

PACIFIC COUNTY SHORELINE MASTER PROGRAM
Responsiveness Summary: Planning Commission Public Hearing Process
December 3rd, 2015 to February 4th, 2016

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
1	Dale Beasley, CRCFA	12/3/2015	Submittal of proposed revisions to Section 2, Definitions; Section 3.2, Shoreline Environment Designations; Section 4.6, Water Quality; and Sections 5 and 6, Shoreline and Coastal Ocean Uses and Modifications. Revisions aim to improve and clarify the county's dependence on the "unique" nature of Pacific County's offshore waters.	The Oceans Subcommittee met on January 14 th to address this set of proposed revisions. The subcommittee produced a final set of proposed revisions, which were reviewed and discussed by the Planning Commission (PC) at their February 4 th hearing. The revisions were modified and/or incorporated into the draft SMP according to PC feedback.	Multiple
2	Ross Barkhurst	12/3/2015	Oral testimony. Expressed concern over the potential downstream effects of discharges from shellfish processors in the High Intensity designation, including ports, regardless of the actual footprint of the High Intensity areas themselves.	All shoreline uses must comply with Section 4.6, Water Quality, as well as Total Maximum Daily Load (TMDL)/National Pollutant Discharge Elimination System (NPDES) requirements at the state and federal level.	4.6 5.5
3	Phil Martin	12/3/2015	Oral testimony. In response to testimony from Mr. Barkhurst, commented that TMDL discharges are closely monitored.	Please see response to #2, above.	4.6 5.5
4	Brian Sheldon	12/3/2015	Oral testimony. Requested clarification regarding whether the High Intensity designation would be applied exclusively to port-owned properties. Expressed support of commercial activities being permitted in upland High Intensity areas, but commented that overwater structures should be limited to water-dependent uses. Expressed that the shellfish industry would find it difficult to compete with other non-water-dependent uses for the use of limited existing over-water structures.	Per Section 3.2.D.2, Designation criteria: "A 'high-intensity' environment designation shall be assigned to those shoreline areas owned or managed by the public Ports of Pacific County <i>or other areas which support high-intensity uses</i> related to commerce, transportation, or navigation; or are suitable and planned for high-intensity water-oriented uses (e.g., Bay Center, Tokeland)" (emphasis added). Requests for expansion of the High Intensity designation were addressed individually by the PC; this designation remains highly limited in area. Regarding water-dependent uses in overwater structures: The PC discussed this issue at its January 7 th and February 4 th hearings; revisions were recommended for the draft SMP to clarify allowances for uses in overwater structures. Please see footnotes 3 and 7 (and associated table entries) in Table 5-1. Please also refer to Section 5.8.B.3: "Non-water-dependent commercial uses shall be prohibited over water except in existing structures or in the limited instances where they are auxiliary to and necessary in support of water-dependent uses."	SED map Table 5-1
5	Nick Jambor, Ekone Oyster Company	12/3/2015	Oral testimony. Expressed support for High Intensity designation in Bay Center boat basin. Requested redesignation of Ekone parcels in Bay Center to High Intensity based on existing uses, which include non-water-dependent uses.	The PC discussed the Bay Center designation at their January 7 th hearing. Based on the cluster of existing uses, the High Intensity designation at Bay Center was retained and was expanded to the northeast and southwest, including two of the three Ekone Oyster Company properties. Please refer to the SED maps.	SED map
6	Dan Driscoll, Oysterville Cannery	12/3/2015	Oral testimony. Expressed concern over designation of Oysterville Cannery property as Willapa Bay Conservancy, despite designation as Urban under the existing SMP and presence of intense development and	The PC discussed this request at its January 21 st hearing, concluding that there was insufficient justification for a redesignation to High Intensity. Because of the broader permissions for non-water-	SED map

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
			<p>shoreline uses. Requested redesignation to High Intensity to protect these culturally significant structures in the future.</p>	<p>oriented uses in the High Intensity designation, the designation is intended to be applied much more selectively than the previous Urban designation. Designation as Urban under the existing SMP is not itself justification for a High Intensity designation; the Urban designation is applied to areas under the existing SMP that have been designated under the draft SMP as Coastal Conservancy, Rural Conservancy, Willapa Bay Conservancy, and even Willapa Bay Estuary (an aquatic designation). The High Intensity areas at Bay Center, Tokeland, and Port of Chinook have all been significantly reduced in size as well from the previous Urban areas.</p> <p>Mr. Driscoll has expressed that he cannot foresee a future use of the cannery facility that is not water-oriented in nature. The Willapa Conservancy provisions in the draft SMP allow for water-oriented uses.</p>	
7	Kirby Smith, SHOA	12/3/2015	<p>Oral testimony. Expressed concern over SMP language limiting private access trails through dunes. Spoke in opposition of the proposed language limiting private waterfront access trails when others exist within 5,000 feet. Requested that Surfside Homeowners Association covenants be recognized in the SMP.</p>	<p>The PC discussed this issue at its December 3rd hearing. The PC recommended removal of the language limiting private waterfront access trails, with the exception that no change should be made to the provisions regarding modification of the primary dune buffer.</p> <p>Re: SHOA covenants, the PC discussed this issue at the December 3rd hearing, and determined that tree-topping of Surfside canals is not relevant to the SMP because the buffers from the canals or associated wetlands are not within shoreline jurisdiction; therefore, inclusion of the covenant is not appropriate. This issue will be addressed under the county's Critical Areas Ordinance.</p>	4.5 5.10
8	Brian Sheldon, WGHOGA	12/29/2015	<p>Concern over whether shellfish processing uses are allowed in overwater structures, and whether such uses are considered water-dependent. Concern applies to existing, expanded, and new operations.</p>	<p>Discussed by the PC at their February 4th hearing. The PC clarified that such uses are defined as water-related, and are allowed over water when associated with a water-dependent overwater use. Associated revisions added to the draft SMP definition of "water-related uses" and to Table 5-1, "All other shellfish facilities" entry.</p>	Section 2, Definitions Table 5-1
9	Bill Dewey, Taylor Shellfish	12/31/2015	<p>Proposed revisions to provisions that could unreasonably hamper aquaculture, including inconsistencies in Table 5-1; aquaculture definitions; aquaculture provisions; and administrative provisions.</p>	<p>Discussed by the PC at the January 21st and February 4th hearings. Feedback from the PC was incorporated into the draft and is summarized below:</p> <ol style="list-style-type: none"> 1) "Placement of gravel/shell material for aquaculture" moved out of "Fill and Excavation" and into "Aquaculture" table section, for clarity and consistency of implementation. 2) Prohibition on clam and oyster piles in the Natural, Shoreline Residential, and Coastal Conservancy SEDs remains. Allowing shellpiles in these areas is inconsistent with the purposes of these upland environments; shellpiles are permitted in other upland environments more appropriate to such use. No change. 3) Re: request for allowances for fixed structures associated with aquaculture in the Coastal Ocean environment: Aquaculture is not appropriate in the high-wave-energy environment of the Coastal 	Section 2, Definitions Table 5-1 5.5.B.1.b 5.5.B.4 8.5.C

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
				<p>Ocean. Broad support has been expressed for prohibition of fixed structures in this environment. No change.</p> <p>4) Definition of "Aquacultural activities, new" revised to specify that a new species/culture technique is one that is new to the State of Washington. Section 5.5.B.1.b revised to reflect this. In the interest of changing science and understanding, the PC does not recommend removing the qualifier for "potentially significant adverse environmental impacts."</p> <p>5) Definition of "Aquacultural activities, existing and ongoing" revised to incorporate language allowing for dormancy.</p> <p>6) Section 5.5.B.4 revised to remove reference to "traditional public access" and to instead refer to the public access provisions in Section 4.3 of the SMP.</p> <p>7) Section 8.5.C, Conditional Uses, revised for better alignment with WAC 173-27-160(2).</p>	
10	Ann LeFors	1/2/2016	Question regarding removal of language addressing sand removal for construction and cranberrying; this commercial use cannot be included under recreational mining. Additional minor editorial revisions.	Section 5.16.B.9 states an exemption from permit requirements for "removal of sand from ocean beaches in a quantity up to 500 pounds per week." Wording change from "recreational mining" in response to comment from State Parks. Sand removal from beaches still requires an HPA. Editorial corrections made.	5.16.B.9
11	Doug Miller, Pacific County PUD	1/5/2016	Prohibition on placing underground cables and raceways within the Coastal Ocean and Willapa Bay Estuary environments, and near or across rivers and creeks in all other areas of the county, will inhibit Pacific County PUD operations. Suggest "C."	Discussed by the PC at the February 4 th hearing. Based on testimony, revised from "X" to "C" for "utility cables, conduits, corridors entering and crossing shoreline" in Coastal Ocean and Willapa Bay Estuary environments. Already "C" in all other environments, with the exception of Natural. Section 5.23.B.11 revised accordingly to include broader criteria found in WAC 173-26-241(3)(l).	Table 5-1 5.23.B.11
12	Jon Steinman, Pacific Seafood	1/6/2016	Proposed revisions to provisions that could unreasonably hamper aquaculture, including inconsistencies in Table 5-1; aquaculture definitions; and aquaculture provisions.	Response to comment from Taylor Shellfish applies. See #9, above.	Section 2, Definitions Table 5-1
13	Christine Parsons, WA State Parks	1/7/2016	Proposed revisions to several definitions (Section 2); Section 4.5.B (Vegetation Management regulations), Section 5.16 (Mining), and Table 5-1, to provide clarification and ensure consistency with State Parks' management of its own lands in the County.	<p>The proposed re-designation of shorelines within Cape Disappointment State Park was discussed at the PC's February 4th hearing and was incorporated into the draft Shoreline Environment Designation maps.</p> <p>Due to the delivery of additional written testimony from State Parks on February 4th, discussion of remaining State Parks comments by the Planning Commission was tabled until their February 18th workshop.</p>	Multiple
14	Dale Beasley, CRCFA	1/7/2016	Revised version of documented submitted on December 3 rd .	Please see response to #1, above.	Multiple

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
15	Dan Driscoll, Oysterville Cannery	1/7/2016	Written testimony to support oral testimony given at December 3 rd hearing. Please see #6, above.	Please see response to #6, above.	SED map Table 5-1
16	Kristine Nevitt	1/7/2016	Oral testimony. Questioned what other Eklund Park residents thought of the change from Urban to Willapa Bay Conservancy designation. Spoke of the community's right to a public process and of the inadequacy of public involvement in the development of the SMP.	As required by state law, the draft SMP has been developed with stakeholder input from its inception. The County has hosted public open houses and workshops as well as meetings by stakeholder committees that were open to the public. The draft is now undergoing local adoption through a public hearing process.	N/A
17	Ross Barkhurst	1/7/2016	Oral testimony. Spoke in support of temporary net pens in Freshwater Aquatic areas. Highlighted the need for accurate, up-to-date maps for things like forage fish spawning areas, eelgrass, and other protected areas. Maps produced thus far through the Marine Spatial Planning process are wrong. In general, regulations without underlying maps are problematic.	The PC discussed the issue of net pens at its January 7 th hearing. Net pens for salmonid enhancement are permitted in the Willapa Bay Estuary and Columbia River Estuary environments; remaining prohibitions are retained. The SMP update process began with development of the Shoreline Inventory, Analysis, and Characterization report, which collected available mapping of ecological characteristics, such as forage fish spawning. As noted by Mr. Barkhurst, the distribution of native versus non-native eelgrass is changing rapidly, and because maps were not up-to-date, they were not deemed appropriate to include. Additional data collection and mapping of ecological characteristics in Willapa Bay may be useful, but it not included in the SMP update process. In the meantime, the SMP is implemented through the permit process. Each permit will be evaluated on a case-by-case basis and will require a site-scale analysis, which should bring to light much of the information missing from County-scale maps.	Table 5-1 Shoreline Analysis Report
18	Al Edwards	1/7/2016	Oral testimony. Spoke in support of the High Intensity designation in Bay Center. Expressed concern about the one-year maximum for nonconforming uses; this timeframe does not take into account the business cycle. Expressed concern that new regulations on Willapa Bay will preclude new development, including residential development. In particular, bulkheads are necessary to protect against the high-energy environment of the bay.	Table 5-1 in the draft SMP allows for many different kinds of development in the Willapa Bay Conservancy designation. The text of the SMP requires that this new development proceed in such a way as to result in no net loss of shoreline ecological function, which in some cases may mean that compensation is required. Avoiding shoreline stabilization when possible is a large part of this, and is a requirement under state guidance. Where it is necessary to protect existing development from erosion, the SMP permits shoreline stabilization measures. The nonconformance provisions in the draft SMP are consistent with those in other parts of the County code.	SED map Table 5-1 7.2
19	Eric Hall	1/7/2016	Oral testimony. Spoke in support of the High Intensity designation for Bay Center and Nahcotta. Warned that a nonconforming designation is difficult for business.	The PC discussed the Bay Center designation at their January 7 th hearing. Based on the cluster of existing uses, the High Intensity designation at Bay Center was retained and was expanded to the northeast and southwest. The Nahcotta designation was discussed, but no changes were proposed. Please refer to the draft SED maps. Re: nonconformance: see response to #18, above.	SED map 7.2

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
20	Dick Sheldon, Willapa Resources	1/7/2016	Oral testimony. Spoke in support of retaining the three primary protections under the existing SMP: prohibition of fill below extreme high tide; prohibition of non-water-dependent uses over water; and shoreline buffers. Spoke in support of separate regulations for the geographically separate Columbia River, Willapa Bay, and Pacific Ocean. Spoke in support of use of the extreme high tide rather than ordinary high water mark for buffer measurement. Spoke against use of the tree line.	<p>The three protective provisions mentioned have been clarified and better aligned with state guidance so that they may be implemented. For example, the existing SMP states that landfills waterward of the OHWM should be allowed only when necessary to facilitate water-dependent and/or public access uses which are consistent with the SMP. Section 5.11.B.3 of the draft includes regulations that implement this policy.</p> <p>Under the draft SMP, the Columbia River, Willapa Bay, and the Pacific Ocean are differentiated using separate Shoreline Environment Designations, and associated separate management policies and allowances under Table 5-1.</p> <p>Under the draft SMP, the Highest Astronomical Tide (HAT) line is proposed for the measurement of shoreline buffers on the eastern side of the Long Beach Peninsula, rather than the OHWM.</p> <p>The tree/grass line is not used in the draft SMP.</p>	3.2 Table 5-1 Table 5-2 5.11
21	Nick Jambor, Ekone Oyster Company	1/7/2016	Oral testimony. Request for redesignation of Ekone parcels in Bay Center to High Intensity based on existing uses, which include non-water-dependent uses.	Please see response to #5, above.	SED map
22	Ricki Bayne	1/7/2016	Oral testimony. Spoke in support of designation of Bay Center as High Intensity, including redesignation of Ekone Oyster properties. Also spoke against one-year limitation for nonconforming issues that are discontinued, citing that the permit process itself may last longer than that.	Please see responses to #5 and #18, above.	SED map 7.2
23	Ed Whitford	1/7/2016	Oral testimony. Spoke in support of designation of Bay Center as High Intensity, including redesignation of Ekone Oyster properties. Also spoke of the need for clear definitions, e.g. of water-dependent, water-related, Willapa Bay Conservancy; and of the need for maps, clarity, and information.	<p>Please see responses to #5 and #8, above.</p> <p>Section 2 of the draft SMP includes definitions for terms used in the SMP. The SED maps provide clear delineation of the boundaries of each Shoreline Environment Designation.</p>	SED map
24	Emily Rambo	1/7/2016	Oral testimony. Spoke in support of redesignation of Ekone Oyster properties as High Intensity.	Please see response to #5, above.	SED map
25	Paul Philpot, Pacific County Economic Development Council	1/7/2016	Oral testimony. Happy to see increased public participation from development community. Spoke to clear up previous communication; future development should not preclude the protection of existing uses or of Willapa Bay. The SMP is important to all of us, and balance should be the goal. Requested clarification about whether additional streams and rivers will be covered under the new SMP.	Clarification was provided at the January 7 th public hearing by County staff. The standards for shorelines of the state have not changed, and are based on flow volume. Mapping capabilities may have improved. As before, all streams and rivers not covered under the SMP are covered under the Critical Areas Ordinance.	SED map 3.1
26	Dan Driscoll, Oysterville Cannery	1/7/2016	Oral testimony. Spoke of determination of Oysterville Cannery as a nonconforming use. Expressed that current designation as Willapa Bay Conservancy was made using incorrect, incomplete information, given to the consultants by the County. Existing uses are High Intensity, and designation as Willapa Bay Conservancy would be in error.	Please see response to #6, above.	SED map

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
27	Dan Driscoll, Oysterville Cannery	1/12/2016	Question to County regarding what would need to happen in the current SMP update for Pacific County to consider Oysterville Sea Farms (circa June 2011) lawful and legal under the SMP.	Under the draft SMP, water-dependent uses are permitted in overwater structures. Water-enjoyment and water-related uses are also permitted, provided they are associated with a water-dependent use. If Oysterville Sea Farms does not follow these provisions, ongoing, legally established uses are still considered legal nonconforming uses under the SMP.	Table 5-1
28	Dick Sheldon, Willapa Resources	1/13/2016	Materials submitted in support of the comments made at the January 7 th hearing, summarized in #20, above.	Please see response to #20, above.	3.2 Table 5-1 Table 5-2 5.11
29	Kristine Nevitt	1/14/2016	Letter submitted to Steve Rogers, County Commissioner, asking that he consider several elements related to the draft SMP, including preservation of historic uses and structures. Expressed that historic preservation components and public process were both inadequate.	Preserving “the county’s shoreline heritage by acknowledging the historical context and preserving those structures and uses that created it” is a central goal in the overall draft SMP (Section 1.5). Section 4.1 includes policies and regulations that address historical and cultural preservation. Protection of historical structures is also explicitly listed as permit criteria in several sections. RE: public process, please see response to #16, above.	1.5 4.1
30	Ann LeFors	1/17/2016	Requested sampling and analysis of shoreline parcels to ensure that minimum shoreline width provisions in Table 5-2 are appropriate. Questioned whether single-family residential development should be permitted in the Natural environment.	The dimensional criteria in Table 5-2 come from the existing SMP and are consistent with county zoning code. Non-water-dependent development (including residential) in the Natural environment will require a 200-foot buffer from the shoreline, which will adequately protect shoreline functions consistent with the intent of the designation.	Table 5-2
31	Multiple (PETITION)	1/21/2016	Submittal of 193 half-sheets containing names and contact information for individuals expressing support for the Ocean Subcommittee’s revisions to Section 6 and to the broad prohibition of fixed structures in the Coastal Ocean. Form letter.	The PC discussed the Ocean Subcommittee’s proposed revisions at the February 4 th hearing. Revisions were largely accepted. Prohibition of fixed structures in the Coastal Ocean environment retained (no change to hearing draft).	Table 5-1 Section 6
32	Ross Barkhurst	1/21/2016	Oral testimony. Spoke in support for designation of Bay Center as High Intensity. Spoke against the broad prohibitions for power cables/conduits. Highlighted the need for accurate, up-to-date maps for things like forage fish spawning areas, eelgrass, and other protected areas. Spoke about the lack of firm requirements for aquaculture uses to maintain no net loss of ecological functions, particularly with regards to eelgrass.	The PC discussed allowances for cables/conduits at their February 4 th hearing. Please see response to #11, above. Aquaculture provisions, as for all provisions in the SMP, use “should” for policies and “shall” for regulations. In Section 2, “should” is defined as, “The particular action is required unless there is a demonstrated compelling reason, based on policy of the Shoreline Management Act of this chapter, against taking the action.” Aquaculture uses are required to comply with all general provisions in the SMP, including the requirements to ensure no net loss of ecological functions, as stated in Section 4.2, Environmental Protection and Critical Areas. Increased flexibility is permitted for non-native eelgrass in accordance with state guidance (<i>Zostera japonica</i> is a state-listed noxious weed). These provisions allow the flexibility needed for aquaculture as a water-dependent, preferred use, and as advised by state guidance; while ensuring protection of	SED map Table 5-1 5.5

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
				shoreline ecological functions. See response to #17, above, related to mapping of estuary ecological conditions.	
33	Jim Long	1/21/2016	Oral testimony. Spoke in support of the Ocean Subcommittee's work in Section 6 to preserve and protect existing uses, and in support of the broad prohibition of fixed structures in the Coastal Ocean. Delivered testimony, in the form of a signed form letter, from 192 additional county residents providing their support.	See response to #31, above.	Table 5-1 Section 6
34	Mike Casinelli, City of Ilwaco	1/21/2016	Oral testimony. Spoke in support of the need for no net loss of existing uses, and for the broad prohibition of fixed structures in the Coastal Ocean. Expressed the importance of this prohibition in protecting the City of Ilwaco's way of life.	See response to #31, above.	Table 5-1 Section 6
35	Nick Jambor, Ekone Oyster Company	1/21/2016	Oral testimony. Responded to the testimony of Mr. Barkhurst, suggesting deferring to state and federal requirements in certain cases rather than duplicating efforts (e.g. deferring decisions regarding eelgrass to the Army Corps of Engineers). Requested redesignation of Ekone Oyster Company parcels in Bay Center to High Intensity.	Please see responses to #5 and #32, above.	SED map 5.5
36	Robert A. Waltemate	1/21/2016	Oral testimony. Discussed census data regarding housing units, population, income, and rent. Expressed opposition to the GMA and concern about sustaining tourism in the county. Highlighted the need for adequate rentals in order to maintain the county population.	This comment is outside of the scope of the SMP update process.	N/A
37	Dan Driscoll, Oysterville Cannery	1/21/2016	Oral testimony. Requested redesignation of the Oysterville Cannery properties to High Intensity from Willapa Bay Conservancy.	Please see response to #6, above.	SED map
38	Dale Beasley, CRCFA	1/21/2016	Oral testimony. Expressed gratitude for the thousands of volunteer hours dedicated to this effort. Spoke in support of Section 6 in general and of the broad prohibition of fixed structures in the Coastal Ocean as the single most important tenet of protection under Section 6.	Please see response to #31, above.	Table 5-1 Section 6
39	Dick Sheldon, Willapa Resources	1/21/2016	Oral testimony. Commented on the detrimental effects of nonnative eelgrass. Spoke against the expansion of High Intensity areas in Bay Center.	Please see responses to #5 and #32, above.	SED map 5.5
40	Dale Beasley, CRCFA	1/22/2016	Submittal of oral testimony given on 1/21/2016 and the 192 form letters delivered to the public hearing by Jim Long.	Please see response to #31, above.	Table 5-1 Section 6
41	Dale Beasley, CRCFA	1/22/2016	Submittal of materials showing historical changes to sediment and bathymetry around the mouth of the Columbia River. Intended to demonstrate the loss of sediment over time and the need for beneficial use of dredge spoil disposal for beach nourishment.	See response to #1, above. Proposed revisions to Section 6.3.A, Ocean Disposal policies, made to encourage ocean dredge disposal be designed to supplement sediment transport process and provide sand to starved beaches.	6.3.A.2
42	Albert and Judy Franklin, SHOA	1/23/2016	Letter in opposition to existing tree-topping practices along Surfside canals, and in support of provision 4.5.B.7, which prohibits topping of trees for views.	Please see response to #7, above.	4.5.B.7
43	Dale Beasley, CRCFA	1/24/2016	Testimony regarding the definition of the term "wellbeing" as it applies to Pacific County.	At the January 21 st hearing, the PC discussed definition of the term "wellbeing" as it is used in provision 6.2.B.3.f in order to ensure	6.2.B.3.f

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
				that the provision is enforceable. Language used in regulations needs to be measurable in order for the regulation to be enforced. The PC suggested rewording to use "health, safety, and economic welfare."	
44	Key McMurray	1/25/2016	Written testimony in support of the prohibition of any fixed/permanent structures in the Coastal Ocean, and in support of making the WDFW Fishing and Crabbing Rules and Regulations (State Authority) part of the "enforceable acts" in the Washington Coastal Zone Management Program, including development of a "Geographic Location Description" that would allow the SMP to apply out to 200 miles.	Please see response to #31, above. The recommendation to incorporate the WDFW Fishing and Crabbing Rules and Regulations into the enforceable acts of the CZMA Program would need to be addressed at the State level. The County may pursue the development of a Geographic Location Description in coordination with State agencies outside of the SMP update process.	Table 5-1 Section 6
45	Ann LeFors	1/25/2016	Submittal of several questions and editorial corrections to Section 5.10, Dune Management.	Questions were addressed individually through correspondence. Editorial corrections were incorporated into the draft. Dune buffers and setbacks were discussed by the PC at their January 7 th meeting; no recommendations for revisions to the draft SMP were made.	5.10
46	Dale Beasley, CRCFA	1/25/2016	Comment regarding the intent of coastal and marine spatial planning (CMSP) and the general need for skepticism.	No change recommended for the draft SMP.	6.2.A.10
47	Robert A. Waltemate	1/26/2016	Materials submitted in support of oral testimony given at January 21 st hearing.	Please see response to #31, above.	N/A
48	Kristine Nevitt	1/26/2016	Letter to the Planning Commission expressing the inadequacy of the public involvement in the development of the SMP. Additional suggestions for clarification and added definitions in the draft.	Please see response to #16, above. Upon review of the draft SMP, suggested additions were found to be present.	N/A
49	Kirby Smith, SHOA	1/26/2016	Request for workshop to discuss potential impacts of the SMP and Critical Areas Ordinance (CAO) on the Surfside Homeowners Association.	As discussed in #7 above, wetland and canal buffers in Surfside are not in shoreline jurisdiction. Changes to the CAO may have impacts on Surfside residents; this document is currently being updated as part of a separate process, and several Surfside residents and SHOA representatives have attended open houses and public meetings as part of that process. The first Planning Commission meetings for the CAO begin in April of 2016.	N/A
50	Doug Miller, Pacific County PUD	1/26/2016	Letter submitted to supplement written testimony from January 5 th . Comments address the potential for new power-generating technology to be developed, and the need to keep a window open in the draft SMP to allow for such a future resource.	Under the draft SMP, temporary fixed structures (two years with an option to extend by an additional year) associated with ocean energy production are permitted in the Coastal Ocean and Willapa Bay Estuary environments. In addition, policy 6.2.A.10 states that the county will revisit these limited allowances during the required periodic review of the SMP in eight years' time. Both of these provisions allow for consideration and exploration (through temporary "pilot study" scale projects) of new ocean energy technology.	Table 5-1 6.2.A.10 3.2.G.3.b
51	Heather Gibbs, WDNR	1/29/2016	Letter calls attention to the need for an Open Water Moorage Area (OWMA) for the floating homes in North River.	Table 5-1 contains a footnote for "Overwater, floating, and live-aboards" under Residential Development in the Freshwater Aquatic environment: "Existing floating homes on North River are allowed to be maintained. New floating homes are prohibited." The County	Table 5-1 5.19

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
				will meet with WDNR to develop an OWMA and discuss how best to address it in the SMP.	
52	Jason Knott	1/30/2016	Letter expressing primary objections to the SMP, including: treating aquacultural spraying the same as terrestrial spraying; use of the HAT; lack of public access to Willapa Bay; lack of a definition for maintenance; and lack of an adequate enforcement process. Note: objections outside of the scope of the SMP not included in this summary.	<p>The comment regarding aquacultural spraying was brought before the PC as part of the public hearing draft. Section 5.5.B.4.a applies the herbicide and pesticide usage provisions from Section 5.4.B.3.f (Agriculture) to aquaculture uses. Given this protection, the PC agreed with the Shoreline Planning Committee's suggestion to avoid adding regulatory burden to county staff.</p> <p>Use of HAT was discussed at a PC workshop and, per PC feedback, incorporated into the public hearing draft.</p> <p>Public access is one of the goals of the Shoreline Management Act, and is incorporated into the management policies of the Willapa Bay Conservancy environment, as well as several other shoreline use and modification sections in the draft. Section 4.3 is dedicated to public access, and includes a list of circumstances under which it is required.</p> <p>Several provisions were added to the SMP in response to the request for guidelines regarding maintenance and repair; please see the public hearing draft.</p> <p>The comment regarding enforcement was also included as part of the public hearing draft. However, County Ordinance No. 165 is dedicated to civil infractions, and no change to the SMP was recommended.</p>	4.3 Table 5-2 5.5 5.6 5.21 8.7
53	Gus Kunze	2/1/2016	Wrote as a friend of Dan Driscoll, in support of Oysterville Sea Farms as an essential and established business that is a part of the community. Offered availability for any questions.	As described in #6 above, water-oriented uses are permitted in the Willapa Bay Conservancy environment under the proposed SMP.	Table 5-1
54	Ross Barkhurst	2/1/2016	Written comments to support oral testimony given on January 21 st . Comments address a lack of firm requirements for aquaculture uses to maintain no net loss of ecological functions, particularly with regards to eelgrass. Highlighted the need for accurate, up-to-date maps for things like forage fish spawning areas, eelgrass, and other protected areas. Maps produced thus far through the Marine Spatial Planning process are wrong. In general, regulations without underlying maps are problematic.	Please see responses to #17 and #32, above.	5.5
55	Melissa Ashcraft, Linda Engelsiepen, Julian Orr, Kevin E. Stewart, Christi Fox, Dan Hogan, Adene Jacobs, Jane Schussman, Sandra Smith-Jacoby, Dick Friedrich, Janet Allen, Ava Driscoll, Robin Stromholt, Dee Dee and Dustin Mead, Ability Bradshaw, Gary McGrew, Kennette Osborn, Bill Graeper, Yves de Montaudouin	2/2/2016	Several individuals wrote in expressing the same sentiment, using similar language, in support of Dan Driscoll and a redesignation of the Oysterville Sea Farms properties from Willapa Bay Conservancy to High Intensity. Specifically, the comments request a strong desire that the Oysterville Cannery structures transition from their current Urban shoreline designation to a High Intensity designation in the draft SMP.	Please see response to #6, above.	SED map

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
56	Steven McGeady	2/2/2016	Wrote in support of traditional, small-scale oyster farming activities such as Oysterville Sea Farms, including the sale of oyster aquaculture products, and their protection and encouragement under the SMP.	Under the draft SMP, aquaculture is a preferred shoreline use when operated consistent with the control of pollution and prevention of damage to the environment (Section 5.5.A.5). Regarding Oysterville Cannery operations specifically, please see the response to #6, above.	SED map Table 5-1 5.5
57	Dick Sheldon, Willapa Resources	2/3/2016	Letter provides several suggestions for revisions to the SMP, including adding an exemption for access pathways for aquaculture; expanding use of HAT to all Willapa Bay shorelines; prohibiting all fill below HAT except for exempt access pathways; permitting new hard shoreline stabilization measures in Willapa Bay Conservancy; and minor language changes in Section 5.5, Aquaculture. Comments in opposition of allowing utility cables/conduits/corridors in Willapa Bay Estuary and in support of prohibiting fixed structures in the Willapa Bay Estuary environment.	Due to the timing of their delivery, the PC will review these written comments prior to their March 3 rd meeting.	Multiple
58	Rebecca Chaffee, Port of Willapa Harbor	2/3/2016	Letter provides specific comments on several sections of the draft SMP, including the High Intensity designation criteria and management policies; vegetation management; Tables 5-1 and 5-2; industrial development; ocean energy production; and nonconforming uses and structures.	Due to the timing of their delivery, the PC will review these written comments prior to their March 3 rd meeting.	Multiple
59	Multiple (PETITION), submitted by Dan Driscoll	2/4/2016	Petition for the County to lift its "cease and desist" order against Oysterville Sea Farms and work with Oysterville Sea Farms to create a long-lasting legal solution to zoning issues which would allow this historically valuable community asset to continue as it was prior to the issuing of the cease and desist order. Petition includes 1,180 signatures and 1,305 non-resident signatures, and is accompanied by 13 letters from 2011 to the County expressing the same sentiment as the petition.	The legal issues between Oysterville Sea Farms and the County deal with the County's Zoning Ordinance, and are outside the scope of the SMP update.	N/A
60	Tim Morris, Coast Seafoods	2/4/2016	Oral testimony. Advised against being overly restrictive in the draft SMP. Too many "X's" can have an effect on businesses in the future. The draft SMP should allow flexibility for future uses.	No change recommended for the draft SMP. Aquaculture provisions allow the flexibility needed for aquaculture as a water-dependent, preferred use, as advised by state guidance, while ensuring protection of shoreline ecological functions.	Table 5-1
61	James M. Karnofski	2/4/2016	Oral testimony. Spoke against local impacts from industrial agriculture, aquaculture, and forest practices as causes of environmental degradation. Salmon and oysters should be protected for future generations, and these uses should be held accountable in their practices to protect the environment. Expressed particular concern about the use of chemicals toxic to the environment. The SMP is an opportunity for creative solutions.	Pursuant to state law, the SMP does not regulate existing or ongoing agricultural activities occurring on agricultural lands (Section 5.4.B.1). New or expanded agricultural activities on land not meeting the definition of agricultural lands must comply with the SMP, including the requirement to meet the no net loss standard. Section 5.4.B.3.f regulates application of chemicals, including pesticides, herbicides, and fertilizers (and also applies to aquaculture uses, per 5.5.B.4.a). The SMP is similarly limited with respect to forest practices (Section 5.12.B.2), and does not regulate fishing. Aquaculture provisions have been drafted to allow the flexibility needed for aquaculture as a water-dependent, preferred use, as advised by state guidance, while ensuring protection of shoreline ecological functions.	5.4 5.5 5.12

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
62	Ross Barkhurst	2/4/2016	Oral testimony. Comments address a lack of firm requirements for aquaculture uses to maintain no net loss of ecological functions, particularly with regards to eelgrass. Highlighted the need for accurate, up-to-date maps for things like forage fish spawning areas, eelgrass, and other protected areas. Maps produced thus far through the Marine Spatial Planning process are wrong. In general, regulations without underlying maps are problematic.	Please see response to #17 and #32, above.	5.5
63	Dick Sheldon, Willapa Resources	2/4/2016	Oral testimony. Spoke in support of prohibiting utility cables/conduits/corridors in Willapa Bay Estuary, citing the absence of any such remaining structures. Expressed concern over the potential ecological and aesthetic impacts of off-bottom aquaculture techniques.	The PC discussed allowances for cables/conduits at their February 4 th hearing. Please see response to #11, above. The PC will review incorporation of WGHOGA BMPs prior to their March 3 rd meeting; please see response to #75, below.	Table 5-1
64	Ann LeFors	2/4/2016	Oral testimony; submitted as written testimony also. Spoke in general support of the draft SMP. Requested a clearer definition of the primary dune, which acknowledges that it is a system of dunes rather than a single ridge. Requested a clearer connection within the draft SMP between the CAO and the SMP, and suggested inclusion of FEMA's Coastal High Hazard Areas. Requested a closer look at minimum lot widths as defined in Table 5-2. Finally, requested added clarity in the SMP regarding the relationship between state/federal authorities and local authority regarding licensing of energy projects or other types of permits.	Definition of primary dune was discussed by the PC at their January 7 th meeting; recommendation was to keep drafted slope-break language. The PC will revisit this issue at their February 18 th workshop. The PC will discuss both inclusion of the FEMA Coastal High Hazard Areas in shoreline jurisdiction and language addressing federal consistency at their February 18 th workshop. For response to comments about minimum lot widths, please see response to #30, above.	3.1 Table 5-2 5.10.B.2.a
65	Key McMurray	2/4/2016	Oral testimony. Spoke in support of broad prohibition of fixed structures in the Coastal Ocean environment.	Please see response to #31, above.	Table 5-1
66	Nick Jambor, Ekone Oyster Company	2/4/2016	Oral testimony. Commented that the Department of Ecology is the permitting agency responsible for evaluating the potential impacts of insecticides used against ghost shrimp. Similarly, the Army Corps looks at eelgrass. Discussed personal experience working successfully with off-bottom culture techniques, and stated that aquaculture growers must be able to adapt culture techniques in response to a changing system.	Please see response to #32, above. The PC will discuss incorporation of WGHOGA BMPs for off-bottom aquaculture prior to their March 3 rd meeting; please see response to #75, below.	5.5
67	Kristine Nevitt	2/4/2016	Oral testimony. Expressed consternation regarding the public process thus far, and regarding the dissemination of information to the public.	Please see response to #16, above.	N/A
68	Dan Driscoll, Oysterville Cannery	2/4/2016	Oral testimony. Discussed the cannery's legal troubles with the County, and expressed a desire for them to be over. Directed the PC's attention to a petition signed in support of this sentiment (see #59 above). Requested redesignation of the Oysterville Cannery property to High Intensity from Willapa Bay Conservancy.	Please see response to #59, above.	SED map
69	James A. Karnofski	2/4/2016	Letter supports oral testimony given at February 4 th hearing. Please see #61, above.	Please see response to #61, above.	5.4 5.5 5.12

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
70	Kristine Nevitt	2/4/2016	Expressed the need for further protection in the SMP for historical sites and structures in order to protect the county's cultural heritage, particularly on Rural shorelines. Commented that commercial uses in historic structures should continue to be permitted across designations. Expressed concern at the quick turnaround time (14 days) between final approval of the SMP and its taking effect.	Under Section 3.2.B, the purpose and designation criteria for the Rural Conservancy environment both address conservation of valuable historic and cultural areas. Also, additional flexibility is added for uses in existing structures in Section 7.2.A.13: "A new permitted use within an existing structure is exempt from the buffer and setback standards of this Master Program, provided that the new permitted use does not include expansion of or alteration to the footprint of the existing structure." The 14-day turnaround comes from the RCW, and follows the local adoption process as well as an Ecology public comment period of at least 30 days.	1.8 4.1
71	Fritzi Cohen	2/4/2016	Wrote in support of comments submitted by Jason Knott and Jim Karnofski, with particular regard for protection of water quality through chemical spraying of aquatic areas by the aquaculture industry.	Please see responses to #52 and #61, above.	Multiple
72	Paul Philpot, Pacific County Economic Development Council	2/4/2016	Written submittal of the position of the Economic Development Council, which is to encourage the PC to consider both existing uses of the shorelines and waters of Pacific County as well as those uses that may become available, and those that may someday be required, based on future economic and/or environmental conditions.	No change recommended for the draft SMP. Policies and regulations provide flexibility for adaptive future uses of the shoreline, while ensuring that cumulative implementation of the SMP results in no net loss of shoreline ecological functions.	All
73	Ross Barkhurst	2/4/2016	Written comments to support oral testimony given at February 4 th hearing. Please see #62, above.	Please see response to #62, above.	5.5
74	Karen Tully	2/4/2016	Letter suggesting that more effective marketing and outreach strategies be used to ensure adequate public participation in the SMP update process.	County staff will take suggestions under advisement for future public meetings.	N/A
75	Brian Sheldon, WGHOGA	2/4/2016	Comments address concerns over expansion of High Intensity designation beyond Port-owned properties; support for maintaining restrictions of non-water-dependent uses in overwater structures; clarifications for aquaculture definitions; recommendation for use of BMPs (in development) for off-bottom aquaculture techniques; and clarification for upland aquaculture uses supporting adjacent tidelands.	Numbered comments from letter are addressed below: 1) Requests for expansion of the High Intensity designation have been addressed individually by the PC. This designation remains highly limited in area. 2) Please see 5.8.B.3: "Non-water-dependent commercial uses shall be prohibited over water except in existing structures or in the limited instances where they are auxiliary to and necessary in support of water-dependent uses." 3) Entry for Willapa Bay Estuary (all commercial development) is "Upland," which means that the "C" and footnote for water-related and water-enjoyment commercial development in Willapa Bay Conservancy applies in the adjacent aquatic designation. Non-water-oriented commercial development is prohibited. 4) Ocean horticulture is part of the definition of aquaculture in Section 2. 5) The PC will discuss incorporation of these BMPs prior to their March 3 rd meeting.	Table 5-1 5.8

No.	Commenter	Date Received	Summary of Testimony	Summary of Response	SMP Citation
				6) The definition of agricultural lands comes from the WAC and exists because of the legal exemption of existing agriculture from the permit requirements of the SMP. Table 5-1 allows aquacultural activities in upland environments.	
76	Alexandra Wunsch, WA State Parks	2/7/2016	Proposed additional revisions to several definitions (Section 2); Section 3.2 (Shoreline Environment Designations), Section 4.1 (Historic/Cultural/Scientific/Educational), Section 4.2 (Environmental Protection and Critical Areas), Table 5-1, Section 5.16 (Mining), 5.18 (Recreational Development), and 7.2 (Preexisting Structures and Uses) to provide clarification and ensure consistency with State Parks' management of its own lands in the County.	Due to the timing of their delivery, the PC will discuss these written comments at their February 18 th workshop.	Multiple

DRAFT