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ALL COUNCIL MEMBERS
WHATCOM COUNTY COUNCIL

October 21, 2019

Whatcom County Council
311 Grand Ave.
Bellingham, WA 98225

Dear Whatcom County Council:

My name is Lloyd W. Born and I live at 923 E. Lake Samish Dr, Bellingham, WA 98229-7015, I have enjoyed Lake Samish for 21 years. I and "my family" enjoy many forms of water recreation including: swimming, water skiing, canoeing, water tubing, wake surfing, water floats, wake boarding and just on the water boat cruising. **I ask you to please support the proposed ordinance regarding boating regulations for Lake Samish AB2019-479, also referenced as AB2019-480 on the Whatcom County Council web page. I will hereafter just use a combined number of AB2019-479/480.**

AB2019-479/480 is aligned with a grassroots proposal to change specific aspects of the recently passed Whatcom County Ordinance 2019-046, originally introduced as AB2019-306. I really like the fact that the effort was truly a transparent community grassroots effort that provided an opportunity for all residents to understand the issues and make an informed decision. The grassroots proposal has overwhelming Lake Samish community support with more than 400 resident signatures representing approximately 290 Lake Samish households. It is important to note that the ordinance passed on June 4, 2019, AB2019-306, was developed by a **very small** number of people, with no outreach to the greater Lake Samish community. **The lack of outreach ensured that no opposing views were voiced during the June 4, 2019 Whatcom County Council meeting** when AB2019-306 was presented and approved. The community grassroots effort has given me an opportunity to have my voice heard and this is very important to me. As a result of the extensive community outreach I believe AB2019-479/480 provides an effective solution for the concerns raised by residents.

The unintended consequence of Ordinance 2019-046 is a decrease in boating safety on Lake Samish as all vessels are forced into the center of the lake. AB2019-479/480 is an alternative solution with greater specificity to target those activities generating larger wakes to ensure safety of all residents on docks/shore as well as for boaters/other watercraft. A solution that retains the 300 feet restriction from shore and docks for wake surfing and wake boarding (no change to the recently passed Ordinance 2019-046 for these activities) but allows all other vessels to revert back to the 150 feet restricted distance. AB2019-479/480 provides the same level of safety to residents on docks/shore who expressed concerns about larger wakes and I appreciate that aspect of this solution. The proposed ordinance will result in fewer boats/watercraft being pushed to the center of the lake, thereby correcting the unintended decrease in boating safety seen after implementation of Ordinance 2019-046. I like the fact that the same 300 feet protection remains with AB2019-479/480 for the types of waves that were originally raised by concerned residents.

Ordinance 2019-046 moved the no wake zone by the Lake Samish bridge from approximately 350 feet out to greater than 2,700 feet- this is too far. It should be noted that the excessive length of the no-wake zone allowed some of the most vocal advocates to have their residence located within the no-wake zone. Yet the residents that brought forward AB2019-306 did not recommend extending the no-wake zone on the other side of the bridge where the public park and swimming area is located. The no-wake zone reduction in usable boating space combined with all other restrictions on the lake result in nearly 40% of the Lake Samish's total water surface

area being unavailable to boats traveling above 6mph. I would note that the original shoreline setback zone (150 feet from shore/dock) claimed part of the Lake so that it could not be used for higher speed recreational activities. Now Ordinance 2019-046 in conjunction with the original shoreline setback, in total, takes away roughly 40% of Lake Samish's water surface area. This does not seem reasonable given the long-term history of these recreational activities taking place on Lake Samish for nearly half a century.

Moving the no wake zone out to greater than a half mile from the bridge further pushed vessels into a smaller space located in the center of the lake. This has resulted in the unintended consequence of decreased boating safety. AB2019-479/480 will move the no wake zone to a distance of approximately 800 feet from the bridge, roughly 2.3 times the original distance of approximately 350 feet. This placement lines up where the shore to shore distance, accounting for docks, is approximately 600 feet wide and is a logical placement point given the 300 feet shoreline set back distance.

There is limited lake space available in Whatcom County for recreational motorized boating for activities such as waterskiing, wake boarding, knee boarding, tubing, jet skiing and wake surfing. There is adequate room on Lake Samish for these activities and adequate space for activities such as swimming, paddle boarding, floating on inner tubes, canoeing and kayaking. All activities can be safely supported on Lake Samish if AB2019-479/480 is enacted.

It has been suggested that activities such as waterskiing, wake boarding, knee boarding, tubing, jet skiing and wake surfing on Lake Samish should just be relocated and conducted on the ocean or alternatively residents can drive their boats to Lake Whatcom - I will use maximum effort to vote out of office any council member who takes such an extreme and unjustified position. This would negatively impact the value of my property which in effect would constitute a taking.

Lake Whatcom also has 5 invasive species compared to 1 for Lake Samish. Furthermore, I do not have a vehicle to haul my boat but instead hire some one to assist putting my boat in the water in early summer, keep it on a boat lift for about 3-4 months and then have them help me haul the boat out usually in early October. Recreational ski/wake boats are not equipped with scuppers on the sides and stern of the boat. As a result, ski/wake boats cannot eliminate water immediately from waves generated in open water boating found on Puget Sound or the Ocean. The water temperature is significantly lower in Puget Sound and a person spending an hour in Puget Sound would be at great risk for hyperthermia. As well, currents, undertows, tide flows and large floating debris such as logs floating at or just below the waterline do not make the Ocean a feasible alternative for these recreational activities. Recreational ski/wake boats are not built to withstand the elements associated with a saltwater operating environment. In short, waterskiing, wake boarding, knee boarding, tubing and wake surfing cannot be safely conducted on the Puget Sound or the Ocean.

Regarding Lake Whatcom use, shifting all of these activities to Lake Whatcom will unnecessarily place a greater burden on Lake Whatcom and its residents. While boats are routinely trailered without issue, it clearly is significantly easier to move a kayak or canoe compared to a motorized boat. People seeking to swim, paddleboard, float on inner tubes, use a canoe or kayak can more easily commute to Lake Whatcom. I am not saying that a resident of Lake Samish needs to relocate to enjoy their recreation of choice. All residents of the Lake Samish, as well as, the greater Whatcom County area have always been able to enjoy their activity of choice on Lake Samish up to today and will continue to do the same in the future. It has been a common sense approach at Lake Samish for activities such as; paddle boarding, kayaking, canoeing, fishing and water skiing to most often be conducted in the morning or evening hours on smoother water. Almost daily the wind picks up around 11:00am to noon and the water becomes rougher. This is the time when other forms of recreational motorized watercraft conduct tubing, wake boarding,

wake surfing or just recreational boating without an associated activity. This common sense approach to sharing Lake Samish, with all those involved with recreation on Lake Samish, has successfully worked for years prior and will work going forward.

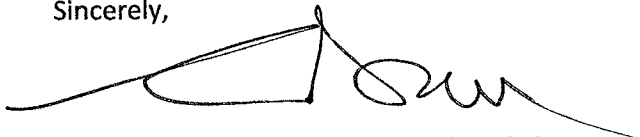
Non-motorized activities are allowed on other nearby lakes, such as Lake Padden. Lake Paden is dedicated exclusively for these activities as gas-powered engines required for a ski boat or wake boat are not allowed. Preference then is already given to Whatcom County residents for activities such as; swimming, paddle boarding, floating on an inner tube, canoeing and kayaking by providing additional lake surface area in Whatcom County. There are more options available for people seeking to enjoy non-motorized activities, including an extensive network of rivers and Bellingham Bay.

Whatcom County Public Works is not aware of any study on Lake Samish designed to assess shoreline erosion either from wind, water level maintained at the Lake Samish, hardening of shoreline from bulkheads, boat impact or any other applicable causative factor(s). Information presented to the Council from residents regarding shoreline erosion is anecdotal. Scenarios exist in which two residents located within several lots of each other provide conflicting testimony, with one reporting significant erosion and the other stating that there has been no erosion. The potential concern of the monetary cost involved in replacing any road at Lake Samish is justified. The cause of damage most often is related to the water flowing over and under the roadway based on the land/ground make-up. Clay, sandstone and shale cause rapid water flow from hillsides leading to significant runoff. This was seen when the roadway at North Lake Samish was entirely washed away several years ago by water flowing over and under the roadway. Clearly a long-term well-designed study is required on Lake Samish to assess potential shoreline erosion. Absent a study on Lake Samish the Council is making decisions based on subjective and conflicting resident opinions.

In summary, voting yes on AB2019-479/480 will ensure that the original concerns of the residents on Lake Samish that proposed AB2019-306 will be met. The recreational activities that create bigger wakes will still be restricted to 300 feet from dock or shore, as to mitigate any shoreline erosion, or personal property damage. In addition, it will satisfy the majority of Lake Samish residents views. Creating a much safer environment for all on Lake Samish that choose to recreate in many forms on the lake by having all other recreational activities viable within 150 feet from dock or shoreline.

For all of reasons articulated in this letter I ask that you support AB2019-479/480 and vote yes when it comes before the full Whatcom County Council for approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lloyd W. Born', written over a horizontal line.

Lloyd W. Born, Lake Samish Resident & Concerned Citizen

