

Pacific County Department of Community Development

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National Historic Site

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REFERRAL: PC Ord. 178 SEPA DNS

DATE: 7-24- 2016

TO:

<input type="checkbox"/> PACIFIC COUNTY BLDG. DIVISION	<input type="checkbox"/> DPW/LADO/ROADS
<input type="checkbox"/> ENVIRONMENTAL HEALTH	<input type="checkbox"/> ASSESSOR'S OFFICE
<input checked="" type="checkbox"/> DEPT. OF ECOLOGY (SHORELANDS REVIEW)	<input checked="" type="checkbox"/> DEPT. OF ECOLOGY (SEPA REVIEW)
<input checked="" type="checkbox"/> WA. ST. DEPT. OF FISH & WILDLIFE	<input checked="" type="checkbox"/> US DEPT. OF FISH & WILDLIFE
<input checked="" type="checkbox"/> DEPT. OF NATURAL RESOURCES	<input type="checkbox"/> ARMY CORPS OF ENGINEERS
<input type="checkbox"/> PACIFIC CO. FIRE DIST. AREA	<input type="checkbox"/> PACIFIC TRANSIT SYSTEM
<input type="checkbox"/> OCEAN PARK WATER SYSTEM	<input type="checkbox"/> PACIFIC COUNTY PUD
<input checked="" type="checkbox"/> WASH. STATE PARKS & REC. COMM.	<input type="checkbox"/> GILLNETTER'S ASSOC.
<input type="checkbox"/> CRABBER'S ASSOCIATION	<input type="checkbox"/> OYSTERMEN'S ASSOC.
<input type="checkbox"/> WASH. ST. OF TRANSPORTATION	<input type="checkbox"/> OTHER

FROM: PACIFIC COUNTY DEPT. OF COMMUNITY DEVELOPMENT
ATTN. Tim Crose, Planning Director

RE: AGENCY COMMENTS PER ENCLOSED REFERRAL. FILE NO.: PC Ord. No. 178
SUBMITTED BY: Pacific County Department of Community Development.

PROPPSAL: SEPA DNS in regards to amend the Pacific County Zoning Ordinance (proposed Ord. No. 178) to include oceanfront building setbacks that parallel the current Pacific County Shoreline Master Program. Pacific County currently utilizes the 1993 Grassline as a baseline where upland setbacks are established. Proposed Ord. No. 178 will utilize this line in areas along the Long Beach Peninsula where the Grassline is referenced.

Please submit your comments regarding the proposed project to the Department of Community Development by July 14, 2016. If comments are not submitted by the indicated date, our office will assume that the agency has no comment regarding the project.

Comments: _____

SEPA DETERMINATION OF NON-SIGNIFICANCE

Case No(s): PC Ord. 178

Description of Proposal: Amend the Pacific County Zoning Ordinance (proposed Ord. No. 178) to include oceanfront building setbacks that parallel the current Pacific County Shoreline Master Program. Pacific County currently utilizes the 1993 Grassline as a baseline where upland setbacks are established. Proposed Ord. No. 178 will utilize this line in areas along the Long Beach Peninsula where the Grassline is referenced.

Proponent(s): Pacific County.

Location of Proposal: Coastal ocean beaches, Pacific County, Washington.

Lead Agency: Pacific County Department of Community Development.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by July 14, 2016.

Responsible Official:

Position/Title:

Phone:

Address:

Tim Crose

Planning Director

(360) 642-9382

318 N. Second Street

Long Beach, WA 98631

Published Date: June, 29, 2016

Signature



SEPA RULES ENVIRONMENTAL CHECKLIST (BASED ON WAC 197-11-960)

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions to the Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. IN most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of checklist for non-project proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply" In addition, complete the supplemental sheet for non-project actions (Part D).

For non-project actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "proposal", "proposer", and "affected geographic area", respectively.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

A. BACKGROUND INFORMATION

1. Name of proposed project, if applicable:

Amend the Pacific County Zoning Ordinance to include regulations on

building setbacks along the ocean-front. The proposal is to include current SMP regulations that establish building setbacks using the 1993 grassline as a baseline on the area North of the Town of Long Beach, to a line 800 feet south of the boundary between the townships 12N and 13N (the northern edge of Surfside Estates. The remainder of coastal ocean setbacks will mirror what is now established in the current SMP.

2. Name of applicant:

Pacific County Department of Community Development

3. Address and phone number of applicant and contact person:

Pacific County Department of Community Development

P.O. Box 68

South Bend, WA 98586

Tim Crose, Planning Director

Phone: 360 642-9382/360 875-9356

Fax: 360 642-9387/360 875-9304

tcrose@co.pacific.wa.us

4. Date checklist prepared:

June 24, 2016

5. Agency requesting checklist:

A checklist is required for this action.

6. Proposed timing or schedule (including phasing, if applicable):

Summer/Fall of 2016

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain?

Pacific County is in the process of a comprehensive update of the Shoreline Master Program (SMP). Section 21 of the current SMP regulates building setbacks along the oceanfront. The updated SMP (proposed to be enacted in 2017) will no longer regulate building setbacks along the oceanfront.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this project:

Placement of the building setback line is an environmental benefit as the oceanfront and primary dune system will remain undeveloped. Full environmental compliance and clearances will be conducted/obtained when the entire document is updated.

The Southwest Washington Coastal Erosion Study was conducted by the Department of Ecology and the United States Geological Service to examine the coastal evolution, processes, geology, and hazards of the Columbia River littoral cell and has generated a great deal of information relative to coastal erosion and coastal stability. It also provides shoreline predictions for the coastline under consideration. A copy of this study is available on Ecology's website along with a full bibliography of related materials.

Pacific International Engineering conducted a shorelines change analysis for the City of Long Beach which concluded that, while the overall rates of accretion have slowed, the beach in Long Beach, especially the northern portion of the City of Long Beach, is still accreting and projected to continue to grow over the next 25 - 50 years by 1.0 – 2.0 meters per year.

One of the documents referenced in the coastal erosion study, "Predicting Shoreline Change at Decadal Scale in the Pacific Northwest, USA" by George Kaminsky is predicting an annual rate of accretion for the Long Beach Peninsula of approximately 1.3 meters per year. This number is averaged over the entire Long Beach Peninsula and will vary depending upon specific location.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes explain.

The Pacific County Shoreline Master Program is currently undergoing a comprehensive update. It was determined that the current setback requirements will be easterly of shoreline jurisdiction, therefore the County is proposing to regulate oceanfront setbacks in the zoning ordinance.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

These proposed amendments will be evaluated through the standard review process established under the Growth Management Act.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in

this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description).

Amend Pacific County Zoning Ordinance 162 (proposed Ordinance 178) to establish a permanent building setback line along the ocean coast. The proposed amendment reads as follows:

BUILDING SETBACKS – OCEAN COAST

1. Building setback lines must be determined by a licensed surveyor.
2. The building setback lines shall be determined as follows:
 - a. From North Head to the southern boundary of the Town of Long Beach – 200 feet easterly from the Seashore Conservation Line, as surveyed by the State of Washington in 1968 or, where said line was not surveyed, 200 feet landward from the ordinary high water mark.
 - b. From the northern boundary of the Town of Long Beach to a line 800 feet south of the boundary between the townships 12N and 13N (the northern edge of Surfside Estates) – 100 feet from the 1993 Grassline Survey (former SMP Protective Strip) then one-fourth (1/4) of the distance from that point to the so-called “western boundary of upland ownership” line; except, that wherever the “western boundary of upland ownership” lies within the 100 foot setback from the 1993 Grassline, the “western boundary of upland ownership” shall be the building setback line.
 - c. From the line 800 feet south of the boundary between townships 12N and 13N to southern boundary of public (state) ownership – 300 feet.
 - d. Ocean coast north of the mouth of the Willapa Bay – 300 feet, except on state owned land.
3. Protective strip widths and other environmental designations are described in the Shoreline Master Program.

The benefit of creating a "fixed" building setback line: (1) eliminate the leapfrog development patterns that have occurred along the oceanfront. The westerly movement of the building setback line impacts existing properties developed under previous setback lines as newer homes build further west and impact visual access to the ocean and the dunes. This has been a point of contention for many years. A fixed setback line will provide more continuity along the oceanfront for development and open space purposes; and (2) replace a moveable setback line with a fixed building setback line eliminates the need to re-survey the grassline every five years.

12. **Location of the proposal.** Sufficient information for a person to understand the

precise location of your proposal, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The location of the proposal is the coastal ocean beaches of Pacific County.

B. ENVIRONMENTAL ELEMENTS

ELEMENT # 1 EARTH

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other_____.

Non-project action. (Dunal area - relatively flat with a combination of flat beaches and dunes).

- b. What is the steepest slope on the site (approximate percent slope)?

Non-project action. (Varies from 0% to 50% along some of the dune faces).

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Non-project action. (Sand)

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Non-project action. (Majority of this beach is accreted sand and very young geologically).

One of the documents referenced in the coastal erosion study, "Predicting Shoreline Change at Decadal Scale in the Pacific Northwest, USA" by George Kaminsky is predicting an annual rate of accretion for the Long Beach Peninsula of approximately 1.3 meters per year. This number is averaged over the entire Long Beach Peninsula and will vary depending upon specific location.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed.

Indicate source of fill.

Non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Non-project action.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Non-project action.

ELEMENT # 2 AIR

- a. What types of emissions to the air would result from the proposal (i.e. dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities known.

Non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Non-project action.

ELEMENT # 3 WATER

- a. Surface Water

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Lands affected by the proposed amendments are adjacent to the Pacific Ocean and do contain some areas of wetlands and floodplains.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the

described waters? If yes, please describe and attach available plans.

Non-project action. (No. The setback line will push development further east/inland from the ocean)

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Non-project action.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Non-project action.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Lands affected by the proposed amendments are located adjacent to the Pacific Ocean, very little is located within the 100-year floodplain.

- 6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Non-project action.

b. Ground Water

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities known.

Non-project action. (Portions of the area are served by individual domestic wells)

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the systems(s) are expected to serve.

Non-project action. (Majority of this area is served by on-site sewage systems)

c. WATER RUNOFF (INCLUDING STORM WATER)

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (including quantities, if known). Where will this water flow? Will

this water flow into other waters? If so describe.

Non-project action. (On-site retention and infiltration required)

2) Could waste materials enter ground or surface waters? If so, generally describe.

Non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts if any:

Non-project action.

ELEMENT # 4 PLANTS

a. Check or circle types of vegetation found on the site

_ deciduous tree: alder, maple, aspen, other _____

_ evergreen tree: fir, cedar, pine, other _____

_ shrubs: _____

_ grass: _____

_ pasture: _____

_ crop or grain: _____

_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other _____

_ water plants: water lilly, eelgrass, milfoil, other _____

_ other types of vegetation _____

b. What kind and amount of vegetation will be removed or altered?

Non-project action. (Majority of the vegetation is native & non-native dune grasses, shore pine, spruce and limited wetland species in those dunal wetland areas. The net result of this action will be a net benefit for the dunal environment as building sites will be located along a uniform or consistent building line thereby "protecting" and enhancing the primary dunal system)

c. List threatened or endangered species known to be on or near the site.

Non-project action. (Pacific Ocean beaches are a primary flyway for numerous species)

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Non-project action.

ELEMENT # 5 ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other _____
mammals: deer, bear, elk, beaver, other _____
fish: bass, salmon, trout, herring, other _____
shellfish: _____
invertebrates: _____

- b. List any threatened or endangered species known to be on or near the site.

Non-project action.

- c. Is the site part of a migration route? If so, explain.

Non-project action. (Yes. Pacific Ocean beaches are a significant flyway for a variety of species)

- d. Proposed measures to preserve or enhance wildlife, if any:

Non-project action. (Fixing a building setback line will enhance the wildlife opportunities along the beaches)

ELEMENT # 6 ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Non-project action.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Non-project action.

ELEMENT # 7 ENVIRONMENTAL HEALTH

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Non-project action.

- 1) Describe special emergency services that might be required.

Non-project action.

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Non-project action.

b. Noise

- 1) What types of noise exist in the areas which may affect your project (for example: traffic, equipment, operation, other)?

Non-project action.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site:

Non-project action.

- 3) Proposed measures to reduce or control noise impact, if any:

Non-project action.

ELEMENT # 8 LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties?

Generally, the current uses are residential and recreational in nature as the Long Beach Peninsula has been a recreational destination for well over a century. There are also a limited number of commercial properties along the oceanfront.

- b. Has the site been used for agriculture? If so, describe.

Generally no. The area in question is the dunal area associated with the Pacific Ocean which has experienced relatively high rates of accretion over the past several decades.

- c. Describe any structures on the site.

Non-project action.

- d. Will any structures be demolished? If so, what?

Non-project action.

- e. What is the current zoning classification of the site?

Generally, the oceanfront is "zoned" in the Pacific County Land Use Ordinance No. 162 as R-3 (Resort) - area north of Long Beach to Cranberry Road; R-1 (Residential) - area from Cranberry Road to Ocean Park; R-3 (Resort) - Ocean Park; R-1 (Residential) - Ocean Park north through Surfside Estates.

- f. What is the current comprehensive plan designation of the site?

The Pacific County Comprehensive Plan designates the oceanfront as Shoreline Development.

- g. If applicable, what is the current shoreline master program designation of the site?

West to East: Conservancy along the beaches, Natural along the 100' protective strip, and then Conservancy or Rural depending upon the specific location.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Not formally, although the Pacific Ocean, beaches and dunes are home to a variety of environmentally sensitive species.

- i. Approximately how many people would reside or work in the completed project?

Non-project action.

- j. Approximately how many people would the completed project displace?

Non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Non-project action.

ELEMENT # 9 HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Non-project action.

- b. Approximately how many units, if any would be eliminated? Indicate whether high, middle, or low-income housing.

Non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

Non-project action.

ELEMENT # 10 AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Non-project action. (The maximum height along the oceanfront is 35').

- b. What views in the immediate vicinity would be altered or obstructed?

The proposed setback line will not negatively impact any views negatively; rather, the amendment would stabilize existing views (and those of future residential structures) and protect the viewshed of the primary dune system for users of the oceanfront as well as those residential structures located at the current building setback line.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Non-project action. (The establishment of a fixed setback line will prevent the leapfrogging of new development westerly which, as the beach continues to accrete, will result in more open dunal areas)

ELEMENT # 11 LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Non-project action.

- c. What existing off-site sources of light or glare may effect your proposal?

Non-project action.

- d. Proposed measures to reduce or control light and glare impacts if any:

Non-project action.

ELEMENT # 12 RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Pacific Ocean and all its recreational opportunities.

- b. Would the proposed project displace any existing recreational uses? If so describe.

No. Should enhance recreational enjoyment.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Non-project action.

ELEMENT # 13 HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers to be on or next to the site? If so, generally describe.

Non-project action.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

Non-project action.

- c. Proposed measures to reduce or control impacts, if any:

Non-project action.

ELEMENT # 14 TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any:

Non-project action.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Non-project action.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

Non-project action.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (Indicate whether public or private).

Non-project action.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Non-project action.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Non-project action.

- g. Proposed measures to reduce or control transportation impacts, if any:

Non-project action.

ELEMENT # 15 PUBLIC SERVICES

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

Non-project action.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Non-project action.

ELEMENT # 16 UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

Non-project action.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Non-project action.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Tim Cross

Date Submitted: 6-24-16

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the project, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air, production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed amendment will not increase discharges to water, air, noise, toxic or hazardous

substance production, etc. The proposal is to "fix" the building setback line in one location, not to impact the numbers of dwelling units, residential density, etc.

Proposed measures to avoid or reduce such increases are:

Proposed measures directly related to these amendments are not necessary. However, all specific development proposals for these areas will be reviewed for compliance with all applicable Pacific County development regulations at time of application for specific projects.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed amendment will not negatively affect plants, animals, fish or marine life. The amendment may have a positive impact as it will prevent the westerly expansion of the building setback line and subsequent housing.

3. How would the proposal be likely to depleted energy or natural resources?

The proposed amendment will not deplete energy or natural resources.

Proposed measures to protect or conserve energy or natural resources are:

None necessary.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species, historic or cultural sites, wetlands, floodplain, or prime farmlands?

The proposed amendment will not likely use or affect any environmentally sensitive areas. The purpose is to fix the building setback line and prevent the westerly expansion of future residential housing. Construction/development can occur at the present line, so this action is fairly benign.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None necessary. Specific development projects contained within these areas will be reviewed at time of project application for any impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

As mentioned above, this amendment will not encourage land or shoreline uses incompatible with existing plans. Existing development can occur at the present line. This zoning proposal will fix

that present line and prevent the westerly expansion of future development.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendment will not likely lead to an increase in demand for transportation, public services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

None necessary.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed amendment will not conflict with local, state or federal laws or requirements for the protection of the environment. The proposed building setback line is out of the jurisdiction of the Shoreline Master Program.

RE: SEPA DNS Review for amending Pacific County Ordinance 178
(Zoning)- Coastal Building Setbacks (BSL)

Pacific County is amending its zoning ordinance to incorporate Shoreline Master Program (SMP) Resolution 2006-030 into its zoning code. This 2006 amendment uses the 1993 Pacific County grassline as a benchmark for measuring and determining building setbacks. The Planning Commission has conceptually agreed that now through zoning the 1993 grassline will be used between Long Beach and the northern border of Surfside and that other coastal areas will mirror established SMP setbacks (DNS - Section A[1]). However, it is not clear from the SEPA DNS language how this change will specifically affect some of these other shoreline areas where building setbacks were previously regulated by the SMP. This zoning amendment is to establish permanent building setbacks along the coast.

Section A. Background

A(11)2. In this section of the DNS the proposed amendment to Ordinance 178 is stated, and subsection 2(a) and (b) are straightforward. However 2(c) and (d) are not. It is not clear what benchmark will be used to determine the 300 foot setback distances north of 2(c), Surfside, and 2(d), south of Grayland (accretion area). Now that the previous 100 foot protective strip is no longer the measurement tool that determines the setback within the SMP, and the SMP preamble describing the 100 foot strip has been eliminated, how will setbacks in these areas be established? The DNS is not explicit here. Depending on what that benchmark might be, will the 300 foot distance which was set by the 1975 SMP be appropriate?

A(11)3. This language implies that the SMP protective strip may still have some regulatory capacity. This is confusing since sections (A)7, (A)9, (A)12 and D(7) state that regulation will occur through zoning and that the SMP no longer applies.

Discussion

What is unusual about establishing a BSL north of Surfside is that westernmost boundaries of parcels south of Leadbetter Park are constrained by law at the Western Upland Boundary line (Superior Court Case 10783). When the SMP went into effect in 1975 the ocean was closer to the WUB and therefore those parcels were in shoreline jurisdiction. Looking at Google maps I believe that accretion has taken all of those parcels out of shoreline jurisdiction, leaving a wide swath of state

land at the coastline; rough measurement in that section estimates the distance between the west edge of the primary dune and the WUB varies from 560 to 740 feet. Additionally, consider that 2(d) exempts state land; could this apply to other land besides Grayland State Park?

A(8). The county uses a Long Beach study and the Kaminsky study as reference to accretion of shorelands and erosion potential. Should mention should be made of newer FEMA maps that show Coastal High Hazard areas (High Velocity Zones)? In some areas this zone is estimated to overlap the 1993 grassline (extrapolated from parcel surveys).

Section B. Environmental Elements

B(3)a(2). This may seem minor, but the new setback line will not push development further eastward. The 1993 grassline as a setback has been used since 2006 and this action only shifts regulation into the zoning ordinance.

B(8)f. Land and Shoreline Use. The Comprehensive Plan map designates oceanfront as Shoreline Development to 295th; Surfside north of 295th is General Rural. South of Grayland is General Rural.

B(8)h. It could be argued that the dunes are environmentally "sensitive". They border water of statewide significance. There are no other dunes of this kind in the rest of coastal Washington; interdunal wetlands are a rarity and some overlap the 1993 grassline. The county has regulations to keep vehicles off the dunes, prohibits camping, Fish and Wildlife is nurturing bird species on land north of Surfside and both the original and proposed SMPs include language to regulate activities including fill and excavation in the dunes. The dunes are recognized in the proposed 2017 SMP for many ecological attributes and also as a protective barrier for upland development from saltwater intrusion and storm damage.

Section 10 - Aesthetics

10(b). Protection of views. This is not entirely correct. The only views that will be preserved with relative certainty are those developed or to-be-developed parcel ownership furthest west or in some cases, those limited from westerly development by earlier court decisions.

Summary

Zoning is to take the place of the SMP in establishing building setbacks on

the coast. One purpose is to create certainty for developers and landowners alike and another is to halt leapfrogging development westward. Although the 1993 grassline is proposed to be used only from Long Beach to the north end of Surfside, I don't understand why the DNS seems to be referring only to this area when the ordinance change supposedly affects the entire coastline. Even if the language uses old SMP guidelines in other areas, the fact is that jurisdiction will change from SMP to zoning. It seems that for clarity and ease of use that the entire coastal building setbacks should be drawn up as a unified zoning amendment.

Reference to SMP language about protective strip widths and environmental designations is confusing, especially if the intent is to establish a permanent line. Zoning criteria should be spelled out.

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Submitted July 13, 2016