

From: Kelly Namba <kan65@msn.com>
Sent: Wednesday, March 30, 2022 8:24 AM
To: APlanner <APlanner@ci.lake-forest-park.wa.us>
Subject: Stop RUE 2021_RUE-0001

Please follow the code, that you have set forth. This is no place to build a house, there is plenty of documentation of flooding and erosion. I would think that the homeowner up top and other residents

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sophospsmartbannerend

Please follow the code, that you have set forth. This is no place to build a house, there is plenty of documentation of flooding and erosion. I would think that the homeowner up top and other residents would have cause to ask for the city for compensation if and when damage is done to their properties. LFP residents care about the environment, the trees and the tree canopy, this homestead will be detrimental to all of those.

Please add me as a party of record.

Thank you,

Kelly Namba

LFP resident

e as a party of record."

Sent from Mail for Windows

February 6, 2021

Comments on proposed development, Parcel #4022900497

File 2021-RUE-0001

Proponent Mark Garey

To the City of Lake Forest Park:

It has come to my attention that a development plan for Parcel #4022900497 has been submitted to the City of Lake Forest. Lyon Creek (08.0052), a recognized fish bearing stream, runs through the middle of this parcel. Coho salmon and cutthroat trout are known to use this stream (Kerwin 2001)¹.

The west side of the parcel is a steep slope, and at the time of my visit 5 February 2022, there had been several active landslides down the slope (Photo 1). The east side of the parcel extends to 37 Ave NE. Much of this area appears to be part of the active floodplain of Lyon Creek. Fine soils suggest continuous sediment deposition throughout much of the area. I would strongly recommend that a wetlands specialist evaluates much of the area, and a geologist evaluates the suitability of this area for construction. The environmental functions provided by this floodplain: sediment retention and attenuation of storm events (high flows) are important to the health of Lyon Creek downstream. Loss of channel complexity and connectivity was cited by Kerwin (2001) as factor of decline, and this property represents one of the few areas where natural stream processes are still evident. The eastern portion of the parcel also provides a biological buffer for road run-off from 37th Ave NE.

The stream reach in this area contained several patches of gravel, which appear to be suitable for spawning. It was also noted that there were several pieces of large wood in the stream (Photo 2). These are important in influencing stream processes, including pool formation and providing refuges for fish and other aquatic organisms.

Development of this parcel would remove any meaningful buffer at this location for Lyon Creek and would further degrade the environmental services that the parcels in this reach provide. I observed that the culvert downstream of the property was showing the effects of recent storms, a process that will only be hastened by development of this property (Photo 3).

While I am a resident of Kenmore, I have been involved in a number of efforts to protect and restore the stream and wetland habitat in the north Lake Washington watersheds. If we are to stop the ongoing decline in our salmon populations, we need to first preserve our remaining habitats while ongoing restoration efforts begin to have their effect.

Sincerely,

James M Myers, PhD (Fisheries, UW 1990)
5934 NE 201st St
Kenmore, WA
98028

¹ Kerwin, J. 2001. Salmon and steelhead habitat limiting factors report for the Ceda-Sammamish Basin (Water Resource Inventory Area 8). Washington Conservation Commission.



Photo 1. February 5, 2022. West side of property showing steep slope and recent slide



Photo 2. Looking downstream, Lyon Creek, note large log on right side and gravel in foreground



Photo 3. Culvert downstream of property showing storm damage.

FM: Daniel Collins, Consulting Arborist ISA Certified Arborist PN-8028A, for Jolene Jang, 3611 37th Ave NE, Lake Forest Park

TO: Lake Forest Park Planning Director, Steve Bennett

Date: Feb.18, 2022

RE: Arborist Report- Mark Garey property NE 205 Street and 37th Avenue NE, P#4022900497

MEMO

I reviewed the materials in the Critical Areas Report, and specifically the Garey Residence Arborist Report provided by The Watershed Company Reference Number: 190405; below referred to as: the Report

Site Review:

I was asked to evaluate the thoroughness, quality, and the trees inventoried of the Report: observing from site boundaries and adjacent properties and using my knowledge of conditions associated with tree risk/hazards.

The project site located at the southwest corner of NE 205th Street and 37th Avenue NE in Lake Forest Park contains an early serial woodland of red alder (*Alnus rubra*), black cottonwood (*Populus trichocarpa/balsamifera*) and Cherry (*Prunus sp.*) according to the Report; forming a relatively low canopy.

Black cottonwood trees on the subject property are either dead or in a state of severe condition according to the Report; this is compounded by adverse biotic conditions: severe slopes which may strain water uptake, stem fungal rot-observed on several trees, and failing root plates raise failure risk to targets in future construction and living zones. On this parcel and the adjacent parcel, many black cottonwood trees show poor health. I recommend a thorough evaluation of these trees in poor health to mitigate future problems and damage to structures. It is not sufficient to claim in the Report that, "Tree assessment related to occupant safety and safeguarding new structures or other targets **must be done separately and after building has been completed.**" Level I Assessments are conducted to anticipate risk and provide mitigation or recommendation options to manage that risk.

Red alder species on this and adjacent sites tend to be in a healthier condition than the black cottonwood species notably on the eastern half and left creek bank. However, several of the red alder on the subject north property margins near the NE 205th Street Right of Way have poor architecture, with misshapen crowns; this is due in part to entanglement with power lines, stem failures, and pruning cuts; these trees are generally on steep slopes and in fair to poor condition(**see photo 3**); these are identified as #1,2,3,6,7, and 8 and are located on steep slopes near storm water outfall or box culverts. These trees, in the context of a site development will need careful monitoring to avoid further damage. This observation was not made in the Report. Client has indicated that up to five red alder trees on her adjacent property have failed at their roots in the past year.

The ISA Level I Assessment process used to inventory the black cottonwoods and red alders requires "the submittal of a report indicating risk level(s) and mitigation options and/or recommendations" Dunster, J. Tree Risk Assessment Manual 2nd Ed. 2017, p. 17. This Report did not give mitigation options or recommendations for any of the trees inventoried. This is an important omission, in my opinion because the Report is linked to a development proposal with

Daniel Collins-Consultant 360.531.0447

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major site impacts. Native tree preservation should be a strong objective for trees in any Critical Areas.

Tree health/condition has many biotic and abiotic factors which, if ignored or unmanaged can result in tree failures and potential damage to property, or injury to people. The western half of the property has a severe slope angle of 80-100%; the Report minimizes this, indicating the slope angle is greater than 40%. Much of the slope is under light ground cover with no obvious slope shoring, or bedrock. This unstable slope condition should be made clear in the Report. At the base of the slope is Lyon Creek, which, during high flows could undermine the toe of slope, potentially causing slope failure from below; there is evidence of creek bank undermining, but this was not listed in the Report. The plans call for coir wattle to line the slope base. This material will collect surface silts but will not reduce slope failure. Without adequate woody vegetation including trees and rooting structures to resist soil shear, the slope will remain unstable for many years. Tree #5, red alder inventoried in November 2021 with observed root plate uplift and given a Poor condition on that severe slope has subsequently uprooted and slipped to the base of the slope during high creek flows in December 2021 causing a 30' lateral slope tear; (**see photo 1**). Continued slope instability will impact creek waters between culverts, undermine uphill structures and complicate woody tree establishment in the proposed Mitigation and Planting Plan W3 of 6.

The construction of impervious surfaces is likely to increase impacts to the remaining trees on the eastern half of this Critical Area. The proposed development site has one tree in good condition; the western red cedar #9. Tree #9 would have 30% -35% of its Critical Root Zone impacted by house and driveway. Tree #11 is shown to be removed for development. Tree #12 (dead) will likely be removed unless the recommendation is for a habitat tree. Tree #14 will have 40% of its roots impacted by the building footprint.

There are several trees on the widened arc of the Public Right of Way including Douglas firs, Sitka spruce and red alders (**see photo 2**). The root zones of these trees forming a grouping would likely be impacted adversely by the clearing limits for water services as identified in Proposed Impacts Assessment W2 of 6. The Report mentions that development proposals shall place a strong emphasis on tree protection LFPMC 16.14.070D as *Tree retention plans shall prioritize i. Existing viable trees in groups or stands.* No mention was given in the Report about what recommendations would be made for these four trees in the Critical Areas Zone of the Public Right of Way.

In Summary

The parcel represents a limited residential development opportunity with large impacts to the native trees surrounding the design footprint. Many trees within the parcel have sustained defects or are in poor condition according to the Report. Further tree failures will likely cause more slope instability and potentially impact driveways above the site development. The arborist/assessor offered no mitigation or recommendations for these trees. No Level II assessments for trees #12 or #4 were recommended to resolve these questions, while tree #5 has failed since the assessor has visited the site. It is my professional opinion, that there was inadequate analysis and information contained in the Report to advance the development proposal of owner - Mark Garey into a design-development phase. Thank you for considering these important concerns; our riparian forests deserve careful review.

Please contact me if you have further questions.

Sincerely,

Daniel Collins-Consultant 360.531.0447

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Daniel Collins

Daniel Collins' Background-Experience: arboriculture and related expertise includes

- Urban Forestry/Ecological Restoration- dual track SSCC, Masters Urban Planning and engaged in riparian restoration projects with the Green River Coalition during the last decade
- Olympic National Forest USFS Cost Share Agreements (2005-2012); forestry-related scopes of work
- King County Bridge and Structures Engineering Group-FHWA Certified Bridge Inspector
- Professional tree care 10 years ISA Certified Arborist PN-8028A, TRAQ Risk Assessor

Attachment: photographs 1-3



Photo 1

Daniel Collins-Consultant 360.531.0447

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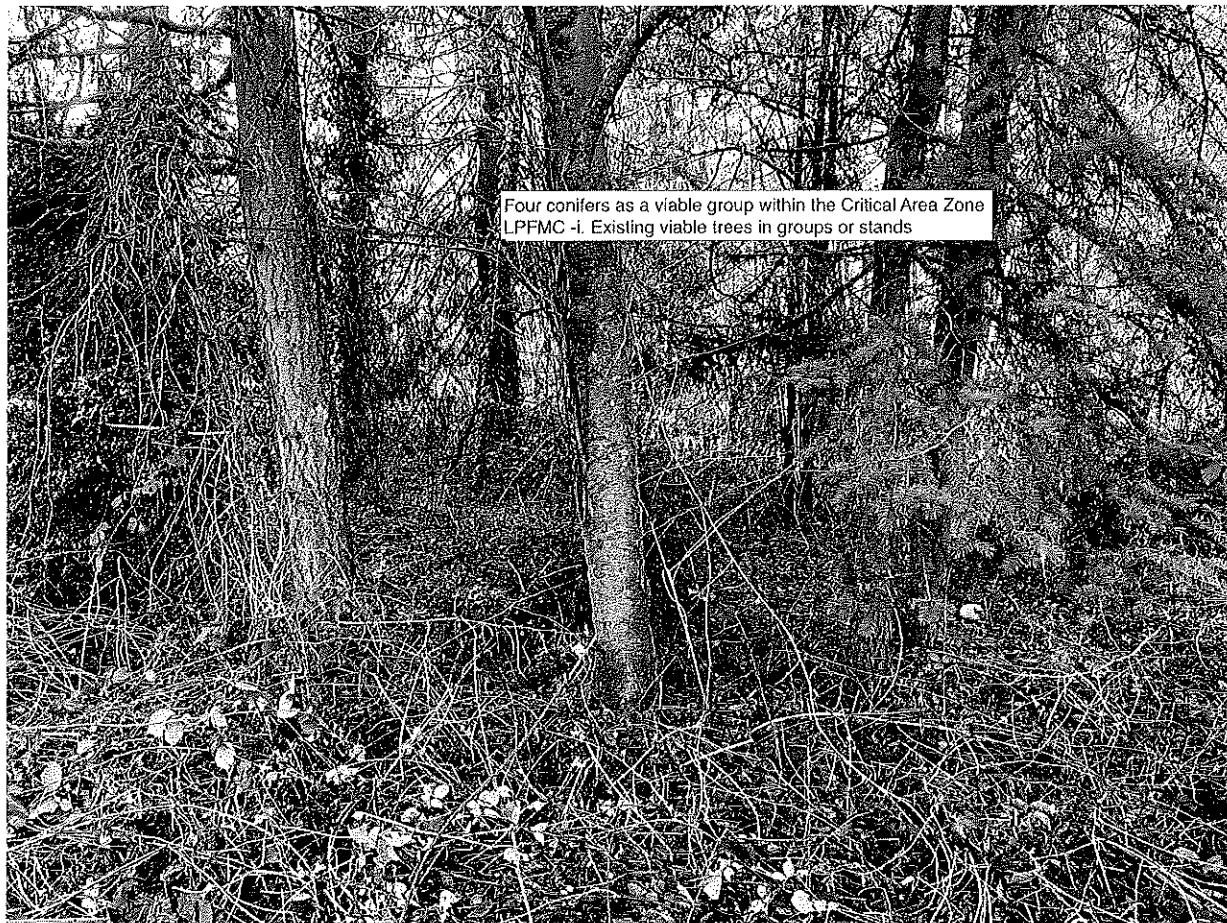


Photo 2

Daniel Collins-Consultant 360.531.0447

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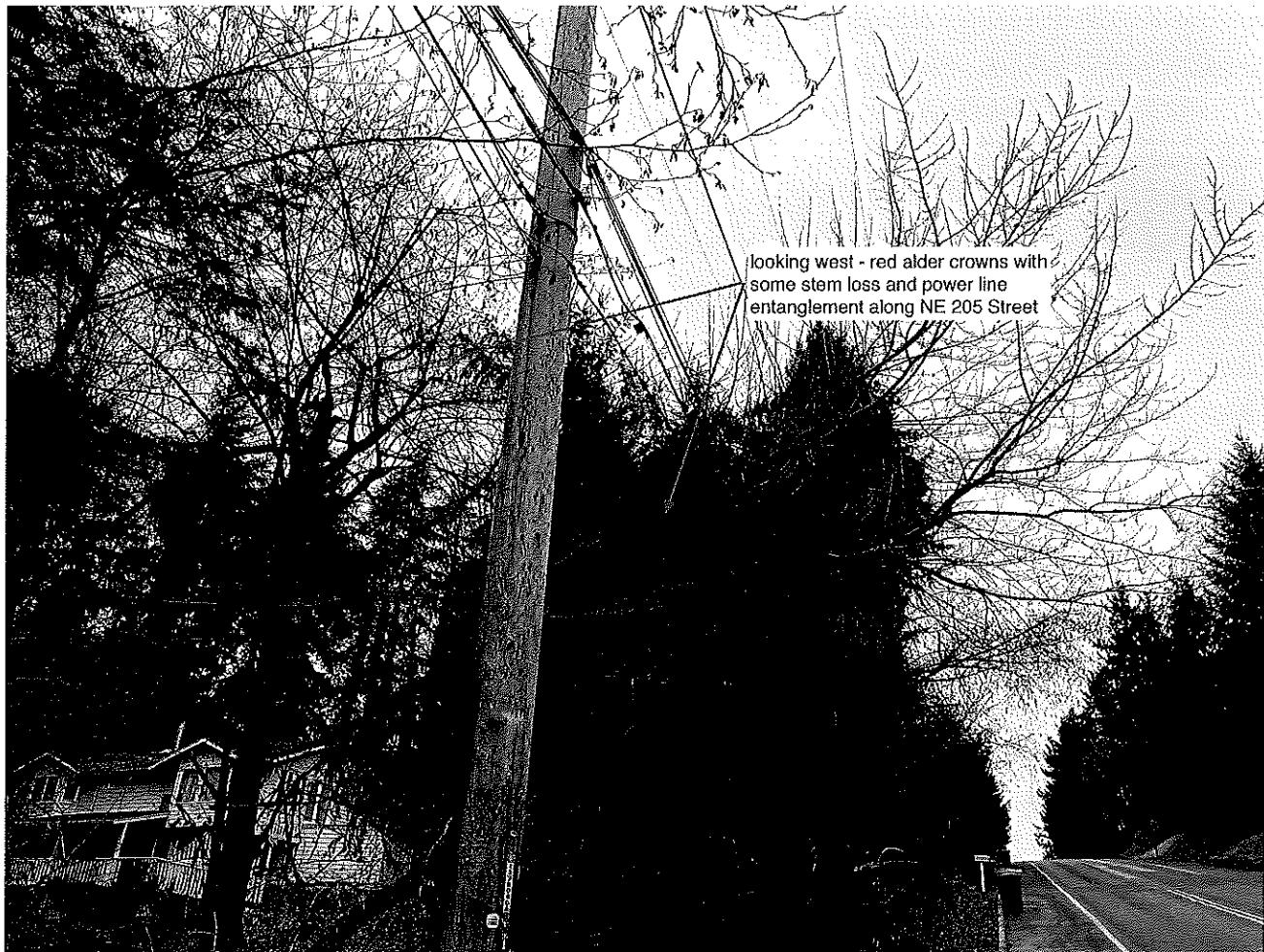


Photo 3

Daniel Collins-Consultant 360.531.0447

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Fw: REASONABLE USE EXCEPTION, File Number: 2021-RUE-0001, Parcel # 4022900497

From Nick Holland <nholland@cityoflfp.gov>
Date Thu 2/13/2025 10:18 AM
To Mark Hofman <mhofman@cityoflfp.gov>



Mark Hofman, AICP | Community Development Director
City of Lake Forest Park
17425 Ballinger Way NE | 206-957-2824
www.cityoflfp.gov

From: Corrie Ann Evans <corrieann2@yahoo.com>
Sent: Thursday, January 16, 2025 11:53 PM
To: Nick Holland <nholland@cityoflfp.gov>
Subject: REASONABLE USE EXCEPTION, File Number: 2021-RUE-0001, Parcel # 4022900497

Dear Nick Holland,

I am writing to express my significant concerns regarding project File Number 2021-RUE-0001. As a resident at 20405 37th Ave NE, Lake Forest Park, WA 98155, directly adjacent to the proposed development site, I am deeply invested in the environmental well-being of Lyons Creek, which flows through my property.

For an extended period, I have actively collaborated with the King Conservation District to implement environmentally responsible practices along Lyons Creek, focusing on the removal of invasive species and the strategic planting of native vegetation. My efforts, along with those of my neighbor who is undertaking similar restoration work on their adjacent property with the King Conservation District, have yielded considerable progress in restoring a healthy native habitat.

The proposed construction of a house on this corner lot, in such close proximity to the creek and within the critical area, presents a serious risk to the ecological integrity of this delicate ecosystem and directly contradicts ongoing conservation efforts. I urge the Planning Department to thoroughly reassess the environmental impact of this project and reconsider granting approval for construction in this environmentally sensitive location.

I respectfully request that you add me to the notification list for File Number 2021-RUE-0001 to receive updates on the project's progress and any decisions made. My contact number is (206) 335-9621.

Sincerely,

Corrie Ann Evans

Fwd: Garey Parcel RUE: 2021-RUE-001

From David Haddock <chevydave@gmail.com>

Date Sun 4/14/2024 11:34 AM

To Mark Hofman <mhofman@cityoflfp.gov>

0 1 attachment (5 MB)

LFP RUE Exemption March 2024 w Exhibit 1 Final.pdf;

Good Day Mr. Hofman. Thanks again for meeting with us at the site last week. It is very much appreciated and we are glad to see that you are engaged in this project. I am attaching a document with my formal concerns relative to the granting of an RUE for the Garey parcel. Based on the information I provide in the attached document, I do not believe it is not reasonable to build a home on this parcel unless additional studies are completed. The bullets below summarize my concerns:

1. Floodplain: The proposed site lies in the floodplain of Lyons Creek, and the nearby road, 37th Ave. NE, was built in the natural floodplain of the creek. The creek has flooded twice in the last twenty years, and the road was built several feet above the highest flood stages. Building a home in this area would further constrict the floodplain, potentially increasing floodwaters' velocity and stage.
2. Slope Stability: The proposed site is located downhill and west of 37th Ave. NE, where the embankment of the road has already limited the natural width of the floodplain. Lyons Creek flows solely between the embankment and a steep slope to the west. The steep slope is currently being undercut by the flow of the creek, leading to small slope failures and the loss of trees and vegetation. Building a home in this constricted zone could exacerbate the undercutting and reduce the stability of the slope, increasing the likelihood of slope failure.
3. Potential for Larger Slope Failure: A large failure of the steep slope into Lyons Creek could block a portion of the creek and cause localized flooding. This could also create a temporary dam across the creek, leading to severe flooding and damage to the proposed structure and neighboring homes. The uncontrolled release of water held behind such a dam could cause catastrophic damage to downstream properties and Lake Forest Park infrastructure.
4. Lack of Geotechnical Data: The steep slope on the west side of Lyons Creek has not been formally investigated to determine its structural integrity. The existing geotechnical investigation focused only on the building site itself and did not adequately address the steep slope. The observations of soil slump, tree fall, and tilted trees indicate past movement or sliding of the slope, suggesting active erosion or instability. A more intensive investigation specifically addressing the steep slope is necessary to determine its safety.

5. Lessons Learned from Oso Landslide: I have made reference to the Oso Landslide, which occurred in a similar setting with a steep slope, a river, a development, and a public road. While the scale is much different, the general dynamics are the same. The Oso Landslide resulted in significant devastation and fatalities. Although a slope failure at this site may not cause the same level of devastation, it still poses a risk to the proposed development and the surrounding area.

Based on these factors, with the information currently available, I do not believe this RUE should be granted. Thank you for considering my comments.