggest the public comment period be kept open longer since many people's attention was on national matters last month and were not aware of the discussions on the SMP. The SMP deserves a more transparent process and more citizen input. The June 30 deadline should allow for this with no problems.

I would like to make a comment to the Commission at the meeting, though I said no on my registration. Please make that change.

Thank you.

Esther Kronenberg

Sent from cyberheaven

From: [Joyce Phillips](mailto:Joyce.Phillips@ci.olympia.wa.us)
To: silverman.shari@gmail.com
Cc: [Anastasia Everett](mailto:Anastasia.Everett@ci.olympia.wa.us); [Kenneth Haner](mailto:Kenneth.Haner@ci.olympia.wa.us); [Cari Hornbein](mailto:Cari.Hornbein@ci.olympia.wa.us)
Subject: FW: SMP Public Comment
Date: Monday, February 08, 2021 2:27:00 PM

Hello, Ms. Silverman.

I wanted to follow up and let you know that the public comment period on the SMP Periodic Review has closed. Any written comments received now will not be forwarded to the Planning Commission. However, any written comments received between the close of the public comment period and the date of the City Council's consideration will be forwarded to City Council. I have already received a couple of comments that came in after the public comment period closed but that will be shared with Councilmembers. You can send any comments in writing to me at this email address and I will gladly include them in the packet that goes to the Council.

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I hope that helps.
Joyce

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From: Anastasia Everett <aeverett@ci.olympia.wa.us>
Sent: Monday, February 08, 2021 12:29 PM
To: Joyce Phillips <jphillip@ci.olympia.wa.us>
Subject: Fw: SMP Public Comment

Hi Joyce, I received this email from someone regarding the SMP. I'll reply to her and let her know I forwarded her message. Thank you!

Anastasia

From: Shari Silverman <silverman.shari@gmail.com>
Sent: Monday, February 8, 2021 12:22 PM
To: Anastasia Everett <aeverett@ci.olympia.wa.us>
Subject: SMP Public Comment

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Hi,

I saw that the public comments on the SMP have been closed. Is there any way to get the comments re-opened for a few more weeks?

Thanks,
Shari Silverman

Silverman.shari@gmail.com