

Wild Idaho Rising Tide

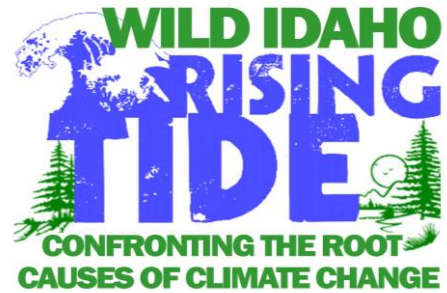
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March 16, 2022

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Delivered partially through public testimony and fully via email message with attached PDF letter

WIRT Comments on Item 5A, Setbacks along Sand Creek March 16, 2022, Sandpoint City Council Meeting & Hearing

I offer this testimony and these comments on behalf of 3,200-plus members, friends, and supporters of the regional climate activist collective Wild Idaho Rising Tide or WIRT, based for six years in downtown Sandpoint, Idaho, for the public record of the Wednesday, March 16, 2022, Sandpoint City Council regular meeting and public hearing concerning the city decision whether to amend current city code that mandates a water-protective, 25-foot, vegetative buffer along the banks of Sand Creek from downtown to the Highways 95 and 200 bridge. City staff members have proposed this change to accommodate construction of various types of non-building structures extending into and over Sand Creek below its summer high-pool water mark, specifically a public plaza over a grassy area between the waterway and Gunning's Alley, also called Farmin's Landing, on the west side.

Ironically, the city originally purchased this creekside property to create ground depression swales of plants that filter and catch storm water sediment and contamination, an overdue component of urban infrastructure that WIRT encourages the city to build. But now, the city seems intent on constructing more artificial, impervious surfaces in the center of a small town already walled off from Idaho's largest, deepest lake, Pend Oreille, by the flood-raised, BNSF Railway line, an elevated freeway, private condominiums, and a hotel complex, even while the erratic weather, floods, and wildfires of climate chaos threaten environmental disasters and financial losses.

Within the last 15 years, including the ongoing COVID-19 pandemic and its economic devastation of small enterprises, downtown businesses have endured destruction of the natural amenities that attract residents and visitors to Sandpoint, imposed by construction of the railroad-parallel, U.S. Highway 95 byway averting the city core, massive fires and demolition of historic district buildings, large tree removals and street and sidewalk reconstruction during numerous shoulder seasons, and WIRT court-challenged expansion of railroad tracks and bridges through recreation waters and the critical habitat of an endangered fish species.

Instead of the trumpeted long-term gains of social and economic vitality, city plans for modified setback rules and a waterside public plaza would invite additional riparian deforestation and business over-development of the Sand Creek corridor within and beyond downtown, further exodus of impacted local businesses and residents burdened with subsequently higher property taxes and rents, and a land grab by real estate speculators who do not share community values for natural, restorative places. These expensive development projects will predictably imperil, rather than purportedly enhance, public access to the rapidly dwindling downtown waterfront. While this short-term boondoggle may temporarily provide a greater tax base for the city budget, such a major code change will set a precedent for reckless growth for decades along city shorelines.

In reviewing item 5A on the March 16, 2022, Sandpoint City Council meeting and public hearing agenda, titled Setbacks along Sand Creek*, we question whether this city code change comports with state standards for best practices in streamside management zones and federal regulations for watershed management in urban areas. Sand Creek is classified as critical habitat for a federally listed endangered species -- threatened bull trout -- and harbors habitat for several protected migratory bird species. How do increased sediment and contaminant loads in Sand Creek, introduced by runoff from greater surface areas of toxic building materials, inflict city liability for diminished downstream drinking water quality and reduced resident and transient wildlife population numbers?

During the last three years of monitoring community-borne damages and risks from BNSF Railway fossil fuels trains and Sandpoint Junction Connector project construction, WIRT has documented almost one dozen toxic-to-fish tires in Sand Creek and the lake at Dog Beach Park, wood and cement dust pollution of air and water along with oil sheens and sediment accumulation on Sand Creek, unrestrained by booms during building demolition, and multiple other violations of water-protective laws. We have noticed no efforts by city, state, and federal regulators to monitor, report, and mediate these and myriad other harms to priceless area resources. How can the city assure its citizens that the natural amenity bases of our recreation and tourism economy will thrive among these city and corporate privatization and urbanization schemes?

We describe and share these grievances with Sandpoint City Council members through testimony and emailed comments, as part of our request for your votes to reject or postpone this Sand Creek code amendment. Especially with impending climate catastrophes in mind, we prefer that you, as elected representatives, uphold the best public interests, by considering and implementing more sustainable and safer methods for maintaining the natural integrity and character of Sand Creek and city open space environments. Thanks to all for this opportunity for input!

/s/ Helen Yost, MSEE
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* Sandpoint City Council, March 16, 2022, Regular Meeting and Public Hearing
<https://www.sandpointidaho.gov/Home/Components/Calendar/Event/6715/1283>