

**TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING
TUESDAY, JULY 5, 2011, 7:00 PM
South Prairie Town Hall
121 NW Washington Street**

The following is a condensation of the proceedings and is not a verbatim transcript.

CALL TO ORDER:

Mayor Peggy Levesque called to order and presided over the Regular Council Meeting of July 5, 2011, at 7:02 PM.

ROLL CALL:

Council Members: Laura Heideman, Gerald Boures, Karen Shell and Tony Caldwell were present. Mathieu was absent.

Also in attendance: Mart Kask, Town Planner; Larry Harter, Utility Operator; and Marla Nevill, Clerk/Treasurer

FLAG SALUTE:

Mayor Peggy Levesque requested everyone stand for the "Pledge of Allegiance."

REVIEW AND APPROVAL OF AGENDA FOR JULY 5, 2011:

- ❖ **Councilor Gerald Boures** moved to approve the Agenda for July 5, 2011. **Councilor Laura Heideman** seconded the motion. An amendment was requested to authorize a "Letter of Support" to the Tacoma-Pierce County Health Department for a grant application for Centers for Disease Control. **Councilor Gerald Boures** moved to amend her motion to approve the Agenda with the requested amendment. **Councilor Laura Heideman** seconded the amended motion. **Motion carried unanimously.**

APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF JUNE 7, 2011:

- ❖ **Councilor Karen Shell** moved to approve the Regular Council Meeting Minutes of June 7, 2011. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

APPROVAL OF RECESSED COUNCIL MEETING MINUTES OF JUNE 23, 2011:

- ❖ **Councilor Karen Shell** moved to approve the Recessed Council Meeting Minutes of June 23, 2011. **Councilor Tony Caldwell** seconded the motion. **Motion carried unanimously.**

APPROVAL OF BILLS FOR JUNE 2011, IN THE AMOUNT OF \$69,532.60:

- ❖ **Councilor Karen Shell** moved to approve the bills for June 2011, in the amount of \$69,532.60 (sixty-nine thousand five hundred thirty-two dollars and sixty cents). **Councilor Laura Heideman** seconded the motion. Discussion followed. **Motion carried unanimously.**

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- 1) **Mart Kask – Update Memo – Stormwater Management and Flooding Issues in Pierce County: (See attached memo).** Mart Kask updated the Council regarding the Stormwater Management and Flooding Issues in Pierce County and stated no action had to be taken at this time.
- 2) **Agreement with Watershed Company to finish the Shoreline Master Program (SMP) Update:**
 - ❖ **Councilor Karen Shell** moved to approve the agreement with the Watershed Company to finish the SMP update. **Councilor Laura Heideman** seconded the motion. Discussion followed. **Councilor Karen Shell** moved to amend her motion to postpone approval of the agreement until the August Council meeting. **Councilor Laura Heideman** seconded the amended motion. **Motion carried unanimously.**
- 3) **Appoint New Mayor Pro-Tem for August 2011 – January 2012:**
 - ❖ **Councilor Tony Caldwell** moved to appoint Karen Shell as Mayor Pro-Tem for August 2011 – January 2012. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.**
- 4) **Letter of Support for the Tacoma-Pierce County Health Department grant application for Centers for Disease Control.**
 - ❖ **Councilor Gerald Boures** moved to approve the Letter of Support for the Tacoma-Pierce County Health Department grant application for Centers for Disease Control. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

CITIZENS' COMMENTS:

None

MAYOR'S REPORT:

Mayor Peggy Levesque said she had just been traveling. Discussion followed.

PUBLIC WORKS' REPORT:

Larry Harry said the STEP tank that needs the concrete lid at 210 SW First Street is a work in progress.

CLERK'S REPORT:

Marla Nevill said the Nuisance Ordinance was sent out to the utility customers and some are complying and some are not.

COUNCIL MEMBERS REPORT:

Councilor Karen Shell said a person was fishing at the Veterans Park and she informed him that we had fish in South Prairie Creek that were listed on the endangered species list. She said the person told her that it should be posted. Several Council Members stated restricted bodies of water are posted in the fishing regulations. Discussion followed.

Councilor Tony Caldwell requested Council approval to hire Tom Campbell to clear unimproved right-of-way on Rainier Avenue between SE Second Street and SE Third Street.

Councilor Tony Caldwell moved to hire Tom Campbell for debris removal. **Laura Heideman** seconded the motion. Discussion followed. **Motion carried unanimously.**

ADJOURNMENT:

- ❖ At 8:03 PM, **Councilor Karen Shell** moved to adjourn the Regular Council Meeting of July 5, 2011. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

Date Approved: August 3, 2011

Memorandum

TO: Mayor Peggy Levesque and
The Town Council
Town of South Prairie

CC: Marla Nevill, CMC, Clerk-Treasurer
Town of South Prairie

FROM: Mart Kask, AICP, PE, Planner
Town of South Prairie

SUBJECT: An Update - Stormwater Management and Flooding
Issues in Pierce County

DATE: 5 July 2011

At Issue

Over one year ago, Pierce County launched an aggressive program to address problems caused by excessive stormwater flows and flooding in various river valleys. The two primary objectives of the program are: 1) reduce the pollutants being washed into Puget Sound by stormwater runoff; and 2) reduce loss of life and property damage caused by flooding.

On 29 July 2010, I prepared a memo on this subject. The memo was distributed to the Mayor, the Town Council and Marla Nevill, Town Clerk-Treasurer. Today's memo, dated 5 July 2011, is an update of the earlier memo which is attached to this memo in its entirety.

Update - Flood Hazard Management Plan

Surface Water Management Division of the Pierce County Public Works and Utilities Department is planning to publish a draft report entitled "Flood Hazard Management Plan, Pierce County" sometime late summer or early fall of 2011. A Draft Environmental Impact Statement is being prepared and will be published and distributed for public review, in advance of the Plan adoption process, scheduled for late fall or early winter of 2011. South Prairie Creek, from its confluence with Carbon River to the east town limits, is included in the Plan.

Update - Impact on the Town of South Prairie: The Plan identifies the berm between the west bank of the South Prairie Creek and the Community Center/Fire Station as a project that is in need of improvements. The Plan points out that the need

for the berm project is to prevent floodwaters to overflow the berm at times of major flood events.

Update - Recommended Action: None recommended at this time. The Town may offer comments after having reviewed the Plan and the Draft Environmental Impact Statement.

Update - Pierce County Flood Control Zone District

Due to public pressure and irregularities in meeting the requirement of the Pierce County Boundary Review Board, the County Council and the Executive abolished the 4 May 2010 created Pierce County Flood Control Zone District. The abolishment action was not to abandon the creation of the Flood Control Zone District but to wipe the slate clean and start all over again, doing things the right way, including the preparation of an Environmental Impact Statement. The concern over the raising money for the District has not gone away. Municipal jurisdictions such as Lakewood, University Place and others with no river flooding problems, are proposing to pay very little or none at all toward the budget of District, arguing that they will receive no benefits from the formation and operation of the District.

Update - Impact on the Town of South Prairie: The impact on the Town of South Prairie is both financial and programmatic. If a new District is created and its income is achieved by imposing a property tax levy throughout the County, it will have a fiscal impact on the taxable property owners of the Town. Also, as stated above, the Town has a project in the Pierce County's Flood Hazard Management Plan, namely the Community Center/Fire Station berm. Thus, the Town of South Prairie becomes a stakeholder both in the Flood Hazard Management Plan and the Flood Control Zone District.

Update - Recommendation: The Town should wait until both the Flood Hazard Management Plan and its Draft Environmental Impact Statement documents and the recreation of the Flood Control Zone District proposal and its Environmental Impact Statement are out for public review. At that time the Town may offer comments on all four documents. The Town may also opt out of all of the above by paying for the needed berm improvements from locally generated funds.

Update - Puyallup River Executive Task Force

What is new is that the U.S. Army Corps of Engineers has agreed to conduct a study to determine the integrity of the levees along the lower reaches of the Puyallup River. The study will also identify the needed improvements to strengthen the levies and its associated costs. It is unclear at this point when the study is to be completed.

Update - Impact on the Town of South Prairie: No change from the 29 July 2010 memo.

Update - Recommendation: Continue participation on the Executive Task Force. Keep an eye on the financing mechanisms to assure that the citizens of the Town of South Prairie are not inequitably burdened with costs that benefit businesses and residents in the Puyallup River downstream areas.

Update - Model Ordinance National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) has modified its earlier position on how cities, towns and counties can meet the Endangered Species Act requirements, thus making the jurisdiction eligible for flood insurance. Previously, the jurisdiction had to adopt the FEMA model ordinance or adopt an ordinance of their own design that met the requirements of the Endangered Species Act. Today, FEMA has added another option. The option is for the jurisdiction to issue a permit in the flood zone with conditions that will not harm or reduce the habitat of the endangered fish species. At a later date, after the jurisdiction has issued a number of permits, FEMA will conduct an audit to determine if the jurisdiction has acted according to the law. If not, FEMA is empowered to issue fines and require that restoration be done. FEMA does not allow mitigation under the optional procedure.

Update - Impact on the Town of South Prairie: In December 1981, the Town of South Prairie adopted Ordinance No. 134, entitled Floodplain Management Measures. That ordinance has served the Town well over the years in its administration of development in the Flood Zone. The Town has the option of adopting the FEMA model ordinance, update Ordinance 134, or opt for the optional procedure. Eventually, Ordinance No. 134 needs to be brought up to date if the Town opts for the updated Ordinance 134 process or the new optional procedure.

Update - Recommended Action: The Town of South Prairie should wait until FEMA finalizes its requirements, although the new FEMA requirements become effective on 22 September 2011. FEMA is getting a lot of push back from cities, towns and counties and is working with various work-groups to assess its impacts and is considering modifications.

Update – Other

There is no change to State Emergency Management issues other than reduction of grant funding. State Emergency Management receives a majority of their funds from FEMA. FEMA and many other federal agencies are experiencing significant budget reductions.

Shoreline Master Program update is making progress. I will report on that work effort at some later date.

Attachment: Memo dated 29 July 2010

Memorandum

TO: Mayor Peggy Levesque and Marla Nevill
Town of South Prairie

FROM: Mart Kask, AICP, PE
South Prairie Town Planner

SUBJECT: Stormwater Management and Flooding Issues in
Pierce County

DATE: 29 July 2010

At Issue

The January 2009 flood and its resultant property damage drove home the need by public officials in Pierce County to address the stormwater management and flooding issues on a countywide basis. A number of parallel efforts are ongoing at this time to better manage stormwater flows and flooding with the objective of minimizing property damage and potential loss of life. The following sections in this memo identify the various work efforts underway, their potential impact on the Town of South Prairie and the actions the Town could or should take in support of the countywide efforts.

Flood Hazard Management Plan

Surface Water Management Division of the Pierce County Public Works and Utilities Department is developing a long-term Pierce County Rivers Flood Hazard Management Plan ("Plan") to guide river management to reduce damage from floods, while enhancing fisheries resources in the Puyallup, White, Carbon, and Nisqually rivers. The Plan will identify and recommend policies; programs and projects related to flooding and channel migration on major rivers. The goals of the Plan are:

- Reduce risk to public health and safety
- Reduce public and private property damage
- Reduce facility maintenance costs
- Maintain or improve fish and wildlife habitat conditions

The Plan will also address complex economic, social, cultural and environmental conditions; federal, state, and local regulations; and existing legal agreements that affect flood hazard management. In the end, the Plan will develop a sustainable and flexible funding strategy for river flood hazard management.

The territorial scope of the Plan includes Puyallup, Carbon, White, upper Nisqually, Mashell and Greenwater Rivers, plus South Prairie Creek. The Plan builds upon previous work, namely updating the 1991 Puyallup River Basin Comprehensive Flood Control Management Plan.

The Surface Water Management Division is working with a Pierce County Executive appointed Advisory Committee made up of representatives from cities, county, towns, tribes, state, federal governments, and community groups and interested citizens. The Town of South Prairie has been invited to appoint a representative to the Advisory Committee. There will be an extensive public involvement process that includes open houses, workshops, surveys and other opportunities for input as the plan develops. The draft Plan will be available for formal public review and comment in late 2010; and it is expected that the final Plan would be transmitted to the Pierce County Council for adoption in 2011.

The Surface Water Management Division is beginning the process of developing policies for inclusion in the Plan. The first piece of the process is to identify all the adopted local policies that relate to floodplains, flood protection, shoreline protection, riparian habitat and other relevant issues. I will be forwarding to the Surface Water Management Division the relevant sections of the South Prairie Comprehensive Plan, the Critical Areas Code and a copy of Ordinance 134, entitled "Floodplain Management Measures."

Impact on the Town of South Prairie: In my view, the Plan will have no negative or positive impact on the Town of South Prairie. As stated earlier, the emphasis will be on flood control management in Puyallup, White, Carbon and Nisqually Rivers. South Prairie Creek is a tributary to Carbon River that in turn, flows into the Puyallup River. The Plan identifies impacted cities as being Tacoma, Fife, Puyallup, Sumner, Orting and Pacific. South Prairie is not listed. To this point, South Prairie has not been asked to contribute financially to the preparation of the Plan.

Recommended Action: Accept the invitation to join the Advisory Committee and work cooperatively to produce the Plan. Keep a keen eye on the financial mechanisms needed to pay for the construction and maintenance of flood control measures on the major rivers.

Pierce County Flood Control Zone District

On 4 May 2010, the Pierce County Council adopted Ordinance No. 2010-16s, creating the Pierce County Flood Control Zone District ("District"). The boundary of the District is the entire Pierce County, including territories within municipal corporation boundaries. Currently, the Board of Supervisors of the District is a member of the Pierce County Council. The District will address flood control needs throughout Pierce County.

The District is like a fire district or school district. The Board of Supervisors of the District has the authority to generate revenue to pay for the construction and

maintenance of specific flood control projects. County Councilmembers, acting in their dual role as the District's Board of Supervisors, will adopt operating procedures and a list of projects for construction and maintenance of flood control measures.

In Pierce County, there are 92 miles of aging flood-protection facilities (mostly levees) along major rivers but not enough money to repair them. The potential resulting damage to industrial and commercial facilities, agriculture and homes has far-reaching economic impacts throughout the County.

Impact on the Town of South Prairie: The impact on the Town of South Prairie is financial. The District needs to generate revenue and the most likely source is an increase in property taxes. Under Chapter 86.15 RCW, the District may authorize an annual ad valorem tax levy up to 50 cents per thousand dollars of assessed value towards flood control projects. For a \$250,000 house, this would mean an additional \$125 in property taxes per year. Various numbers have been speculated, but the actual amount will be determined by the Board of Supervisors and will be collected in 2011 as an incremental added millage to the property tax. As stated above, the Board of Supervisors is in the process of developing operating procedures. If the operating procedures dedicate the majority of the funds to the maintenance of existing levees along Puyallup River, there is very little direct benefit to the Town of South Prairie. On the other hand, if the Board of Supervisors apportions the funds where a share will be dedicated to flood control measures in smaller rivers and creeks, the Town may benefit directly. A case can be made to elevate or construct a new SR-162 bridge over South Prairie Creek with greater understructure capacity to handle flood flows.

Recommendation: A number of cities are petitioning the Pierce County Boundary Review Board to exclude them from being part of the District. They see no benefits to them. I think that their petitions are going to be denied. Therefore, the Town of South Prairie should not join the exclusion, but to stay in the District and advocate for the distribution of funds to smaller projects in small towns.

Puyallup River Executive Task Force

The Federal Emergency Management Agency (FEMA) has deemed the levee system on the lower Puyallup River as inadequate, resulting in the decertification and subsequent changes to FEMA's floodplain maps. This results in a new floodplain designation and restrictions along the Puyallup River. Pierce County believes there is regional consensus on the need to improve the flood protection to bring it back to its previous level of protectiveness. Pierce County has historically been responsible for maintaining the levee system along the Puyallup River.

In June 2008, the Pierce County Council passed Resolution R2008-74s, requesting all local governments to participate in developing and funding the work to bring the flood control system back into FEMA compliance. The objective of the proposed work is the following:

- Ensure local agencies understand the problem and support finding a solution

- Work closely with affected agencies to develop alternatives and select an alternative
- Cooperatively seek funding
- Construct and maintain the selected alternative

To assist with finding and funding a regional solution, Pierce County convened a Lower Puyallup River Executive Task Force in July 2008. Since its inception, the Executive Task Force has expanded its focus to include the entire Puyallup River Watershed, and has grown to include eleven local government jurisdictions within the Puyallup River Basin. South Prairie is one of the eleven jurisdictions. Membership of the Executive Task Force is composed of the following:

- Cities of Buckley, Fife, Orting, Pacific, Puyallup, Sumner, and Tacoma
- Towns of South Prairie and Wilkeson
- Puyallup Tribe of Indians and King County
- U.S. Army Corps of Engineers
- Washington State Department of Transportation
- Pierce County Chamber of Commerce

The Executive Task Force is looking to complete an investigative or assessment study by about 2012, engineering design by about 2015 and construction and financing by about 2020. Some of this work will be funded by grants from FEMA and the U.S. Army Corps of Engineers. The estimated local share of completing the investigative or assessment study amounts to about \$3 million. The capital cost of construction and maintenance is yet to be determined. The funding source has not been identified at this time.

Impact on the Town of South Prairie: As stated earlier, FEMA has deemed the levees along the lower reaches of the Puyallup River to be inadequate. This means that in updating the flood maps, FEMA would expand the flood zone to the back of the levees; claiming that due to the age and condition, the levees are likely to fail and the floodwaters will expand to the back of the levees. This condition would have a tremendous negative economic impact on Pierce County, particularly in Tacoma, Fife, and Puyallup. The direct impact on the Town of South Prairie is relatively small. However, as a member of the Executive Task Force, the Town of South Prairie may be asked to participate in some kind of revenue sharing plan. To date, the Town of South Prairie has not been asked to contribute to a fund to pay for the investigative or assessment studies.

Recommendation: Continue participation on the Executive Task Force. Keep an eye on the financing mechanisms to assure that the citizens of the Town of South Prairie are not inequitably burdened with costs that benefit businesses and residents in downstream areas.

Model Ordinance National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) has been operating a national flood insurance program for many years. Recently, the program was challenged in the Federal courts by the National Wildlife Federation, a non-profit advocacy group, claiming that the program has a significant negative impact on protecting the endangered species of fish and wildlife. The court ordered FEMA to consult with the National Marine Fisheries Services, a sub-agency of the National Oceanographic and Atmospheric Administration, in the administration of the insurance program. FEMA, in administering the flood insurance program must take into consideration the impact on endangered species as they are identified in the Endangered Species Act. FEMA has compromised to the extent that they are now labeling the national flood insurance program as "Endangered Species Act and the National Flood Insurance Program" (ESA and the NFIP).

FEMA in Federal Region 10, which covers the State of Washington, has developed a Model Ordinance, which they are distributing to local governments, State agencies and others for early review and comment. The intent of FEMA Region 10 is to adopt a Model Ordinance that local governments either adopt in its entirety or make sure that all the provisions on the Model Ordinance are adequately covered in a locally drafted and adopted ordinance. The adoption of an ordinance becomes a prerequisite to local governments in participating in the National Flood Insurance program.

Impact on the Town of South Prairie: In December 1981, the Town of South Prairie adopted Ordinance No. 134, entitled Floodplain Management Measures. That ordinance has served the Town well over the years in its administration of development in the Flood Zone. Eventually, Ordinance No. 134 needs to be brought up to date after FEMA has settled on the final language of its Model Ordinance.

Recommended Action: The Town of South Prairie should wait until FEMA finalizes its Model Ordinance and then adopt it in its entirety or prepare an ordinance of its own that contains the critical provisions of the FEMA Model Ordinance.

State Emergency Management

The State Emergency Management Agency is a sub-section of the Washington State Military National Guard. Their offices are located at Camp Murray, in Pierce County. The State Emergency Management, in cooperation with the Pierce County Emergency Management Department, is often the first to respond to assist distressed persons and property in case of a major flood. The Governor must first declare an emergency before State Emergency Management can come in. The Governor's declaration usually includes specific of areas in a county or multiple counties. For Federal Aid to be available for flood relief, the Governor must petition the President for a Federal Emergency in a specific area. The most recent significant flood occurred in January 2009, which resulted in Pierce County being declared a National Flood Disaster area.

The State Emergency Management has a number of programs available to assist distressed properties and persons as a result of a flood disaster. Below is a list of programs. A local match of 25 to 50 percent of the cost is required to participate in the listed programs. The exception is the Severe Repetitive Loss Program, which is funded 100 percent by the State.

- Repetitive Flood Claims Program
- Severe Repetitive Loss Program
- Hazard Mitigation Grant Program
- Flood Mitigation Assistance Program
- Flood Control Assistance Account program
- Pre-Disaster Mitigation Grant Program

Impact on the Town of South Prairie: The programs of the State Emergency Management Agency have not been very successful in aiding distressed properties and persons in cases of a major flood. The problem has been and remains the ability of the Town to come up with the local match requirement. Further, the State has instituted a "Benefit Cost Analysis" requirement that must be completed before funding eligibility is determined. A benefit cost analysis does not work well in small communities such as the Town of South Prairie. The reason is that the area benefiting is relatively small compared to the cost of the remedy. For benefit cost analysis to support a funding proposal, the benefits must exceed the costs. An additional factor is that most of the State's programs are competitive throughout the State or the disaster area and an application from a small town such as South Prairie must have a high benefit cost score in order to be competitive.

Recommended Action: When the opportunity lends itself, urge the State to allow some flexibility in lowering the local match requirement. Also urge the State not to rate small town projects on the same scale as they do major cities and counties. The State should set aside a small city or town account with more customer friendly requirements.

Shoreline Master Program Update

In 2003, the Washington State Legislature passed SSB 6012, which established timelines for all towns, cities and counties to amend their local Shoreline Master Programs consistent with the Shoreline Management Act, RCW 90.58 and its updated implementing guidelines, WAC 173-26. The Town of South Prairie is required to prepare a comprehensive update to its Shoreline Master Program by the end of 2011. Until the Department of Ecology (DOE) approves the revised South Prairie Shoreline Master Program, the Town of South Prairie has and will continue to use the Pierce County Shoreline Management Use Regulations, which were adopted by the County in 1975 and revised in 1981.

After the adoption of the SSB 6012 in the year 2003, DOE began to grant funds to a group of cities and counties, called the early starters, to update their Shoreline Master Programs. In Pierce County, the early starters were the major cities that front marine shoreline, like Tacoma, Gig Harbor and Pierce County. Today, the early starters

in Pierce County are nearing completion, having exhausted all their grant funds and being two to four years behind schedule. In comparison, the Town of South Prairie project is two months behind schedule and within budget. The Town of South Prairie has completed and submitted the Shoreline Inventory and Characterization data, maps and report to the DOE for review.

The Shoreline Master Program devotes a major section to floods and floodplain management. The Federal Emergency Management Agency (FEMA) maps the floodplain in South Prairie. Their revised maps do not show a noticeable change from the early maps, produced in the 1980s. The issue of floodplain management will be covered in the update of the implementing regulations. The Town will be dealing with implementing regulations sometime in the fall of 2010.

For quite some time, the Department of Ecology and the Department of Commerce have sparred over the issue of what regulations apply to controlling development in the shoreline environment. The Department of Commerce has claimed that the provisions of the Growth Management Act prevail. On the other hand the Department of Ecology has argued that the Shoreline Master Program provisions prevail. The courts have now settled the dispute in the Anacortes vs. the Department of Ecology. The courts have ruled that the provisions of the Shoreline Master Program prevail. This means that sometime in the future, after the Shoreline Master Program has been updated, the GMA Comprehensive Plan and the Critical Areas Code needs to be brought into conformance with the Shoreline Master Program.

Impact on the Town of South Prairie: The adoption of the revised South Prairie Shoreline Master Program will have significant impacts on the properties and lives of people living in the South Prairie Creek shoreline environment. As stated earlier, the Town has been working on scientific aspects of the Shoreline Master Program, such as geology, hydrology, biology, and state of urban development. What is yet to come deals with the goals, policies and regulations? These issues directly impact the properties and people living in the South Prairie Creek environment. The critical issues that the Town will address are the following:

- Building setback distances from the high water mark of South Prairie Creek
- Nonconforming uses, meaning that if an existing structure (residence or garage) is encroaching on the setback area, can the structure be rebuilt?
- Buffer areas in back yards that are required to remain in natural vegetation
- Cutting trees in riparian area
- Dedication of the shoreline to Public Use in approving new subdivisions

Recommendation: Continue to update the Shoreline Master Program by working with the Department of Ecology and the citizens of the Town of South Prairie.