

SHORELINES HEARING BOARD
STATE OF WASHINGTON

People for Environmentally Responsible
Kenmore (PERK) and Lake Forest Park
Stewardship Foundation (LFPSF)

Petitioners,

v.

City of Kenmore
Kenmore Air

Respondents.

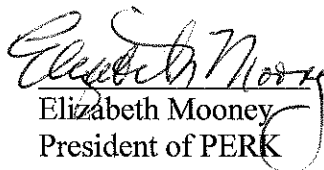
PETITION FOR REVIEW:

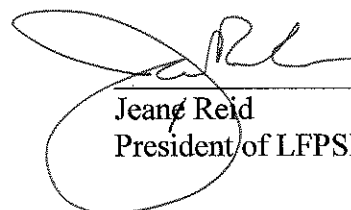
SSDP 2013-109

1. Petitioners
People for Environmentally Responsible Kenmore (PERK)
Lake Forest Park Stewardship Foundation (LFPSF)
Elizabeth Mooney
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Elizabeth.Mooney@comcast.net
2. City of Kenmore
3. Kenmore Air
4. PERK and LFPSF are requesting review of Kenmore's permit process for Substantial Shoreline Development Permits (SSDP/s) in likely contaminated areas without testing for contaminants of concern.
5. City of Kenmore is not making an effort to include contaminants of concern in its Shoreline Master Program (SMP) as required:

... Effective March 2011, the Department of Ecology **published** provisions that require future local **Shoreline** Master Programs include an inventory of water quality data; known sediment **contamination**; existing shellfish cultivation areas and shellfish protection districts; and other data that inform the ...

6. a) Rather the City of Kenmore (City) in its SMP lists data gaps.
b) The City testified January 16, 2013 before the Growth Management Board that it would address the data gaps in its SMP through its rigorous permit process.
c) Yet to date, the City has not required testing for contaminants of concern in any Substantial Shoreline Development Permit even in the case of SSDP 2013-109 when requested to test by the Department of Ecology.
d) Kenmore is a former mill town with industrial contamination, including the deadliest form of dioxin.
e) The currents of NE Lake Washington run clockwise along current and past industrial shores. They pass the South shore of Kenmore moving East carrying disturbed sediments, passing Harbour Village Marina, highly contaminated, Northlake Marina, highly contaminated, Kenmore Air which refuses to test and could well be the source of contamination of its neighbors. The currents then move West along the Kenmore Navigation Channel, also highly contaminated. The Sammamish River current then moves the disturbed sediments along the North shore of Kenmore and West, out to the open Lake.
f) Kenmore Air is on the site of the former McMaster Mill, one of the larger shingle mills in the North West which burned, as did most of the lumber entities in the area.
g) Kenmore Air is built on fill, dirt excavated from lumber sites to create deep cuts for roads.
h) The purpose of the pier is to allow for larger planes, and their more frequent flights and to test pontoons which will disturb the sediments more than the current use.
i) A pilot of Kenmore Air stated in a radio interview that Kenmore Air dumps fuel before landing.
7. PERK and the LFPSF ask that Kenmore Air be required to test to historic depths to see if it is the source of contamination at Kenmore's waterfront, and to require testing to historic depths for all SSDP's in the future.
8. Copies of this petition are served via email and mailed U.S. Postal Service or hand delivered to the Department of Ecology, the Attorney General, the City of Kenmore and to Kenmore Air, this January 6, 2016.


Elizabeth Mooney
President of PERK
Date January 6, 2016


Jean Reid
President of LFPSF
Date Jan 6, 2016