

Opposing Viewpoints

Shoreline Master Plan Update



26 Aug 2015

Time	Topic	Action	Leader
1 min	Agenda review/approval	Approve	Kelly
1	Scribe volunteer for tonight's meeting	Engage	Kelly
2	Announcements <ul style="list-style-type: none"> Reminder: mindful in our words... Meeting schedule Other? 	Inform	
10	Recap <ul style="list-style-type: none"> Doc's under review (CAO, CIA, SMP) Timeline and Deliverables 	Inform	Tim/Faith
15	CAO update	Inform	Tim
90	SMP review <ul style="list-style-type: none"> Review status DoE Comments Open House Comments 	Engage	All
15	Addendum Letter: content?	Engage	All
5	Planning Commission prep	Discuss	All
	Other?		
	Adjourn		

Agenda

Schedule Update

August 2015

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	CAO Advisory		5	6	7	8
9			12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

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September

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

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7: Labor Day

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Date	Critical Areas	No Net Loss	Cumulative Impacts	SMP
	Tech Advisory Committee	Watershed	Watershed	Planning Commission
July	<i>Gap Analysis</i>			Jul 2
Aug	<i>Draft #1</i>		<i>Draft #1</i>	<i>Open House s</i>
Sept	<i>Draft #2</i>			
Oct			Report Due (DOE)	<i>Workshops</i>
Nov	<i>Draft #3</i>			
Dec	Final			
Jan'16		Report Due (DOE)		
Feb				
Mar				
Apr				
May				<i>Final Draft</i>
June				Final

Doc's in process...

New and/or Changing :

- Overall, increased buffers plus (min) 15' building setback
- Fish-bearing streams: buffers + setbacks to increase significantly
- Critical Areas Report
- Geohazard areas defined (specifically)
- Vegetation management
- Building setback lines along coastal dunes (fixed x00' behind OHWM)
- Other?

- Dale Beasley
- Warren Cowell
- Tom Kollasch
- Ann Lefors
- Phil Martin
- Key McMurry
- Jim Sayce
- Brian Sheldon
- Ken Weigardt

Critical Areas: Kudos to TAC

We have commented, and sometimes edited, definitions where there is little leeway (those which come straight from the Shoreline Management Act (SMA)). Other edits are suggested for clarity or for consistency with other regulations either in our implementing rules or elsewhere in the draft SMP.

PENDING: Review of definitions as they relate to coastal ocean uses and the Ocean Resources Management Act (ORMA).

DoE: Definitions

Section 3 Shoreline Jurisdiction and Environment Designation

Listing the waterbodies in Table 3-1 is a start but is incomplete because there is no reference to the 20 cfs point location on the streams and rivers. Many of these waterbodies only have segments in shoreline jurisdiction within the county, so it is important that the starting point be designated; section, township, range is one acceptable method.

We can discuss other approaches.

Committee Feedback?

DoE: 20cfs Point Locations

Section 3 Shoreline Jurisdiction and Environment Designatio

- A number of creek names that aren't listed in either WAC 173-18 or the 1998 USGS study (Godes and Schlick creeks, for example).
- The Shoreline Environment Designation maps we received have no waterbody names on them. Must be added . Because of the absence of names, it is impossible to determine the consistency between Table 3-1 and the waterbodies shown on the maps.

DoE: Names for Waterbodies

Section 3 Shoreline Jurisdiction and Environment Designation

Environment Designations – Ensure consistency in terms and boundaries.

- Be consistent on the use of Highest Astronomical Tide (HAT) related to the benchmark reference and the boundary between Willapa Bay Conservancy and Willapa Bay Estuary
- Also recommend more precision on the application of HAT along the eastern Long Beach peninsula – clear definition about the northerly and southerly points should be included and shown on the map.
- PENDING: Our review has not been completed in part due to the incomplete map information. The naming conventions in the SMP and on the maps needs to be consistent.

DoE: Environment Designations

Section 4: General Policies and Regulations

The SMP should clearly state that the General Policies and Regulations apply countywide and across environment designations. This can be handled in an applicability statement at the beginning of the section to ensure applicants and County staff understand how these apply.

Consider providing additional clarity around what may or may not occur within buffers (for example, are property owners allowed to have a path to the water). This can be addressed in the Vegetation Management section and/or in Section 5.2(C).

DoE: Policies, Buffers, CAO

Section 5 Shoreline Uses and Modifications

...we believe a few changes still need to be made to ensure the SMP is consistent with the Act. Because of the explicit requirements in RCW 90.58.065, we suggest that the term “aquacultural products” be struck from the definition of “agricultural products”. However, we believe the concern noted in the checklist can be addressed by adding a regulation in the Agriculture section allowing for the sale of aquacultural products on agricultural lands.

In addition, we believe the aquaculture-related definitions would benefit from some editing to ensure there are not overlapping and conflicting provisions. Aquacultural activities and lands have been subject to the SMA since 1971. That said, the SMA is explicit and our rules support the priority and preference for water-dependent uses such as aquaculture. All existing aquacultural uses and activities are allowed to continue, and be maintained and repaired and the updated SMP will apply to new uses and development.

DoE: Aquaculture Definitions

Section 5 Shoreline Uses and Modifications

Aquaculture: Table 5-1 lists numerous categories for aquaculture, not all of which are clearly defined. We recommend that these different forms/operations be better described in either the text or the definitions.

PENDING: A more complete review of aquaculture, particularly as it relates to Ocean Uses.

DoE: Aquaculture uses >> Describe

Section 5 Shoreline Uses and Modifications

Pending: Comments on **dredging** and **dredge disposal** as it relates to Columbia River dredging activities.

Outdoor Advertising: preferable to have sign sizes located in a local sign ordinance so that shoreline variances aren't triggered by these requirements.

Utilities: It is unclear whether and how this section applies to ocean uses including ocean energy. Needs be clarified.

DoE: **Other**

Section 6 Coastal Ocean Uses and Modifications

PENDING: Review of this section

DoE: Coastal Ocean

Finally, we recognize you are still waiting for the **erosion hazard risk** mapping and report related to the North Cove/Washaway area. The map should be included in an appendix to the Shoreline Analysis Report. The SMP and/or the CAO should also address this issue.

DoE: Erosion Hazard Risk

Comments that...

- the SMP should give priority to those uses which positively impact the environment rather than those that substantially alter it, such as industrial uses.
- the County should ensure that, under the SMP, adequate land is available for future development, particularly of sustainable uses. SMP regulations should be flexible enough to enable such development.
- more significant, and earlier, public involvement as a component of the SMP update process.
- the SMP development team consider integrating economic data from “An Assessment of the Value of Pacific County’s Nearshore Ecosystems” (Earth Economics 2014)

Open House: **Overarching Goals**

Open House:

- permit “flattening” of the primary dune to allow ocean views and facilitate economic development.

vs

- support for the proposed regulations which restrict dune modification.

DoE:

- p80: identifying the primary dune seems imprecise and highly variable.. Consider revisiting former SMP approach (first x00’ from OHW to be the “protective strip...”).
- p80: replace disturbed vegetation only with “native” dune vegetation?

Dune Modifications

DoE

- p80-81: as-written setback lines (probably) outside SMP jurisdiction
- Suggest: refine zoning or fixed

Dune Modifications: Building Setbacks

Several property owners with properties supporting aquaculture uses on Willapa Bay expressed concern over their assigned Willapa Bay Conservancy environment designation.

Existing uses, including shellfish farming, processing, and sales, may or may not include non-water-dependent components. These property owners requested a redesignation to High Intensity in order to reflect existing conditions and allow flexibility for future development.

Committee Feedback?

- 1) Recommend no changes
- 2) Re-designate
- 3) Allow non-waterdependent uses/activities
 - a. Unconditionally (P)
 - b. Conditionally (C)

Open House: High Intensity Designations

Page 67 Draft SMP Section 5.5.B.1:

- *The initial siting and construction of a facility or farm would require "shoreline approval." “*
- *“Shoreline review” is mentioned in the next paragraph.*
 - *Is this the same as a conditional use permit?*
 - *If not, what is this process?*

Committee Feedback?

Open House: SMP Approval = Permit?

Page 58 of the draft SMP (Uses/Activities Table)

- There is a shoreline use titled "Properly handled fish and seafood effluent discharge" listed under Utilities. We request a footnote defining that use within the utility category and also listing a similar permitted use under the Aquaculture section, such as "Uptake and discharge of hatchery/nursery water."

Committee Feedback?

- Add footnote
- Repeat/list this permitted use under "Aquaculture" section

Open House: Effluent Discharge

Critical Areas and Resource Lands

- Request for CARL regulations to include a clear list of allowed and prohibited uses in critical areas.
- Comment that the proposed “Marine and Estuarine Water Quality Protection Zone” should protect other functions in addition to water quality.
- Suggested that buffers on non-shoreline waters of the state be increased to 100 feet for Types Ns and Np and 150-200 feet for Type F, depending on width of water body.
- Commented that critical aquifer recharge area regulations should protect against saltwater intrusion for residential areas on marine and estuarine shorelines that may face increasing demand and development, such as Surfside.

Open House: Critical Areas

Cumulative Impacts Analysis Section 4.4.3:

- *"New or expanded aquaculture activities require shoreline approval." In a discussion with Faith and Tim on 8/18/2015 they stated that this language must be a mistake.*

Cumulative Impacts Analysis Table 4-4:

- *"reduction in phytoplankton concentrations through bivalve filtration." This is only partly true. The bivalves do eat this primary production of algae. Without the shellfish, we would have an overabundance of nutrients, leading to eutrophication.*

Open House: Cumulative Impacts

Open House:

- The proposed prohibition on new utilities in several shoreline designations... shuts out potential future development. In particular, the blanket prohibition on utility cables, conduits, and corridors in all upland designations does not align with current development patterns.
- Suggested that such uses be conditionally permitted.

DoE: Inconsistent?

- Table 5.1 prohibits utility cables, etc in all upland designations,

but

- 5.22 Regulations (p. 100)
 - ... lines shall be located outside of shoreline jurisdiction *where feasible*.
 - ...prohibited *unless demonstrated that no other feasible option is available*.

Utilities Development

Upcoming: **Vegetation Mgmt**

Addendum = “We (BoCC) recognize these concerns to be out of SMP scope, but of significant concern nonetheless relative to No Net Loss in PacCo...”

Committee Feedback: *What to include?*

- ✓ Oil spill preparedness,
- ✓ Escort tugs for hazardous material transport,
- ✓ Beach nourishment (dredge spoil placement),
- ✓ Other?

Addendum Letter: Content?

Objective: “Why/What” around key topic decisions

Propose:

- each Subcommittee identify “Top 10” (or fewer)
- Kelly/Tim will interview/collect Top xx info

**Prep: Planning Commission Sept
3**



1. TITLE, APPLICABILITY
 2. DEFINITIONS
 3. ENVIRONMENTS
 4. GENERAL POLICIES & REGULATIONS

- A. Historic /Cultural /Scientific
- B. Environmental Protection
- C. Public Access
- D. Vegetation Management
- E. Water Quality
- F. Critical Areas
 - 1. General
 - 2. Wetlands
 - 3. Critical Saltwater Habitat
 - 4. Critical Freshwater Habitat
 - 5. Geologically Hazardous

5. SHORELINE USES & MODIFICATIONS

Table 5-1 Permitted Uses

- A. General shoreline uses
- B. Agriculture
- C. Aquaculture
- D. Boating Facilities
- E. Breakwaters, Jetties, etc
- F. Commercial Development
- G. Dredging and Dredge Disposal
- H. Dune Modification
- I. Fill and Excavation
- J. Flood Hazard Management
- K. Forest Practices
- L. Industrial Development
- M. In-Water
- N. Mining
- O. Outdock
- P. Recreation
- Q. Residence
- R. Restoration
- S. Shoreline
- T. Transportation
- U. Utilities

6. COASTAL OCEAN USES & MODIFICATIONS

Table 6-1 Permitted Uses

- A. General Ocean Uses
- B. Oil and gas uses
- C. Ocean Mining
- D. Ocean Energy Production
- E. Ocean Disposal
- F. Ocean Transportation
- G. Ocean Research
- H. Ocean Salvage

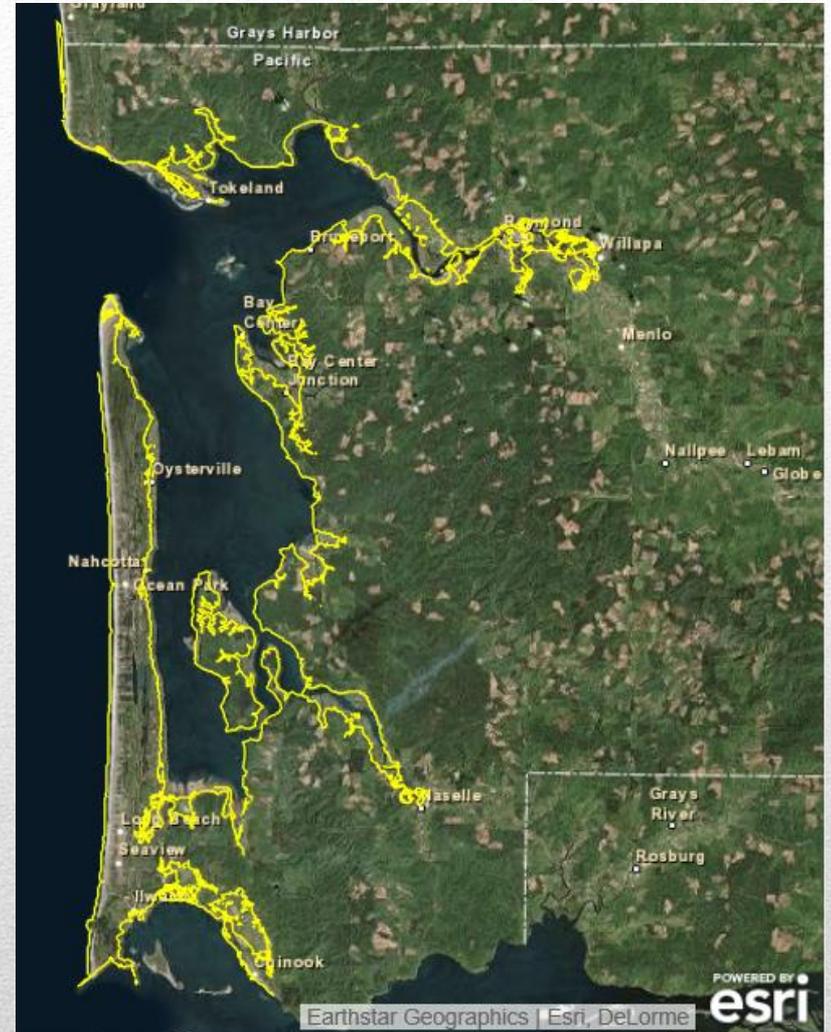
7. NONCONFORMING USES
 8. ADMINISTRATION

Subcommittee Review

<ul style="list-style-type: none"> • Administrative • Agriculture • Aquaculture • Coastal Ocean • Development • Environment Designation • Ports • Recreation 	<p>Rebecca Chaffee Megan Martin Mike Nordin Dale Beasley Doug Kess Jim Sayce Phil Martin Paul Philpot</p>
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<http://tnc.maps.arcgis.com/apps/MapTools/index.html?appid=9cda0056ecda444da5f715c51e8679cb>



HAT Map

1. TITLE, APPLICABILITY
2. DEFINITIONS
3. ENVIRONMENTS
4. GENERAL POLICIES & REGULATIONS

- A. Historic /Cultural /Scientific
- B. Environmental Protection
- C. Public Access
- D. Vegetation Management
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- H. Dune Modification
- I. Fill and Excavation
- J. Flood Hazard Management
- K. Forest Practices
- L. Industrial Development
- M. In-Water Structures
- N. Mining
- O. Outdoor Advertising
- P. Recreational Development
- Q. Residential Development
- R. Restoration
- S. Shoreline Stabilization
- T. Transportation and Parking
- U. Utilities

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- G. Ocean Research
- H. Ocean Salvage

7. NONCONFORMING USES
8. ADMINISTRATION

New
SMP!

Body (section)

- Policy
- Regulations



Subcommittee	Chair	Members	Focus topics
Ports	Phil	Ken, Warren, Nick, Rebecca, Dale, Dick ...	Ports (Development based) - 9, 10, 12, 13, 14, 15, 16 Solid Waste Disposal - 17 Sewage - 20
Coastal Ocean	Dale	Tom, Doug, Paul, JimS ...	Columbia River Estuary -23 Ocean Resources -27
Restoration	Tom	Mike, Key, JimR, ...	
Environment Designation	JimS	Paul, Ken, Ann, Key, Eric, ...	Environment Designations - 25

Existing...

Subcommittee	Chair (?)	Members (?) (both SMP appointees plus public)	Focus topics
Administrative	Rebecca	Eric, Doug, Ann...	Administrative -3, 17, 20, 24, 26, 28
Agriculture	Megan	JimR, Rex, Victor, Al, Conservation District, Malcolm McPhail, Kim Patten	Agriculture -4 Forest Management -6
Aquaculture	Mike	Dick, Brian, Warren, Ken, Tom, Nick, Kim Patten...	Aquaculture -5 Flood Plains & Tidal Wetlands -19, 22
Residential & Commercial Development	Doug	Ann, Paul, Warren, Dick, Brian, Key, Ken, Phil, Rebecca, JimS, Surfside representatives, Master Builders, Realtors...	Commercial & Residential Development -7, 8, 11, Dunes -21
Recreation	Paul	JimS, Theresa McClean, Casey Dehenney (Surfrider)	Recreation - 18

New...

Critical Areas Ordinance:

- Dale Beasley
- Warren Cowell
- Tom Kollasch
- Ann Lefors
- Phil Martin
- Key McMurry
- Jim Sayce
- Brian Sheldon
- Ken Weigardt

CAO Subcommittee

appointed by BoCC 6/9/15

- Ekone Oyster Company: *The following parcels would more appropriately be designated as High Intensity: 13100842092, 13100896261, and 13100896262. The above-named parcels support commercial aquaculture activities or are developed to a similar extent if not identically to the following parcels in the same area that are designated High Intensity: 13100844058, 13100855358, and 13100911022. We request consistency in the environmental designations.*
- Oysterville Sea Farms: *“...is given an inappropriate shoreline designation in the final SIAC. The attached letter from Ben Cushman comments on reasons why High Intensity is the appropriate shoreline designation for the Oysterville Cannery.*
- Nisbet Oyster Co: *“Thank you for allowing time to comment. At this time I request that the Nisbet Oyster Co, Inc processing plan be designated a high-intensity area.”*

Open House: High Intensity Designations