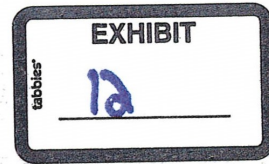




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DEPARTMENT OF COMMUNITY PLANNING AND ECONOMIC DEVELOPMENT

Creating Solutions for Our Future

Joshua Cummings, Director

To: Sharon Rice, Hearing Examiner

From: Mark Biever, L.G., L.E.G.

Date : December 10, 2019

Subject: Project 20191000758 – Manke Reconsideration – Unpermitted structures in Critical Areas

On October 22nd, 2019 a public hearing was held for the property located at 9020 Baird Rd NE. The project includes several proposals including after-the-fact permits for several structures constructed within critical areas and/or buffers. Some structures may be required to be removed if so ordered. Clarification of testimony based on geologic considerations is provided below.

Caution must be taken when removing structures using heavy equipment in geologically unstable areas. The unpermitted structures identified in this case are located within multiple critical areas and regulated by Thurston County Critical Areas Ordinances. These areas are designated as such due to their inherent instability resulting from geologic factors, or, to environmental and habitat functions they provide. These factors are considered by Thurston County during the review and permitting process to avoid future mitigation actions.

Removal or alteration of unpermitted structures using heavy machinery *may* lead to additional harm if they are not deconstructed carefully. For consideration regarding the Manke case, this would be of particular concern for structures located:

1. On a marine bluff - such as the stair tower, or
2. Structures supporting slopes - such as retaining walls.

If removal of these structures is ordered, the least invasive approach toward mitigation in these sensitive areas is recommended to avoid unintended damage to critical areas.

Please contact me if you have any additional questions or comments. Mark x 2070