K'Allen Specht

Thank you. My name is K’ Allen Specht. When property owner, when the property owner offers public access, why does the government stand in the way? My comments address voluntary shoreline acquisition under proposed WAC 173-26-221(4). RCW 90.58.020 directs preservation of public shoreline access to the greatest extent feasible. 90.58.240 authorizes acquiring shoreline property by purchase, lease, or gift. 90.58.100 expressly recognizes tidal lands and beaches as recreational resources. Snohomish County Ecology-approved shoreline management program encourages acquisition of upland property for public access. It also directs to provide assistance to private property owners willing to provide public access to shorelines. At Soundview Drive Northwest, a 50-foot public right-of-way extends to Port Susan. It has never been vacated. Adjoining tideland owner Margaret Penny Busey repeatedly offered to donate her tidelands, advocated removing "no beach access" signage, and urged the county to restore parking that had been eliminated. Her donation would extend public ownership onto the adjoining tidelands, securing public enjoyment of those shorelands for future generations. In 2010, Ecology itself recorded this location as public acts, public shoreline access site WS01390, identifying pedestrian visual access, roadside parking, and neighborhood-scale use. In 2020, Penny Busey wrote to the county executive that the last public access to the beach at Warm Beach has been recently effectively been closed by Snohomish County. County staff recognized that accepting her donation would create a 50-foot-wide public access and a new public beach access. The county declined those offers. County Parks recommended against accepting the donation, despite acknowledging that it would extend public access onto 50 feet of adjoining tidelands. Despite the landowner expressly welcoming public use, the county installed "no beach access" signage, eliminated public parking, and allowed documented concrete obstructions to remain. The county declined the offers while maintaining restrictions on existing public access. I have found no written findings establishing a demonstrated, compelling reason for those decisions. I ask Ecology to add one sentence to WAC 173-26-221(4)(c), “declining an offer to donate shoreline property, including uplands, tidelands, or public access easements, requires written findings establishing a demonstrated, compelling reason, consistent with the shoreline master program"s public access notice policies.” This would not compel acquisition; it would require demonstrated compelling reason for declining an offer consistent with adopted shoreline access policies. Apologies for going long.