

Alex Wenger

From: Tamela S. Smart <TamelaS@lummi-nsn.gov>
Sent: Tuesday, June 25, 2019 11:20 AM
To: Alex Wenger
Cc: Stephanie Jolivet; Lena A. Tso
Subject: RE: Notice of DNS - City of Blaine Shoreline Master Program Periodic Update

Dear Alex Wenger,

The Lummi Nation has received notice of the proposed Shoreline Master Program Update and is responding as an affected tribe. The LNTHPO has received and reviewed the SEPA distribution and has the following recommendations:

- Under Section **Known Historic, Cultural or Archaeological Sites**, we recommend that it be clearly stated that any alteration to an archaeological site requires an archaeological excavation permit from the Department of Archaeology and Historic Preservation (DAHP) (RCW 27.53)
- Under **Inadvertent Discovery**, we recommend that the following RCWs be referenced (RCWs 68.50.645, 27.44.055, and 68.60.055) and that the language from the DAHP website for Inadvertent Human Remains Discovery Language be incorporated (<https://dahp.wa.gov/archaeology/human-remains/recommended-inadvertent-human-remains-discovery-language>)

These comments are based on the information available at the time of the review. The LNTHPO should review any changes related to the proposed project. Should you have any questions or concerns, please do not hesitate to contact me at 360-312-2253 or via email at tamelas@lummi-nsn.gov.

Sincerely,

Tamela S. Smart, M.A.

Deputy THPO/Compliance Officer
Culture Department, Lummi Nation
2665 Kwina Road, Bellingham, WA 98226
Direct Line: 360-312-2253
Email: TamelaS@lummi-nsn.gov

From: Alex Wenger [<mailto:AWenger@cityofblaine.com>]

Sent: Wednesday, June 12, 2019 2:45 PM

To: Alan Pomeroy (apomeroy@webmail.blainesd.org); Department of Natural Resources (sepacenter@dnr.wa.gov); Energy Facility Site Evaluation Council, Stephen Posner; George Swananset Jr. - Nooksack Cultural Resources; Henry Hollander, Dep. Chief; Hershel Rostov; Jan Hansen, Drayton Harbor Shellfish Advisory Group ; Kelly Cooper; Lena A. Tso; Gregg Dunphy; Mark Personius; North Whatcom Fire & Rescue, Ron Anderson; NRCS-US Dept. of Agriculture, Alexander Hall; NW Clean Air, Mark Asmundson; Puget Sound Partnership, Marsha Engel ; Robert Zeigler, Dept of Fish & Wildlife-SEPA Emails; Seattle District Corps of Engineers, Randel Perry; Tamela S. Smart; WA State Dept of Agriculture, Kelly McLain; WA State Dept of Archaeology & Historic Pres., Gretchen Kaehler ; WA State Dept of Commerce, Review Team; WA State Dept of Ecology, Environmental Review; WA State Dept of Ecology, Kurt Baumgarten; WA State Dept of Ecology, Stephanie Barney; WA State Dept of Fish & Wildlife, Marine Waters-LaConner Office, Brendan Brokes; WA State Dept of Parks & Rec Commission, Tom Murley ; WA State Dept of Social & Health Services, Robert Hubenthal ; WA State Parks & Rec Commission, Randy Kline; Whatcom County Planning & Development Services (pds@co.whatcom.wa.us)

Subject: Notice of DNS - City of Blaine Shoreline Master Program Periodic Update

Dear SEPA Contacts,

Please see the attached DNS for the subject proposal.

Alex Wenger

From: McHenry, Greg <GregM@portofbellingham.com>
Sent: Wednesday, June 26, 2019 3:00 PM
To: Alex Wenger
Subject: POB Comments for Planning Commission Public Hearing on SMP for June 27, 2019

Alex-

The Port of Bellingham appreciates the opportunity to provide comments on the latest iteration of the City of Blaine's Draft Shoreline Master Program (SMP). While the Port understands and looks forward to working with you to update the Wharf District Master Plan to incorporate appropriate shoreline management regulations as it is a Special Management Unit Document under the SMP, The Port would like to make the following comments regarding setbacks and shoreline stabilization measures in the Draft SMP in the spirit of making it a better working document.

- 1) Typically, Port and Industrial Development occurs in a High Intensity Shoreline Environment. Please explain the intent behind Port and Industrial Development Regulation 9.3.1.C describing setbacks being more restrictive than the High Intensity Shoreline Development Regulation 7.6.4.C also describing setbacks. If it is not the intent of the City of Blaine to have two different standards, The Port would recommend amending Port and Industrial Development Regulation 9.3.1.C to reference High Intensity Shoreline Development Regulation 7.6.4.C for the regulation of Port and Industrial Development as it relates to setbacks.
- 2) In light of Shoreline Stabilization Policy 10.10C which states, " New stabilization measures should not be allowed except when necessity is demonstrated."; Please clarify that Shoreline Stabilization Use Regulation 10.10.1.I regarding replacement of existing structures does not exclude replacement of existing structures such as bulkheads classified or considered new structures for water dependent and water related uses as the second sentence of the subject Use regulation reads, as follows, "Waterward encroachment of replacement structures is only allowed for residences occupied prior to January 1, 1992, or for soft shoreline stabilization measures that provide restoration of ecological functions."
- 3) In regard to Shoreline Stabilization Policy 10.10.J which states, Where bulkheads are determined necessary, open type construction of bulkheads should be used as feasible."; please provide examples of "open type" construction of bulkheads. Upon checking with Port of Bellingham engineers and their respective engineering consultant support; they are unfamiliar with the reference term of "open type" as it relates to the construction of bulkheads.

We thank the Planning Commission for their consideration and the opportunity to make these written comments on the SMP.

Greg McHenry
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