

**POINT WELLS URBAN CENTER - SHORELINE SUBSTANTIAL DEVELOPMENT
PERMIT APPLICATION
Revised May 11, 2018**

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 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 Removal - The site's existing 3,300 foot-long combination sheet pile, rip-rap revetment, and timber seawall will be removed. The resulting new natural shoreline will be located 40 to more than 100 feet landward of its existing location. The primary purpose of this effort is to create 5.67 acres of productive new intertidal habitat area. This new natural area will include the appropriate mix of sand and gravels at the proper depths and gradients. The new shoreline edge construction will be in a manner to provide significantly improved habitat functions and values.
2. New Nearshore Habitat Area - A 2.0-acre nearshore habitat area will be incorporated into the site. 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 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 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. Launching facilities for kayaks and small sailboats will also be added.
4. New Shoreline Pedestrian Esplanade and Public Plazas - A continuous 26 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

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points. The esplanade will be designed to accommodate emergency vehicles. A large central public plaza along with several smaller public plazas and viewing points will 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" - One of the project's four proposed shoreline restoration and public access improvement actions is 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 project element is 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 measures 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 5.7 acres of new intertidal habitat and 2.0 acres of new nearshore habitat will provide a large amount of restoration of an existing heavily degraded industrial shoreline area.

(3) Result in long-term over short term benefit – Collectively, these 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 by removal of an existing pier and replacement of another. In addition, the site's existing high level of petroleum products contamination will be 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. 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 nearshore habitat areas can be used by the public for exercise, environmental education, 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.*