

Text Location	Issue	Comment	DPD Response	
Muckleshoot Indian Tribe				
1		Notification of projects within the Shoreline District	We request that the Muckleshoot Indian Tribe Fisheries Division requests review of all shoreline applications proposed within the City of Seattle when deemed complete by the City regardless if they qualify for shoreline exemptions, variances, or substantial development permits. The MITFD needs to receive notification of shoreline projects that could affect the Tribe's treaty protected fisheries resources regardless of shoreline permit type prior to permit approval.	DPD will work with the MITFD to figure out how the most efficient method to provide this notification.
2		Trees removed	Trees that are cleared and are at least 4 inches in diameter and within 200 feet of the shoreline of areas regulated under Seattle's Shoreline Master Program should be placed back into the affected waterbodies or at least made available for City restoration projects. Otherwise, there will be an unmitigated temporal loss of future wood recruitment necessary to create and maintain salmon habitat.	Code revised as requested see Section 23.60.190.C.
3			The SMP regulations should have a maximum amount of overwater coverage in square feet for piers and docks. We recommend using the standards provided in the U.S. Army Corps of Engineers regulations in the Regional General Permit 3 (see <a href="http://www.nws.usace.army.mil/publicmenu/DOCUMENTS/REG/RGP%203%20Final%20Text%20_6-13-05_.pdf">http://www.nws.usace.army.mil/publicmenu/DOCUMENTS/REG/RGP%203%20Final%20Text%20_6-13-05_.pdf</a> )	DPD evaluated the RGP standards and discussed these standards with Army Corps Staff and learned the Corps deviates from these standards. Therefore, DPD determined that using a maximum length and depth combined with a maximum width will limit the size of piers to the minimum necessary and that cumulatively some piers will be less than the maximum size and some piers may be more than the maximum size but the average size will be less than maximum size limit standard of the Corps's RGP 3.
4			Regulation Sections 23.60.226; 23.60.246; 23.60.284; 23.60.324; 23.60.384; 23.60.404; 23.60.444; 23.60.484; 23.60.504; 23.60.542 should all be modified to restrict in-water heat exchangers from the various shoreline designations. In-water heat exchangers have the potential to increase water temperatures to the detriment of salmon. The Ship Canal, Lake Union, Portage Bay, and Lake Washington already demonstrate increases in water temperature at times that can cause lethal and sublethal impacts to adult salmon.	Code revised as requested.  Note: Code reorganized and shoreline modifications in the second draft are now located in a new Section 23.60.172.

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			Warmer water temperatures may also adversely affect juvenile salmon by creating conditions that improve habitats for warm water predators such as bass.	
5			Underground utilities that cannot maintain native trees in a natural condition should be required to provide compensatory mitigation either on or off site.	Mitigation is required for removal of native trees within the Shoreline District. See 23.60.190.C.3