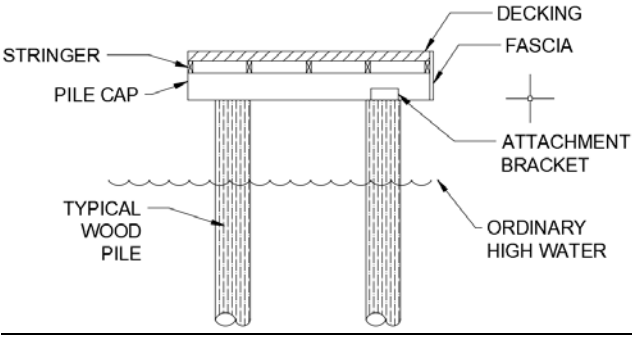


Attachment B: Ecology Required Changes

The following changes are required to comply with the SMA (RCW 90.58) and the SMP Guidelines (WAC 173-26, Part III):

ITEM	SMP Provision	TOPIC	BILL FORMAT CHANGES	ECOLOGY RATIONALE
1	19.13.050.F.2	Development Standards for Replacement, Repair and Maintenance of Overwater Structures, Including Moorage Facilities	<p>i) <del>Structural repair. The repair, replacement, or reconstruction</del> <u>structural repair, which may include replacement of framing elements, of moorage facilities</u> that results in the repair, replacement, or reconstruction of more than 50 percent of the structure's <del>structural</del> framing elements <del>(including pilings)</del> within a five year period shall comply with the following standards <u>(1) through (3) below. For this section, framing elements include, but are not limited to, stringers, piles, pile caps, and attachment brackets, as shown in Figure D:</u></p> <p>(1) <del>Piers, docks, and platform lifts</del> <u>100 percent of the decking area of the pier, dock, and any platform lifts</u> must be fully grated with materials that allow a minimum of 40 percent light transmittance;</p> <p>(2) The height above the OHWM for moorage facilities, except floats, shall be a minimum of one and one-half feet and a maximum of five feet; and</p> <p>(3) An existing moorage facility that is five feet wide or more within 30 feet waterward from the OHWM shall be replaced or repaired with a moorage facility that complies with the width of moorage facilities standards specified in Table D of section 19.13.050.</p>  <p><b>Figure D: Example of Overwater Structure</b></p>	<p><b>Required change: Add clarity to regulations.</b></p> <p>These regulations do not provide enough clarity and detail for implementation. As proposed, it's not clear how to distinguish between repair and replacement. It's also not clear if repair of exterior surfacing that is less than 50 percent is required to use light transmitting materials. For consistency with WAC 173-26-191(2)(a)(ii)(A), which requires SMP regulations to be sufficient in scope and detail, this change is necessary.</p> <p>The City has proposed language to add clarity to these provisions, which Ecology has incorporated. This change shows strikethrough/underline relative to the version adopted by Mercer Island on June 26, 2019.</p>

			<p>j) <del>The repair, replacement, or reconstruction</del>Exterior surface repair. The exterior surface repair, which may include the replacement of exterior surface materials of moorage facilities that results in the repair, <del>replacement, or reconstruction</del> of more than 50 percent of the <del>structure's exterior surface (including decking)</del> area of the moorage facility's decking, fascia, and platform lifts within a five year period (see Figure D), shall be required to utilize <del>fully grated piers, docks, and platform lifts with</del> materials that allow a minimum of 40 percent light transmittance <u>over 100 percent of the dock.</u></p> <p>k) <u>Any decking that is removed in the course of repair shall be replaced with decking materials that allow a minimum of 40 percent light transmittance.</u></p>	
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