

From: [Tom Goldsby](#)
To: [Andrew Deffobis](#)
Subject: Re: Flood Certification.pdf
Date: Monday, October 25, 2021 11:38:58 AM

Hi Andy,
 Thanks for your help. Hopefully, our efforts will result in a more appropriate designation "Shoreline Residential".
 Richard (Tom) Goldsby

On Oct 25, 2021, at 11:29 AM, Andrew Deffobis <andrew.deffobis@co.thurston.wa.us> wrote:

Hi Tom,

Thanks for following up. I can see now that was a separate document. This week I am working on updating public comments received, and will add the 1983 document to the record and to what is posted online.

Regards,

Andrew Deffobis, Interim Senior Planner
 Thurston County Community Planning and Economic Development Department
 2000 Lakeridge Drive SW
 Olympia, WA 98502
 Cell Phone: (360) 522-2593
 Office Phone: (360) 786-5467
 Fax: (360) 754-2939

-----Original Message-----

From: Tom Goldsby <tomyg@fairpoint.net>
 Sent: Thursday, October 21, 2021 1:24 PM
 To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
 Subject: Re: Flood Certification.pdf

Hi Andy,
 Did you add the elevation certificate the county did in 1983, as well?
 Thanks
 Richard (Tom) Goldsby

On Oct 18, 2021, at 9:03 AM, Andrew Deffobis <andrew.deffobis@co.thurston.wa.us> wrote:

Hi Tom,

This worked! I will add it to the record.

Thanks,

Andrew Deffobis, Interim Senior Planner
 Thurston County Community Planning and Economic Development Department
 2000 Lakeridge Drive SW
 Olympia, WA 98502
 Cell Phone: (360) 522-2593
 Office Phone: (360) 786-5467
 Fax: (360) 754-2939

-----Original Message-----

From: Tom Goldsby <tomyg@fairpoint.net>

Sent: Sunday, October 17, 2021 5:27 PM
To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Cc: Tom Goldsby <tomyg@fairpoint.net>
Subject: Fwd: Flood Certification.pdf

Hi Andy,

Here is the PDF again.

Thanks,
Richard (Tom) Goldsby

From: [Patty May](#)
To: [Andrew Deffobis](#)
Cc: [Esther Grace Kronenberg](#); [Suzanne Kline](#)
Subject: Support for protection of water & shorelines
Date: Tuesday, October 26, 2021 8:36:19 AM

I'm writing to let you know that I live on Black Lake and the quality of life is very poor here, because of the way we honor boaters rights and not the environment, spotted frogs and shoreline birds etc!

I am very much in support of limiting boaters rights, which are almost never even enforced by the Thurston county sheriff as far as I can tell!!

Thank you Esther Kronenberg and Suzanne Kline for your wonderful letter.

I applaud your efforts, and hope that Thurston county starts to value our resources and protect our shorelines.

From: [Jamie Chaloner](#)
To: [Andrew Deffobis](#)
Subject: 2021 Shoreline Master Program
Date: Tuesday, October 26, 2021 1:28:52 PM

Hi Andrew,

My name is James Chaloner, my family has had lake front property on Lawrence Lake since 1965, I want to let you know that I support the 5 items below and ask your support in getting these done.

1. Buffer widths (Issue #2 in coalition letter) for lakes to remain as they were in the 1990 SMP . If this particular issue is changed to what the county staff want most of you will have your properties (on the lake/canal/community beaches) seriously impacted.
2. Pier, Dock, Float or ramp grating (Issue #7 in coalition letter) we want the option to exclude expensive grating for lakes that do not contain salmon.
3. Pier and Dock pilling spacing (Issue #8 - in coalition letter) we want the option to reduce spacing to 8 feet.
4. Pier and Dock Width (Issue #9 - in coalition letter) we want the option to be able to make our piers/docks 8 feet wide or more if applicant can demonstrate need.
5. Shoreline Environmental Designations (SEDs) (Issue #12 in coalition letter) we want the changes we were able to make for residents of Lake Lawrence adopted by the Planning Commission and Board of County Commissioners.

Thank You,

Jamie Chaloner
JCM Consultants
253-381-3358 Cell

From: [Schorno Agri-Business Glenn Schorno](#)
To: [Andrew Deffobis](#)
Cc: [Robin Courts](#)
Subject: Organic Farming (SMP)
Date: Thursday, October 28, 2021 10:12:17 AM

Hi Andrew,

In organic farming, it takes 3+ years to transition ground from conventional to organic. As you probably know, during the transition period, no herbicides or pesticides may be used. A common and least expensive way to transition ground is to till the ground and put a low cost grass in and then let it sit for three years and then start planting the following spring. If you planted your transitional biannual cover crop in late summer, it would essentially put you 3 years and 8 mo.+/- from going back into that field. Yet another reason to get rid of the 2 year “use it or lose it” rule.

Best Regards,
Glenn Schorno

Sent from [Mail](#) for Windows

From: [Maya Teeple](#)
To: [Andrew Deffobis](#)
Subject: FW: Thurston shoreline comments; Oct 28
Date: Thursday, October 28, 2021 3:47:46 PM

Maya Teeple | Senior Planner
 Thurston County Community Planning & Economic Development
 Community Planning Division
 2000 Lakeridge Dr SW, Bldg 1, Olympia, Washington 98502
Cell (Primary): (360) 545-2593
Maya.Teeple@co.thurston.wa.us | www.thurstonplanning.org

From: northbeachcomm@cs.com <northbeachcomm@cs.com>
Sent: Thursday, October 28, 2021 3:47 PM
To: Maya Teeple <maya.teeple@co.thurston.wa.us>
Subject: Thurston shoreline comments; Oct 28

Oct 27

Thurston County Planning Commission;

We must protect our shorelines in Thurston County, for future generations.

The construction of bulkheads should not be allowed.

We know that bulkhead effect the habitat.

We know that bulkheads effect the plants in the water, the flora.

Bulkheads decrease habitat. They should not be allowed.

We should not allow residents to continue to improve their "Grandfather-in Bulkheads".

We should not allow impervious surfaces near shorelines.

For example, in Budd Inlet, the shorebird population has been reduced drastically. Now you see almost no birds. The fish stock, the Chinook, coho and steelhead populations in Puget Sound have declined. There are several possible reasons for this, but shoreline habitat issues are involved.

Our wastewater facility, the billion dollar LOTT plant, is finding chemicals in our rivers, in our water. They find cancer-causing

chemicals and medications in ground and surface waters.
Highly treated reclaimed water, from LOTT is pumped into Puget Sound, this also effect the health of our Budd Inlet. This also effects the habitat in Puget Sound. All of these issues degrade the habitat.

The plastic from oyster beds and goeduck farms destroy the habitat. These farms should not be allowed in Puget Sound. They should not be allowed on our shorelines.

There should be a 100 foot buffer from real estate development, and our water bodies. This shoreline is an important buffer for the water quality, for the shoreline habitat.

Please help us preserve our beautiful Puget Sound.
Please help us preserve our shorelines.

Thanks;
Lee Riner
2103 Harrison
Oly. WA
98502

From: [Linda Wolfe](#)
To: [Andrew Deffobis](#)
Subject: Carpenter's Union Park
Date: Friday, October 29, 2021 11:56:38 AM

Andrew, I enjoyed learning more about setbacks and rezoning but much seems to be at the whim of the people doing the restructure?

The Carpenter's Union park however needs to have the new rezoning as the people who purchased it have had it zoned to 38 homes. If that happens the eagle, green herons and other wildlife will lose their habitat.

I think John Woodford has shown you pictures of the lovely forested hill to the lake property. To keep the area in this condition, with 38 more houses polluting the lake should be in everyone's best interest.

Thanks for listening. Linda Wolfe.... Long Lake resident

--

Linda Wolfe
hm 360-491-7593
cell 360-701-5056

From: [Barry Halverson](#)
To: [Andrew Deffobis](#)
Subject: Questions Reference Appendix A Inventory and Characterization Report
Date: Monday, November 1, 2021 4:16:49 PM

Andrew, as you know this came up several times during the public hearing. Here are a few questions:

1. Is the Inventory and Characterization Report (Appendix A to the SMP) part of the SMP or not?
 - a. If it is, how can the SMP be sent to the BoCC without it being vetted by the planning commission?
 - b. How can it be sent to the BoCC with obvious errors in the report being corrected?
2. The Inventory and Characterization Report is dated June 30, 2013:
 - a. Is it an approved document?
 - b. If it is, when and who approved it?
 - c. If not, when and who will approve it?
3. If it is has not been approved by the BoCC, and I can find no previous vote from the BoCC that approved it, how can the permits department use this report to deny, require mitigation, etc. for permits until it is an approved document?
4. How can this report be used to update the GEODATA/GIS Data base, which I have shown you has already been done?

Thank you,
Barry Halverson
253-341-6059

From: [Bob Jensen](#)
To: [Andrew Deffobis](#)
Cc: [Dave Peeler](#); [Sue Patnude](#); [Ann Butler](#); [Karen Janowitz](#); [David Monthie](#); [David ThunderBear](#); [Stepetin.david@nisqually-nsn.gov](#); [Katrina Keleher](#); [Maurice Major](#); [Matthew Karas](#); [twentiethave@masonlake.com](#); [Joe Hiss](#); [Jim Longley](#); [Russel Fox](#); [pmlowe@comcast.net](#); [John Woodford](#)
Subject: Shoreline Master Program
Date: Thursday, November 18, 2021 12:02:35 AM
Attachments: [ATT00001.htm](#)
[Letter to the Editor TCSMP.docx](#)

Dear Andrew,

I am Bob Jensen. I have testified previously at public hearings and submitted written comments to you and the Planning Commission, in which, I am seeking regular inspection and maintenance of septic systems on shoreline lakes. The purpose of this proposal is to control the increasing toxic blue-green algae blooms thereon. This is particularly egregious on County lakes because most of them are either completely or partially unsewered.

Unfortunately, there is no reasonable probability these lakes will be served by sewers soon enough to reduce the current incidence of these algae blooms. These algae blooms regularly violate the state recreational standards. This has caused portions or all the lakes to be closed to public use, until the County Health Department determines the blooms no longer violate these standards.

I attempted to testify about this major issue at tonight's hearing. However, as I more closely read the agenda, the public hearing aspect of the meeting, was not applicable to topics that had been covered previously in public hearings. I gather this included the Shoreline workshop, which started at 7:00 pm. This could explain why, although I successfully entered the Zoom meeting, I was unable to open the video, or use my computer camera in the meeting.

Nonetheless, I was able to watch the entirety of the Shoreline workshop on my desktop computer. Most of this time was devoted to the Planning Commissioners and you discussing the public input and proposed changes to the master program.

I did not hear a reference to the increasing incidence of, or control of toxic blue-green algae blooms, on County shoreline lakes.

I intend to express my concern about this failing, either in the proposed master program amendments, or in your summary of public comments. I hope you will provide a public summary of all the proposed changes to the master program approved by most of those Commissioners present at tonight's meeting, and to which you agreed to pursue.

There is currently no reference to the significant manifestations of toxic blue-green algae blooms in the County Master Program. This may be due to the fact they were not publicized until within the last few years. However, I believe it was because the County Health Department did not address the connection between these blooms and residential sewage until

relatively recently. However, I do not understand your reluctance to address this issue in any public arena where I have been present. Nevertheless, I expect you to address this issue in the Planning Commission's further consideration of amendments to the master program.

At the public hearing on the master program hearing in October, I orally testified. I submitted as an exhibit, the summer 2013 edition of the Pipeline, which I received from the County Health Department that year. It did so, after I first notified it and took samples of the blue-green algae bloom that occurred in the north end of the lake. Shortly after my sampling, I received a sign from the Health Department to post on the shoreline access of our development. I did. It warned all people at our dock, not to use the lake until further notice. Our development of condominiums is named: Pattison Lake Townhomes. It is the only development along Mullen Road, which passes close to the lake and is connected to sewers.

in the Lacey Community Center, in late September, I mentioned to you my concerns. On October 2, 2021, I expressed them in a letter I submitted to the editor of The Olympian. This letter was eventually published in the newspaper on Thursday, November 10. I have attached a copy of it to this message.

Please read the policies of RCW 90.58.020 of the Shoreline Management Act(SMA). It is these policies, and RCW 90.58.900, which led the State Supreme Court to conclude: "The Shoreline Management Act is to be broadly construed in order to protect the state's shorelines as fully as possible." English Bay Enterprises, Ltd. v. Island County, 89 Wn.2d 16,20; 568 P.2d 783,786(1977).

I also direct your attention to RCW 43,21C.020(3), which mandates: "The legislature recognizes that each person has a fundamental and inalienable right to a healthful environment, and that each person has a responsibility to contribute to the preservation and enhancement of the environment."

Residential construction is exempt from the requirement to obtain a substantial development permit. However, it and all development are subject to the policies of the SMA.

It is urgent and necessary the County amend its Shoreline Master Program to require annual inspection and maintenance of residential septic systems which drain into County lakes. It also should require the installation of composting toilets for shoreline lake residents. The primary cause of toxic blue-green algae blooms is phosphorous from the increase of septic systems near these lakes. Historically, when the lakes were less developed, the primary source of phosphorous was from fertilizers used in farming. It is the human waste currently being emitted from leaking or failing septic tanks which is causing this problem. These blooms occur usually in the spring and fall when the lakes overturn. Increasingly, however, they are also happening in summer.

Sewers are the ultimate solution to this problem. Unfortunately, sewers are unlikely to be installed in the County to serve these lakes for several years. This is true of

lakes, such as Pattison, despite its location in the urban growth area of Lacey. Meanwhile, we expect these toxic algae blooms on County lakes, such as: Pattison, Long, Black, Summit, Lawrence, and Deep, to continue increasing. The costs will not be significant, in comparison to the private and public benefits this regulation achieves for retaining reasonable use and enjoyment of the lakes. Increasingly this use and enjoyment is shrinking for the private and public users. This is not to mention the environmental harm done to the natural habitats on these lakes for fish and wildlife. This situation is unacceptable under these laws.

Blessings,
Bob Jensen

Letter to the Editor of The Olympian

My wife and I lived on Pattison Lake from 2004 to 2019. The first blue-green algae bloom we witnessed was in 2013. I notified the Thurston County Department of Health. It determined the bloom exceeded recreational standards and was toxic. It issued public notice warning people not to use the lake, until toxins fell below state standards.

The Health Department provided a publication: The Pipeline, dated: Summer 2013. It addresses phosphorus and septic systems. It concludes, on page 3: "... phosphorus is usually the limiting nutrient when it comes to eutrophication of freshwater systems." Similarly, "The Thurston County Water Resources Monitoring Report 2017 Water Year," p. 8: declares: "In Black Lake, as with most freshwater lakes, algae production is limited by the amount of available phosphorus."

Historically, agriculture has been the major source of phosphorus. However, Thurston County is rapidly growing, this is declining. The contribution of septic systems is increasing.

Shorelines include lakes over 20 acres. These include Pattison, Long, which is downstream therefrom, and Deep Lakes. They are shallow, ground water lakes. This year, all have been temporarily closed to recreational use.

Please support septic system regulations, which require lake owners to regularly inspect and maintain their septic systems, to eliminate their contribution to the phosphorus loading on shoreline lakes. Submit your comments to: smp@co.thurston.wa.us; or mail them to the Thurston County Community Planning and Economic Development Dept., Attn: Andrew Deffobis, 2000 Lakeridge Dr. SW, Olympia, WA 98502.

From: [CAROLE MATHEWS](#)
To: [Andrew Deffobis](#)
Subject: RE: Incoming Comp Plan OR Dev Code Comment
Date: Friday, November 19, 2021 10:44:25 AM

Hi Andrew,

Thank you for the helpful information. I checked out the code for my zone, RL 1/1, and didn't find anything that addresses view protection. I am sure the structure across the street is exactly 35 feet so the protection from the SMP would not apply. I think it is kind of sad that one property (with a primary and an accessory structure) can either partially or completely obstruct the view of seven residences. Not that anything can be done about the property across the street now, but I am concerned about future growth in this area. I plan to write to the commissioners, but doubt it will have an impact.

I really appreciate your time and all the information you have provided. Have a good weekend and a wonderful Thanksgiving!

Carole

On 11/10/2021 11:25 AM Andrew Deffobis
<andrew.deffobis@co.thurston.wa.us> wrote:

Hi Carole,

Dimensional and setback standards for construction would be found in the various zoning code sections of the county code (and may differ depending on what zone you are in). These could affect views, though I am not sure if there are specific view protection standards in the zoning code. The most direct regulations that would have addressed view blockage on shorelines are the ones that were recently removed from the draft SMP.

The SMP does require a variance for structures taller than 35 feet when that will obstruct the views of a substantial number of residences, and only allows this when overriding considerations of public interest will be served.

The draft also includes a development standard for commercial development that prohibits it from significantly impacting views from upland properties.

Regards,

Andrew Deffobis, Interim Senior Planner

Thurston County Community Planning and Economic Development Department

2000 Lakeridge Drive SW

Olympia, WA 98502

Cell Phone: (360) 522-2593

Office Phone: (360) 786-5467

Fax: (360) 754-2939

From: CAROLE MATHEWS <kokithecat@comcast.net>
Sent: Thursday, November 4, 2021 11:33 AM
To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Subject: RE: Incoming Comp Plan OR Dev Code Comment

Thank you, Andrew. I see where I clicked on the wrong link and was looking at an old draft. Are view blockage standards found in a different plan or code?

Carole

On 11/02/2021 11:30 AM Andrew Deffobis
<andrew.deffobis@co.thurston.wa.us> wrote:

Hi Carole,

The proposed definition of principle building includes primary structures:

19.150.635 Principle Building: the primary structure on a lot closest to the ordinary high water mark excluding accessory structures

You might be looking at a previous or working copy of the draft. In the Planning Commission's [public hearing draft](#), Section 19.400.135, View Blockage, was removed at the Planning Commission's request.

Moving forward, the draft SMP must still be reviewed by the Board of County Commissioners. The Washington Department of Ecology will need to review and approve the SMP adopted by the Board of County Commissioners. But for now, these standards have been removed from the document.

Regards,

Andrew Deffobis, Interim Senior Planner

Thurston County Community Planning and Economic Development
Department

2000 Lakeridge Drive SW

Olympia, WA 98502

Cell Phone: (360) 522-2593

Office Phone: (360) 786-5467

Fax: (360) 754-2939

From: CAROLE MATHEWS <kokithec@comcast.net>

Sent: Monday, November 1, 2021 11:09 AM

To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Subject: RE: Incoming Comp Plan OR Dev Code Comment

Hi Andrew,

No worries on your response time, whenever you get to it is fine.

Is a primary structure the same as a principal building?
Primary structure is not in the plan definitions and the term is used in the explanation of Figure 19.400.135 (A)(2)(B).

In the View Blockage section there are references to "adjacent principal buildings". Does adjacent only apply to next to? For instance, is my property considered adjacent to, if my property is across the street from a principal structure located on the shoreline?

I appreciate your time and hope you have a good week!

Thank you,

Carole

On 10/28/2021 4:39 PM Andrew Deffobis
<andrew.deffobis@co.thurston.wa.us> wrote:

Hi Carole,

You can ask me directly. I'm getting a high volume of e-mails at the moment so doing the best I can to respond as quickly as possible.

Regards,

Andrew Deffobis, Interim Senior Planner

Thurston County Community Planning and Economic
Development Department

2000 Lakeridge Drive SW

Olympia, WA 98502

Cell Phone: (360) 522-2593

Office Phone: (360) 786-5467

Fax: (360) 754-2939

From: CAROLE MATHEWS

[<kokithecat@comcast.net>](mailto:kokithecat@comcast.net)

Sent: Thursday, October 28, 2021 10:38 AM

To: Andrew Deffobis

[<andrew.deffobis@co.thurston.wa.us>](mailto:andrew.deffobis@co.thurston.wa.us)

Subject: RE: Incoming Comp Plan OR Dev Code
Comment

Thank you, Andrew. If I have questions about the
Shoreline Master Program can I send them to you
directly or do I need to use the form?

Thanks again,

Carole

On 10/25/2021 5:08 PM Andrew Deffobis

[<andrew.deffobis@co.thurston.wa.us>](mailto:andrew.deffobis@co.thurston.wa.us)

wrote:

Hello Carole,

Thank you for your comments. They will be included in the public comment record and provided to the Planning Commission.

Regards,

Andrew Deffobis, Interim Senior Planner

Thurston County Community Planning and
Economic Development Department

2000 Lakeridge Drive SW

Olympia, WA 98502

Cell Phone: (360) 522-2593

Office Phone: (360) 786-5467

Fax: (360) 754-2939

From: Maya Teeple

<maya.teeple@co.thurston.wa.us>

Sent: Friday, October 22, 2021 3:38 PM

To: Andrew Deffobis

<andrew.deffobis@co.thurston.wa.us>

Subject: FW: Incoming Comp Plan OR Dev
Code Comment

**Thurston County Community Planning & Economic
Development**

Community Planning Division

2000 Lakeridge Dr SW, Bldg 1, Olympia, Washington 98502

Cell (Primary): (360) 545-2593

Maya.Teeple@co.thurston.wa.us | www.thurstonplanning.org

From: Carole Mathews

<donotreply@wordpress.com>

Sent: Friday, October 22, 2021 3:10 PM

To: Maya Teeple

<maya.teeple@co.thurston.wa.us>

Subject: Incoming Comp Plan OR Dev
Code Comment

Name: Carole Mathews

Email: kokithecat@comcast.net

Which DOCKET are you commenting on?:

My comment is about both dockets.

Which docket ITEM? (okay to use the

project's docket # or name): A-6 Shoreline
Master Program

Message: In Chapter 19.400, General
Regulations, 19.400.100, B. Existing
Structures

c. change height restriction to up to 25 feet

This change might allow for residences
behind existing structures when "remodeled"
to have at least a limited view instead of the
view of a three story building.

Time: October 22, 2021 at 10:10 pm

IP Address: 76.121.128.143

Contact Form URL:

[https://thurstoncomments.org/comment-
comp-plan-or-dev-code/](https://thurstoncomments.org/comment-comp-plan-or-dev-code/)

Sent by an unverified visitor to your site.

From: [Schorno Agri-Business Glenn Schorno](#)
To: [Andrew Deffobis](#)
Cc: [Don DeHan](#); [TCPC Nelson Scott](#)
Subject: Re: Farm Land use
Date: Wednesday, November 24, 2021 9:05:38 AM

Thanks Andrew.

Regarding the topic brought up during the Ag committee of open space, farmers that own land zoned as agricultural in Thurston county do not want more restrictive time periods or penalties in order to remove the open space designation. They want flexibility. Restrictions result in lowering the value of the land. More restrictions will decrease farmer's ability to get farm financing translating into less farming and financial loss. Farms that are unprofitable are unsustainable.

Comments made to the contrary we're not made by a farmer producing crops or a holder of agricultural zoned land.

Best Regards,
 Glenn Schorno

Sent from my iPhone

On Nov 23, 2021, at 5:31 PM, Andrew Deffobis
 <andrew.deffobis@co.thurston.wa.us> wrote:

Hi Don,

This issue was brought up in several public comments that were received before the close of the Planning Commission's public comment record on the SMP (October 22, 2021). At the next meeting, I can ask PC if there is support to add this topic to the list of items to explore as PC works on its recommendation to the BOCC.

Regards,

Andrew Deffobis, Interim Senior Planner
 Thurston County Community Planning and Economic Development Department
 2000 Lakeridge Drive SW
 Olympia, WA 98502
 Cell Phone: (360) 522-2593
 Office Phone: (360) 786-5467
 Fax: (360) 754-2939

From: Don DeHan <dehan1939@gmail.com>

Sent: Monday, November 22, 2021 2:33 PM

To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Cc: TCPC Nelson Scott <nelson.s@comcast.net>; Schorno Glenn Matt's Boss
<schornoag@hotmail.com>

Subject: Fwd: Farm Land use

Hi Andrew,

What do we need to do to accommodate this suggestion and protect our farmers?

Don DeHan

Begin forwarded message:

From: Schorno Agri-Business Glenn Schorno
<schornoag@hotmail.com>

Subject: Re: Farm Land use

Date: November 22, 2021 at 2:21:00 PM PST

To: Don DeHan <dehan1939@gmail.com>

Hi Don,

No. It doesn't. Fallow means you need to till it every year but not plant.

There should be no time limit on Ag land period. If you put a cover crop in and want to transition to organic production it may sit for 3 1/2 years while in transition. 5 years would be more appropriate but there should be no limit.

There are many reasons ag land may lie dormant. Poor markets, ownership disagreements, bankruptcy, major equipment failure, death of a farmer, etc..

After 2 years a farmer has to get a permit and lose the land to huge setbacks required by a permit? Criminal. Another taking without payment. Makes me want to sell my farm and quit.

Thanks for the help.

Glenn

Sent from my iPhone

On Nov 22, 2021, at 2:53 PM, Don DeHan
<dehan1939@gmail.com> wrote:

Hi Glenn,

Does this address your concern?

Don DeHan

Begin forwarded message:

From: Andrew Deffobis
<andrew.deffobis@co.thurston.wa.us>
Subject: RE: Farm Land use
Date: November 22, 2021 at 11:12:18 AM
PST
To: Don DeHan <dehan1939@gmail.com>

Hello Don,

Polly forwarded me your e-mail. Abandonment is defined on page 10 of 427 in the draft SMP:

19.150.100 Abandonment: cessation or vacation of a permitted use or structure through non-action for a period of two years.

A few things I would point out: the draft states that allowing agricultural land to lie fallow does not constitute abandonment (19.600.110(B)(4)) on page 92 of 427). Similarly, periods of aquaculture dormancy should not be considered abandonment, per 19.600.115(C)(1)(e) on page 95 of 427.

I'm not sure if that fully answers your question or not, please let me know if you'd like further information.

Regards,

Andrew Deffobis, Interim Senior Planner
Thurston County Community Planning and
Economic Development Department
2000 Lakeridge Drive SW
Olympia, WA 98502
Cell Phone: (360) 522-2593
Office Phone: (360) 786-5467
Fax: (360) 754-2939

-----Original Message-----

From: Polly Stoker
<polly.stoker@co.thurston.wa.us>
Sent: Thursday, November 18, 2021 9:31 AM
To: Andrew Deffobis
<andrew.deffobis@co.thurston.wa.us>
Subject: FW: Farm Land use

Please see below.

-----Original Message-----

From: Don DeHan <dehan1939@gmail.com>
Sent: Wednesday, November 17, 2021 8:47 PM
To: Polly Stoker
<polly.stoker@co.thurston.wa.us>
Subject: Farm Land use

Hi Polly. A question for Andrew,

Hi Andrew,

Where do I find the reference to the extended
non-use of property and the associated
designation change?

Don DeHan

From: [FRANK AND HEIDI Hudik](#)
To: [Barry Halverson](#); [Doug Karman](#)
Cc: [Andrew Deffobis](#)
Subject: Boathouses on lakes - SMP
Date: Wednesday, December 1, 2021 8:21:33 PM

I'm a bit concerned about this one. While the shading of fish may have been a consideration in the past, it seems it is no longer per the diatribe I heard today. But another set of considerations now enter the picture if boathouses are allowed: construction materials, size limits, height limits, obstruction of a neighbor(s) view, HOAs building a Taj Majal, among others. I tried to raise my hand but wrong forum for public input. Perhaps the appropriate limitations will get vetted in the future if boathouses are allowed by a Permit process?

FYI
Frank

From: [Bob Jensen](#)
To: [Andrew Deffobis](#)
Cc: [Dave Peeler](#); [Sue Patnude](#); [Ann Butler](#); [Karen Janowitz](#); [David Monthie](#); [David ThunderBear](#); [Stepetin.david@nisqually-nsn.gov](#); [Katrina Keleher](#); [Maurice Major](#); [Matthew Karas](#); [twentiethave@masonlake.com](#); [Joe Hiss](#); [Jim Longley](#); [Russel Fox](#); [pmlowe@comcast.net](#); [John Woodford](#)
Subject: Re: Shoreline Master Program
Date: Thursday, December 2, 2021 6:19:02 PM

Dear Andrew,

Thank you for your response. I appreciate your bringing this before the Planning Commission. Unfortunately, I am not convinced the Planning Commission is considering the inspection and maintenance of septic systems to protect against toxic algae blooms. The Shoreline Management Act (SMA) is not restricted from regulating these systems. These systems are part of residential development, which much be consistent with the policies of the SMA.

You suggest I contact The Health Department, which is specialized in septic systems. It is a separate entity. It has failed to initiate this type of inspection requirement in the past due to lack of funding. Rather than have me contact the Health Department, I suggest you, as the Shoreline Administrator make that contact.

My proposal is to place the burden upon the individual land owner to provide the County, annual assurances this inspection has been done, and provide the results of these inspections to the County Health Department. It would be the obligation of the Department to make a determination whether the septic system is contributing, or is likely to contribute phosphorous to the adjoining lake. This determination would then be submitted to the County official responsible for enforcement of the Shoreline Management Act and the County Shoreline Master Program. That person would take the appropriate measures to enforce this provision, to ensure the deficient septic system is repaired.

The costs of this enforcement would be a county obligation under the Shoreline Management Act. Accordingly, it would become a part of the county budget. The lack of funding is no excuse for pardoning this increasing tragedy, which is not only harming our lakes; but is limiting the public use and enjoyment thereof, by both private owners and the public. We can afford no less than to halt these toxic algae blooms, as soon as possible.

Blessings,
 Bob

From: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Sent: Tuesday, November 30, 2021 4:33 PM

To: Bob Jensen <rv mijensen@hotmail.com>

Cc: Dave Peeler <davepeeler@hotmail.com>; Sue Patnude <suepatnude@gmail.com>; Ann Butler <ann.t.butler@gmail.com>; Karen Janowitz <kjwitez@comcast.net>; David Monthie <mrwater49@yahoo.com>; David ThunderBear <dthunderbear@yahoo.com>; Stepetin.david@nisqually-nsn.gov <Stepetin.david@nisqually-nsn.gov>; Katrina Keleher <katrinakeleher@gmail.com>; Maurice Major <mojourner@gmail.com>; Matthew Karas <mkaras@deschutesestuary.org>; twentiethave@masonlake.com <twentiethave@masonlake.com>; Joe Hiss <joe.hiss.biologist@gmail.com>; Jim Longley <jlongley@blarg.net>; Russel Fox <olyfox@comcast.net>; pmlowe@comcast.net <pmlowe@comcast.net>; John Woodford <jwoodford.aia@gmail.com>

Subject: RE: Shoreline Master Program

Hello Bob,

Thank you for your comments. They will be included in the public comment record and provided to the Board of County Commissioners. Your previous written comments received before the close of the Planning Commission's public comment period were also provided to the Planning Commission.

Each Planning Commission meeting has an opportunity for the public to address the Planning Commission. This is a separate agenda item from any work sessions on topics the Planning Commission is reviewing, and is reserved for comment on topics for which a public hearing has not been held. If you joined the meeting at 7 PM, that may have been after the public comment portion of the agenda had concluded.

The SMP as a whole is intended to protect shorelines and shoreline water bodies from a variety of issues, including impaired water quality. The installation of residential septic systems is regulated by development standards within the SMP, including buffers which dictate how far development can occur from shorelines. Inspection and maintenance of existing systems is the purview of the Environmental Health Department, not Community Planning & Economic Development (which drafts land use codes and implements adopted land use regulations such as the SMP). I would recommend directing comments about increasing septic maintenance to Environmental Health, or the Board of Health. Please let me know if you would like contact information for either entity.

Regards,

Andrew Deffobis, Interim Senior Planner
Thurston County Community Planning and Economic Development Department
2000 Lakeridge Drive SW
Olympia, WA 98502
Cell Phone: (360) 522-2593
Office Phone: (360) 786-5467
Fax: (360) 754-2939

From: Bob Jensen <rvmijensen@hotmail.com>

Sent: Thursday, November 18, 2021 12:00 AM

To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Cc: Dave Peeler <davepeeler@hotmail.com>; Sue Patnude <suepatnude@gmail.com>; Ann Butler <ann.t.butler@gmail.com>; Karen Janowitz <kjwitez@comcast.net>; David Monthie <mrwater49@yahoo.com>; David ThunderBear <dthunderbear@yahoo.com>; Stepetin.david@nisqually-nsn.gov; Katrina Keleher <katrinakeleher@gmail.com>; Maurice Major <mojourner@gmail.com>; Matthew Karas <mkaras@deschutesestuary.org>; twentiethave@masonlake.com; Joe Hiss <joe.hiss.biologist@gmail.com>; Jim Longley <jlongley@blarg.net>; Russel Fox <olyfox@comcast.net>; pmlowe@comcast.net; John Woodford <jwoodford.aia@gmail.com>

Subject: Shoreline Master Program

Dear Andrew,

I am Bob Jensen. I have testified previously at public hearings and submitted written comments to you and the Planning Commission, in which, I am seeking regular inspection and maintenance of septic systems on shoreline lakes. The purpose of this proposal is to control the increasing toxic blue-green algae blooms thereon. This is particularly egregious on County lakes because most of them are either completely or partially unsewered.

Unfortunately, there is no reasonable probability these lakes will be served by sewers soon enough to reduce the current incidence of these algae blooms. These algae blooms regularly violate the state recreational standards. This has caused portions or all the lakes to be closed to public use, until the County Health Department determines the blooms no longer violate these standards.

I attempted to testify about this major issue at tonight's hearing. However, as I more closely read the agenda, the public hearing aspect of the meeting, was not applicable to topics that had been covered previously in public hearings. I gather this included the Shoreline workshop, which started at 7:00 pm. This could explain why, although I successfully entered the Zoom meeting, I was unable to open the video, or use my computer camera in the meeting.

Nonetheless, I was able to watch the entirety of the Shoreline workshop on my desktop computer. Most of this time was devoted to the Planning Commissioners and you discussing the public input and proposed changes to the master program.

I did not hear a reference to the increasing incidence of, or control of toxic blue-green algae blooms, on County shoreline lakes.

I intend to express my concern about this failing, either in the proposed master program amendments, or in your summary of

public comments. I hope you will provide a public summary of all the proposed changes to the master program approved by most of those Commissioners present at tonight's meeting, and to which you agreed to pursue.

There is currently no reference to the significant manifestations of toxic blue-green algae blooms in the County Master Program. This may be due to the fact they were not publicized until within the last few years. However, I believe it was because the County Health Department did not address the connection between these blooms and residential sewage until relatively recently. However, I do not understand your reluctance to address this issue in any public arena where I have been present. Nevertheless, I expect you to address this issue in the Planning Commission's further consideration of amendments to the master program.

At the public hearing on the master program hearing in October, I orally testified. I submitted as an exhibit, the summer 2013 edition of the Pipeline, which I received from the County Health Department that year. It did so, after I first notified it and took samples of the blue-green algae bloom that occurred in the north end of the lake. Shortly after my sampling, I received a sign from the Health Department to post on the shoreline access of our development. I did. It warned all people at our dock, not to use the lake until further notice. Our development of condominiums is named: Pattison Lake Townhomes. It is the only development along Mullen Road, which passes close to the lake and is connected to sewers.

in the Lacey Community Center, in late September, I mentioned to you my concerns. On October 2, 2021, I expressed them in a letter I submitted to the editor of The Olympian. This letter was eventually published in the newspaper on Thursday, November 10. I have attached a copy of it to this message.

Please read the policies of RCW 90.58.020 of the Shoreline Management Act(SMA). It is these policies, and RCW 90.58.900, which led the State Supreme Court to conclude: "The Shoreline Management Act is to be broadly construed in order to protect the state's shorelines as fully as possible." English Bay Enterprises, Ltd. v. Island County, 89 Wn.2d 16,20; 568 P.2d 783,786(1977).

I also direct your attention to RCW 43,21C.020(3), which mandates: "The legislature recognizes that each person has a fundamental and inalienable right to a healthful environment, and that each person has a responsibility to contribute to the preservation and enhancement of the environment."

Residential construction is exempt from the requirement to obtain a substantial development permit. However, it and all development are subject to the policies of the SMA.

It is urgent and necessary the County amend its Shoreline Master Program to require annual inspection and maintenance of residential septic systems which drain into County lakes. It also should require the installation of composting toilets for

shoreline lake residents. The primary cause of toxic blue-green algae blooms is phosphorous from the increase of septic systems near these lakes. Historically, when the lakes were less developed, the primary source of phosphorous was from fertilizers used in farming. It is the human waste currently being emitted from leaking or failing septic tanks which is causing this problem. These blooms occur usually in the spring and fall when the lakes overturn. Increasingly, however, they are also happening in summer.

Sewers are the ultimate solution to this problem. Unfortunately, sewers are unlikely to be installed in the County to serve these lakes for several years. This is true of lakes, such as Pattison, despite its location in the urban growth area of Lacey. Meanwhile, we expect these toxic algae blooms on County lakes, such as: Pattison, Long, Black, Summit, Lawrence, and Deep, to continue increasing. The costs will not be significant, in comparison to the private and public benefits this regulation achieves for retaining reasonable use and enjoyment of the lakes. Increasingly this use and enjoyment is shrinking for the private and public users. This is not to mention the environmental harm done to the natural habitats on these lakes for fish and wildlife. This situation is unacceptable under these laws.

Blessings,
Bob Jensen

From: [Anne Van Sweringen](#)
To: [Andrew Deffobis](#)
Cc: [Phyllis Farrell](#); [Sam Merrill](#)
Subject: proposed SMP code amendment
Date: Friday, December 3, 2021 1:30:53 PM
Attachments: [ThurstonCountyDevCodeAmendmentApplication 11-15-21 TECS avs.docx](#)
[BOCC SMP Update public hearing, TECS comment re code amendment to CMejia 12-1-21.docx](#)
[BOCC SMP Update public hearing, TECS comment re code amendment to GEdwards 12-1-21.docx](#)
[BOCC SMP Update public hearing, TECS comment re code amendment to TMenser 12-1-21.docx](#)

Hi Andrew,

I hope you had a great Thanksgiving.

Environmental stakeholder groups of Thurston County submitted a proposed SMP code amendment on November 15 to Maya Teeple, which she sent to you (attached). The code amendment is in regard to a part of the Shoreline Master Program Update.

The three other attached documents, below, are a letter to the BoCC. The letter describes the proposed code amendment, followed by the 3-page proposed code amendment itself. On December 2, I sent the full letter to the assistants of the BoCC Commissioners, Mejia, Edwards, and Menser.

Please Note: I made a very minor change in the proposed code amendment following the letter (not in the original): I added the titles to two heads of concerned groups (E. Kronenberg, Co-Chair; S. Patnude, Executive Director) that I had left off in the actual proposed code amendment.

It is important that the BoCC attends to our letter and proposed code amendment as the Shoreline Master Program continues to be reviewed.

Thank you,

Anne Van Sweringen
Representative, Thurston Environmental Community Stakeholders

Board of County Commissioners
MEJIA-BARAHONA, District 1
EDWARDS, District 2
MENSER, District 3

FOR STAFF REVIEW

Date Submitted: November 15, 2021

Proposed Code Amendment

Note: The Board of County Commissioners will rely largely on the information provided in this form to decide whether or not to pursue the proposed code amendment.

What is the issue/problem/opportunity to be addressed? What problems are County residents or other parties having with the current regulations? (Provide a specific example if possible):

RE: SMP Update - Ecology's SMP Handbook, Chapter 4, states: "Local planners working on SMP updates have asked for a tool to measure no net loss. In response, Ecology staff scientists and planners...developed a list of potential No Net Loss indicators for Shoreline Master Programs...Over time, the existing condition of shoreline ecological functions should remain the same as the SMP is implemented. Simply stated, the no net loss standard is designed to halt the introduction of new impacts to shoreline ecological functions resulting from new development...Local governments must achieve this standard through both the SMP planning process and by appropriately regulating individual developments as they are proposed in the future."

The Shoreline Master Program Guidelines in WAC 173-26-191(2)(a)(iii)(D) require the county to track shoreline permits and exemptions to ensure no net loss. A clear, transparent process for measuring no net loss and net ecological gain would protect the environment and increase public confidence that the county's shoreline master program is being effectively implemented.

The Thurston Environmental Community Stakeholders and other stakeholder groups would like to see measured totals for no net loss of shoreline ecological functions and net gain from permitted and other county projects. Climate adaptation and mitigation are probably the most important factors related to climate change in protecting the county's shorelines amidst growth and development. One example - buffer widths, particularly riparian and marine buffers, need to be adequate (using one site potential tree height [SPTH]) to protect us and ecological functions from sea level rise caused by climate change. Buffers must be standardized in all uses.

Are you aware of anyone else (individual or group) who shares this concern? If yes, who? How many? (Please provide contact information for stakeholders, if possible.)

1. Phyllis Farrell, South Sound Sierra Club Group-Conservation (phyllisfarrell681@hotmail.com)
2. Esther Kronenberg, Citizens for a Clean Black Lake (wekron@gmail.com)
3. Sam Merrill, BHAS board member and chair, Conservation Committee (sammerrill3@comcast.net)

4. Daniel Einstein, President, and Director, Conservation Committee, Olympia Coalition for Ecosystem Protection (daniel@olyecosystems.org)
5. Sue Patnude, Deschutes Estuary Restoration Team (olydert@gmail.com)
6. Karen Tvedt, President, League of Women Voters of Thurston County (tvedtkl@msn.com)
7. Tom Crawford, President, chair, Board off Directors, Thurston Climate Action Team (tom@thurstonclimateaction.org)
8. Anne Van Sweringen, Representative, Thurston Environmental Community Stakeholders (Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters) (avansw2@gmail.com)

What do you think needs to be changed, added, or deleted in the code? (Please cite the section of code you want changed or attach the affected code with the proposed changes.)

The county must track measurable, not just descriptive, net changes (gain or loss) over time to meet the standard of no net loss of shoreline ecological functions or net gain in shoreline functions. The county can develop a system to monitor shoreline freshwater and saltwater habitats (<https://ecology.wa.gov/Research-Data/Monitoring-assessment/River-stream-monitoring/Habitat-monitoring>). The system can maintain data and information from permittees' independent baseline analyses and continued future studies of existing ecological functions gathered from these projects.

The 15 SMP Handbook Indicators can be used to track gains and losses from development projects and water-dependent uses (particularly industrial aquaculture) with SDP and CUP permits, and other development. The process of determining and tracking a permitted project's net losses or gains, based on these indicators, can be written into the code. Measuring and continuing to track these indicators can give CPED a picture of shoreline conditions and ecological functions.

Once the SMP update of the 1990 code is accepted by Ecology, Thurston County CPED long range planners (Christina Chaput) will create recommendations for the SMP additions to the code. Sections including this addition may be located in:

Chapter 19.300 General Goals and Policies, .110 Vegetation Conservation, .115 Water Quality and Quantity, .120 Economic Development, .140 Restoration and Enhancement, .145 Transportation and Utilities;

Chapter 19.400 General Regulations, .100 Existing Development, .105 Proposed Development, .110 Mitigation, .115 Critical Areas, .120 Vegetation Conservation Buffers, B. Buffer Widths, C. Constrained Lot and Infill Provisions, D. Other Uses and Modifications in Buffers, .125 Water Quality and Quantity; .140 Bulk and Dimension Standards, .145 Public Access, .150 Flood Hazard Reduction Measures, .155 Restoration and Enhancement;

Chapter 19.500 Permit Provisions, Review and Enforcement, .100 Permit Application Review and Permits, A. Permit Application Review, B. Substantial Development Permit, D. Conditional Use Permits..., E. Variances..., F. Developments Not Required to Shoreline Permits or Local

Reviews, .105 Procedure, B. Pre-submission Conference, G. Permit Revisions, K. Monitoring, .110 Enforcement and Penalties;

Chapter 19.600 Shoreline Use and Modification Development Standards, .110 Agriculture, .115 Aquaculture, B. Application Requirements, C. Development Standards, .120 Barrier...and In-Stream Structures, .125 Boating Facilities, .130 Commercial Development, .135 Dredging and Dredge Disposal, .140 Fill, .145 Forest Practices/Timber Harvest, .150 Industrial Development, .155 Mining, .160 Mooring Structures and Activities, .165 Recreation and Public Access, .170 Residential Development, .175 Shoreline Stabilization, .180 Transportation, .185 Utilities;

Chapter 19.700 Special Reports, .105 Wetland Delineation Report, .110 Wetland Mitigation Plan/Report, .112 Advance Shoreline Mitigation Plan, .115 Habitat Management Plan, .120 Geotechnical Report and Geological Report, .125 Hydrogeological Report, .130 Cumulative Impacts Report, .135 Navigation Study, .140 Shoreline Mitigation Plan, .145 Biological and Habitat Surveys;

Appendix B: Mitigation Options to Achieve No Net Loss for New or Re-Development Activities, B.2 Mitigation Standards for Specific Development Activities, B.3 New and Replacement Shoreline Armoring or Barrier Structures..., B.4 New and Replacement Overwater Structures..., B.5 Alternative Mitigation Options; and

Appendix C. Shoreline Restoration Plan, C.4 Identification of Degraded Sites with Restoration Potential, C.5 Existing Programs and Funding Sources, C.6 Implementation and Monitoring (Project and Program Effectiveness).

Where would the amendment apply? County wide ("certain marine areas and larger streams, rivers, and lakes in Washington" (Ecology <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-Management-Act-SMA/Shoreline-Management-Act-jurisdiction/Shorelines-of-statewide-significance>)

Who initiated the request: Citizen

Contact Information (Name):

Anne Van Sweringen

Representative, Thurston Environmental Community Stakeholders

(Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters)

Citizen telephone number: (360) 628-1179

Citizen email address: avansw2@gmail.com

For staff-initiated requests only: Will this require a change to the permit process/systems? Please describe.

PLEASE RETURN THIS FORM:

Last Updated: March 26, 2021

MAYA TEEPLE, maya.teeple@co.thurston.wa.us (360 545-2593)

Thurston Environmental Community Stakeholders

Black Hills Audubon Society, Sierra Club South Sound, Thurston League of Women Voters, Thurston Climate Action Team, and Thurston Environmental Voters

Honorable Carolina Mejia
Commissioner District 1
Thurston County Board of County Commissioners

December 1, 2021

Dear Commissioner Mejia,

On behalf of the five environmental nonprofits listed above, two additional Thurston County environmental nonprofits and one citizens group, please accept the following proposed Shoreline Master Program Update code amendment. We submitted the proposed code amendment on November 15 for the upcoming Board of County Commissioners' review of the Shoreline Master Program Update in 2022. The proposed code amendment follows this letter.

Last summer, Commissioner Menser, who had been discussing stakeholder collaboration with Josh Cummings, Director of CPED, reached out to Phyllis Farrell and me. We are now holding monthly meetings with Josh and his staff. At a November 4 meeting, Josh encouraged us to submit proposed code changes annually by November 15. Maya Teeple responded to our November 15 submission. Maya stated our request falls within the scope of the officially docketed Shoreline Master Program Update for 2022 and it will be included for any changes to the Thurston County Code. We would like to submit the proposed code amendment as a comment to you, as you proceed with the SMP Update process.

The five stakeholder and three additional groups would like to see the county track data from permitted and other county projects. The county could track measured (in addition to descriptive) no net loss and net gain of shoreline ecological functions. Tracking data on ecological functions from affected shorelines is becoming critical, particularly in this time of climate change. Because the county has not yet addressed sea level rise, it is critical that a net loss or gain of shoreline ecological functions be tracked, to protect people and homes as well as the functions and values of shorelines.

Our proposed code amendment pertains to the 1990 SMP *and* the current update. It does not involve specific code changes, but includes chapters and subchapters in which our amendment may be added to the code.

The SMP Handbook states that developing and implementing a no net loss standard is particularly important when evaluating the efficacy of the shoreline master program. WAC 173.26.186 states that the SMP include regulations designed so the SMP uses a process that identifies and inventories ecological functions provided by affected shorelines. Measuring and tracking includes indicators such as acres of forest cover or permanently protected areas, area of kelp, linear feet of bulkheads or riparian vegetation, or the number of docks or great blue heron

rookeries. These indicators, when tracked, can give the county a picture of shoreline conditions and ecological functions.

If funding is limited, we propose two funding sources:

1. To fund the necessary work to accurately measure no net loss or net gain of shoreline ecological functions, CPED can partner with tribes, agencies, Thurston Conservation District, and universities. These partners can work with county staff to conduct regular monitoring and adaptive management to determine loss of shoreline ecological functions and account for cumulative and secondary impacts.

2. The county must ensure Thurston environmental nonprofits and groups are included in decisions regarding how federal Build Back Better, infrastructure, or other funds are spent. Inclusion in funding decisions is critical, particularly for monitoring and establishing baseline analyses for development projects.

Respectfully submitted,

Anne Van Sweringen, Representative
Thurston Environmental Community Stakeholders
1630 Central St NE
Olympia, WA 98506

Board of County Commissioners
MEJIA-BARAHONA, District 1
EDWARDS, District 2
MENSER, District 3

FOR STAFF REVIEW

Date Submitted: November 15, 2021

Proposed Code Amendment

Note: The Board of County Commissioners will rely largely on the information provided in this form to decide whether or not to pursue the proposed code amendment.

What is the issue/problem/opportunity to be addressed? What problems are County residents or other parties having with the current regulations? (Provide a specific example if possible):

RE: SMP Update - Ecology's SMP Handbook, Chapter 4, states: "Local planners working on SMP updates have asked for a tool to measure no net loss. In response, Ecology staff scientists and planners...developed a list of potential No Net Loss indicators for Shoreline Master Programs...Over time, the existing condition of shoreline ecological functions should remain the same as the SMP is implemented. Simply stated, the no net loss standard is designed to halt the introduction of new impacts to shoreline ecological functions resulting from new development...Local governments must achieve this standard through both the SMP planning process and by appropriately regulating individual developments as they are proposed in the future."

The Shoreline Master Program Guidelines in WAC 173-26-191(2)(a)(iii)(D) require the county to track shoreline permits and exemptions to ensure no net loss. A clear, transparent process for measuring no net loss and net ecological gain would protect the environment and increase public confidence that the county's shoreline master program is being effectively implemented.

The Thurston Environmental Community Stakeholders and other stakeholder groups would like to see measured totals for no net loss of shoreline ecological functions and net gain from permitted and other county projects. Climate adaptation and mitigation are probably the most important factors related to climate change in protecting the county's shorelines amidst growth and development. One example - buffer widths, particularly riparian and marine buffers, need to be adequate (using one site potential tree height [SPTH]) to protect us and ecological functions from sea level rise caused by climate change. Buffers must be standardized in all uses.

Are you aware of anyone else (individual or group) who shares this concern? If yes, who? How many? (Please provide contact information for stakeholders, if possible.)

1. Phyllis Farrell, South Sound Sierra Club, Group-Conservation (phyllisfarrell681@hotmail.com)
2. Esther Kronenberg, *Co-Chair*, Citizens for a Clean Black Lake (wekrone@gmail.com)
3. Sam Merrill, BHAS Board member and Chair, Conservation Committee (sammerrill3@comcast.net)

4. Daniel Einstein, President, and Director, Conservation Committee, Olympia Coalition for Ecosystem Protection (daniel@olyecosystems.org)
5. Sue Patnude, *Executive Director*, Deschutes Estuary Restoration Team (olydert@gmail.com)
6. Karen Tvedt, President, League of Women Voters of Thurston County (tvedtkl@msn.com)
7. Tom Crawford, President, Chair, Board off Directors, Thurston Climate Action Team (tom@thurstonclimateaction.org)
8. Anne Van Sweringen, Representative, Thurston Environmental Community Stakeholders (Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters) (avansw2@gmail.com)

What do you think needs to be changed, added, or deleted in the code? (Please cite the section of code you want changed or attach the affected code with the proposed changes.)

The county must track measurable, not just descriptive, net changes (gain or loss) over time to meet the standard of no net loss of shoreline ecological functions or net gain in shoreline functions. The county can develop a system to monitor shoreline freshwater and saltwater habitats (<https://ecology.wa.gov/Research-Data/Monitoring-assessment/River-stream-monitoring/Habitat-monitoring>). The system can maintain data and information from permittees' independent baseline analyses and continued future studies of existing ecological functions gathered from these projects.

The 15 SMP Handbook Indicators can be used to track gains and losses from development projects and water-dependent uses (particularly industrial aquaculture) with SDP and CUP permits, and other development. The process of determining and tracking a permitted project's net losses or gains, based on these indicators, can be written into the code. Measuring and continuing to track these indicators can give CPED a picture of shoreline conditions and ecological functions.

Once the SMP update of the 1990 code is accepted by Ecology, Thurston County CPED long range planners (Christina Chaput) will create recommendations for the SMP additions to the code. Sections including this addition may be located in:

Chapter 19.300 General Goals and Policies, .110 Vegetation Conservation, .115 Water Quality and Quantity, .120 Economic Development, .140 Restoration and Enhancement, .145 Transportation and Utilities;

Chapter 19.400 General Regulations, .100 Existing Development, .105 Proposed Development, .110 Mitigation, .115 Critical Areas, .120 Vegetation Conservation Buffers, B. Buffer Widths, C. Constrained Lot and Infill Provisions, D. Other Uses and Modifications in Buffers, .125 Water Quality and Quantity; .140 Bulk and Dimension Standards, .145 Public Access, .150 Flood Hazard Reduction Measures, .155 Restoration and Enhancement;

Chapter 19.500 Permit Provisions, Review and Enforcement, .100 Permit Application Review and Permits, A. Permit Application Review, B. Substantial Development Permit, D. Conditional Use Permits..., E. Variances..., F. Developments Not Required to Shoreline Permits or Local

Reviews, .105 Procedure, B. Pre-submission Conference, G. Permit Revisions, K. Monitoring, .110 Enforcement and Penalties;

Chapter 19.600 Shoreline Use and Modification Development Standards, .110 Agriculture, .115 Aquaculture, B. Application Requirements, C. Development Standards, .120 Barrier...and In-Stream Structures, .125 Boating Facilities, .130 Commercial Development, .135 Dredging and Dredge Disposal, .140 Fill, .145 Forest Practices/Timber Harvest, .150 Industrial Development, .155 Mining, .160 Mooring Structures and Activities, .165 Recreation and Public Access, .170 Residential Development, .175 Shoreline Stabilization, .180 Transportation, .185 Utilities;

Chapter 19.700 Special Reports, .105 Wetland Delineation Report, .110 Wetland Mitigation Plan/Report, .112 Advance Shoreline Mitigation Plan, .115 Habitat Management Plan, .120 Geotechnical Report and Geological Report, .125 Hydrogeological Report, .130 Cumulative Impacts Report, .135 Navigation Study, .140 Shoreline Mitigation Plan, .145 Biological and Habitat Surveys;

Appendix B: Mitigation Options to Achieve No Net Loss for New or Re-Development Activities, B.2 Mitigation Standards for Specific Development Activities, B.3 New and Replacement Shoreline Armoring or Barrier Structures..., B.4 New and Replacement Overwater Structures..., B.5 Alternative Mitigation Options; and

Appendix C. Shoreline Restoration Plan, C.4 Identification of Degraded Sites with Restoration Potential, C.5 Existing Programs and Funding Sources, C.6 Implementation and Monitoring (Project and Program Effectiveness).

Where would the amendment apply? County wide ("certain marine areas and larger streams, rivers, and lakes in Washington" (Ecology <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-Management-Act-SMA/Shoreline-Management-Act-jurisdiction/Shorelines-of-statewide-significance>)

Who initiated the request: Citizen

Contact Information (Name):

Anne Van Sweringen

Representative, Thurston Environmental Community Stakeholders

(Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters)

Citizen telephone number: (360) 628-1179

Citizen email address: avansw2@gmail.com

For staff-initiated requests only: Will this require a change to the permit process/systems? Please describe.

PLEASE RETURN THIS FORM:

Last Updated: March 26, 2021

MAYA TEEPLE, maya.teeple@co.thurston.wa.us (360 545-2593)

Thurston Environmental Community Stakeholders

Black Hills Audubon Society, Sierra Club South Sound, Thurston League of Women Voters, Thurston Climate Action Team, and Thurston Environmental Voters

Honorable Gary Edwards
Commissioner District 2
Thurston County Board of County Commissioners

December 1, 2021

Dear Commissioner Edwards,

On behalf of the five environmental nonprofits listed above, two additional Thurston County environmental nonprofits and one citizens group, please accept the following proposed Shoreline Master Program Update code amendment. We submitted the proposed code amendment on November 15 for the upcoming Board of County Commissioners' review of the Shoreline Master Program Update in 2022. The proposed code amendment follows this letter.

Last summer, Commissioner Menser, who had been discussing stakeholder collaboration with Josh Cummings, Director of CPED, reached out to Phyllis Farrell and me. We are now holding monthly meetings with Josh and his staff. At a November 4 meeting, Josh encouraged us to submit proposed code changes annually by November 15. Maya Teeple responded to our November 15 submission. Maya stated our request falls within the scope of the officially docketed Shoreline Master Program Update for 2022 and it will be included for any changes to the Thurston County Code. We would like to submit the proposed code amendment as a comment to you, as you proceed with the SMP Update process.

The five stakeholder and three additional groups would like to see the county track data from permitted and other county projects. The county could track measured (in addition to descriptive) no net loss and net gain of shoreline ecological functions. Tracking data on ecological functions from affected shorelines is becoming critical, particularly in this time of climate change. Because the county has not yet addressed sea level rise, it is critical that a net loss or gain of shoreline ecological functions be tracked, to protect people and homes as well as the functions and values of shorelines.

Our proposed code amendment pertains to the 1990 SMP *and* the current update. It does not involve specific code changes, but includes chapters and subchapters in which our amendment may be added to the code.

The SMP Handbook states that developing and implementing a no net loss standard is particularly important when evaluating the efficacy of the shoreline master program. WAC 173.26.186 states that the SMP include regulations designed so the SMP uses a process that identifies and inventories ecological functions provided by affected shorelines. Measuring and tracking includes indicators such as acres of forest cover or permanently protected areas, area of kelp, linear feet of bulkheads or riparian vegetation, or the number of docks or great blue heron

rookeries. These indicators, when tracked, can give the county a picture of shoreline conditions and ecological functions.

If funding is limited, we propose two funding sources:

1. To fund the necessary work to accurately measure no net loss or net gain of shoreline ecological functions, CPED can partner with tribes, agencies, Thurston Conservation District, and universities. These partners can work with county staff to conduct regular monitoring and adaptive management to determine loss of shoreline ecological functions and account for cumulative and secondary impacts.

2. The county must ensure Thurston environmental nonprofits and groups are included in decisions regarding how federal Build Back Better, infrastructure, or other funds are spent. Inclusion in funding decisions is critical, particularly for monitoring and establishing baseline analyses for development projects.

Respectfully submitted,

Anne Van Sweringen, Representative
Thurston Environmental Community Stakeholders
1630 Central St NE
Olympia, WA 98506

**Board of County Commissioners
MEJIA-BARAHONA, District 1
EDWARDS, District 2
MENSER, District 3**

FOR STAFF REVIEW

Date Submitted: November 15, 2021

Proposed Code Amendment

Note: The Board of County Commissioners will rely largely on the information provided in this form to decide whether or not to pursue the proposed code amendment.

What is the issue/problem/opportunity to be addressed? What problems are County residents or other parties having with the current regulations? (Provide a specific example if possible):

RE: SMP Update - Ecology's SMP Handbook, Chapter 4, states: "Local planners working on SMP updates have asked for a tool to measure no net loss. In response, Ecology staff scientists and planners...developed a list of potential No Net Loss indicators for Shoreline Master Programs...Over time, the existing condition of shoreline ecological functions should remain the same as the SMP is implemented. Simply stated, the no net loss standard is designed to halt the introduction of new impacts to shoreline ecological functions resulting from new development...Local governments must achieve this standard through both the SMP planning process and by appropriately regulating individual developments as they are proposed in the future."

The Shoreline Master Program Guidelines in WAC 173-26-191(2)(a)(iii)(D) require the county to track shoreline permits and exemptions to ensure no net loss. A clear, transparent process for measuring no net loss and net ecological gain would protect the environment and increase public confidence that the county's shoreline master program is being effectively implemented.

The Thurston Environmental Community Stakeholders and other stakeholder groups would like to see measured totals for no net loss of shoreline ecological functions and net gain from permitted and other county projects. Climate adaptation and mitigation are probably the most important factors related to climate change in protecting the county's shorelines amidst growth and development. One example - buffer widths, particularly riparian and marine buffers, need to be adequate (using one site potential tree height [SPTH]) to protect us and ecological functions from sea level rise caused by climate change. Buffers must be standardized in all uses.

Are you aware of anyone else (individual or group) who shares this concern? If yes, who? How many? (Please provide contact information for stakeholders, if possible.)

1. Phyllis Farrell, South Sound Sierra Club, Group-Conservation (phyllisfarrell681@hotmail.com)
2. Esther Kronenberg, Co-Chair, Citizens for a Clean Black Lake (wekrone@gmail.com)
3. Sam Merrill, BHAS Board member and Chair, Conservation Committee (sammerrill3@comcast.net)

4. Daniel Einstein, President, and Director, Conservation Committee, Olympia Coalition for Ecosystem Protection (daniel@olyecosystems.org)
5. Sue Patnude, Executive Director, Deschutes Estuary Restoration Team (olydert@gmail.com)
6. Karen Tvedt, President, League of Women Voters of Thurston County (tvedtkl@msn.com)
7. Tom Crawford, President, Chair, Board off Directors, Thurston Climate Action Team (tom@thurstonclimateaction.org)
8. Anne Van Sweringen, Representative, Thurston Environmental Community Stakeholders (Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters) (avansw2@gmail.com)

What do you think needs to be changed, added, or deleted in the code? (Please cite the section of code you want changed or attach the affected code with the proposed changes.)

The county must track measurable, not just descriptive, net changes (gain or loss) over time to meet the standard of no net loss of shoreline ecological functions or net gain in shoreline functions. The county can develop a system to monitor shoreline freshwater and saltwater habitats (<https://ecology.wa.gov/Research-Data/Monitoring-assessment/River-stream-monitoring/Habitat-monitoring>). The system can maintain data and information from permittees' independent baseline analyses and continued future studies of existing ecological functions gathered from these projects.

The 15 SMP Handbook Indicators can be used to track gains and losses from development projects and water-dependent uses (particularly industrial aquaculture) with SDP and CUP permits, and other development. The process of determining and tracking a permitted project's net losses or gains, based on these indicators, can be written into the code. Measuring and continuing to track these indicators can give CPED a picture of shoreline conditions and ecological functions.

Once the SMP update of the 1990 code is accepted by Ecology, Thurston County CPED long range planners (Christina Chaput) will create recommendations for the SMP additions to the code. Sections including this addition may be located in:

Chapter 19.300 General Goals and Policies, .110 Vegetation Conservation, .115 Water Quality and Quantity, .120 Economic Development, .140 Restoration and Enhancement, .145 Transportation and Utilities;

Chapter 19.400 General Regulations, .100 Existing Development, .105 Proposed Development, .110 Mitigation, .115 Critical Areas, .120 Vegetation Conservation Buffers, B. Buffer Widths, C. Constrained Lot and Infill Provisions, D. Other Uses and Modifications in Buffers, .125 Water Quality and Quantity; .140 Bulk and Dimension Standards, .145 Public Access, .150 Flood Hazard Reduction Measures, .155 Restoration and Enhancement;

Chapter 19.500 Permit Provisions, Review and Enforcement, .100 Permit Application Review and Permits, A. Permit Application Review, B. Substantial Development Permit, D. Conditional Use Permits..., E. Variances..., F. Developments Not Required to Shoreline Permits or Local

Reviews, .105 Procedure, B. Pre-submission Conference, G. Permit Revisions, K. Monitoring, .110 Enforcement and Penalties;

Chapter 19.600 Shoreline Use and Modification Development Standards, .110 Agriculture, .115 Aquaculture, B. Application Requirements, C. Development Standards, .120 Barrier...and In-Stream Structures, .125 Boating Facilities, .130 Commercial Development, .135 Dredging and Dredge Disposal, .140 Fill, .145 Forest Practices/Timber Harvest, .150 Industrial Development, .155 Mining, .160 Mooring Structures and Activities, .165 Recreation and Public Access, .170 Residential Development, .175 Shoreline Stabilization, .180 Transportation, .185 Utilities;

Chapter 19.700 Special Reports, .105 Wetland Delineation Report, .110 Wetland Mitigation Plan/Report, .112 Advance Shoreline Mitigation Plan, .115 Habitat Management Plan, .120 Geotechnical Report and Geological Report, .125 Hydrogeological Report, .130 Cumulative Impacts Report, .135 Navigation Study, .140 Shoreline Mitigation Plan, .145 Biological and Habitat Surveys;

Appendix B: Mitigation Options to Achieve No Net Loss for New or Re-Development Activities, B.2 Mitigation Standards for Specific Development Activities, B.3 New and Replacement Shoreline Armoring or Barrier Structures..., B.4 New and Replacement Overwater Structures..., B.5 Alternative Mitigation Options; and

Appendix C. Shoreline Restoration Plan, C.4 Identification of Degraded Sites with Restoration Potential, C.5 Existing Programs and Funding Sources, C.6 Implementation and Monitoring (Project and Program Effectiveness).

Where would the amendment apply? County wide ("certain marine areas and larger streams, rivers, and lakes in Washington" (Ecology <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-Management-Act-SMA/Shoreline-Management-Act-jurisdiction/Shorelines-of-statewide-significance>)

Who initiated the request: Citizen

Contact Information (Name):

Anne Van Sweringen

Representative, Thurston Environmental Community Stakeholders

(Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters)

Citizen telephone number: (360) 628-1179

Citizen email address: avansw2@gmail.com

For staff-initiated requests only: Will this require a change to the permit process/systems? Please describe.

PLEASE RETURN THIS FORM:

Last Updated: March 26, 2021

MAYA TEEPLE, maya.teeple@co.thurston.wa.us (360 545-2593)

Thurston Environmental Community Stakeholders

Black Hills Audubon Society, Sierra Club South Sound, Thurston League of Women Voters, Thurston Climate Action Team, and Thurston Environmental Voters

Honorable Tye Menser
Commissioner District 3
Thurston County Board of County Commissioners

December 1, 2021

Dear Commissioner Menser,

On behalf of the five environmental nonprofits listed above, two additional Thurston County environmental nonprofits and one citizens group, please accept the following proposed Shoreline Master Program Update code amendment. We submitted the proposed code amendment on November 15 for the upcoming Board of County Commissioners' review of the Shoreline Master Program Update in 2022. The proposed code amendment follows this letter.

Last summer, Commissioner Menser, who had been discussing stakeholder collaboration with Josh Cummings, Director of CPED, reached out to Phyllis Farrell and me. We are now holding monthly meetings with Josh and his staff. At a November 4 meeting, Josh encouraged us to submit proposed code changes annually by November 15. Maya Teeple responded to our November 15 submission. Maya stated our request falls within the scope of the officially docketed Shoreline Master Program Update for 2022 and it will be included for any changes to the Thurston County Code. We would like to submit the proposed code amendment as a comment to you, as you proceed with the SMP Update process.

The five stakeholder and three additional groups would like to see the county track data from permitted and other county projects. The county could track measured (in addition to descriptive) no net loss and net gain of shoreline ecological functions. Tracking data on ecological functions from affected shorelines is becoming critical, particularly in this time of climate change. Because the county has not yet addressed sea level rise, it is critical that a net loss or gain of shoreline ecological functions be tracked, to protect people and homes as well as the functions and values of shorelines.

Our proposed code amendment pertains to the 1990 SMP *and* the current update. It does not involve specific code changes, but includes chapters and subchapters in which our amendment may be added to the code.

The SMP Handbook states that developing and implementing a no net loss standard is particularly important when evaluating the efficacy of the shoreline master program. WAC 173.26.186 states that the SMP include regulations designed so the SMP uses a process that identifies and inventories ecological functions provided by affected shorelines. Measuring and tracking includes indicators such as acres of forest cover or permanently protected areas, area of kelp, linear feet of bulkheads or riparian vegetation, or the number of docks or great blue heron

rookeries. These indicators, when tracked, can give the county a picture of shoreline conditions and ecological functions.

If funding is limited, we propose two funding sources:

1. To fund the necessary work to accurately measure no net loss or net gain of shoreline ecological functions, CPED can partner with tribes, agencies, Thurston Conservation District, and universities. These partners can work with county staff to conduct regular monitoring and adaptive management to determine loss of shoreline ecological functions and account for cumulative and secondary impacts.

2. The county must ensure Thurston environmental nonprofits and groups are included in decisions regarding how federal Build Back Better, infrastructure, or other funds are spent. Inclusion in funding decisions is critical, particularly for monitoring and establishing baseline analyses for development projects.

Respectfully submitted,

Anne Van Sweringen, Representative
Thurston Environmental Community Stakeholders
1630 Central St NE
Olympia, WA 98506

**Board of County Commissioners
MEJIA-BARAHONA, District 1
EDWARDS, District 2
MENSER, District 3**

FOR STAFF REVIEW

Date Submitted: November 15, 2021

Proposed Code Amendment

Note: The Board of County Commissioners will rely largely on the information provided in this form to decide whether or not to pursue the proposed code amendment.

What is the issue/problem/opportunity to be addressed? What problems are County residents or other parties having with the current regulations? (Provide a specific example if possible):

RE: SMP Update - Ecology's SMP Handbook, Chapter 4, states: "Local planners working on SMP updates have asked for a tool to measure no net loss. In response, Ecology staff scientists and planners...developed a list of potential No Net Loss indicators for Shoreline Master Programs...Over time, the existing condition of shoreline ecological functions should remain the same as the SMP is implemented. Simply stated, the no net loss standard is designed to halt the introduction of new impacts to shoreline ecological functions resulting from new development...Local governments must achieve this standard through both the SMP planning process and by appropriately regulating individual developments as they are proposed in the future."

The Shoreline Master Program Guidelines in WAC 173-26-191(2)(a)(iii)(D) require the county to track shoreline permits and exemptions to ensure no net loss. A clear, transparent process for measuring no net loss and net ecological gain would protect the environment and increase public confidence that the county's shoreline master program is being effectively implemented.

The Thurston Environmental Community Stakeholders and other stakeholder groups would like to see measured totals for no net loss of shoreline ecological functions and net gain from permitted and other county projects. Climate adaptation and mitigation are probably the most important factors related to climate change in protecting the county's shorelines amidst growth and development. One example - buffer widths, particularly riparian and marine buffers, need to be adequate (using one site potential tree height [SPTH]) to protect us and ecological functions from sea level rise caused by climate change. Buffers must be standardized in all uses.

Are you aware of anyone else (individual or group) who shares this concern? If yes, who? How many? (Please provide contact information for stakeholders, if possible.)

1. Phyllis Farrell, South Sound Sierra Club, Group-Conservation (phyllisfarrell681@hotmail.com)
2. Esther Kronenberg, Co-Chair, Citizens for a Clean Black Lake (wekron@gmail.com)
3. Sam Merrill, BHAS Board member and Chair, Conservation Committee (sammerrill3@comcast.net)

4. Daniel Einstein, President, and Director, Conservation Committee, Olympia Coalition for Ecosystem Protection (daniel@olyecosystems.org)
5. Sue Patnude, Executive Director, Deschutes Estuary Restoration Team (olydert@gmail.com)
6. Karen Tvedt, President, League of Women Voters of Thurston County (tvedtkl@msn.com)
7. Tom Crawford, President, Chair, Board off Directors, Thurston Climate Action Team (tom@thurstonclimateaction.org)
8. Anne Van Sweringen, Representative, Thurston Environmental Community Stakeholders (Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters) (avansw2@gmail.com)

What do you think needs to be changed, added, or deleted in the code? (Please cite the section of code you want changed or attach the affected code with the proposed changes.)

The county must track measurable, not just descriptive, net changes (gain or loss) over time to meet the standard of no net loss of shoreline ecological functions or net gain in shoreline functions. The county can develop a system to monitor shoreline freshwater and saltwater habitats (<https://ecology.wa.gov/Research-Data/Monitoring-assessment/River-stream-monitoring/Habitat-monitoring>). The system can maintain data and information from permittees' independent baseline analyses and continued future studies of existing ecological functions gathered from these projects.

The 15 SMP Handbook Indicators can be used to track gains and losses from development projects and water-dependent uses (particularly industrial aquaculture) with SDP and CUP permits, and other development. The process of determining and tracking a permitted project's net losses or gains, based on these indicators, can be written into the code. Measuring and continuing to track these indicators can give CPED a picture of shoreline conditions and ecological functions.

Once the SMP update of the 1990 code is accepted by Ecology, Thurston County CPED long range planners (Christina Chaput) will create recommendations for the SMP additions to the code. Sections including this addition may be located in:

Chapter 19.300 General Goals and Policies, .110 Vegetation Conservation, .115 Water Quality and Quantity, .120 Economic Development, .140 Restoration and Enhancement, .145 Transportation and Utilities;

Chapter 19.400 General Regulations, .100 Existing Development, .105 Proposed Development, .110 Mitigation, .115 Critical Areas, .120 Vegetation Conservation Buffers, B. Buffer Widths, C. Constrained Lot and Infill Provisions, D. Other Uses and Modifications in Buffers, .125 Water Quality and Quantity; .140 Bulk and Dimension Standards, .145 Public Access, .150 Flood Hazard Reduction Measures, .155 Restoration and Enhancement;

Chapter 19.500 Permit Provisions, Review and Enforcement, .100 Permit Application Review and Permits, A. Permit Application Review, B. Substantial Development Permit, D. Conditional Use Permits..., E. Variances..., F. Developments Not Required to Shoreline Permits or Local

Reviews, .105 Procedure, B. Pre-submission Conference, G. Permit Revisions, K. Monitoring, .110 Enforcement and Penalties;

Chapter 19.600 Shoreline Use and Modification Development Standards, .110 Agriculture, .115 Aquaculture, B. Application Requirements, C. Development Standards, .120 Barrier...and In-Stream Structures, .125 Boating Facilities, .130 Commercial Development, .135 Dredging and Dredge Disposal, .140 Fill, .145 Forest Practices/Timber Harvest, .150 Industrial Development, .155 Mining, .160 Mooring Structures and Activities, .165 Recreation and Public Access, .170 Residential Development, .175 Shoreline Stabilization, .180 Transportation, .185 Utilities;

Chapter 19.700 Special Reports, .105 Wetland Delineation Report, .110 Wetland Mitigation Plan/Report, .112 Advance Shoreline Mitigation Plan, .115 Habitat Management Plan, .120 Geotechnical Report and Geological Report, .125 Hydrogeological Report, .130 Cumulative Impacts Report, .135 Navigation Study, .140 Shoreline Mitigation Plan, .145 Biological and Habitat Surveys;

Appendix B: Mitigation Options to Achieve No Net Loss for New or Re-Development Activities, B.2 Mitigation Standards for Specific Development Activities, B.3 New and Replacement Shoreline Armoring or Barrier Structures..., B.4 New and Replacement Overwater Structures..., B.5 Alternative Mitigation Options; and

Appendix C. Shoreline Restoration Plan, C.4 Identification of Degraded Sites with Restoration Potential, C.5 Existing Programs and Funding Sources, C.6 Implementation and Monitoring (Project and Program Effectiveness).

Where would the amendment apply? County wide ("certain marine areas and larger streams, rivers, and lakes in Washington" (Ecology <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-Management-Act-SMA/Shoreline-Management-Act-jurisdiction/Shorelines-of-statewide-significance>)

Who initiated the request: Citizen

Contact Information (Name):

Anne Van Sweringen

Representative, Thurston Environmental Community Stakeholders

(Sierra Club South Sound, Black Hills Audubon Society, Thurston League of Women Voters, Thurston Climate Action Team, Thurston Environmental Voters)

Citizen telephone number: (360) 628-1179

Citizen email address: avansw2@gmail.com

For staff-initiated requests only: Will this require a change to the permit process/systems? Please describe.

PLEASE RETURN THIS FORM:

Last Updated: March 26, 2021

MAYA TEEPLE, maya.teeple@co.thurston.wa.us (360 545-2593)

From: [Howard Glastetter](#)
To: [Andrew Deffobis](#)
Cc: "Eric Casino"; [Gary Edwards](#); baldhillssolar@gmail.com
Subject: Shoreline Master Plan (SMP)
Date: Monday, December 13, 2021 7:41:48 PM

Andrew,

I know time is past for written comments on the Shoreline Master Plan. However, my comment suggestions were unique on the Nisqually Valley part of this plan. I don't know of anyone else offered any Nisqually idea comments. I saw one complaint about being flooded by Tacoma Power Utility (**TPU**) in February 2021. That was it.

Thurston County's Nisqually Valley is a unique treasure in Western Washington at this moment. It is positioned to improve or degrade in many ways, soon. Most citizens here are not aware of the pending issues. I think my official SMP comments of October 10th and 21st lay out serious ecological and financial issues and opportunities that should be considered.

Holroyd Gravel Mine, in the lower valley, is positioning to be allowed to mine 100 feet below the water table in a lower valley wellhead protection area. This should not happen. Please note the last paragraph.

TPU has no flood control responsibilities. Valley flood dangers could be mitigated with the stroke of a pen by adding some protections to TPU's Federal Energy Regulatory Commission (FERC) licenses.

Instead, a FEMA study is positioning to give official support to this dangerous situation by changing the Nisqually Valley Migration Zones to be the same as the levels of the February 1996 flood. Even though that flood impacted three states, it could have been mitigated in Nisqually. Instead, TPU simply topped off the reservoir on the first day of a predicted three-day storm. The reservoir was seventeen feet below capacity at the start of that storm.

The Olympian recently discussed an effort to spend 4.2 billion federal dollars to replace the current Nisqually River bridges to "protect against potential floods". There was no mention of a change to TPU's FERC license that could go a long way to offer almost as much protection as building much higher bridges across the Nisqually. Placing a train, bus, park-n-ride in the mined-out portion of Holroyd's pit would double the transportation options to get across the river to Pierce County military bases in an extended bridge emergency. Adequate safety could still be built into the replacement bridges, with enough left over for a Holroyd transportation hub.

I hope my suggestions will be given serious consideration. I have been a Nisqually Valley resident for more than 50 years and care about where I live.

Sincerely,

Howard H Glastetter
Howard.glastetter@comcast.net
 Cell (360)556-1574

Everything should be as simple as it can be, but no simpler.
Albert Einstein

From: [Howard Glastetter](#)
To: [Gary Edwards](#)
Cc: baldhillsolar@gmail.com; "Eric Casino"; Andrew Deffobis; "Phyllis Farrell"; "Lois Ward"; Kurt Hardin; Paul Brewster
Subject: RE: Current Storm Lessons Learned
Date: Saturday, December 18, 2021 12:41:38 PM

Commissioner Edwards,

I'm adding to comments I made to you last month (see below). Please pass this on to the other two county commissioners.

Tacoma Power Utility (TPU) and Thurston County showed a high degree of cooperation in mitigating a potential November 2021 Nisqually flood. This, when most Western Washington rivers were already flooding. Thurston County requested and TPU released 4,600 cubic feet per second (cfs) (twice the generator capacity) for a day and a half before the storm. During the storm TPU was attempting to raise the release to 6,500 cfs or higher. Thurston County requested this be cut back, because the Mashel River tributary was adding 5,000 cfs below the dam. TPU complied. Moderate flooding was avoided. This showed TPU can mitigate lower valley flooding with little to no financial effect on their power generating bottom line.

The rest of the story is that I emailed Thurston County prior to the storm and said TPU must let water out now due to very high NOAA forecasted inflows. TPU almost immediately complied. Later Ed Kenney contacted the county and said TPU must lower the increased outflow from the dam because of flood waters the Mashel was already adding to the Nisqually. Ed came to his conclusion via the McKenna USGS gauge.

TPU appears to have a unique flood control standard. They mainly want to protect Alder Dam. They normally do not start flood mitigation until after a storm and any related snow melt begins. This way the reservoir ends as full as possible when the storm ends. The main goal appears to fill the reservoir to close to maximum with little thought of flood protection to the valley below. This may not violate their Federal Energy Regulatory Commission (FERC) license, but I find it unethical. It unnecessarily places life and property below the dam in flood season danger.

An example of this technique can be found in the February 8, 1996, Nisqually flood of record. TPU had seriously flooded homes in the lower valley in late November 1995 just over 2 months earlier. So, this issue had to be in TPU's near term memory. The **predicted** three-day storm hit 2 days earlier (Feb. 6, 1996). The reservoir was 17' below capacity when the 1996 storm hit. The lower valley Nisqually River did not rise until a day and a half into the storm. TPU simply topped off the reservoir in the early part of the storm (i.e., no early evasive actions). The poetic justice to all this was that TPU not only seriously flooded the valley below the dam, but they also flooded their own La Grande generators **just** below to the tune of \$20,000,000 damage.

The recent flood of February 7, 2020, about which, I sent an official complaint to FERC had similarities to the 1996 flood. Thurston County has copies of my complaint.

I think it is time to press FERC to build some safety into the TPU Alder Lake Dam license. TPU was

given a 40-year license in 1998 that continues to allow them to act cavalierly towards the valley below. This was just two years after the 1996 flood. There was no opportunity for residents, who went through this flood, to comment or even know about this license renewal. That license should be changed to require reasonable safety protections to those who live in harm's way below the dam.

Due to personal family circumstances, I find it necessary to ease away from my efforts in this area. I hope others can follow through on this issue.

Thank you,

Howard

From: Howard Glastetter <howard.glastetter@comcast.net>

Sent: Sunday, November 14, 2021 11:45 AM

To: 'Gary Edwards' <gary.edwards@co.thurston.wa.us>

Subject: Current Storm Lessons Learned

Commissioner Edwards,

I'd like to summarize what should have been learned by the current storm and minor flooding on the Nisqually River. Normally, the Tacoma Power Utility delays evasive action until the Alder Laker Reservoir is reaching capacity. Then, they increase the discharge to protect the dam. If the goal is successful, the emergency ends with the reservoir at maximum capacity. However, if TPU underestimates the expected inflow, they may have to discharge excessive flood water into the valley.

I think, but do not know for sure, that the reason for this technique, is because a full reservoir will spin the generators faster at the bottom of the dam and at the La Grande facilities. This should create more electricity.

This may work well for TPU, but can cause problems to people and property downstream. TPU occasionally misjudges how quickly a storm can fill the reservoir and must dump flood water into the river. Fortunately, this time, Thurston County warned TPU that, due to very heavy predicted inflow, they needed to dump before the storm. TPU agreed and immediately started an evasive discharge. The mitigation helped reduce the danger and less flooding occurred than might have.

However, there is a second issue with TPU's technique. As this storm hit, it also was melting snow in the mountain. TPU decided to increase the discharge from 4,500 cubic feet per second (cfs) to 6,500 cfs as the storm increased. Minor flooding occurs on the Nisqually River at a flow of 10,000 cfs. So, this would seem like a reasonable action. Wrong!

The Mashal River, just below La Grande, is the largest tributary to the Nisqually. The storm and snow melt were also affecting the Mashal. As the storm peaked, the Mashal was pouring almost 5,000 cfs into the Nisqually. This meant that over 11,000 cfs was flowing into the valley. That's flood

stage. The McKenna gauge verified this flow. Fortunately, I understand, Thurston County contacted TPU again and they lowered the Alder Lake discharge.

All's well that ends well. It is even better when it ends with lessons learned and techniques are changed to make things safer for life and property in the future.

I have a suggestion you might want to pass to TPU. Their FERC license has no reservoir levels to stay under in fall / winter. They can attempt to max out the pool at dangerous times. However, they must stay above 10' from capacity in spring / summer (sea level 1197') due to fish preservation and recreational needs. I suggest you offer a win / win solution to support them in a Federal Energy Regulatory Commission (FERC) license change that would allow them to go to 20' below in spring /summer, if they agree to staying lower than 7' below in fall /winter. This would give a modicum of needed valley protection and still protect fish and recreation. You may even want to cc FERC with the idea.

Sincerely,

Howard H Glastetter

Howard.glastetter@comcast.net

Cell (360)556-1574

Everything should be as simple as it can be, but no simpler.

Albert Einstein

From: [Barry Halverson](#)
To: [Andrew Deffobis](#)
Subject: Re: You Tube Video for Planning Commission Meeting 15 Dec
Date: Thursday, December 23, 2021 9:08:43 AM

Andrew, thank you.

After reviewing the SMP sessions I have a couple comments:

1. There was comments about only three lakes in Thurston County that supported Salmon. Scott Lake, ? , Summit Lake. But Summit Lake didn't support Salmon. It had Kokanee, which is a land locked Atlantic Salmon. They are a fish that stays in the deepest parts of a lake. I can't imagine a grated dock being needed for Kokanee - makes no sense. If WDFW is supporting that I would like to know specifically who at WDFW is saying that?
2. The SMP needs to specify which (2) lakes of the 108 lakes in Thurston County support Salmon that would require grated docks. That will make it much easier for planners/staff/permits. Not doing that would be negligent and irresponsible.
3. There was more discussion on SED's. We at Long Lake, Lake Lawrence, Pattison Lake and Offut Lake support the hybrid option Doug Karman and Eric Casino recommended.
4. We also agree with the Planning Commissions suggestion regarding paragraph 19.400.100 Existing Development/Uses/Structures regarding conforming/nonconforming.
5. We also agree with the Planning Commissions suggestion to get rid of paragraphs 3 and 4 re: Pilings and Piers and go with HCP standards/wording. being too specific in this area could have a negative effect.

Thanks for all you do Andrew and may you and yours have a Merry Christmas and Happy New Year,
 Barry

From: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Sent: Tuesday, December 21, 2021 9:11 AM
To: Barry Halverson <halversonloma@hotmail.com>
Subject: RE: You Tube Video for Planning Commission Meeting 15 Dec

Hi Barry,

[Here is the link](#) to the YouTube for the December 15 meeting, if you haven't seen it yet.

Regards,

Andrew Deffobis, Interim Senior Planner
 Thurston County Community Planning and Economic Development Department

2000 Lakeridge Drive SW
Olympia, WA 98502
Cell Phone: (360) 522-2593
Office Phone: (360) 786-5467
Fax: (360) 754-2939

From: Barry Halverson <halversonloma@hotmail.com>
Sent: Monday, December 20, 2021 5:24 PM
To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Subject: Re: You Tube Video for Planning Commission Meeting 15 Dec

thank you

From: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Sent: Monday, December 20, 2021 3:52 PM
To: Barry Halverson <halversonloma@hotmail.com>
Subject: RE: You Tube Video for Planning Commission Meeting 15 Dec

Hi Barry,

Thanks for bringing this to my attention. It sounds like it is going to be posted today. All Planning Commission meetings are posted to [this page on Youtube](#). You will need to scroll down the list of meetings on the right side of the page; the newest meeting should be at the bottom once it is added. There was more discussion about development standards for docks, so you'll want to listen in.

Alternatively, the audio from the meeting is already posted on [the Planning Commission's website](#) if you'd rather review it there.

Regards,

Andrew Deffobis, Interim Senior Planner
Thurston County Community Planning and Economic Development Department
2000 Lakeridge Drive SW
Olympia, WA 98502
Cell Phone: (360) 522-2593
Office Phone: (360) 786-5467
Fax: (360) 754-2939

From: Barry Halverson <halversonloma@hotmail.com>
Sent: Friday, December 17, 2021 10:44 AM
To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Subject: You Tube Video for Planning Commission Meeting 15 Dec

Andrew, hate to bother you about this, but I cannot find this you tube video anywhere on the Thurston County Web Site. Can you send me the link for this past Wednesday's meeting so I can review it? I was at a community christmas party so unable to participate.

Thank you,

Barry

253-341-6059

From: [Phyllis Farrell](#)
To: [Andrew Deffobis](#)
Cc: [Tye Menser](#); [Carolina Mejia-Barahona](#); [Gary Edwards](#)
Subject: Fwd: Coalition Sues Army Corps Again To Stop Industrial Shellfish Aquaculture Harm
Date: Monday, January 3, 2022 9:27:22 AM
Attachments: [Tractors in the tidelands-Taylor-Acres Magazine-Winter 2015 \(10\) \(1\).pdf](#)

FYI

I have been advocating for SMP regulations on industrial aquaculture practices..phasing out the use of plastics, the use of heavy equipment on fragile beaches, restricting the use of pesticides and herbicides and the use of hydraulic harvesting (without permits) disrupting substrate ecosystems. These practices may be factors affecting forage fish habitat, salmon and orca recovery. Thurston County shorelines have over 10,000 acres in aquaculture.

Respectfully,

Phyllis

Phyllis

Get [Outlook for iOS](#)

From: Phyllis Farrell <phyllisfarrell681@hotmail.com>
Sent: Monday, January 3, 2022 9:14:21 AM
To: Paula Holroyde <paulaholroyde@lwvthurston.org>; Karen Tvedt <tvedtkl@msn.com>; 'karenfraser22@comcast.net' <karenfraser22@comcast.net>
Subject: Fwd: Coalition Sues Army Corps Again To Stop Industrial Shellfish Aquaculture Harm

FYI

Phyllis

Get [Outlook for iOS](#)

From: Phyllis Farrell <phyllisfarrell681@hotmail.com>
Sent: Monday, January 3, 2022 9:13:30 AM
To: Elaine Packard <espackard@msn.com>; raelene@seanet.com <raelene@seanet.com>
Subject: Fwd: Coalition Sues Army Corps Again To Stop Industrial Shellfish Aquaculture Harm

FYI

Phyllis

Get [Outlook for iOS](#)

From: Phyllis Farrell <phyllisfarrell681@hotmail.com>
Sent: Monday, January 3, 2022 9:12:22 AM
To: Lisa Randlette <lisa.randlette@gmail.com>; Abbey Wellemeyer <allwellconsulting@gmail.com>
Subject: Fwd: Coalition Sues Army Corps Again To Stop Industrial Shellfish Aquaculture Harm

FYI

Phyllis

Get [Outlook for iOS](#)

From: Phyllis Farrell <phyllisfarrell681@hotmail.com>

Sent: Monday, January 3, 2022 9:11:44 AM

To: Shelley Kneip <shelleykneip@gmail.com>; Ann Aagaard <ann_aagaard@frontier.com>; Anne Van Sweringen <avansw2@gmail.com>; Betsy Cooper <betsycooper1@gmail.com>; Martin Gibbins <aquilaapogee@gmail.com>

Subject: Fwd: Coalition Sues Army Corps Again To Stop Industrial Shellfish Aquaculture Harm

FYI

Phyllis

Get [Outlook for iOS](#)

From: Laura Hendricks <laura.l.hendricks@gmail.com>

Sent: Monday, January 3, 2022 6:18:19 AM

Subject: Coalition Sues Army Corps Again To Stop Industrial Shellfish Aquaculture Harm

Dear Interested Party in Puget Sound and the Washington Coast,

The Center for Food Safety and Coalition to Protect Puget Sound Habitat has once again sued the Army Corps of Engineers (Corps) for not doing their job-regulating shellfish industry expansion and the harm to our Washington State marine life. The Corps re-issued the shellfish aquaculture permits with even broader terms, longer permits and without cumulative impacts analysis or meaningful mitigation. The Corps ignored Judge Lasnik and the appeals court 2020 ruling that the 900+ Washington State shellfish aquaculture permits were "unlawful."

These re-issued Corps permits Do Not Stop ANY: (a). plastic pollution from the millions of pieces of PVC and High Density Polyethylene shellfish gear placed in Washington waters, (b). pesticides used to kill eelgrass and marine life (c). tractors and clam harvesting machines destroying native marine life and habitat (see attached).

Citizens have voiced for years their concerns at County and State meetings and were constantly faced with the shellfish industry telling these regulators that the Corps would protect our marine life as they had the expertise. So, we saw Counties and State agencies approve permits just as the shellfish industry lobbied for.

We constantly hear about the massive amount of taxpayer money being spent on Puget Sound and coastal restoration in the name of saving Orcas and salmon. At the same time decision makers ignore the continued takeover of our bays, coves and spits by industrial shellfish aquaculture. Each year the Puget Sound Partnership publishes their State of The Sound report with their shellfish harvesting goal met as eelgrass and herring decline. Scientists who had the courage to testify about the harm of industrial aquaculture to eelgrass and herring continue to be ignored.

Citizens did not protest the old-fashioned way of raising oysters on the beach with minimal plastics; however, the conversion of beaches to industrial geoduck operations and adding massive numbers

of invasive non-native Manila clams covered in HDPE canopy netting was too destructive to ignore. Our organization has been accused of trying to put the shellfish industry out of business. The truth is that we have been asking County, State and Federal regulators to stop this expansion with the industrial practices for 15 years-and only lip service-with no protections has been seen.

It is now time for the Corps-- who the shellfish industry said would protect our Orcas, salmon and the myriad of marine life that makes Puget Sound and our coastlines unique—to do just that. Counties in the meantime need to protect their marine life from industrial shellfish harm until the Corps does their job since State agencies also remain silent.

Conservation Groups Sue Army Corps: (includes lawsuit link)

<https://lawstreetmedia.com/news/agriculture/conservation-groups-sue-army-corps-to-protect-seattle-marine-life-from-shellfish-harvesting/>

Feel free to contact me with any questions.

Happy New Year as we embark into 2022.

Laura Hendricks

Director, Coalition To Protect Puget Sound Habitat
(253) 509-4987

WINTER 2015

A CRES

Innovative Country Living

Cover Article

Tractors in the Tidelands of Puget Sound page 4


Manure Management on a Small Farm page 10

All About Doors... Big Doors page 15

New Compact Models Introduced to WORKMASTER™ Tractor Family page 19

Tractors in the Tidelands of Puget Sound

*Taylor Shellfish: 100 years of making
the world their oyster*



When the tide is out, the table is set. This ancient saying of Northwestern coastal tribes is true many times over for Bill and Paul Taylor. Their fifth-generation shellfish-farming business spans the globe from Hood Canal to Hong Kong.

Started by their great-grandfather when he decided to try his hand at oystering near Olympia, Washington, Taylor Shellfish Farms has grown into the largest producer of harvested shellfish in the country. It also is a leading exporter of the hefty, long-necked clam called the geoduck, which looks as funny as it sounds. In all, Taylor Shellfish Farms owns 11,000 acres of tideland in Washington State and British Columbia, growing mussels, clams, oysters and geoducks in several locations. The company also operates several hatcheries, a processing plant and runs three restaurants in Seattle.



Clams grow in rows planted in Samish Bay in south Puget Sound under plastic netting that deters birds and other hungry predators.

Farming around the tide

Gaining access to a crop that grows at a Taylor farm in a Puget Sound outlet named Samish Bay isn't easy. It requires proper timing and a boat — leaving the shore while there's enough water for the boat as the tide quickly recedes; then anchoring and jumping out when the water is not above hip-wader high.

Rows and rows of plastic netting are revealed as the watery bay turns into brown mud bottom flats. The nets, needed to keep hungry birds and crabs away, cover manila clams, some of the company's biggest sellers. After three to four years of growth, these small brown bivalves will turn into hundreds of bowls of buttery "steamers" in bars, restaurants and homes around the Northwest.

"When we grow the clams, we have to put a net over the top of them," Bill Taylor explains. "We plant little tiny seeds through the net. In the spring, the net gets marine algae growing all over it so we sweep off the algae."

Using what? A street sweeper attached to the end of a New Holland Boomer™ 50 compact tractor. The Taylors use New Holland tractors in aquaculture just as agricultural farmers do on land — for just about everything, including laying down four-foot wide nets in neat rows and sweeping the nets. The one difference: their blue tractors are parked on a platform float in the water and driven down a ramp at low tide.

The Taylors also use New Holland tractors for the Samish Bay Farm. The farm employs about 40 people to har-

vest clams and run a small retail store selling all things fresh and fishy.

"It's really different out here than a farm on land. The tractors are in the salt and mud and muck all the time," says Paul Taylor, 57, younger of the two brothers by two years. "This has 1,300 hours on it, that's several years' worth," he adds, pointing to the Boomer 50. "We work in a pretty harsh environment and the fact that the equipment can take it is pretty impressive to me."

Tricks from tulip farmers

Adapting a city street sweeper to clean off tidal slime is just one of several quirky creations found around the many Taylor Shellfish locations. Another creative adaption is the mammoth-sized harvesting machine that grinds through the muck, churning up clams in its wake.

"We modified a machine used in Europe for harvesting tulip bulbs," Bill Taylor explains as sandy clams fly up the chute and fling into blue nets. "It creeps along the tidal flats raking up the clams, shaking the sand off of them and sending them to a bucket in the back."

This method replaces the age-old metal rake and back-breaking manual labor. It is a tremendous asset, adds company spokesman Bill Dewey, who lives in the Samish Bay area and accompanied the Taylors on the farm tour. "It can do the work of five to six people in half the time," he says. "The clams we had to still dig by hand, so doing it this way is pretty unique. And seeding the clams makes the business much more predictable and we can inventory it better."

What they can't control is the natural rhythm of the ocean.

Every two weeks, there is a tidal cycle, so Samish Bay employees generally work 10 days on, four days off. They also only have a window of three to four hours out on the flats before their crop "fields" turn back into a bay. Working by moonlight and headlamp come with the territory.

Continued on page 6



Attaching a standard city street sweeper to a New Holland Boomer™ compact tractor helps remove thick growth of algae that accumulates on plastic netting protecting growing clams.

CNH Industrial America LLC recommends the use of a FOPS when a tractor is equipped with a loader attachment.



Taylor Shellfish Farms keep its New Holland Boomer™ tractor on a floating platform at its south Puget Sound location, Samish Bay. It's used when the tide goes out and the rows of growing clams are exposed. The attachment on the back is a Rain-Flo flat bed mulch layer.

CNH Industrial America LLC recommends the use of a FOPS when a tractor is equipped with a loader attachment.

"Tidelands" continued from page 5

A life of highs and lows

Low tide, high tide, minus tide. Such cycles have marked the days and nights of Bill and Paul Taylor for as long as they can remember, since the days their father, Justin Taylor, began passing along the family business that began with great-grandfather J.Y. Waldrup in the late 1880s.

"In Olympia, I grew up falling out of my dad's boat working out on the bay," Bill recalls with a smile. "I was digging clams at age six."

When Justin Taylor died in 2011 at the age of 90, he was remembered as a "humble giant," the one who built the family venture into the nation's largest shellfish-farming operation "one shovelful at a time." In his three children (including daughter Janet Taylor Pearson) he instilled an environmentalist ethic, teaching them the importance of water quality and conserving the ecosystem of Puget Sound.

Now, Justin Taylor, dressed in his ever-present work shirt, bill cap and waders, greets visitors to Samish Bay Farms in the form of a metal sculpture attached to a piling. Clam rake at the ready, coffee cup in hand, the



Oyster shells discarded on the beaches of Samish Bay.



Bill Taylor (in front) and his brother Paul Taylor check on how clams are rotating through a modified tulip bulb digger and conveyor belt.

memorial slips in and out with the tide, placing the patriarch at his favorite position "down on the flats."

Geoduck delicacy

While expanding internationally, Taylor Shellfish remains proud of its rugged western Washington roots and long ties to land and water. The company has grown into a power player in the burgeoning business of bivalves — mussel farmers with some serious muscle — especially when it comes to Washington State's strange claim-to-fame clam, the geoduck. The surging demand for this long, strangely-shaped sea creature is leading many shellfish farmers, including the Taylors, to add more geoduck growing sites. Revered as a delicacy in China and Hong Kong, geoducks reportedly sell there for \$100 per pound — three times the U.S. price.

"It's mostly Asian communities that want the geoduck but we're starting to see more going to white-tablecloth restaurants locally," Bill Taylor explains. Not easy or fast to produce, the world's largest burrowing clam requires six years to grow to market size and 6-inch diameter PVC pipes or mesh pipe to protect them.

Then comes the fun part, plunging an arm two to three feet into the muck and pulling out the squirting mollusk by its nasty four-foot long neck.

Bill Dewey, who raises his own geoducks in a separate venture from the Taylors, has been talking a lot about the bizarre bivalve lately as the global press discovers the international clam — or for Washington state's King of Clams.

"It's eaten sashimi style, raw and sliced, and it has a cucumber texture with a crunch," Dewey says. It's also often sautéed, made into chowder, or blanched in a broth.

Hatchery to harvesting

Washington State is the largest producer of hatchery reared and farmed shellfish in the United States.

A state act in 1895 allowed private individuals to buy tidal territory from the state for shellfish farming, transportation and other water industry — a practice that continued until 1971. Washington State also leases its tidal lands, which is what most states have always done. Shellfish farmers own (or in some cases lease) the land that appears as the tide recedes. Once the water rises again, covering their crops, the area reverts back to public use.

Of the 11,000 acres of tidelands Taylor Shellfish Farms owns, all of it is actively farmed. In some areas, all of the tideland is farmable and in others, as little as 30 percent due to pests, invasive species, sensitive habitats or inappropriate substrate.

Finding locations best suited for various types of oysters and clams is a large part of the company's success. For instance, Kumamoto oysters, known for their distinctive green tinge and sweetness, grow best in Chapman's Cove, near Shelton, Washington, where three freshwater creeks enrich a tidal plateau. Totten Inlet in the south Puget Sound area is best for Olympia, Pacific and Virginica oysters. It's also where the Taylors harvest mussels clinging onto long ropes, known as longlines. In Willapa Bay, in southwestern Washington along the Pacific Ocean, where the Taylors' own 6,300 acres, they seed and harvest 90 percent of their total oyster production.

Continued on page 8



Taylor Shellfish Farm employees wrap up an order at its Samish Bay location.



At its Samish Bay location, Taylor Shellfish Farms sells all things fishy — oysters, clams, geoducks.

According to the Washington Department of Fish and Wildlife, the geoduck is the world's largest burrowing clam, reaching an average size of 2.07 pounds (including the shell) in subtidal waters of Puget Sound. The clam's name, pronounced 'goeey-duck', is of Native American origin and means 'dig deep'.

Global threats in their own backyard

Over the years, Taylor Shellfish has battled many environmental threats, starting with the near extinction of the native Olympia oyster from over-harvesting and declining water quality conditions. Once abundant in Willapa Bay and South Puget Sound, by the 1980s the small but tasty Olympia oyster was all but shucked-out up and down the West Coast.

"By 1956, a pulp mill in Shelton had killed all oysters in the bay and that's when we realized how important water quality is," Bill Taylor said. "Then the shorelines were developed in the 1960s and human pollution became a problem."

His father was the first to recognize the threat of human activity on the native oyster and filed the first environmental lawsuit in Washington State against the pulp-mill industry. Taylor Shellfish Farms is credited with helping in the restoration efforts of

Olympia oyster populations in South Puget Sound and with the resurgence in their popularity. While Bill Taylor enjoys the challenge of raising the ornery Olympia oysters that need a specific water temperature, plenty of plankton, and three or four years for best cultivation, he's also in it for the taste. Of Olys — be they raw, shucked, smoked, sautéed — "there's nothing better," he says.

But Taylor Shellfish has also been criticized by environmental organizations and coastal communities who are concerned about the company's growing footprint and the effect on tideland creatures.

In May, after an outcry from area chefs and customers, the company and other shellfish farmers backed down from a plan to use a neurotoxin approved by the state called Imidacloprid to kill native shrimp burrowing into the oyster beds. Its geoduck production is also considered a shoreline eyesore because of the PVC pipes used to stabilize the giant clams. Dewey says the company is moving toward mesh netting that is less visible and has made a number of other adjustments to farming practices to address neighbors' concerns.

The company's biggest threat arrived in the summer of 2009. Millions of oyster larvae suddenly died around Washington State hatcheries, dropping production by 80 percent and costing the industry an estimated \$110 million. The cause? Ocean acidification, which occurs when oceans absorb carbon dioxide emissions.

"The ocean's surface water has become 30 percent more acidic," says


Dewey, calling it the biggest threat to seafood around the globe. In 2013, the state allotted funds for ocean acidification research. Taylor Shellfish has since installed \$45,000 in sophisticated monitoring equipment to track water chemistry at its oyster larvae farms. If the water gets too acidic, sodium carbonate is automatically injected to restore pH balance.

No longer 'just digging clams'

Pollution, pests and press calls are just a few of the pressures facing Taylor Shellfish executives daily.

The company owns and operates the entire process of the shellfish they sell from hatchery to harvests to hardy servings of steaming clams. It just opened its third restaurant in Seattle in the historic downtown Pioneer Square adding to its two Seattle oyster bars.

With 500 employees in multiple locations around the state, business contracts around the country and world, and more than \$60 million in annual revenue, Taylor Shellfish Farms is a little bigger than your average "family farm."

Or as Bill Taylor puts in the understated Taylor family way, the shellfish business "is a little more complicated than just digging clams." 

New Holland Dealer: Brim Tractor, Mt. Vernon, Washington



A metal sculpture of Justin Taylor, the family patriarch, greets visitors to Samish Bay Farms.



The shellfish business is a little more complicated than just digging clams."

—Bill Taylor

From: [Howard Glastetter](#)
To: ["Eric Casino"](#)
Cc: [Andrew Deffobis](#)
Subject: RE: Current Storm Lessons Learned
Date: Wednesday, January 5, 2022 11:23:58 AM
Attachments: [21-10 Shoreline Master Observations.doc](#)

Eric,

I passed a copy of that summary to you as a cc, when I added more details to it and resent it to Commissioner Edwards about a month later.

The county sent post cards to people in Nisqually valley asking for SMP suggestions. That was what I responded to. Since there was a great deal about Channel Migration, Mining and Bridge Construction in the plan (and in my neighborhood); that's what I responded to. I believe that mine were the only comments on these -important to the valley- issues. Please note attachment.

Thank you for any consideration,

From: Eric Casino <casino.eric@yahoo.com>
Sent: Wednesday, January 5, 2022 11:07 AM
To: Howard Glastetter <howard.glastetter@comcast.net>
Subject: Re: Current Storm Lessons Learned

Hi Howard,

My best wishes for your wife's recovery and some normalcy in your household. Timing for these events is never good, but I am glad to hear she is working thru it.

I want to think I've read that summery before, as it does look familiar, and I'm tracking the reasoning behind it.

Still, I'm not sure where in the draft SMP a recommendation to the BoCC to be mindful of TPU would best fit. Is there a specific chapter that you think it would be most effective?

Again, I am fully on board with the county being proactive in TPU issues. I'm just not seeing where it would fit into the SMP.

Thanks,
Eric

On Jan 5, 2022, at 10:47 AM, Howard Glastetter <howard.glastetter@comcast.net> wrote:

Eric,

Below is the after the “non” flood summary that I sent to Commissioner Edwards. The Nisqually for all practical purposes did not flood, while most others in Western Washington did.

-Howard

From: Howard Glastetter <howard.glastetter@comcast.net>

Sent: Sunday, November 14, 2021 11:45 AM

To: 'Gary Edwards' <gary.edwards@co.thurston.wa.us>

Subject: Current Storm Lessons Learned

Commissioner Edwards,

I'd like to summarize what should have been learned by the current storm and minor flooding on the Nisqually River. Normally, the Tacoma Power Utility delays evasive action until the Alder Laker Reservoir is reaching capacity. Then, they increase the discharge to protect the dam. If the goal is successful, the emergency ends with the reservoir at maximum capacity. However, if TPU underestimates the expected inflow, they may have to discharge excessive flood water into the valley.

I think, but do not know for sure, that the reason for this technique, is because a full reservoir will spin the generators faster at the bottom of the dam and at the La Grande facilities. This should create more electricity.

This may work well for TPU, but can cause problems to people and property downstream. TPU occasionally misjudges how quickly a storm can fill the reservoir and must dump flood water into the river. Fortunately, this time, Thurston County warned TPU that, due to very heavy predicted inflow, they needed to dump before the storm. TPU agreed and immediately started an evasive discharge. The mitigation helped reduce the danger and less flooding occurred than might have.

However, there is a second issue with TPU's technique. As this storm hit, it also was melting snow in the mountain. TPU decided to increase the discharge from 4,500 cubic feet per second (cfs) to 6,500 cfs as the storm increased. Minor flooding occurs on the Nisqually River at a flow of 10,000 cfs. So, this would seem like a reasonable action. Wrong!

The Mashal River, just below La Grande, is the largest tributary to the Nisqually. The storm and snow melt were also affecting the Mashal. As the storm peaked, the Mashal was pouring almost 5,000 cfs into the Nisqually. This meant that over 11,000 cfs was flowing into the valley. That's flood stage. The McKenna gauge verified this flow. Fortunately, I understand, Thurston County contacted TPU again and they lowered the Alder Lake discharge.

All's well that ends well. It is even better when it ends with lessons learned and

techniques are changed to make things safer for life and property in the future.

I have a suggestion you might want to pass to TPU. Their FERC license has no reservoir levels to stay under in fall / winter. They can attempt to max out the pool at dangerous times. However, they must stay above 10' from capacity in spring / summer (sea level 1197') due to fish preservation and recreational needs. I suggest you offer a win / win solution to support them in a Federal Energy Regulatory Commission (FERC) license change that would allow them to go to 20' below in spring /summer, if they agree to staying lower than 7' below in fall /winter. This would give a modicum of needed valley protection and still protect fish and recreation. You may even want to cc FERC with the idea.

Sincerely,

Howard H Glastetter
Howard.glastetter@comcast.net
Cell (360)556-1574

Everything should be as simple as it can be, but no simpler.
Albert Einstein

Howard Glastetter
11110 Kuhlman Road SE
Olympia, WA 98513-9605

October 11, 2021

Community Planning & Economic Development
2000 Lakeridge Dr SW
Olympia, WA 98502

Gentlemen:

The following are my comments about the proposed Thurston County **Shoreline Master Program**. As my address indicates, I live in lower Nisqually Valley in the “channel migration zone” near the beginning of the Nisqually Delta. I have lived in the lower valley for over 50 years. I will give observations about issues I am familiar with.

Mining

Page 112 of the plan indicates aquatic mining is prohibited. I live near Holroyd’s gravel mine. They are attempting to get permission to mine as deep as 100 feet into the aquifer below their pit. I have recently sent you folks written reasons that this should not happen. I think that earlier information should also be in the “Shoreline” comments record.

It has become quite popular for gravel mines to propose mining into aquifers and “leave a pristine lake behind” as a mine reclamation solution. This can compromise drinking water in areas surrounding a mined-out pit. It allows the mine owners to cheaply avoid proper pit reclamation. Drinking water is a worldwide diminishing asset that should be preserved. I think the ban on aquatic mining should include most mining into aquifers.

The plan says mining will not be allowed in the channel migration zone (page 112). Holroyd’s pit was flooded in the Nisqually 1996 flood. Please see my earlier submission to your agency. They are “grand fathered” to mine in the valley, but not to mine below 20’ above the mean water table.

Channel Migration Zone

There is much discussion of the channel migration zone. However, there is a FEMA study that is changing the zone levels to conform to the February 1996 Nisqually flood. This isn’t mentioned on the plan.

The 1996 flood was the result of predicted 3-day severe storm. Alder Lake Dam was 17’ below capacity when the storm hit. Tacoma Power Utility (TPU) simply allowed the reservoir to top off on the first day of the storm and were forced to dump. This caused \$20,000,000 damage to property below the dam, as well as a like amount to the TPU La Grande generators attached to the dam. TPU’s FERC license has no fall / winter flood

control responsibilities. They should have and the Shoreline Master Plan should call attention to this. The 1996 flood was not unique. The recent February 2020 Nisqually flood was the result of TPU purposely allowing the raising the reservoir level to almost 2' from capacity in late January during the 2nd rainiest winter recorded in Western Washington. TPU exacerbated both the above floods and several others over the years.

The plan should include comments that say Thurston County will attempt to have FERC build some safety into the license or work with TPU to have a more conservative flood mitigation strategy during dangerous times of the year. FEMA has said they will be setting the zones as if the reservoir will always be full. **If they do that, the county should appeal the FEMA decision.**

Bridges

The plan discusses bridge replacements and their allowed heights. Replacement of the I-5 Nisqually River bridges is on the horizon. One line of thought is to build the bridges much higher than now to prevent flood damage. The suggested price tag, of the four lane much higher bridges, is five billion dollars. I propose a different solution.

As I mentioned in my "channel migration zone" comments TPU bears responsibility for much of the prior valley floods. Certainly, moderately raise the level of the new bridges, but also require TPU to operate more safely. This can easily be done by changing their FERC license to have a safe fall / winter maximum reservoir level and suggested evasive action as large storms approach. The financial impact to TPU would be miniscule. This could save a billion dollars or so in bridge costs and allow a park and ride / train / bus station to be built in Holroyd's gravel mine. Please see the prior suggestions I sent you folks about Holroyd's mined out north pit.

I hope my observations are food for thought. I care about my neighborhood and the county where I live.

Sincerely,

Howard Glastetter

From: [Barry Halverson](#)
To: [Andrew Deffobis](#)
Subject: Re: You Tube Video for Planning Commission Meeting 15 Dec
Date: Thursday, January 13, 2022 12:21:22 PM

Andrew, it would be very easy to say something like, "There are currently only three lakes in Thurston County that support salmon. Those lakes are: _____". These lakes are the only ones at this time that would require grated dock decking, etc... The SMP, as you have said, many times, is suppose to be a one stop shop for all things related to shorelines. Let's make it so.

From: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Sent: Thursday, January 13, 2022 11:59 AM
To: Barry Halverson <halversonloma@hotmail.com>
Subject: RE: You Tube Video for Planning Commission Meeting 15 Dec

Hello Barry,

Noll Steinweg and Gwen Lentes have been the ones I've talked to most recently at WDFW. I'm not sure who at WDFW would actually be responsible for reviewing the HPA applications; my guess is there is more than one person.

The SMP itself may not specify which lakes will require grated docks, because this information is administrative and could change over time. The plan is to develop policy language that exists outside the SMP, and put that information in the permit system.

Regards,

Andrew Deffobis, Interim Senior Planner
 Thurston County Community Planning and Economic Development Department
 2000 Lakeridge Drive SW
 Olympia, WA 98502
 Cell Phone: (360) 522-2593
 Office Phone: (360) 786-5467
 Fax: (360) 754-2939

From: Barry Halverson <halversonloma@hotmail.com>
Sent: Thursday, December 23, 2021 9:08 AM
To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>
Subject: Re: You Tube Video for Planning Commission Meeting 15 Dec

Andrew, thank you.

After reviewing the SMP sessions I have a couple comments:

1. There was comments about only three lakes in Thurston County that supported Salmon. Scott Lake, ? , Summit Lake. But Summit Lake didn't support Salmon. It had Kokanee, which is a land locked Atlantic Salmon. They are a fish that stays in the deepest parts of a lake. I can't imagine a grated dock being needed for Kokanee - makes no sense. If WDFW is supporting that I would like to know specifically who at WDFW is saying that?
2. The SMP needs to specify which (2) lakes of the 108 lakes in Thurston County support Salmon that would require grated docks. That will make it much easier for planners/staff/permits. Not doing that would be negligent and irresponsible.
3. There was more discussion on SED's. We at Long Lake, Lake Lawrence, Pattison Lake and Offut Lake support the hybrid option Doug Karman and Eric Casino recommended.
4. We also agree with the Planning Commissions suggestion regarding paragraph 19.400.100 Existing Development/Uses/Structures regarding conforming/nonconforming.
5. We also agree with the Planning Commissions suggestion to get rid of paragraphs 3 and 4 re: Pilings and Piers and go with HCP standards/wording. being too specific in this area could have a negative effect.

Thanks for all you do Andrew and may you and yours have a Merry Christmas and Happy New Year,

Barry

From: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Sent: Tuesday, December 21, 2021 9:11 AM

To: Barry Halverson <halversonloma@hotmail.com>

Subject: RE: You Tube Video for Planning Commission Meeting 15 Dec

Hi Barry,

[Here is the link](#) to the YouTube for the December 15 meeting, if you haven't seen it yet.

Regards,

Andrew Deffobis, Interim Senior Planner
Thurston County Community Planning and Economic Development Department
2000 Lakeridge Drive SW
Olympia, WA 98502
Cell Phone: (360) 522-2593
Office Phone: (360) 786-5467
Fax: (360) 754-2939

From: Barry Halverson <halversonloma@hotmail.com>

Sent: Monday, December 20, 2021 5:24 PM

To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Subject: Re: You Tube Video for Planning Commission Meeting 15 Dec

thank you

From: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Sent: Monday, December 20, 2021 3:52 PM

To: Barry Halverson <halversonloma@hotmail.com>

Subject: RE: You Tube Video for Planning Commission Meeting 15 Dec

Hi Barry,

Thanks for bringing this to my attention. It sounds like it is going to be posted today. All Planning Commission meetings are posted to [this page on Youtube](#). You will need to scroll down the list of meetings on the right side of the page; the newest meeting should be at the bottom once it is added. There was more discussion about development standards for docks, so you'll want to listen in.

Alternatively, the audio from the meeting is already posted on [the Planning Commission's website](#) if you'd rather review it there.

Regards,

Andrew Deffobis, Interim Senior Planner
Thurston County Community Planning and Economic Development Department
2000 Lakeridge Drive SW
Olympia, WA 98502
Cell Phone: (360) 522-2593
Office Phone: (360) 786-5467
Fax: (360) 754-2939

From: Barry Halverson <halversonloma@hotmail.com>

Sent: Friday, December 17, 2021 10:44 AM

To: Andrew Deffobis <andrew.deffobis@co.thurston.wa.us>

Subject: You Tube Video for Planning Commission Meeting 15 Dec

Andrew, hate to bother you about this, but I cannot find this you tube video anywhere on the Thurston County Web Site. Can you send me the link for this past Wednesday's meeting so I can review it? I was at a community christmas party so unable to participate.

Thank you,

Barry

253-341-6059

From: [Donovan & Meredith Rafferty](#)
To: [Andrew Deffobis](#)
Subject: SMP MBU 16-17 Correction of information on existing conditions
Date: Thursday, January 27, 2022 3:17:57 PM
Attachments: [SMP MBU16 Correction of Conditions 2022 01 26.docx.pdf](#)

Andrew,

As property owners of shoreline in MBU 16-17, we are providing corrections to the discussion of the current conditions and status of the properties.

In your January 19, 2022 presentation on shoreline designations, you said that it is important that the proposed new shoreline designations reflect existing shoreline conditions. The information about our properties is attached.

Sincerely,

Donovan and Meredith Rafferty 360-754-8510

John and Reita Marshall

Abby Ruskey

Chris and Dory Simmons

Allen Lebovitz

Kathryn and Patrick Townsend

Kathy Knight

Cynthia Walker and Larry Seale

David & Kim Phillips

Jeff Nejedly

Maribeth Duffy

Kurt & Lisbeth Sheafe

January 27, 2022

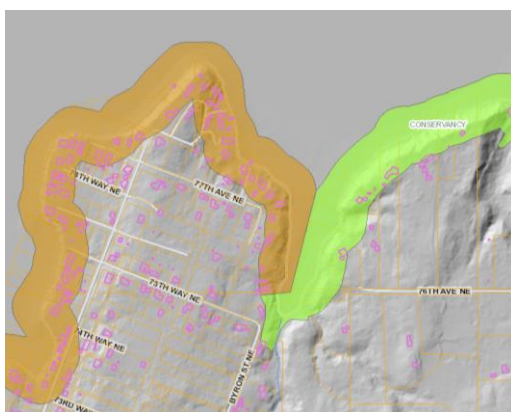
To: Andrew Deffobis, Interim Senior Planner
Thurston County, Shoreline Master Plan

As property owners of shoreline in MBU 16-17, we are providing corrections to the discussion of the current status of the properties.

In your January 19, 2022 presentation on shoreline designations, you said that it is important that the proposed new shoreline designations reflect existing shoreline conditions. We are providing information about our properties' existing conditions.

Regarding the criteria for **Rural Conservancy**, we correct the following items that were discussed:

- There are no “low intensity” uses on these properties. Specifically, no aquaculture is operating on any of these properties. Nor have any aquaculture operations been evaluated and approved by permit on these properties so none are demonstrating that they “can” operate. This changes your stated evaluation of the criteria for Shoreline Conservancy regarding low intensity uses. There are no low intensity uses, resource-based or water-based, in MBU 16-17. **The properties do not meet the criteria.**
- Environmental limitations on human use, such as steep slopes, have not been established by the County for these properties. There are no Critical Areas designated. You stated in your January 19th presentation that such determinations must be made in the field on a case-by-case basis. Therefore, the limitations cannot be inferred from maps alone. **The properties do not meet the criterion.**
- **Regarding the slough/inlet**, we note that three-quarters of it and the creek have been protected for decades under an existing Conservancy SED and 250 foot buffer, in addition to the buffer and mitigation of the current Rural SED (see map below). The creek is not part of MBU 16-17.



Source: Thurston County Geodata
Current SEDs & Placement of Homes along shoreline
Orange = MBU16-17 = “Rural” (residential)
Green = “Conservancy”

- Regarding the level of ecological functioning that needs to be present, the County states that the Rural Conservancy designation is “... labeled “rural conservancy” as it is

intended for rural areas that have intact ecological functions.” (“Shoreline Designations Report”, page 4 listed at:

<https://www.thurstoncountywa.gov/planning/planningdocuments/shoreline-update-environment-designations-report-draft.pdf>).

- The shoreline in MBU 16-17 is not intact. Please see the shoreline conditions listed below.

Regarding the criteria for **Shoreline Residential**, we correct the following items that were discussed:

- All properties in MBU 16-17 have been residentially developed. You stated in your presentation that only “the vast majority of parcels feature residential development.” Residential use is dense along the shore. Properties are zoned as LAMIRD 1/1.
- We correct the County’s SMP Inventory which listed only “three docks and some bulkheads”. There are residences, related structures, lawns, and boat houses that extend the full length of the shoreline. Shorelines are fully bulkheaded for nearly all properties. This is dense modification and use and meets the Shoreline Residential criterion.
- The aerial map you displayed at the January 19th presentation to judge tree cover at the shoreline is misleading. The critical factor is whether they reach the shoreline to contribute natural materials to the shore. The presence of planted vegetation upland is not indicative of the condition of the shoreline. The County’s Inventory noted that natural vegetation has been removed along the shoreline. We provide again a photo of part of the shoreline (the photo was originally provided as comment #76). **These existing conditions meet the Shoreline Residential criterion for “Ecological functions have been impacted by more intense modification and use”.**



- Residences are located close to the shore and are currently regulated for impacts by the buffer. In addition, the 200-foot SMP shoreline jurisdiction covers the majority of each property, if not the entire property, to provide regulation. **This condition meets the Shoreline Residential criterion for “Majority of the lot area is within the shoreline jurisdiction”.**
- All properties are authorized for their dense residential use as part of the Boston Harbor Rural LAMIRD 1/1 zoning (Limited Area of More Intensive Rural Development) and are part of the more than 100-year old Boston Harbor plat.

- All homes are on the Boston Harbor ULID sewer and water system. You stated in your January 19th presentation that you thought only “most of them” were on the sewer system. **All these conditions fully meet the Shoreline Residential criterion for “Predominantly single-family or multifamily residential development or are planned and platted for residential development.”**

The existing conditions of MBU 16-17 continue to meet criteria for an impacted residential shoreline and a Shoreline Residential designation.

Sincerely,

Donovan and Meredith Rafferty
John and Reita Marshall
Abby Ruskey
Chris and Dory Simmons
Allen Lebovitz
Kathryn and Patrick Townsend
Kathy Knight
Cynthia Walker and Larry Seale
David & Kim Phillips
Jeff Nejedly
Maribeth Duffy
Kurt & Lisbeth Sheafe

Cc: Thurston Board of County Commissioners

From: [Polly Stoker](#)
To: [Christina Chaput](#); [Andrew Deffobis](#)
Cc: [Polly Stoker](#)
Subject: PC Question: FW: zangle cove Pigeon Guillemot survey
Date: Thursday, February 24, 2022 3:10:14 PM

Hi Chris and Andy,
FYI to you below.
Should I ask her if she copied me in order for me to forward to all of PC?
Your direction is appreciated.
Thanks
Polly

From: Helen Wheatley <h.wheatley100@gmail.com>
Sent: Thursday, February 24, 2022 2:26 PM
To: terencelee@nisquallyestuary.org
Cc: Polly Stoker <polly.stoker@co.thurston.wa.us>
Subject: zangle cove Pigeon Guillemot survey

Hi Terence,

I am putting together a Thurston County Planning Commission Minority Report regarding the shoreline (SMP) zoning adjacent to Zangle, reaching westward around the point. I believe my son Adrian showed you the map of the area in question.

Online I found a 2015 memo from Nisqually Reach Nature Center (Bobby Moody) to ProtectZangleCove.org that provides a detailed discussion of the presence of foraging and breeding Pigeon Guillemots and their significance. It also includes a link to the 2013 monitoring report. However, neither document provides usable location information. Could you possibly provide me with a fairly precise map or sketch of Zangle Cove area nesting and foraging locations and summary (or link to source) of more current survey data? This would not be to provide an opinion, but to assist with findings of fact.

Thanks for all you do.

Helen Wheatley
360 888 9186

(Thurston County is cc'd for public record purposes.)

From: [Melodye](#)
To: [Andrew Deffobis](#)
Subject: Copy of Email Submitting to District 3 County Commissioner Ty Menser
Date: Tuesday, March 22, 2022 1:00:48 PM

Hello Andrew – Below is a copy of an email that I have submitted to our District 3 Commissioner and also cc'd all County Commissioners and staff. The email pertains to action taken at last Wednesday's meeting by the Planning Commission. I hope after reviewing this email, you will have a clear understanding of our position with regard to the actions taken by the Planning Commission, which affect our property on the north side of Green Cove. I also hope that you will help us to quickly correct the SED on our property, so that we are not forced to engage legal help.

March 22, 2022

Hello Commissioner Menser:

I am writing to ask for your help in resolving an issue created by the Thurston County Planning Commission's actions at their last meeting, on Wednesday, March 16, 2022. The issue involves the Planning Commission's preparation of the Shoreline Master Program (SMP) update and actions taken by the Commissioners that impacted our private property.

The Planning Commission's action affected our property (APN 12933220400), which is located on the north side of Green Cove on the Eld Inlet. My husband and I are the sole owners of the property, and the property is vested in our family trust. To be clear, we received absolutely no notice that the Planning Commission would be considering any action regarding our property at this meeting. It was only when I went online, five days later, to check for upcoming SMP update meetings, that I discovered what had occurred. It was the last item on the evening's agenda and considered a request by an unidentified citizen to expand the "Natural" zoning designation in Green Cove. After an extensive review, the Planning Staff's recommendation to the Planning Commission was to: 1) only expand the "Natural" designation on the south side of Green Cove, where an existing HOA recreational park is located and 2) to re-align a small portion of the southeastern corner of the designation zones, so that they would follow property line boundaries. The Staff's recommendation was to designate the north shore (our property) as "Rural Conservancy", since it contained structures within the buffer zone and the natural habitat had been altered from its natural state. After some discussion over whether the property was privately held, the Planning Commission voted to approve a motion made by Commissioner Wheatly that would also designate our north shore property as "Natural".

We believe this motion was completely inappropriate and the correct designation for our property should be "Rural Conservancy", as was recommended in the Staff report. As defined in the Shoreline Environment Designation (SED) Criteria: the "Natural" criteria states properties should be "generally free of structural shoreline modifications, structures, and intensive human uses." Again, our house sits within the affected Shoreline buffer zone. The "Rural Conservancy" criteria would accommodate residential uses outside urban growth areas and is "supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, or flood plains or other flood prone areas". This is exactly the situation with our property. This designation would protect the wildlife habitat and also protect our residential use of the

property.

During their discussion, Commissioners Halverson and Karman both voiced concern over approving a motion when property owners had not been notified of an action affecting their property. Chair Commissioner Eric Casino called for a motion, which was made by Commissioner Wheatly to include our private property as "Natural". Unfortunately, with no further discussion the motion was swiftly approved and the meeting was concluded.

In our opinion, what transpired was nothing short of a "land grab" by this Commission. It is something we can not and will not accept. We are hopeful that with your support and direction, the Planning Commission will correct this situation immediately, and we can avoid the need for legal action.

BACKGROUND

In August of 2021 my husband, John Cosley, and I purchased the 9.33 acre property located at 3125 46th Ave NW Olympia. The property contains a house that is located near the Green Cove bluff and within the 200' shoreline buffer zone. We are in the process of remodeling that house, which was built in the 1960's. Our property contains shoreline that wraps both the Eld inlet and the north side of Green Cove inlet. Our current residence is nearby at 4825 Bayshore Ln NW, which is also situated on the Eld. As such, we are fully aware of and appreciate the need to protect the wildlife habitat of Green Cove. We consider ourselves to be environmentalists, who seek to preserve and protect the unique beauty of the Eld and its inlets.

The property was owned and operated since the 1960s by the Baker family, as an Arabian horse ranch. The Bakers built the existing house and substantially altered the property from its natural state over the course of five decades. Upon the death of Mrs. Baker in 2014, the property was gifted to a family friend, Beverly Bosworth. She and her husband began to remodel the existing house. Unfortunately, due to her husband's failing health, she was forced to sell the property last year. The sale process generated intense interest from a variety of potential buyers, including those seeking to subdivide the property. Beverly chose to sell the property to us, because she understood it was not only our intention to build our single-family home there, but also to preserve and protect the unique beauty of Green Cove from future development.

Prior to purchase, we visited the Thurston County Planning Department and spoke with a planner about the remodel process. We were shown an aerial map of the property and the 200' buffer zone, within which the house is located. It was explained to us that the house could be remodeled as a non-conforming structure within its existing footprint. With that information, we moved forward with the purchase of the property on August 27, 2021. Since then, we have done extensive work to clean up the property, as much of it had fallen into disrepair. Over the past six months, we have worked hard to restore the health of many of the native species of trees. Due to years of neglect, these gorgeous trees were being choked off by a variety of invasive vines, which have encroached throughout the property. We demolished and removed a dilapidated old barn, as it had partially collapsed onto the ground. We have also had a full topo map and survey completed on the property, in preparation for the submittal of our building plans.

PLANNING COMMISSION ACTION ON MARCH 16, 2022

As previously mentioned, the Planning Commission did not provide any notice to us that our property would be under discussion at the March 16th meeting. In addition, there wasn't a single District 3 Planning Commissioner in attendance at this meeting. To be clear, not only were we not notified, but District 3 had zero representation at this meeting.

I have carefully listened to the audio and video public records of this meeting several times.

Interestingly, District 2 Commissioners Doug Karman and Barry Halverson both raised questions and voiced concern over the fact that property owners affected by this decision (namely ourselves) had not been notified of the meeting, and were therefore denied any opportunity to participate in this process. Senior Staff Planner Andrew Deffobis stated in the meeting that the "Natural" designation was not well suited for private property, since it would create problems with any existing structures on the land. In addition, back on December 22, 2021, I spoke by phone with Andrew Deffobis about our property and its buffer zone limitations for building. He emailed me an aerial photo of our property showing both a 200' and a 250' buffer zone, since it appeared that a 250' marine riparian zone could affect our building envelope. Given that exchange, it is incredulous to me that he did not bring up our conversation, nor did he mention that our house is located within the buffer zone. Had we been given the opportunity to address these issues with the Planning Commission, I believe this situation would never have occurred. Again, my husband and I are seeking to protect the wildlife habitat of Green Cove, as much as anyone.

Therefore, we are appealing to you for immediate help to correct this situation, so that the need for legal action is not necessary. We are asking that the Planning Commission correct this designation either in a special session or at their next scheduled public meeting on March 30, 2022. Swift action is needed on this issue. The SED that they have now designated for our property is in direct conflict with its residential use. I have cc'd this email to all Thurston County Commissioners, to all Thurston County Planning Commissioners, and to pertinent staff members. We very much look forward to hearing from you soon.

Sincerely,

Melodye Cosley

PH: 916-806-7929

Email: mlcosley@gmail.com

Sent from [Mail](#) for Windows

From: [Christina Chaput](#)
To: [Andrew Deffobis](#)
Subject: SMP Buffer Comment
Date: Monday, August 22, 2022 9:49:49 AM

Below is a comment that came to Brett re: SMP. Please see below.

Chris

From: Brett Bures <brett.bures@co.thurston.wa.us>
Sent: Monday, August 22, 2022 9:35 AM
To: Christina Chaput <christina.chaput@co.thurston.wa.us>
Subject: FW: Non compliant grading

Hi Chris:

Below in the email string is a comment that I have been asked to forward to your group for the SMP update. The person is interested in making the comment that all shoreline buffers should be 150'.

Please let me know if you have any questions.

Thanks.

Brett Bures | Building and Planning Manager
 Thurston County Community Planning & Economic Development
 2000 Lakeridge Dr SW, Bldg 1, Olympia, Washington 98502 [Map](#)
 Main (360) 786-5471 | Fax (360) 754-2939 | TDD (800) 833-6388
brett.bures@co.thurston.wa.us | www.thurstoncountybdc.com

This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56.

From: Valerie Hammett <valerierobz@gmail.com>
Sent: Friday, August 19, 2022 8:41 AM
To: Brett Bures <brett.bures@co.thurston.wa.us>
Cc: Valerie Hammett <valerierobz@gmail.com>
Subject: Re: Non compliant grading

Brett

Thanks for your response and explanation of the situation. The compliance staff are probably as frustrated as we are. It will be interesting to see how the prosecuting attorney handles the situation. It will take decades for some of the damage to be rehabilitated.

We would like you to forward our request for the shoreline protection zone to be set at 150' to the Community Planning Group. Our understanding is that this was to be decided this fall. We would also appreciate a status report about the process.

Thanks, Rob and Valerie

On Thu, Aug 18, 2022 at 10:16 AM Brett Bures <brett.bures@co.thurston.wa.us> wrote:

| Rob and Valerie:

Thank you for your email.

Please note that the code compliance process is active and ongoing as prescribed in Thurston County Code Title 26.

I have inquired with the Code Compliance Supervisor and his staff regarding the referenced parcel. Here is a chronology of events and actions followed by the next steps in the code compliance process:

- 5.17.22 – Compliant received
- 6.7.22 – Contact letter sent to property owner
- 6.22.22 – Site visit conducted. Stop work order posted
- 6.27.22 – 2nd complaint received
- 7.3.22 – 3rd complaint received
- 7.8.22 – Site visit and 2nd stop work order posted
- 7.11.22 – Notice of Violation sent to property owner (30 days to remedy or respond)
- 8.17.22 – Site visit. 3rd stop work order posted

The next steps in the code compliance process is to issue Civil Penalties to the property owner. Those run continuously for 30 days and the penalty is assessed daily. If the violation is not remedies or permits sought after the 30 days for Civil Penalties, then the case is referred to the Prosecuting Attorney's Office for injunction.

You also made a statement that you would like to see the Shoreline Protection Zone to be at 150'. I understand your request but I am not able to determine the shoreline protection zone. I am happy to forward your comment to the Community Planning group as they continue to work on the Shoreline Master Program update. Please let me know if you would like me to forward.

Please let me know if you have any further questions.

Thanks.

Brett Bures | Building and Planning Manager
Thurston County Community Planning & Economic Development
2000 Lakeridge Dr SW, Bldg 1, Olympia, Washington 98502 [Map](#)
Main (360) 786-5471 | **Fax** (360) 754-2939 | **TDD** (800) 833-6388
brett.bures@co.thurston.wa.us | www.thurstoncountybdc.com

This communication is a public record and may be subject to disclosure under the Washington State Public Records Act, RCW 42.56.

From: Valerie Hammett <valerierobz@gmail.com>

Sent: Tuesday, August 16, 2022 7:45 AM

To: Brett Bures <brett.bures@co.thurston.wa.us>

Subject: Non compliant grading

Brett

We and some of our neighbors have filed non-compliance forms about grading activity on parcel 11920110105. I understand the compliance officer has made a couple of visits. The current shoreline protection setback is 250'. You and I spoke briefly about this issue a couple of weeks ago. The work continues, the two acre parcel slopes towards the water, the entire understory has been removed down to the top of the bank, debris and soil is piled on the top of the bank and there is soil and debris on the beach below OHW. The parcel has historically been a small wetland and had standing water when the process started. There have been no efforts to establish sediment or erosion control. When the rains return major sediment from this site is going to run onto the beach and neighbors property.

We find the situation particularly frustrating in that since purchasing the property in 1988 we have seen the shoreline setback increase from 0' to 250', rendering about two thirds of our parcel untouchable. We understand that the shoreline protection zone is being reviewed with results later this fall. In the meantime we applied for a permit in April to build an access driveway staying clear of the setback, we have not heard anything.

So three issues here:

1. Please address the grading issue before the rains start.
2. We would like to see the shoreline protection zone in the area set at 150'.
3. I will check with planning on the status of our permit.

Thanks, Rob Kirkwood and Valerie Hammett

From: [Thomasina Cooper](#)
To: [Andrew Deffobis](#)
Cc: [Christina Chaput](#)
Subject: FW: Comment from Black Hills Audubon concerning the Shoreline Master Program Update
Date: Thursday, October 6, 2022 8:40:47 AM
Attachments: [Black Hills Audubon Comment on Minority Report on Shoreline Master Program Update.pdf](#)

Hi Andy and Chris-

The commissioners received the email below and letter attached re: the SMP. I wanted to ensure you see this. Please forgive any duplication, if you've already gotten it.

Thanks! Have a good day!

Thomasina

-----Original Message-----

From: Samuel Merrill <sammerrill3@comcast.net>

Sent: Wednesday, October 5, 2022 7:49 PM

To: Gary Edwards <gary.edwards@co.thurston.wa.us>; Carolina Mejia-Barahona <carolina.mejia@co.thurston.wa.us>; Tye Menser <tye.menser@co.thurston.wa.us>

Cc: Anne Van Sweringen <avansw2@gmail.com>

Subject: Comment from Black Hills Audubon concerning the Shoreline Master Program Update

Dear Commissioners Edwards, Mejia, and Menser,

Attached is a Comment from Black Hills Audubon concerning the Minority Report re the Shoreline Master Program Update. Could you confirm that this has been received in good order?

Thanks for your continued efforts for the County.

Best wishes,

Anne Van Sweringen, Member, Conservation Committee Sam Merrill, Chair Conservation Committee

Black Hills Audubon Society



A Washington State Chapter of the National Audubon Society
P.O. Box 2524, Olympia, WA 98507
(360) 352-7299 www.blackhills-audubon.org

Black Hills Audubon Society is a volunteer, non-profit organization of more than 1,300 members in Thurston, Mason, and Lewis Counties whose goals are to promote environmental education and protect our ecosystems for future generations.

Honorable Gary Edwards
Honorable Carolina Mejia
Honorable Tye Menser

October 5, 2022

Dear Commissioners,

Black Hills Audubon Society (BHAS) is a chapter of roughly 1300 members of the National Audubon Society, including Thurston, Mason, and Lewis Counties. We ask you to support the Minority Report submitted to the Board of County Commissioners along with the Thurston County Shoreline Master Program Update.

The Thurston County Planning Commission voted 5-3 to recommend approval of the draft Shoreline Master Program Update (SMP) last August. Many of the draft revisions improve the capacity of the SMP to promote and enhance the environment as well as the public interest. However, four Planning Commission members respectfully recommend and request that the BoCC consider further revision of the draft SMP before SMP Update approval (see August 8, 2022 letter to the BoCC from Helen Wheatley (author), Derek Day, Joel Hansen, Kevin Pestinger). These commissioners focused on areas where improvements to the draft SMP will enhance its protectiveness against Net Loss, especially in the face of climate change.

This Minority Report brings to light essential elements of the draft SMP that became less protective. Here is a summary (please read the full Minority Report for more information):

- Regarding Critical Areas, these four commissioners are concerned that insufficient consideration is given to critical saltwater areas. Permitting of critical areas is treated differently in the draft SMP from the Critical Areas Ordinances: The Reasonable Use principle, which is highly protective of ecological function, is replaced by shoreline variances. The principle of critical area protectiveness – i.e., that the purpose of a critical area is to provide environmental function, not balanced use – should apply to the draft SMP.
- Loss of vegetation is a major component of the Shoreline Management Act. For instance, the removal of pollutants such as nitrogen relies on the vegetative community. Non-native vegetation does not necessarily perform the same ecological functions as native vegetation. The Draft SMP should be revised to disallow substitutions for native vegetation in plantings for mitigation. Consider revising the draft vegetation policies to keep the SMP compliant.

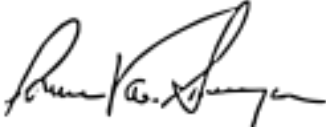
- Shoreline buffers in the draft SMP are significantly decreased in contrast to state guidelines, the principles of Best Available Science, and policies of many other jurisdictions. To account for climate change, reduced buffer widths in the draft SMP's Shoreline Environmental Designations (SEDs) should be rejected. Planning commissioners supported a buffer reduction policy instead of decreasing some and increasing others. For instance, the planning commission is proposing Thurston County buffers for Rural Conservancy SEDs that are reduced by 50% or an extraordinary 125 feet. Critical saltwater habitats also require a higher level of protection due to the important ecological functions they provide. To protect and restore ecological functions, shoreline designations should be integrated effectively with the protection and restoration of Aquatic critical saltwater habitats. Other jurisdictions are expanding and revising buffers to be wider.
- Regarding Aquaculture: Climate change looms very large for both the aquaculture industry and the shoreline ecosystem in which it takes place. Given the many unknowns regarding the long-term environmental impacts of commercial-scale aquaculture, especially commercial geoduck aquaculture, the SMP should take a more precautionary stance and adjust its policies accordingly. The SMP should consider the regulation of aquaculture and the value of frequent monitoring to avoid net loss of ecological functions.
- Shoreline structures and uses should not result in a net loss to ecosystem functions or public access. The interests of the state are primarily in preserving ecological function; federal and state regulations are largely concerned with reducing the impacts of mooring structures. The draft SMP should include policies and regulations regarding piers, docks, and other overwater and in-water structures.
- While providing positive effects for humans, mooring, overwater, and in-water structures including pilings can have direct negative impacts on shoreline ecological functions. State and federal regulations attempt to reduce these impacts, for instance, with permits for piers and docks. The shoreline inventory and characterization should inform where overwater structures such as piers and docks may be allowed. Portions of the shoreline may not be appropriate for these overwater structures due to impacts to shoreline ecological functions, navigation, and aesthetics. The SMP should include policies and regulations for these structures and uses.
- Restoration is key to achieving No Net Loss of ecological functions in habitats. Setbacks should support the ecological functions of buffers. Vegetation buffers of appropriate width should be recognized as sites with restoration potential. Where buffers are less than 80% effective, other policies such as restoration with native vegetation or soft shoreline stabilization can be used to mitigate the inadequacy of the buffer. Such policies are necessary because of the need for balance in ecosystems and habitats. In terms of costs and benefits, however, preserving ecosystem function and the ecosystem services that buffers provide is often the most effective option.
- In urban areas, a key element to maintaining management zones for riparian habitats is connectivity (the movement of animals across riparian, aquatic, and upland habitats), both in and along streams. The Washington Department of Fish and Wildlife urges governments to use: 1) both volumes of its Priority Habitats and Species (PHS) publications (which provide guidance on Best Available Science), 2) its riparian wetlands guidance for fish and aquatic



species, and 3) its adoption of Site-Potential Tree Height (SPTH) to maintain full function of riparian ecosystems.

- Revisions to the SMP concerning climate change must reflect county efforts as required in the comprehensive plan under the Growth Management Act and the Thurston Climate Adaptation Plan. An adaptive management approach is key for the SMP and must be supported.

Sincerely,



Anne Van Sweringen
Member, Conservation Committee, Black Hills Audubon Society



Sam Merrill
Chair, Conservation Committee, Black Hills Audubon Society

From: [Leah Davis](#)
To: [Bob Jensen](#)
Cc: [Andrew Deffobis](#)
Subject: RE: Thurston Olympia Joint Plan
Date: Wednesday, November 9, 2022 2:50:35 PM

Mr. Jensen:

I am not involved in anything related to water quality or the Shoreline Master Program. I have cc'd Andrew Defobis, who may have information for you.

Thank you for reaching out with your questions and concerns.

Leah Davis

From: Bob Jensen <rvmijensen@hotmail.com>
Sent: Wednesday, November 9, 2022 2:39 PM
To: Leah Davis <leah.davis@co.thurston.wa.us>
Subject: Thurston Olympia Joint Plan

Dear Leah,

My name is Bob Jensen. My wife, Maria and I live in Lacey at Panorama. From 2004 to 2019, we lived off Mullen Road, on the north end of Pattison Lake.

We moved there because of the beautiful environment. We used the lake to kayak and swim. During the summers, I swam regularly in the mornings to a buoy in the middle of the northern basin.

In 2013, I first noticed in the morning, a green sheen on the water, which I had never previously seen. I immediately contacted the County Health Department, because our property was outside of Lacey, the urban growth area. Pattison Lake Townhomes, our continuum development, unlike almost all of the remaining lake, sewerred.

The Health District sent a representative to sample the water. It reported back the green sheen was a toxic blue-green algae bloom, and I asked if I would post our community dock to advise people and domestic animals use the lake because of health concerns. I did so.

These toxic algae blooms have continued until now and manifest themselves nearly every year. I was given a pamphlet by the representative of the Health Department published in the summer of 2013, entitled The Pipeline. It addresses septic systems and phosphorous, concluding on page 3: ". . . phosphorous is usually the limiting nutrient when it comes to eutrophication of freshwater systems." Similarly, the Thurston County Water Resources Monitoring Report 2017 Water Year," page 8 declares: "In Black Lake, as with most freshwater lakes, algae production is limited by the amount of available phosphorous."

I need not repeat the litany of toxic blue-green algae blooms in our county lakes. Suffice it to say the reasonable use and enjoyment of those lakes is substantially impaired by these blooms. Pattison Lake, for example, just formed a Lake Management District. One of its principal challenges is to eliminate these repetitive and offensive blooms.

Pattison Lake has trunk sewer lines running along both the western and eastern sides. They unfortunately have never been connected to residences, and probably will not be until Lacey annexes the lake.

I have submitted numerous comments, written and oral, requesting the county to include in its pending amendment of its Shoreline Master Program, to prohibit more septic tanks along the shoreline lakes of the county, and to require annual inspection and maintenance of septic systems. I have not seen any written document version of the master program amendments, to this day, which would require these restrictions.

Please advise me if the joint planning effort, which purportedly is taken under the Growth Management Act, includes the proposed Shoreline Management Act amendments.

Blessings,
Bob Jensen

From: [Deanna Gonzalez](#)
To: [SMP](#); [Andrew Deffobis](#)
Cc: [Heather Burgess](#)
Subject: Comment on Shoreline Master Program Update / Request for Revision to Pattison Lake Shoreline Designation (LPA-7 and LPA-8)
Date: Monday, November 28, 2022 4:09:27 PM
Attachments: [2022.11.28 Ltr. to BOCC - Muirhead SMP.pdf](#)

Good afternoon,

On behalf of Heather Burgess, attached please find correspondence regarding the above-referenced matter. Please contact Ms. Burgess should you have any questions.

Thank you,
Deanna

Deanna L. Gonzalez
Senior Paralegal
dgonzalez@phillipsburgesslaw.com | [Visit our website](#)

PHILLIPS BURGESS, PLLC
REAL ESTATE | LAND USE | ENVIRONMENTAL LAW
111 - 21st Avenue SW, Olympia, WA 98501 (The McCleary Mansion) | 360.742.3500

IMPORTANT/CONFIDENTIAL: This e-mail message (and any attachments accompanying it) may contain confidential information, including information protected by attorney-client privilege. The information is intended only for the use of the intended recipient(s). Delivery of this message to anyone other than the intended recipient(s) is not intended to waive any privilege or otherwise detract from the confidentiality of the message. If you are not the intended recipient, or if this message has been addressed to you in error, do not read, disclose, reproduce, distribute, disseminate or otherwise use this transmission, rather, please promptly notify the sender by reply e-mail, and then destroy all copies of the message and its attachments, if any.

November 28, 2022

TRANSMITTED VIA ELECTRONIC MAIL ONLY

smp@co.thurston.wa.us

andrew.deffobis@co.thurston.wa.us

Thurston County Board of County Commissioners
Attn: Andrew Deffobis
Shoreline Code Update
Thurston County Community Planning & Economic Development Department
2000 Lakeridge Drive SW, Building 1
Olympia, Washington 98502

**Re: Comment on Shoreline Master Program (“SMP”) Update
Request for Revision to Pattison Lake Shoreline Designation (LPA-7
and LPA-8)**

Dear Thurston County Board of County Commissioners:

This firm represents Brian and Nancy Muirhead (the “Muirheads”).

The Muirheads own two parcels of property located at 6712 and 6527 Alternate Lane SE, Olympia, Thurston County, Washington (the “Property”). The Property is located on the southeast shore of Pattison Lake within the City of Lacey Urban Growth Area (“UGA”) and identified as part of the LPA-7 – LPA-8 reaches in the proposed SMP update.

As currently proposed, the SMP update would eliminate the split shoreline designation of the 6712 Alternate Lane SE parcel (Thurston County Tax Parcel 117021-40-600) (the “6712 parcel”) as it has existed since 1990, which currently has a majority of developed shoreline designated “Rural” and the remainder, “Conservancy,” and re-designate the entire 6712 parcel based on the property line to the far more restrictive “Natural” designation.

According to the 2013 Final Inventory and Characterization Report, this change is not a shoreline regulatory requirement – instead, it is being done in an effort to “place reach breaks on parcel lines.”¹ However, the Muirheads had a professional survey prepared², which shows that

¹ Thurston County Planning and Economic Development, Thurston County Shoreline Master Program Update: Inventory and Characterization Report - SMA Grant Agreements: G0800104 and G1300026 (Final Draft) (June 30, 2013), available at <https://www.thurstoncountywa.gov/planning/planningdocuments/shoreline-update-inventory-characterization-report-draft.pdf>, at 13.

² Reach Boundary Adjustment Survey, Mtn2Coast Surveyors, dated September 6, 2022 (attached at **Tab A**).

the County's mapped parcel data does not accurately reflect the location of existing improvements on the 6712 parcel, all of which will be rendered legally non-conforming if the re-designation to "Natural" is approved. In addition to this apparent mapping error, a site-specific evaluation of existing conditions on the Property³ completed by a certified wetland and soil scientist⁴ demonstrates that designation of the entire 6712 parcel as "Natural" is neither appropriate nor warranted under the Shoreline Management Act (RCW 90.58) and Ecology's SMP Guidelines (WAC 173-26).

In considering this request, the Board should be aware that the Muirheads have actively participated in the SMP update process, including engaging with staff and submitting written comments and drawings and appearing – without representation – before the Planning Commission at its October 20, 2021 and April 20, 2022 meetings.

The April 20, 2022 Planning Commission meeting included the staff presentation and Planning Commission consideration of the Muirheads' request to change the proposed designation for the 6712 parcel.⁵ At that time, County staff did not support the Muirheads' requested revision, because staff concluded that the parcel did not "appear to have significant alteration" and was "generally free of structural shoreline modifications, structures and intensive human uses" in spite of also noting the presence of a dock, concrete staircase, pathways and landscaping in the 6712 parcel. Staff noted that they were basing their assessment on aerial photographs and did not visit the site, although the Muirheads had proposed and would have allowed just such a visit. The staff's stated justification was in order to, "avoid sub-parcel reach break changes if possible, to ease future implementation of the SMP."⁶ The Planning Commission adopted staff's recommendation and declined to revise the proposed designation as requested.

Following the Planning Commission's action in April, the Muirheads had the attached reach survey and Technical Memorandum prepared, both of which directly refute the facts and staff analysis upon which the Planning Commission's recommendation was based.

The County has a duty to update its SMP in a manner consistent with the Shoreline Management Act (RCW 90.58) and the SMP Guidelines (WAC 173-26). In addition, WAC 173-26-201(2)(a) requires the County to "identify and assemble the most current, accurate, and complete scientific and technical information available that is applicable to the issues of concern" (emphasis added). Proper shoreline designation is a critical feature of the County's update process. Because the site-specific analysis of the 6712 parcel clearly demonstrates that the proposed reach break meets none of the criteria in the SMP Guidelines for the proposed "Natural" designation and instead meets multiple criteria for "Urban Conservancy," we respectfully request that the Board revise the proposed shoreline environmental designations for LPA-7 – LPA-8 on the 6712 parcel prior to adoption of the SMP, as follows:

³ SCJ Alliance Technical Memorandum, dated July 29, 2022 (attached at **Tab B**).

⁴ CV of Lisa Palazzi (attached at **Tab C**).

⁵ Copies of the Staff Report and presentation from the April 20, 2022 Planning Commission Work Session are attached at **Tab D**.

⁶ P. 3 of April 20, 2022 Planning Commission Staff Report (Tab D).

- (1) Retain the split designation of 6712 Alternate Lane SE parcel at the existing reach break identified on the survey²; with this change, 6527 Alternate Lane SE parcel and the developed portion of the 6712 parcel would both be designated “Shoreline Residential” under a single reach; and
- (2) Designate the balance of 6712 Alternate Lane SE parcel “Urban Conservancy.”

Thank you for the opportunity to comment.

Very truly yours,



Heather L. Burgess

HLB/dlg

cc: Client (via email only)

Attachments:

Tab A – Reach Boundary Adjustment Survey

Tab B – SCJ Alliance Technical Memorandum, dated July 29, 2022

Tab C – Curriculum Vitae of Lisa Palazzi

Tab D – Staff Report presentation from the April 20, 2022 Planning Commission Work Session

Tab A

Reach Boundary Mapping

<p style="text-align: center;">REACH BOUNDARY ADJUSTMENT FOR NANCY AND BRIAN MUIRHEAD</p>		
<p>DRAWN BY GMB</p>	<p>DATE 9/6/2022</p>	<p>JOB NUMBER 20-377</p>
<p>CHECKED BY SEP</p>	<p>SCALE 1"=60'</p>	<p>SHEET NUMBER SV-1</p>
<p>AUDITORS INDEX NW1/4 SE1/4, SEC2, T17N, R1W, W.M.</p>		

Tab B

July 29, 2022 Technical Memorandum Prepared by SCJ Alliance

TECHNICAL MEMORANDUM

TO: Brian and Nancy Muirhead

FROM: Lisa Palazzi, CPSS, PWS, SCJ Alliance

DATE: July 29, 2022

PROJECT #: 00-516901

SUBJECT: Proposed DRAFT Shoreline Environmental Designation Assessment (SED),
Reach LPA-7-LPA-8

1.0 PROJECT OVERVIEW

The subject property includes two parcels on Pattison Lake in common ownership (Brian and Nancy Muirhead, Figure 1).

- Parcel 2 (2.91 acres, zoned MGSA – TPN 11702420100) is a developed residential parcel and is located at 6527 Alternate Lane SE.
- Parcel 1 (4 acres, zoned MGSA – TPN 11702420600,) is located directly adjacent to the north at 6712 Alternate Lane SE. This parcel includes some developed areas within the Shoreline zone at the western end of the parcel.

Thurston County is in the process of reviewing and updating the County Shoreline Master Plan (SMP), which includes assessing and updating Shoreline Environmental Designations (SEDs) – i.e., redefining



Figure 1. Project Site location map at Pattison Lake



SED categories and revising maps that define how various shoreline sections will be regulated under the updated SMP.

Under the current 1990 SMP, SED boundaries often cut across parcel boundaries, however, according to the 2013 “Final Inventory and Characterization Report,” (p. 13) as part of the SMP update, County staff applied a different policy of aligning reach breaks with parcel lines:

“Proposed reach breaks were reviewed by multiple parties for accurate assessment of physical, biological, and land use features as well as for ultimate use as a management tool. The resulting final reach breaks represent the product of a detailed assessment process. During the creation of final reach breaks, an effort was made to place reach break points on parcel lines. This was done to avoid the potential for a parcel to contain more than one environmental designation. Due to the emphasis of placing reach break points on parcel lines, these locations do not always exactly line up with the locations of key environmental changes (e.g., topography might begin to change shortly before or after a reach break point). Breaks were located closest to the environmental change that was also on a parcel line. Despite this focus on parcel line reach break placement, there were some instances when a reach break was located mid-parcel because that was where the geographic change occurred (e.g., basin lines). This was particularly true when an environmental change occurred within a large parcel.

The current Shoreline Environmental Designation (SED) for the shoreline zone on Parcel 2 and most of the developed shoreline areas within Parcel 1 is **Rural**. The current SED for the rest of Parcel 1 is **Conservancy**. (See Table 1 for details)

The County proposes to change the SED designation on Parcels 1 and 2, and to change the SED reach boundary on Parcel 1. The proposed SED on Parcel 2 would be **Shoreline Residential**, and the proposed SED for Parcel 1 would be **Natural**. The proposed new SED boundary on Parcel 1 would be relocated to include the entire parcel, which would include currently developed shoreline areas – landscaping, ramps, stairs and a dock – that were previously regulated as **Rural**.

The purpose of this Technical Memo is to discuss the definition of the old versus new SMP SED categories, and to discuss implications and impacts of the proposed policy to extend the **Natural** SED to include ALL of Parcel 1. This SED revision plan will impact future use of the existing developed areas on Parcel 1, which are downslope of the Muirhead residence located on Parcel 2.

2.0 DISCUSSION

One of the proposed SED revisions will affect a parcel located in the southeastern portion of Pattison Lake – specifically, existing shoreline development and infrastructure in the western portions of TPN 11702420600 (Parcel 1). The shoreline at the western end of Parcel 1 and on the adjacent commonly owned TPN 11702420100 (Parcel 2), is developed.

The property owners (Muirheads) are currently involved in a residential remodel project that affects developed portions on both Parcels 1 and 2 (displayed in Figure 2, adapted from TAS architects site plan drawing dated June 27, 2021).

Per requirements of remodel permitting processes, the Muirheads have a recently completed professional survey of the parcel boundaries and related residential infrastructure at Parcel 2. Figure 3 is the survey map of the Muirhead parcel, adapted from the Mtn2Coast survey dated 11/23/2021. (The entire survey map is provided as an attachment to this Technical Memo.)



The current SED boundary between the **Rural** versus the **Conservancy** shoreline areas was based more on actual environmental conditions, but still ignored the fact that there were several well-developed trails throughout the shoreline area that was designated as **Conservancy**.

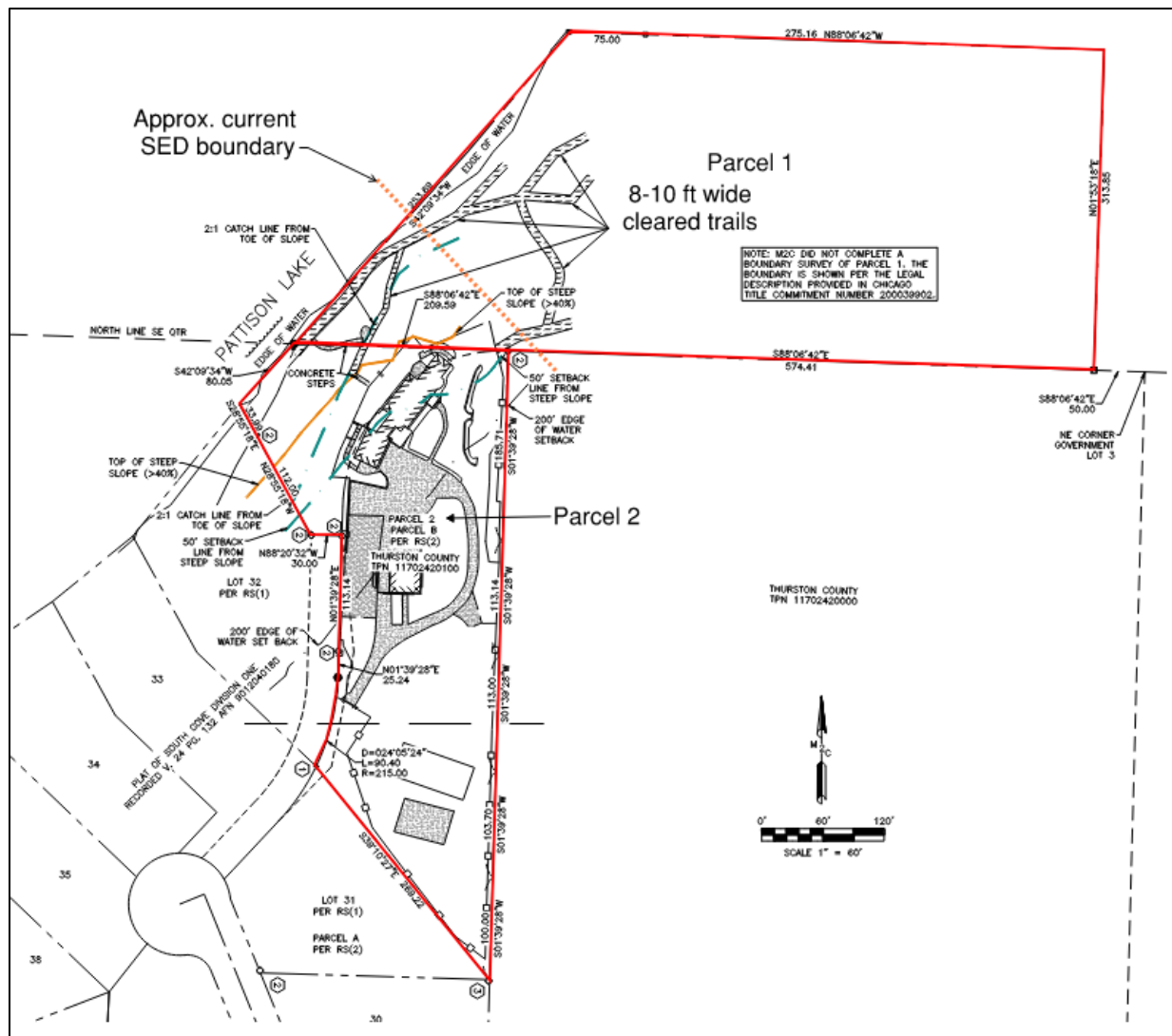


Figure 3. Adapted from survey map of Parcels 1 and 2, showing developed conditions at western end of Parcel 1

Based upon materials which staff prepared for the Planning Commission on April 13, 2022 in response to the Muirheads' request for change to the proposed SED, it appears that , the proposed the SED change has been made primarily to simplify regulatory review, i.e., including all of Parcel 1 in the same SED will make it easier for the County to apply future regulations. Unfortunately, this also means that the developed area will be regulated more stringently than it was in the past, and because all of the redesignated area is already developed, being regulated as **Natural** is inappropriate in any case. This redesignation to Natural, per the proposed SED, would make most of owner's current backyard legally non-conforming and therefore subject to additional conditions, risks and costs associated with maintenance and safety of the current actively used area. The proposed SMP update includes significant constraints on alterations, remodels, expansion, and reconstruction of these types of existing legally nonconforming structures, appurtenances, and uses. See Ch. 19.400.100 (Existing Development).

These errors misrepresent site conditions in Parcel 1, and create potential for significant unanticipated impacts to future use and maintenance of the currently developed shoreline downslope from the Muirhead residence.

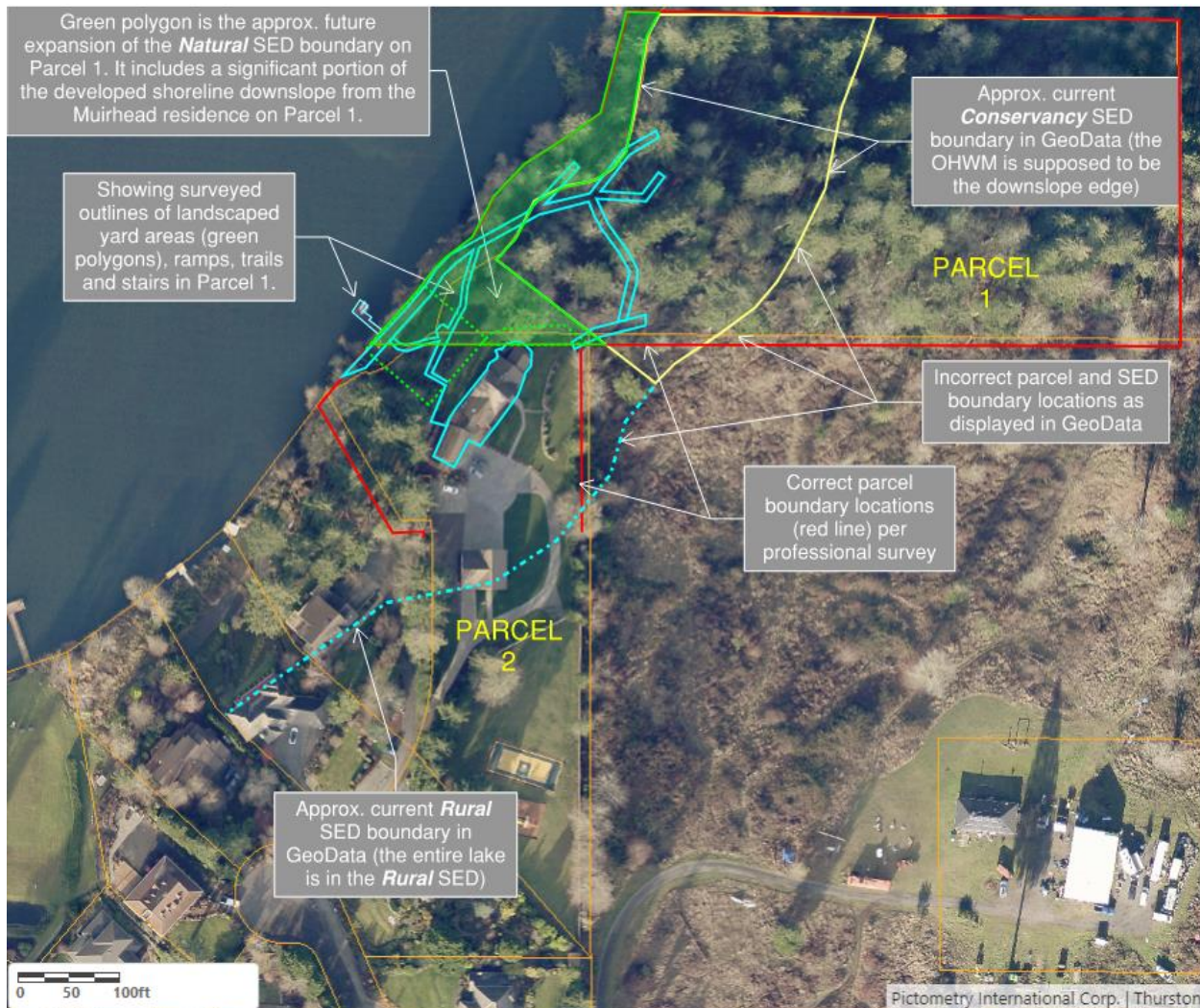


Figure 4. Adapted from Figures 2 and 3 to show conditions along the shoreline area targeted for redesignation. The surveyed trail pathways (used for passive recreation by the homeowners) continue throughout the shoreline zone and the parcel to the west, but were not surveyed since documenting trails was not a primary goal of the survey at that time.

2.0 REGULATORY OVERVIEW RELATED TO PROPOSED SED REVISION

Shoreline Master Plan

The Thurston County Shoreline Master Plan (SMP) regulates activities that occur within 200 ft of a County Shoreline – which includes larger lakes and stream systems. Shoreline Jurisdiction is: 200 feet from the edge of Ordinary High Water Mark—OR the edge of the 100 year floodplain—OR the edge of associated wetlands, whichever is greater.

Pattison Lake is one of several lakes in the County that are regulated as shorelines. Land clearing and grading in the 200 ft shoreline zone requires a shoreline permit, or an exemption from the County.

Certain sections of each shoreline is assigned a “Designation”, a classification that describes the relative ecological condition and defines allowed activities deemed suitable for that condition. Designations in the current Thurston County SMP include: Urban, Suburban, Rural, Conservancy and Natural-Aquatic Environments. Current SEDs around Pattison Lake are ***Rural*** and ***Conservancy***.



Conservancy areas are mapped in the far southeastern corner of the lake and in a wetland connection to the north between Long Lake and Pattison Lake. The rest of the Lake shoreline as well as the entire Lake surface is designated **Rural**.

The parcels subject to this discussion are located in the southern corner of the Lake. The shoreline along the downslope edge of the Muirhead residence on Parcel 2 is currently designated as **Rural** – recognizing that although less dense than many urban areas, the subject site is already developed for residential use, and the Lake surface is regularly used by boaters and related water traffic. The less developed Shoreline zone to the north overlays part of adjacent Parcel 1 (also owned by the Muirheads) is currently designated **Conservancy**, which is a slightly less protective SED than the **Natural** designation and recognizes presence of some development or associated impacts. According to the SMP, *“This [Conservancy] environment is characterized by low-intensity land use and moderate-intensity water use with moderate to little visual evidence of permanent structures and occupancy.”*

The **Rural** Designation assigns a basic 50 ft. setback for residential structures, measured from the Ordinary High Water Mark (OHWM) at the lake. A buffer of existing ground cover must be maintained in the area between the ordinary high-water mark and twenty (20) feet from the structure, and per feedback from County staff, *“the first 30 feet from the lake is considered a native, vegetated buffer”*.

Under a **Conservancy** designation, a dock, landscaping, etc. is permitted under certain protective circumstances with greater setbacks than under the **Rural** designation. Under a **Natural** designation, most development is discouraged as the overall intent is to retain the shoreline an undisturbed naturally vegetated condition.

The Muirheads’ house is located more than 100 ft from the edge of the lake, but areas downslope between the house and lake



Figure 5. Two views above of landscaped areas located partially in Parcel 1.



Figure 6. Showing ramp trail surface extending north in Parcel 1.



includes landscaping, a ramp, stairs, sitting area, a decorative landscaping wall and a dock. Therefore, the current **Rural** designation is appropriate for existing conditions and SED mapping boundaries. The **Conservancy** designation that covers the rest of the northern parcel still allows for maintenance of the existing trails.

Shoreline SED Revision Issues

The Muirheads are in the process of restoring native landscaping on the slope between the house and the water (Figure 5), which includes the portion of Parcel 1 currently designated **Rural**, but proposed to be designated as **Natural** in the future. The balance of Parcel 1, which is currently designated Conservancy would be redesignated as **Natural**. Current SMP regulations under both **Rural** and **Conservancy** designations allow for continued use and maintenance of the existing ramp, trails, stairs, and dock.

Table 1 below compares the current **SED Purposes and Definitions** and to the proposed **SED Purposes and Designation Criteria**. This comparison is referenced above and below in relation to the proposed changes for Parcel 1.

The current slope restoration project includes removal of Himalayan blackberry thickets, replacing cleared areas with predominantly native plant species, and improving erosion control through bioengineering in steeper slope areas. The slope revegetation and mitigation plan was designed to meet County code requirements, and describes how the slope will be landscaped and managed in the future under the current **Rural** SED standards. Aside from normal trail maintenance, no actions requiring permit review are underway within the **Conservancy**-designated portions of Parcel 1.

The proposed updated SED for Parcel 2 would be **Shoreline Residential**, and for Parcel 1 would be **Natural**. Maintenance of existing development in an already built area would be allowed under the **Shoreline Residential** SED. However, standard landscaping and related residential site maintenance for safety and/or future potential dock or stairs replacement activities would not be in compliance with what is explicitly allowed or encouraged in a shoreline area with a **Natural** designation.

The existing house is approximately 110 ft from the Shoreline edge, and the ongoing slope revegetation plan (which will take several seasons to complete) is designed to control Himalayan blackberry, and to increase overall cover with native plants. However, the landscaped area between the house and the lake area is not currently or in the future intended to be converted to a native forest environment. The existing ramps, stairs, trails and dock will continue to be used and maintained. The Muirheads have great concerns associated with the ease of future landscape and trail maintenance and/or stair, dock or ramp resurfacing or replacement as may be needed during the course of normal maintenance and repair actions over time.

Based on the Designation Criteria under the **Natural** designation, these sections of shoreline are to be *“relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. Only very low intensity uses are allowed in order to maintain the ecological functions and ecosystem-wide processes.”* Maintenance actions presumably would be greatly scrutinized and possible even not permitted. This not reasonable or logical, as the current developed condition does not meet the ecological definition of the **Natural** SED. Therefore, despite the intent of the policy being to simplify regulation, this will make implementation of the SMP during a permit review process more difficult as there will be no clear guidance as to how much or what types of maintenance will be allowed in an already developed area within this designation.



The Muirheads have been assured by County staff that existing infrastructure would not be affected by this change, but there is no assurance of that concept in the stated **Purpose** or **Designation Criteria** of the **Natural** SED.

Under the proposed **Urban Conservancy** SED, there is recognition of potential inclusion of developed areas within a relatively undisturbed shoreline, which would appear a more appropriate SED for Parcel 1, and would still allow for redesignation of the entire parcel – thereby meeting the County’s policy goal for simpler regulations – as long as maintenance of existing developed areas and infrastructure is explicitly allowed within the **Urban Conservancy** SED. This is also a better match to the original (current) **Conservancy** designation. Even under the current SED system, a **Natural** designation for Parcel 1, which includes residential-related impacts across a large portion of the Shoreline zone would not have been appropriate.

New Policy to Designate Entire Parcels Without Splitting

Briefly, the redesignation and mapping process under the updated SMP includes a new policy that is intended to reduce permitting complexity by designating an entire parcel shoreline into one SED category (cited above). In the past, the SED boundaries were located based on actual environmental conditions on the ground, but the SMP did not provide for a technical protocol that could be used to locate that environment condition boundary in the field. According to County staff there is no existing legal definition of reach boundary lines, only the approximate lines from Geodata.

On the Muirhead parcels, the line between **Conservancy** and **Rural** was drawn more or less at the edge of the cleared, landscaped slope – i.e., the more intensely developed portion of the Shoreline. Therefore, the reasoning behind the boundary as well as the edge of the **Rural** designation was relatively clear and easy to find and define on the site.

With the new policy preferring to define reach breaks along parcel lines, the area on Parcel 1 proposed to be redesignated **Natural** will include these already developed areas, and the complexity associated with permitting future maintenance or revisions will increase rather than decrease, because half of the developed areas will be designated **Shoreline Residential** and half will be designated **Natural**. But the same activities and maintenance work will presumably be occurring in both areas with no clear boundary showing where the “already developed” areas end. Therefore, the purpose of this policy fails on the Muirhead site.

The original boundary is more clear and easier to regulate in the future, and can be clearly and legally defined on the survey map of Parcel 1 as needed, just as we define wetland and buffer boundaries.

In addition, this policy cannot solve the problem associated with the SED overlaying only part of a parcel. It only attempts to resolve this concern at an adjacent property line. But the outer edge of the SED, which includes the 200 ft shoreline zone plus associated wetland and floodplain – will still overlay part of a parcel, and will still require that the SED boundary be defined and surveyed on the parcel. For this reason, it appears simpler from a technical, regulatory and policy perspective for the County to apply the SED condition (as shown in Table 1), and to have that SED boundary defined, flagged and surveyed in the field along with the OHWM and any wetland or floodplain boundary that also occurs within the parcel. Certainly, the differences between a **Natural** versus **Urban Conservancy** versus **Shoreline Residential** condition should be easy to define in the field.



Table 1. Comparing the current SED definitions to the new proposed definitions and revised designations.			
Current SED	Description	Proposed SED	Designation Criteria
Natural	<p>Purpose. Preserve, maintain or restore a shoreline as a natural resource existing relatively free of human influence, and to discourage or prohibit those activities which might destroy or degrade the essential, unique or valuable natural characteristics of the shoreline.</p> <p>Definition. Shoreline areas in which unique natural systems and resources are to be preserved or restored. This environment is characterized by severely limited land and water use with little or no visual evidence of man-developed structures or occupancy. Development or utilization of soil, aquatic and forest resources, as well as nonrenewable mineral and nonmineral resources is prohibited. Public access and recreation are limited to a degree compatible with the preservation or restoration of the unique character of this environment.</p>	Natural	<p>Purpose: Protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. Only very low intensity uses are allowed in order to maintain the ecological functions and ecosystem-wide processes.</p> <p>Designation Criteria. Shorelines having a unique asset or feature considered valuable for its natural or original condition that is relatively intolerant of intensive human use are assigned a “natural” shoreline designation. This includes shorelines both in and out of the UGA or LAMIRD when any of the following characteristics apply:</p> <ol style="list-style-type: none"> 1. The shoreline is ecologically intact and currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity; or 2. The shoreline is considered to represent ecosystems and geologic types that are of scientific and educational interest; 3. The shoreline is unable to support new development or uses without adverse impacts to ecological functions or risk to human safety. 4. The shoreline includes largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats. 5. Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation. 6. Generally free of structural shoreline modifications, structures, and intensive human uses.



Table 1. Comparing the current SED definitions to the new proposed definitions and revised designations.			
Current SED	Description	Proposed SED	Designation Criteria
Conservancy NOTE: The new SED system includes a Rural and Urban Conservancy	<p>Purpose. The intent of a Conservancy Environment designation is to protect, conserve and manage existing resources and valuable historic and cultural areas in order to ensure a continuous flow of recreational benefits to the public and to achieve sustained resource utilization. The preferred uses are non-consumptive of the physical and biological resources of the area and activities and uses of a nonpermanent nature which do not substantially degrade the existing character of the areas. Non-consumptive uses are those uses which utilize resources on a sustained yield basis while minimally reducing opportunities for other future uses of the resources of the area.</p> <p>Definition. The "Conservancy Environment" designates shoreline areas for the protection, conservation and management of existing valuable natural resources and historic and cultural areas. This environment is characterized by low-intensity land use and moderate-intensity water use with moderate to little visual evidence of permanent structures and occupancy. Sustained management of the pastoral, aquatic and forest resources, as well as rigidly controlled utilization of nonrenewable and other nonmineral resources which do not result in long-term irreversible impacts on the natural character of the environment are permitted. Intensity of recreation and public access may be limited by the capacity of the environment for sustained recreational use.</p>	Urban Conservancy (Inside of UGA)	<p>Purpose: Protect and restore ecological functions of open space, floodplain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses</p> <p>Designation Criteria. Shoreline areas within UGAs or LAMIRDs that are appropriate and planned for development that is compatible with maintaining or restoring of the ecological functions of the area and generally are not suitable for water-dependent uses. Such areas must also have any of the following characteristics:</p> <ol style="list-style-type: none"> 1. Area suitable for low-intensity water-related or water-enjoyment uses without significant adverse impacts to shoreline functions or processes; 2. Open space, floodplain or other sensitive areas that should not be more intensively developed or used to support resource-based uses; 3. Potential for ecological restoration; 4. Retains important ecological functions, even though partially developed; or 5. Potential for development that is compatible with ecological restoration or Low Impact Development techniques that maintain ecological functions. 6. Does not meet the designation criteria for the Natural Environment. 7. Land having any of the above characteristics and currently supporting residential development. 8. Land having any of the above characteristics and into which a UGA boundary is expanded.
Urban NOTE: there is a Suburban	<p>Purpose. The purpose of an Urban Environment designation is to obtain optimum utilization of the shorelines within urbanized areas by providing for intensive public and private urban uses</p>	Shoreline Residential	<p>Purpose: To accommodate residential development and appurtenant structures and provide appropriate public access and recreational uses in areas where medium and high</p>



Table 1. Comparing the current SED definitions to the new proposed definitions and revised designations.			
Current SED	Description	Proposed SED	Designation Criteria
SED described in the 1990 SMP, but no areas are mapped as such.	<p>and by managing development of affected natural resources.</p> <p>Definition. The "Urban Environment" designates shorelines within urbanized areas which provide for intensive public use and which are developed in a manner that enhances and maintains shorelines for a multiplicity of urban uses. This environment is characterized by high-intensity land and water use, visually dominated by manmade residential, commercial and industrial structures and developments. Both renewable and nonrenewable resources are fully utilized, and public access and recreation encouraged to the maximum compatible with the other activities designated in the environment.</p>		<p>density residential developments and services exist or are planned.</p> <p>Designation Criteria.</p> <ol style="list-style-type: none"> 1. Does not meet the criteria for the Natural or Rural Conservancy Environments. 2. Predominantly single-family or multifamily residential development or are planned and platted for residential development. 3. Majority of the lot area is within the shoreline jurisdiction. 4. Ecological functions have been impacted by more intense modification and use.
Rural	<p>Purpose. The primary purposes of the Rural Environment are to protect areas from urban expansion, restrict intensive developments along undeveloped shore-lines, function as a buffer between urban areas, and maintain open spaces for recreational purposes compatible with rural uses. New developments in a Rural Environment are to reflect the character of the surrounding area.</p> <p>Definition. The "Rural Environment" designates shoreline areas in which land will be protected from high-density urban expansion and may function as a buffer between urban areas and the shorelines proper. This environment is characterized by low intensity land use and moderate to intensive water use. Residential development does not exceed two dwellings per acre. Visual impact is variable with a moderate portion of the environment dominated by structures of impermeable surfaces. Intensive cultivation and development of the renewable soils, aquatic and</p>	Rural Conservancy (Outside of Urban and UGA)	<p>Purpose: Provide for sustained resource use, public access, and recreational opportunities while protecting ecological functions, and conserving existing ecological, historical, and cultural resources.</p> <p>Designation Criteria.</p> <p>Shorelines outside the UGA or LAMIRD that have one or more of any of the following characteristics:</p> <ol style="list-style-type: none"> 1. Currently support lower-intensity resource-based uses, such as agriculture, aquaculture, forestry, or recreational uses, or are designated agriculture or forest lands; 2. Currently accommodate residential uses but are subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, or flood plains or other flood-prone areas; 3. Can support low-intensity water-dependent uses without significant adverse impacts to shoreline functions or processes; 4. Private and/or publicly owned lands (upland areas landward of



Table 1. Comparing the current SED definitions to the new proposed definitions and revised designations.			
Current SED	Description	Proposed SED	Designation Criteria
	forest resources, as well as limited utilization of nonrenewable mineral resources is permitted. Recreational activities and public access to the shoreline are encouraged to the extent compatible with other rural uses and activities designated for this environment.		OHWM) of high recreational value or with valuable historic or cultural resources or potential for public access; 5. Does not meet the designation criteria for the Natural environment; 6. Land designated Urban Conservancy and from which a UGA boundary is retracted may be designated as Rural Conservancy, if any of the above characteristics are present.
Aquatic	All four of the shoreline environments apply equally to upland areas as well as aquatic lands and surface water. The specific location of the individual shoreline environments is mapped and further detailed in SECTION FIVE. As a part of those maps, a "Natural-Aquatic Environment" has been identified as a specific sub-environment is defined as follows: Definition. That surface water together with the underlying lands and the water column of all marine water seaward of ten (10) fathoms (60 feet) in depth. <i>The surface of all rivers, all marine water bodies, and all lakes, together with their underlying lands and their water column seaward or waterward of the ordinary high-water mark (OHWM); including but not limited to bays, straits, harbor areas, waterways, coves, estuaries, streamways, tidelands, bedlands and shorelands.</i>	Aquatic	Purpose: Protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high-water mark Designation Criteria. Lands waterward of the OHWM, which include tidelands, bedlands, and lands beneath shorelines of the state (may also include wetlands), and shorelines of statewide significance are assigned an "aquatic" shoreline designation. *Aquatic SED applies to all shorelines of the state below the ordinary high water mark. Please see Map 1, Thurston County Shorelines of the State to identify areas where the Aquatic SED will apply
Deschutes River SMA and Percival SMA	Site specific shoreline management plans for certain drainages	Mining	Purpose: To protect shoreline ecological functions in areas with mining activities within shoreline jurisdiction. To provide sustained resource use, and protect the economic base of those lands and limit incompatible uses.
Compare current SEDs to proposed SEDs (Draft SMP 2022) Current maps: https://www.thurstoncountywa.gov/planning/planningdocuments/Current_SMP_Jurisdiction_Map.pdf Current SMP: https://www.thurstoncountywa.gov/planning/planningdocuments/current-SMP1990-full-doc.pdf Proposed maps: https://www.thurstoncountywa.gov/planning/planningdocuments/Designations-map.pdf Proposed Draft SMP: https://www.thurstoncountywa.gov/planning/planningpcagenda/Thurston_SMP_Working_Draft_10.21.2020.pdf			



SUMMARY

The shoreline along the downslope edge of the Muirhead residence on Parcel 2 and the western end of Parcel 1 is currently designated as **Rural**. The less developed Shoreline zone on Parcel 1 to the north (also owned by the Muirheads) is currently designated **Conservancy**. The County is redesignating and remapping shoreline areas, which currently is proposed to change the designation of Parcel 1 to **Natural** and Parcel 2 to **Shoreline Residential**.

Under the future **Natural** designation, the shoreline area is to be *“relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. Only very low intensity uses are allowed in order to maintain the ecological functions and ecosystem-wide processes.”* The current developed condition does not meet the ecological definition of the **Natural** SED.

Therefore, despite the intent of the policy being to simplify regulation, the proposed redesignation as **Natural** taken together with the policy to designate all of Parcel 1 as **Natural** will make implementation of the SMP during a permit review process more difficult, as there is no clear guidance as to how much or what types of structures or maintenance will be allowed in an already developed area within this designation.

In an attempt to simplify regulatory review, the County is proposing to designate an entire shoreline zone within any single parcel as the same SED, even if parts of the shoreline do not meet the definition. But this will complicate rather than simplify review. Ongoing site maintenance in already developed areas will require a formal regulatory decision as to the defining the edge between the “developed” versus “less developed” parts of the parcel under a single designation.

There are two reasonable solutions to this problem at the Muirhead property:

1. Keep the SED boundary at the current transition point, which can be delineated in the field and formally documented on the plat map, just as we currently do with wetland or stream boundaries. This will ensure that the already developed areas of Parcel 1 are clearly defined and can continue to be maintained and managed as in the past.
2. Apply the **Urban Conservancy** designation to Parcel 1 instead of the **Natural** designation, as this will allow ongoing intensive residential uses.



ATTACHMENT 1: PROFESSIONAL SURVEY MAP OF MUIRHEAD PARCELS

LEGAL DESCRIPTION

PARCEL 1: THAT PART OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 1 WEST, W.M. DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 3 OF SAID SECTION 2 AND RUNNING THENCE WEST 330.0 FEET; THENCE NORTH 54°47' WEST 397.0 FEET MORE OR LESS, TO THE LINE OF ORDINARY HIGH WATER OF PATTISON LAKE; THENCE IN A NORTHEASTERLY DIRECTION ALONG THE LINE OF ORDINARY HIGH WATER OF SAID LAKE, 298.0 FEET, MORE OR LESS, TO AN EAST AND WEST LINE THROUGH A POINT 413.85 FEET NORTH OF THE PLACE OF BEGINNING; THENCE EAST 430.0 FEET, MORE OR LESS, TO A POINT NORTH OF THE PLACE OF BEGINNING; THENCE SOUTH 413.85 FEET TO SAID PLACE OF BEGINNING; TOGETHER WITH ALL SHORELANDS OF THE SECOND CLASS SITUATED IN FRONT OF, ADJACENT TO OR ABUTTING UPON SAID TRACT;

PARCEL 1
THURSTON COUNTY
TPN 11702140600

EXCEPT: BEGINNING AT THE NORTHEAST CORNER OF GOVERNMENT LOT 3, SECTION 2, TOWNSHIP 17 NORTH, RANGE 1 WEST, W.M., THENCE WEST 50.0 FEET; THENCE SOUTH 313.85 FEET; THENCE WEST TO THE LINE OF ORDINARY HIGH WATER OF PATTISON LAKE; THENCE NORTHEASTERLY ALONG THE LINE OF ORDINARY HIGH WATER OF SAID LAKE TO AN EAST AND WEST LINE WHICH IS 413.85 FEET NORTH OF THE POINT OF BEGINNING; THENCE EAST 430.0 FEET MORE OR LESS TO A POINT NORTH OF THE POINT OF BEGINNING; THENCE SOUTH 413.85 FEET TO THE POINT OF BEGINNING;

ALSO THAT PART OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF GOVERNMENT LOT 3 OF SAID SECTION 2, SAID POINT BEARING NORTH 88°07.04" WEST 292.38 FEET DISTANT OF THE NORTHEAST CORNER THEREOF; THENCE NORTH 52°39.56" WEST 413.2 FEET MORE OR LESS TO THE LINE OF ORDINARY HIGH WATER OF PATTISON LAKE; THENCE SOUTHWESTERLY ALONG SAID LINE OF ORDINARY HIGH WATER TO A POINT ON THE EXTENDED NORTH LINE OF SAID GOVERNMENT LOT 3 TO THE POINT OF BEGINNING; TOGETHER WITH ANY SHORELAND LYING IN FRONT THEREOF; SITUATE IN THURSTON COUNTY, WASHINGTON.

PARCEL 2: OF BOUNDARY LINE ADJUSTMENT NO. BJA-1494 RECORDED MARCH 16, 1994 AS INSTRUMENT NUMBER 9403180313 IN THE OFFICIAL RECORDS OF THURSTON COUNTY, WASHINGTON.

MORE SPECIFICALLY DESCRIBED AS FOLLOWS: THAT PORTION OF SECTION 2, T17N, R1W, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF GOVERNMENT LOT 3 OF SAID SECTION 2; THENCE N88°05'26"W ALONG THE NORTH BOUNDARY OF SAID GOVERNMENT LOT 3 A DISTANCE OF 624.40 FEET TO THE TRUE POINT OF BEGINNING; THENCE N88°05'26"W 209.61 FEET, TO THE LINE OF ORDINARY HIGH WATER OF PATTISON LAKE; THENCE S42°10'50"W ALONG THE APPROXIMATE LINE OF ORDINARY HIGH WATER OF PATTISON LAKE FOR A DISTANCE OF 79.91 FEET; THENCE SOUTHERLY ALONG THE BOUNDARY OF THE PLAT OF SOUTH COVE FOR THE NEXT FOUR CALLS: (1)S28°53'02"E, 146.11 FEET; (2)S88°19'16"E, 30.00 FEET; (3)S1°40'44"W, 138.39 FEET TO A POINT OF TANGENCY ON A CURVE TO THE RIGHT OF RADIUS 215 FEET; (4)SOUTHERLY ALONG SAID CURVE A DISTANCE OF 90.40 FEET; THENCE S39°06'35"E, 268.25 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF THE PLAT OF SOUTH COVE; THENCE S12°00'00"E, 120.00 FEET TO THE TRUE POINT OF BEGINNING; ALSO, AND INCLUDING ANY SHORE LANDS LYING IN FRONT THEREOF.

HATCHING

GRAVEL

ASPHALT

CONCRETE

RS(X) REFERENCED SURVEYS

- 1. PLAT OF SOUTH COVE DIVISION 1, AFN 9012040180 VOLUME 24;
- 2. BOUNDARY LINE ADJUSTMENT-1494, AFN 9403180313.

DATUM

HORIZONTAL – WASHINGTON STATE PLANE COORDINATES, SOUTH ZONE, NAD 83/2011 BASED ON GPS TIES TO MONUMENTS USING WASHINGTON STATE REFERENCE NETWORK.

VERTICAL – NAVD 88 BASED ON GPS TIES TO MONUMENTS AND POST PROCESSING THROUGH OPUS.

UTILITY NOTE

UTILITIES SHOWN HEREON ARE FROM FIELD MAPPING, VISIBLE SURFACE APPURTENANCES, AND MAPPING UTILITY PAINT MARKS FROM A UTILITY LOCATING SERVICE. BURIED UTILITIES ARE ONLY SHOWN AS APPROXIMATE AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.

SURVEY NOTES

- 1. INSTRUMENT USED: SOKKIA SRX 3 TOTAL STATION AND TOPCON GR5 GPS;
- 2. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS OF WAC 332-130-090 AND 332-130-145.
- 3. SURVEY COMPLETED 11/2021.
- 4. ALL MONUMENTS SHOWN AS FOUND VISITED 11/2021.
- 5. PURPOSE OF TOPOGRAPHICAL MAPPING IS FOR FUTURE DEVELOPMENT OF SITE.
- 6. 200' SET BACK LINE OF EDGE OF WATER SHOWN ON MAP.
- 7. MTN2COAST (M2C) WAS RETAINED BY NANCY AND BRIAN MUIRHEAD TO COMPLETE A BOUNDARY AND TOPOGRAPHIC SURVEY OF THE DESCRIBED PROPERTY.

MONUMENT NOTES

- 1. FOUND PK NAIL
- 2. FOUND 5/8" REBAR WITH YELLOW CAP MARKED "RAYMOND LS 22346"
- 3. FOUND 5/8" REBAR WITH YELLOW CAP MARKED "RAYMOND LS 22346", 1.1' SOUTH OF AND 1.0' WEST OF CALCULATED PROPERTY CORNER.

LINE TYPE

BUILDING OVERHANG

BUILDING LINE

IRON FENCE

WOOD FENCE

WATER LINE

BURIED POWER

NATURAL GAS LINE

BURIED CABLE TV LINE

BURIED TELEPHONE

PROPERTY LINE

LOT LINE

EASEMENT LINE

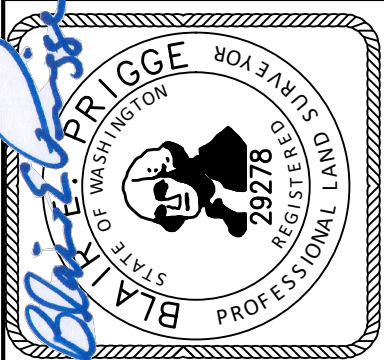
MAJOR CONTOUR

MINOR CONTOUR

LEGEND

- NATURAL GAS METER
- HOSE BIB
- IRRIGATION CONTROL VALVE
- WATER METER
- SEPTIC TANK
- LANDSCAPE
- BDRF BUILDING FINISH FLOOR
- REBAR AND CONROL CAP
- PK NAIL
- REBAR AND CAP
- SET 5/8"x24" LONG REBAR WITH YELLOW CAP MARKED "MTN2COAST LS 29278".
- SET WOODEN HUB AT APPROXIMATE CORNER LOCATION

DATE	11/23/2021
SCALE	1" = 60'
M2C PROJECT NO.:	20-377
DRAWN	MYC
CHECKED	PBJ
APPROVED	BEP



PROFESSIONAL LAND SURVEYORS
2320 MOTTMAN RD SW, STE 106
TUMWATER, WA 98512
360.688.1949

PROJECT NAME:	PATTISON LAKE, ALTERNATE LN SE LACEY WA SURVEY
CLIENT NAME:	NANCY AND BRIAN MUIRHEAD

SHEET NAME:	SV-1
SHEET NO.	1
OF	1

Tab C

Lisa M. Palazzi Curriculum Vitae

Curriculum Vitae
Lisa M. Palazzi
lisampalazzi@gmail.com



Home: 1603 Central NE
Olympia, WA 98506
(360) 789-4069 (cell)
(360) 352-1465 (x137) (work)

Education

1989 Master's degree in Soil Science: Oregon State University, Corvallis, OR
Emphasis in Soil Physics¹ and Microclimatology, Minor in Forest Science

1985 Bachelor's degree in Soil Science: Montana State University, Bozeman, MT
Emphasis in Soil Physics and Geology, Minor in English Composition

Certifications and Accreditations

Soil Science Society of America: Certified Professional Soil Scientist (CPSS)
Society of Wetland Scientists Professional Certification Program: Professional Wetland Scientist (PWS)

Lisa M. Palazzi, CPSS, PWS
RESEARCH AND WORK EXPERIENCE

Ms. Palazzi has over 35 years of professional experience in her field of expertise – soil and wetland science.

Ms. Palazzi's university education was focused on soil science and forest ecology. She attained her Bachelor of Science degree in 1985, graduating with highest honors from Montana State University with a major in Soil Science and a minor in English Composition. Her Master of Science thesis work, completed at Oregon State University in 1989, was focused on forest science and soil physics -- the study of water and heat transport in soils.

Ms. Palazzi's post-graduate research (1989 to 1991) included participation in an interdisciplinary team of Oregon State University scientists studying ecosystem function of riparian systems in disturbed watersheds of Oregon's Coast Range, and working as a soil scientist for the USFS PNW Research Lab in Olympia, WA.

In 1991, she became the principal and owner of a soil and wetland science consulting firm in Olympia, WA (Pacific Rim Soil & Water, Inc. [PRSW]), which provided soils and hydrology assessment services for over 20 years throughout Washington state and the Pacific Northwest. In 2012, she closed PRSW and joined SCJ Alliance, a well-respected planning and engineering firm in Lacey, Washington, where she continued to provide expert services in soils, wetlands, and hydrology assessment, and related environmental science consulting issues. More details are provided below:

June 1991 to present: Consulting Soil Scientist and Wetland Scientist

Soils and Hydrology Consulting: *SSSA certified professional soil scientist (CPSS)*

- Expert witness and/or advice in soils, wetland hydrology and soil hydrology related cases at City, County, State and Federal level

¹ Soil Physics is the study of water and heat movement through soil.

- Soil and hydrology assessment and detailed soil mapping expert
- Hydric (wetland) soil determinations on potential wetland sites
- Soil hydrology studies for stormwater or wetland mitigation projects –restoration, enhancement, or creation
- Soil physics studies to estimate percolation rates and determine suitability for septic treatment and/or stormwater treatment or infiltration
- Determination of surface and soil water quantity and quality control features for site specific stormwater management or septic system design
- Low Impact Development (LID) services as relate to effective protection of soil functions and management of stormwater
- Groundwater or surface water monitoring wells with dataloggers for stormwater system design or verification of wetland hydrology conditions
- Detailed soil mapping studies, necessary for determination of agricultural potential, or other soil-limited development activities
- Soil assessment and sampling for hazardous waste conditions and cleanup
- Soil sampling for physical or chemical lab analysis
- Teacher of various soil science workshops: Hydrology monitoring; Interpretation of hydric (wetland) soil characteristics; Erosion and sediment control plans; Basic local geology and related soil development; Interpretation of soil characteristics for septic system design.

Wetlands Consulting: *SWS certified professional wetland scientist (PWS)*

- Expert witness and/or advice in wetlands regulations, permitting, hydric soils and wetland hydrology at City, County, State and Federal level.
- Wetland delineation expert, trained in the 1987 Army Corps of Engineers method as well as the 2010 Regional (PNW) Supplements to the 1987 Manual
- Hydric soil and wetland hydrology assessment
- Groundwater or surface water monitoring wells with dataloggers for determination of wetland conditions, as well as for wetland mitigation projects –restoration, enhancement, or creation
- Wetlands rating, as per the Washington State Wetlands Rating System (1993, 2004 and 2014 methods)
- Development and design of wetland mitigation and restoration projects
- Expert witness in hydric soils and wetland hydrology related cases at City and County level
- Teacher of various wetland and hydric soils training workshops, including: workshops in the 2010 ACOE Regional Supplements to the 1987 Manual; hydric soils interpretation and description; groundwater monitoring; soil hydrology and related regulatory issues at any level of audience expertise

REFERENCES

Chris Beale
City of Puyallup Sr. Planner
253-841-5418
cbeale@puyallupWA.gov

Ben Alworth
Stemilt Growers
Director of Operations
509-662-3613 x 2704
Ben.Alworth@Stemilt.com

Joe Beck
City of Puyallup Attorney
253-864-4196
jbeck@puyallupWA.gov

Tab D

April 20, 2022 Staff Report



COUNTY COMMISSIONERS

Carolina Mejia
District One

Gary Edwards
District Two

Tye Menser
District Three

**COMMUNITY PLANNING &
ECONOMIC DEVELOPMENT DEPARTMENT**

Creating Solutions for Our Future

Joshua Cummings, Director

MEMORANDUM

TO: Planning Commission

FROM: Andrew Deffobis, Interim Senior Planner

DATE: April 13, 2022

SUBJECT: Shoreline Environment Designation Reviews & Background

Introduction & Background

The Planning Commission is being provided additional information regarding shoreline environment designations (SEDs) ahead of the planned work session on April 20, 2022, staff will ask for direction from the Planning Commission on the five case studies presented in this memo.

During the public hearing comment period for the SMP Update, the Planning Commission received comments for approximately twelve shoreline environmental designation reaches, with citizens requesting the County consider different designations than what was proposed.

Overall, the Shoreline Master Program (SMP) update has been under review with the Planning Commission since 2017. Shoreline environment designations (SEDs) have been the topic of many of the Planning Commission discussions, both prior to and after the October 20, 2021, public hearing. Recommendations on these reaches are a portion of the overall Planning Commission recommendation to the Board of County Commissioners (Board). The Board is eager to receive the Planning Commission's recommendation and begin its review so the County may meet its statutory requirement to produce a comprehensive SMP update.

Shoreline Environment Designation Process

The SMP is built upon an [inventory and characterization](#) and includes proposed environment designations for the County's shorelines, which were developed in an earlier phase of the project. The Inventory & Characterization report serves as a snapshot of shoreline conditions for planning purposes. The County conducted field reviews and reviewed available data to assemble information on the existing condition of County shorelines, including but not limited to physical

features, priority habitats and species, water quality, riparian vegetation width, land use, zoning, development potential, public access, shoreline modifications, and management issues and opportunities.

This Inventory and Characterization Report and report supplement were used alongside designation criteria based on Ecology's recommended Shoreline Environment Designation system ([WAC 173-26-211](#)) to propose shoreline environment designations (SEDs) for County shorelines. SEDs contribute to achieving no net loss of ecological function by tailoring allowed uses, permit requirements, and development and mitigation standards to different shoreline environments based on their sensitivity and level of ecological function. SEDs range from relatively undisturbed "Natural" shorelines to more highly developed, impacted "Shoreline Residential" shorelines. The County's [SED Report](#) and [SED Report supplement](#) describe SEDs used in the SMP update, the methodology for assigning designations to shoreline reaches, and lists the proposed designations for shoreline reaches.

Staff have attempted to analyze the current SED review requests in a manner consistent with how the County conducted this work for all shoreline reaches earlier in this project. The County uses the best information available in planning and permitting decisions. However, the scope of the current review and available resources are smaller than previous efforts, and there are limitations to the analysis that can be provided. The Planning Commission is encouraged to consider the decisions before them in a landscape context, as it is difficult in some cases to focus the data at hand to the parcel or sub-parcel level. In addition, the SED criteria were not intended to be applied at a parcel-by-parcel level.

Staff acknowledges that many of the review requests focus on individual parcels, or portions of parcels. Many times, these have been in areas where one reach ends and another begins (known as reach breaks). Shoreline reaches were identified during the Inventory & Characterization, and that information was used to apply appropriate SEDs to these reaches. It may be instructive to review how proposed reach breaks were formed during the inventory and characterization:

During the creation of final reach breaks, an effort was made to place reach break points on parcel lines. This was done to avoid the potential for a parcel to contain more than one environmental designation. Due to the emphasis of placing reach break points on parcel lines, these locations do not always exactly line up with the locations of key environmental changes (e.g., topography might begin to change shortly before or after a reach break point). Breaks were located closest to the environmental change that was also on a parcel line. Despite this focus on parcel line reach break placement, there were some instances when a reach break was located mid-parcel because that was where the geographic change occurred (e.g., basin lines). This was particularly true when an environmental change occurred within a large parcel. (Inventory & Characterization, p. 13)

Citizen Requests for Specific Shoreline Reaches

Staff plan to review five citizen requests at the April 20, 2022 meeting. Staff recommendations and options are summarized in this memo. A more detailed review of each request is attached, in draft form. In addition, the Planning Commission may review the [SED comparison web tool](#) that was developed to enable the user to view County shorelines and toggle between current and proposed SEDs.

Eld Inlet (Reach MEL-09—MEL-10)

This request was to review the proposed SED for Reach MEL-09—MEL-10 on Eld Inlet. The reach is currently designated Rural, with a proposed Rural Conservancy SED. The citizen requested a Shoreline Residential SED for this reach, consistent with other reaches to the south.

Staff analysis for this reach is attached. Based on a review of the designation criteria in the County's SED report and existing shoreline conditions, the existing ecological function in this reach would be best protected by retaining the proposed Rural Conservancy SED for this reach. This SED appears best suited to achieve no net loss requirements.

The Planning Commission could opt to retain this designation, or propose a different option that is consistent with the designation criteria and prevention of net loss of ecological function.

Pattison Lake (Reach LPA-7—LPA-8)

This request came from a landowner on Pattison Lake who owns a parcel at the southern end of Reach LPA-7—LPA-8. Their home is one parcel to the south, at the southern end of Reach LPA-8—LPA-1. The request is to extend the proposed Shoreline Residential SED in Reach LPA-8—LPA-1 onto a portion of an adjacent parcel they own in Reach LPA-7—LPA-8 (APN 11702140600), to essentially encompass the portion of the adjacent parcel that is in residential use. The area in question is currently designated Conservancy (a small piece is Rural), and the proposed SED is Natural.

Staff analysis is attached. Based on a review of existing conditions and the designation criteria, staff propose retaining the proposed designation of Natural on the parcel. The parcel in question does not appear to have significant alteration. The proposed SED appears to be best suited to achieve the SMP's no net loss requirement, and this approach would be consistent with the overall methodology of avoiding sub-parcel reach breaks and multiple SEDs on a single parcel.

The Planning Commission may opt to retain the Natural SED for this parcel or propose a different option that is consistent with the designation criteria.

Pattison Lake (Reaches LPA-8—LPA-1 and LPA-2—LPA-3)

This request was to review the portions of Reaches LPA-8—LPA-1 and LPA-2—LPA-3 where the lake is bisected by a railroad crossing, associated fill and adjacent wetlands. The area is

currently designated Rural and proposed to be designated Shoreline Residential. A citizen has suggested that Rural Conservancy or Urban Conservancy would be a better fit.

Staff analysis is attached. Based on a review of designation criteria and how similar areas were designated, staff would support either retaining the existing proposed SED, or changing it to Urban Conservancy.

The Planning Commission may opt to retain the proposed Shoreline Residential SED for this portion of the reach, change the proposed SED to Urban Conservancy, or propose a different option that is consistent with the designation criteria.

Lake St. Clair (Reach LSC-1—LSC-2)

This request was to change the proposed SED for a parcel on Reach LSC-1—LSC-2 of Lake St. Clair from Natural to Shoreline Residential, given that a home has been constructed on the parcel. Staff analysis is attached. Based on a review of existing conditions and the designation criteria, staff recommend a Rural Conservancy SED. This SED would reflect that development has occurred onsite but that ecological function still remains.

Planning Commission may opt to change the proposed designation for this parcel to Rural Conservancy, or a different SED consistent with the designation criteria. If the proposed SED changes, the Planning Commission could create a stand-alone reach for this parcel, or leave the parcel in its existing reach.

Deschutes River (Reach DE-17—DE-18)

This request was to change the proposed SED for one parcel within Reach DE-17—DE-18 from Natural to Shoreline Residential. Staff analysis is attached. Based on a review of designation criteria and existing conditions, it appears most of this reach better fits the criteria for Rural Conservancy given development patterns within shoreline jurisdiction. Parcels enrolled in Designated Forest Land north of the subject parcel appear to best meet the criteria for the Natural SED. Staff recommends making these SED changes and moving reach break DE-17 south to the northern parcel line of the subject parcel.

The Planning Commission may opt to change proposed SEDs within this reach consistent with the destination criteria. Additionally, the Planning Commission may choose to move the DE-17 reach break south to the boundary between developed parcels and forestry parcels.

SED Review Analysis: Eld Inlet – MEL-09—MEL-10

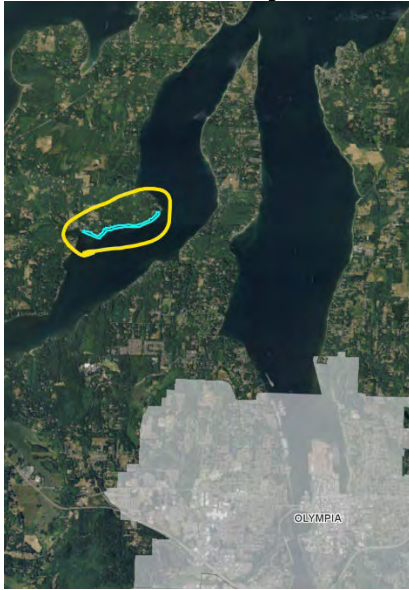


Fig. 1. General location of Reach MEL-09—MEL-10 on Eld Inlet, circled in yellow.



Fig. 2. Western end of Reach MEL-09—MEL-10.

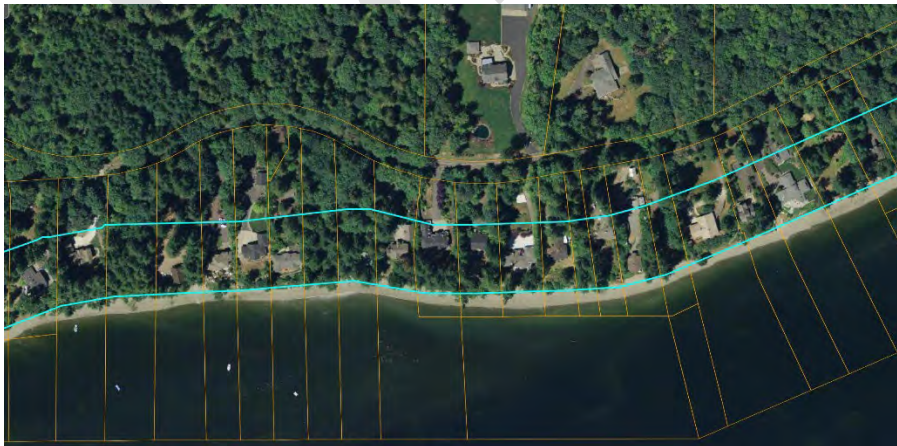


Fig. 3. Central portion of Reach MEL-09—MEL-10.



Fig. 4. Eastern end of Reach MEL-09—MEL-10

Current SED: Rural

Proposed SED: Rural Conservancy

Citizen Request: Shoreline Residential

Staff Analysis:

This reach of Puget Sound shoreline on the west side of Eld Inlet is identified as MEL-09—MEL-10. During the recent public comment period, a citizen has requested a Shoreline Residential SED for this reach, stating that it has been developed consistently with reaches to the south, which are proposed to be designated Shoreline Residential.

The following tables provide a review of the Rural Conservancy and Shoreline Residential designation criteria from the Thurston County SED Report, alongside information about Reach MEL-09—MEL-10 contained in the SED Report, Inventory & Characterization (I&C), county GeoData mapping, and other sources.

Rural Conservancy SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Outside incorporated municipalities and outside urban growth areas, AND at least one of the following:	SED report includes this criteria.	Yes, reach is outside cities and UGAs.

Currently supporting low-intensity resource based uses such as agriculture, forestry, or recreation.		Not significantly. May support private recreation at parcel scale, though residential use is primary use of reach.
Currently accommodating residential uses	SED report includes this criteria.	Yes. Residential use is the prevailing use of this reach. The majority of lots have primary residences within 125 feet of the shoreline, and many are closer than that. Very few vacant lots exist.
Supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, wetlands, flood plains or other flood prone areas	SED report includes this criteria, noting unstable slopes, steep slopes, potential landslide areas, past landslides.	Yes. Mapped floodplain appears to encroach on several properties. Steep slopes also noted in GeoData.
Can support low-intensity water-dependent uses without significant adverse impacts to shoreline functions or processes	<p>SED report includes this criteria.</p> <p>SED report notes reach is prioritized high for forage fish habitat preservation/restoration: Gravel, high bluffs, many landslides, littoral connection (North portion of reach); High: reasoning Littoral input (South portion of reach) (Herrera and TRPC 2005).</p> <p>Reach may contain the following species: purple martin, smelt, sand lance, rock sole. Reach may contain the following</p>	Most parcels are already developed, though many still retain function in the buffer as evidenced by the presence of native vegetation. Further development would be subject to vegetation conservation and development standards of SMP to prevent loss of ecological function. Low-intensity uses may be best for areas that retain high ecological function.

	habitats: shellfish spawning, rearing and harvesting areas, smelt/sand lance and rock sole spawning beaches. Per I&C, restoration is noted as the preferred management strategy for this reach (Puget Sound Water Flow Characterization Management Strategies, Stanley et al., 2012)	
Private and/or publicly owned lands (upland areas landward of OHWM) of high recreational value or with valuable historic or cultural resources or potential for public access.	None Noted	None noted in GeoData. Puget Sound and its shorelines are of significant cultural value to area tribes.
Does not meet the designation criteria for the Natural environment.	SED report includes this criteria.	This reach does not appear to meet the Natural criteria based on development patterns.

Shoreline Residential SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Does not meet the criteria for the Natural or Rural Conservancy Environments.		Natural SED: no. Rural Conservancy: yes, meets several criteria.
Predominantly single-family or multifamily residential development or are planned and platted for		Yes. Most parcels have residential development, only a few vacant parcels exist. Many homes are close to the water, and the majority are within est. 125 feet. Some homes are further from the water but have alterations to

residential development.		property closer to the water in shoreline jurisdiction (appurtenances, bulkheads, lawn). Zoning is LAMIRD 1/1.
Majority of the lot area is within the shoreline jurisdiction.		Yes, overall. This criterion is also met when considering only the landward extent of parcels.
Ecological functions have been impacted by more intense modification and use.	<p>SED report notes: Shoreline vegetation is shrub and fragmented forest, with evidence of development and clearing for residential use. Bulkheads throughout reach.</p> <p>I&C notes reach as moderately degraded (PSNERP Strategic Needs Assessment, Schlenger, 2011).</p>	Vegetation is still heavy in some areas and provides ecological function, with some parcels in an intact state, though the majority of lots feature homes within an estimated 125 feet of the water (many are significantly closer). Bulkheads are visible on many lots. Overall, development does not appear as dense or close to the water as in many other reaches with a Shoreline Residential SED.

Conclusions:

Single family residences are the prevailing development in this reach. This reach is mapped with environmental limitations, including steep slopes and floodplain. The majority of lots appear to have primary residences encroaching within the buffer that a Rural Conservancy SED would provide; however significant amounts of native vegetation still exist in several areas. Other lots with homes outside that buffer exhibit modifications between the home and water.

Staff Recommendation:

Based on the level of ecological function that remains along the shoreline, staff concur with the original proposed designation of Rural Conservancy. Even with the degree of development present, a Shoreline Residential SED would allow for additional development in areas that are currently vegetated and/or undeveloped and could lead to a net loss of ecological function.

SED Review Analysis: Pattison Lake – LPA-7—LPA-8 – APN 11702140600

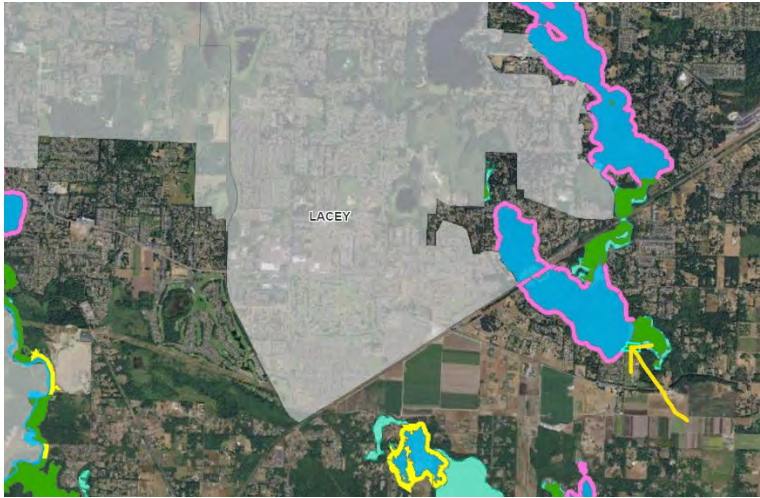


Fig. 1. General location of Reach LPA-7—LPA-8, indicated by yellow arrow.

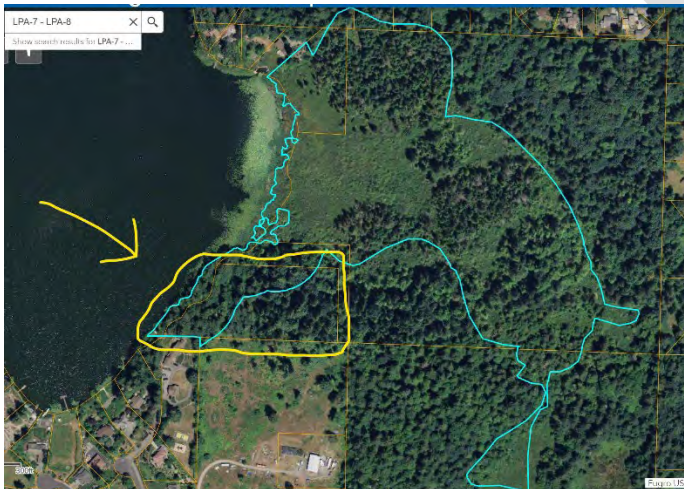


Fig. 2. Aerial view of subject parcel (circled in yellow), and mapped extent of Reach LPA-7—LPA-8.



Fig. 3. Zoomed in aerial photograph of subject parcel.

Current SED: Conservancy (small portion at southern end of reach is Rural)

Proposed SED: Natural

Citizen Request: Shoreline Residential (for portion of APN 11702140600), Natural for remainder

Staff Analysis:

This reach of Pattison Lake, located at the southern end of the lake, is identified as Reach LPA-7—LPA-8. During the recent public comment period, a citizen requested a Shoreline Residential SED be assigned for a portion of APN 11702140600—the southernmost lakefront parcel on this reach—stating that it already contains human development, including existing paths (approx. 10 feet wide), existing cement block stairs (approx. 4 ft wide), existing hillside landscaping, and an existing dock.

The citizens have proposed that the reach boundary line be moved to envelop all areas of APN 11702140600 that are in residential use. Staff note that the SED assignment process in general has a strategy to align reach breaks with parcel lines, and avoid providing “sub-parcel” designations where possible, to avoid implementation challenges.

The Inventory and Characterization report discusses the approach taken to designate reach breaks relative to parcel lines:

During the creation of final reach breaks, an effort was made to place reach break points on parcel lines. This was done to avoid the potential for a parcel to contain more than one environmental designation. Due to the emphasis of placing reach break points on parcel lines, these locations do not always exactly line up with the locations of key environmental changes (e.g., topography might begin to change shortly before or after a reach break point). Breaks were located closest to the environmental change that was also on a parcel line. Despite this focus on parcel line reach break placement, there were some instances when a reach break was located mid-parcel because that was where the geographic change occurred (e.g., basin lines). This was particularly true when an environmental change occurred within a large parcel. (2013 report, page 13)

Parcel lines, SMP jurisdiction layer, and other layers can “shift” relative to the aerial image underneath, which can lead to confusion as planners attempt to discern which areas of a parcel are subject to which designation. When reach break lines follow the same basic shape of parcel lines, it can still be inferred whether the parcel boundary was intended to be the reach break.

The following tables provide a comparison of the existing condition of Reach LPA-7—LPA-8 (including the subject parcel) with the designation criteria for the Natural, Urban Conservancy and Shoreline Residential SEDs from the Thurston County SED Report,

alongside other information contained in the SED Report, Inventory & Characterization (I&C), county GeoData mapping, and other sources.

Natural SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity.	SED report lists this criteria for this reach.	<p>Yes. This reach appears to be mostly ecologically intact, based on the review performed. Conditions appear closer to natural, vs. degraded.</p> <p>The shoreline is heavily treed which provides a source of large woody debris recruitment.</p> <p>This reach is providing valuable functions for the larger aquatic and terrestrial environments which could be reduced by human development.</p>
Considered to represent ecosystems and geologic types that are of particular scientific and educational interest		None noted
Unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.	SED report lists this criteria for this reach	<p>Yes. This reach as a whole, and most of the subject parcel, appear to be relatively pristine. This would suggest a higher degree of function which could be vulnerable to adverse impacts from development.</p> <p>A portion of property is mapped with steep slopes which would bear further evaluation.</p>

Includes largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.	SED report lists this criteria for this reach	<p>Yes. Aerial photographs indicate a closed forest canopy and forested shoreline with large woody debris recruitment, which would suggest the shoreline is ecologically intact. However, staff have not been on site. Some shoreline vegetation clearing is visible on the southern parcel boundary.</p> <p>A portion of property is mapped with steep slopes which would bear further evaluation.</p>
Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation.	SED report lists this criteria for this reach	Yes. Shoreline configuration appears largely unmodified across entire reach. Some clearing and landscaping is visible on the southern edge of the subject parcel. A native Douglas fir overstory is visible from aerial photography for much of the subject parcel, though the condition of the understory is unknown.
Generally free of structural shoreline modifications, structures, and intensive human uses.	SED report lists this criteria for this reach	Yes. This reach is largely free of structural modifications, structures, and intensive human uses. Some clearing is present near the southern boundary of the subject parcel. A dock is present close to the parcel line/reach break. Otherwise, aerial photos do not provide indication that there is permanent modification to the property. The citizen stated a four-foot wide concrete staircase is present on the parcel. There is a force main from a septic system that enters SMP jurisdiction.

Urban Conservancy SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Appropriate and planned for development compatible with maintaining or restoring ecological functions of the area, that lie in incorporated municipalities, urban growth areas, or commercial or industrial rural areas of more intense development AND at least one of the following:		<p>The subject area is within the Lacey urban growth area.</p> <p>Development may potentially occur outside shoreline and critical areas buffers, and subject to the MGSA zoning.</p>
Suitable for low-intensity water-dependent, water-related or water-enjoyment uses without significant adverse impacts to shoreline functions or processes		Majority of parcel appears to be in an undisturbed condition. If development does occur, low intensity uses may be the most appropriate in more intact portions of this parcel.
Open space, flood plain, or other sensitive areas that should not be more intensively developed		The southern third to half of the shoreline of this parcel is mapped with steep slopes, which would bear further investigation during land use permitting.
Potential for ecological restoration		Site appears largely intact from aerial photographs. Replanting could occur on southern parcel boundary in the future.

Retain important ecological functions, even though partially developed		Site has human uses but also appears to retain ecological function as evidence by general lack of development and extent of canopy coverage.
Potential for development that is compatible with ecological restoration		Restoration work potential on this parcel appears limited. Development in southern portion of parcel could be paired with additional shoreline plantings to re-establish buffer vegetation.
Does not meet the designation criteria for the Natural environment.		The subject parcel appears to meet several designation criteria for the Natural environment.

Shoreline Residential SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Does not meet the criteria for the Natural or Rural Conservancy Environments.		Rural Conservancy: no – parcel is inside Lacey UGA Natural: meets several criteria
Predominantly single-family or multifamily residential development or are planned and platted for residential development.		Property is adjacent to property with residential structures, under the same ownership. Parcel itself contains a septic drainfield but no primary residential structures.
Majority of the lot area is within the shoreline jurisdiction.		Hard to estimate. Parcel is 4 acres in size; there appears to be buildable area outside shoreline jurisdiction.
Ecological functions have been impacted by more intense modification and use.		Overall, this parcel appears to be relatively ecologically intact. Landowner has included information about 8-10' wide cleared paths on the property, but there is no

		<p>indication these are permanent features. There is a force main from a septic system that enters SMP jurisdiction, and concrete stairs noted by the landowner. A dock and some shoreline vegetation clearing is visible on the southern parcel boundary.</p>
--	--	--

Conclusions:

The majority of APN 11702140600 appears to reflect the conditions present in the rest of Reach LPA-7—LPA-8 (with a proposed Natural SED). Although there are some modifications to the parcel noted by the landowner, the majority of the parcel appears to be in a relatively undisturbed condition. Residential development may occur in all SEDs, subject to standards. The Shoreline Residential SED is intended for intensely modified residential shorelines.

Staff Recommendation:

Staff recommends avoiding sub-parcel reach break changes if possible, to ease future implementation of the SMP and to be consistent with the approach used to designate most shorelines in an earlier phase of the SMP update. Placing a reach break inside this parcel, or providing a Shoreline Residential SED, does not appear to be warranted by the designation criteria, existing conditions or the general methodology used to propose SEDs for other County shorelines.

This parcel appears to best meet the criteria for the Natural SED, and therefore staff does not recommend changing the proposed SED for this parcel and reach.

SED Review Analysis: Pattison Lake – LPA-2—LPA-3 & LPA-8—LPA-1



Fig. 1. General location of subject area in Reaches LPA-8—LPA-1 and LPA-2—LPA-3, circled in yellow.

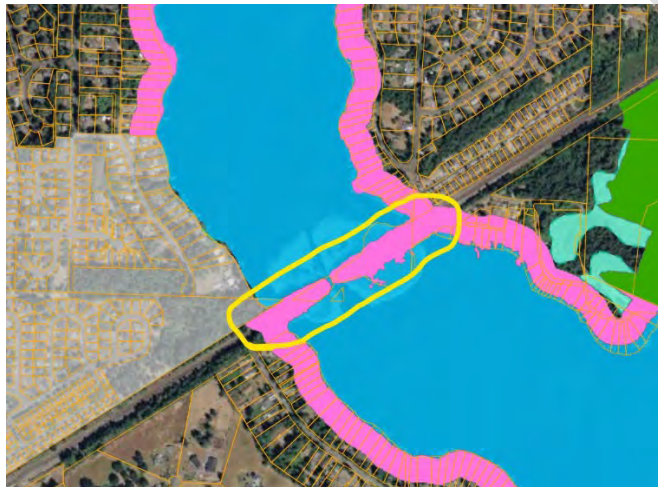


Fig. 2. Area in question with proposed SED shown.



Fig. 3. Zoomed in photograph of area in question.

Current SED: Rural

Proposed SED: Shoreline Residential

Citizen Request: Urban/Rural Conservancy

Staff Analysis:

This analysis is for portions of Reaches LPA-8—LPA-1 and LPA-2—LPA-3, which are located in the center of Pattison Lake where the lake is crossed by railroad tracks. During the recent public comment period, a citizen has stated that the proposed Shoreline Residential SED is inappropriate for this area, and that Urban or Rural Conservancy would be a better fit, based on the designation criteria.

The following tables provide a review of the Urban Conservancy and Shoreline Residential designation criteria from the Thurston County SED Report, alongside information from the SED Report, Inventory & Characterization (I&C), county GeoData mapping, and other sources.

Urban Conservancy SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Appropriate and planned for development compatible with maintaining or restoring ecological functions of the area, that lie in incorporated municipalities, urban growth areas, or commercial or industrial rural areas of more intense development AND at least one of the following:		The area in question is inside the Lacey urban growth area. Any development will likely be performed by the railroad industry and could potentially feature restoration so long as this does not impact railroad operations.
Suitable for low-intensity water-		Area may be suitable for water enjoyment as part of

dependent, water-related or water-enjoyment uses without significant adverse impacts to shoreline functions or processes		general boating access to Pattison Lake. May not suitable for more intense uses based on use in active railroad operations.
Open space, flood plain, or other sensitive areas that should not be more intensively developed		Area mapped with steep slopes, and partially in floodplain and mapped wetlands. Should not be more intensively developed due to proximity to active railroad operations.
Potential for ecological restoration		Potentially, given artificial nature of shoreline.
Retain important ecological functions, even though partially developed		May provide some habitat and source of woody debris, however the area consists of artificial fill and therefore may be impeding ecological functions in the lake.
Potential for development that is compatible with ecological restoration		Any development will be performed by the railroad industry and could potentially feature restoration so long as this does not impact railroad operations.
Does not meet the designation criteria for the Natural environment.		Does not meet the designation criteria for the Natural SED.

Shoreline Residential SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Does not meet the criteria for the Natural or Rural Conservancy Environments.		Rural Conservancy: no Natural: no
Predominantly single-family or multifamily	SED report includes this criterion for both reaches in question.	No - the area does not contain residential development, nor is it platted

residential development or are planned and platted for residential development.		for such. Area in question consists of artificial fill and active railroad tracks.
Majority of the lot area is within the shoreline jurisdiction.		Yes – majority of area is within shoreline jurisdiction. Area consists of railroad right-of-way and wetlands, not developable lots.
Ecological functions have been impacted by more intense modification and use.		Ecological functions of lake were originally impacted by installation of fill in 1890s.

Conclusions:

The methodology used to designate SEDs for this update generally assigned a Shoreline Residential SED for areas that were intensely modified by or planned for residential development and assigned a Natural SED for areas with high quality habitat or minimal modification. Shorelands upland of the Ordinary High Water Mark received an Urban or Rural Conservancy SED if they do not meet the criteria for Natural or Shoreline Residential.

The area in question appears to fit neither the Shoreline Residential nor Natural criteria but may have been designated Shoreline Residential because of its location within a larger area that met the criteria for Shoreline Residential. The area appears very different in character than surrounding areas with a proposed Shoreline Residential SED. However, other areas in the county where railroad lines cross shoreline jurisdiction have been designated the same as the surrounding area, and virtually all as Natural or Rural Conservancy. It is highly unlikely that residential development would occur in the area in question, given its active use as a rail corridor and the presence of wetlands.

Staff Recommendation:

Staff support two options: changing the proposed SED to Urban Conservancy to be consistent with the criteria, or keeping the proposed Shoreline Residential SED, which would be consistent with how other portions of the County's rail corridors were designated.

SED Review Analysis: Lake St. Clair, Reach LSC-1—LSC-2 (APN 21829330300)



Fig. 1. General location of subject parcel, within Reach LSC-1—LSC-2, indicated by yellow arrow.



Fig. 2. Zoomed in aerial photograph of subject parcel.

Current SED: Rural

Proposed SED: Natural

Citizen Request: Shoreline Residential

Staff Analysis:

Reach LSC-1—LSC-2 of Lake St. Clair is located at the north end of the lake. During the recent public comment period, a citizen requested a Shoreline Residential SED be assigned for APN 21829330300, given that the parcel is now developed, and is adjacent to other properties with a Shoreline Residential SED.

The following tables provide a comparison of the existing condition of the subject parcel with the designation criteria for the Natural, Rural Conservancy and Shoreline Residential SEDs from the Thurston County SED Report, alongside other information contained in the SED Report, Inventory & Characterization (I&C), county GeoData mapping, and other sources.

Natural SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity.	SED report lists this criterion for this reach	This parcel features residential development within approximately 60 feet of the shoreline (depicted on aerial photography), though alteration is mostly on the western half of the parcel. The eastern half of the parcel is less developed and retains significant canopy coverage. A gravel driveway is present along the length of the shoreline.
Considered to represent ecosystems and geologic types that are of particular scientific and educational interest	SED report lists this criterion for this reach	
Unable to support new development or uses without significant adverse impacts to ecological	SED report lists this criterion for this reach	This parcel has been developed since the inventory & characterization was performed. Ecological function does appear to remain in the eastern half of

functions or risk to human safety.		<p>the parcel, which could be impacted by further development.</p> <p>The parcel is mapped with steep slopes but to a lesser extent than surrounding parcels.</p>
Includes largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.	SED report lists this criterion for this reach	This parcel has been disturbed in the recent past by the construction of a single-family home and related appurtenances, though the eastern half of the parcel appears to be significantly more intact.
Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation.	SED report lists this criterion for this reach	Shoreline configuration appears largely natural, but significant vegetation removal has occurred to construct a single-family home and related appurtenances on a portion of the parcel.
Generally free of structural shoreline modifications, structures, and intensive human uses.	SED report lists this criterion for this reach	This is true for the remainder of Reach LSC-1—LSC-2, but the parcel in question has been developed since the inventory and characterization was performed. A portion of this parcel contains structures and intensive human uses.

Rural Conservancy SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Outside incorporated municipalities and outside urban growth areas, AND		Yes, the parcel is outside cities and UGAs

at least one of the following:		
Currently supporting low-intensity resource based uses such as agriculture, forestry, or recreation.		No – supporting residential use
Currently accommodating residential uses		Yes
Supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, wetlands, flood plains or other flood prone areas		Yes – parcel supports residential use. The parcel is mapped with steep slopes but to a lesser extent than surrounding parcels.
Can support low-intensity water-dependent uses without significant adverse impacts to shoreline functions or processes		Parcel is already supporting more intense use, which has likely impacted shoreline functions and processes. Low-intensity uses may be more appropriate for undeveloped portions within shoreline jurisdiction.
Private and/or publicly owned lands (upland areas landward of OHWM) of high recreational value or with valuable historic or cultural resources or potential for public access.		No – public access limited to individual private use.
Does not meet the designation criteria		Parcel does not appear to meet the criteria for the Natural SED.

for the Natural environment.		
------------------------------	--	--

Shoreline Residential SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Does not meet the criteria for the Natural or Rural Conservancy Environments.		Rural Conservancy: meets some criteria Natural: no
Predominantly single-family or multifamily residential development or are planned and platted for residential development.		Yes
Majority of the lot area is within the shoreline jurisdiction.		Yes
Ecological functions have been impacted by more intense modification and use.		A home and appurtenances have been constructed approximately 60-65 feet from the mapped shoreline of the lake. A gravel driveway parallels the shoreline approximately 150' from the mapped shoreline. However, the eastern portion of the parcel, and the shoreline between the home and the water, appear to be significantly less altered.

Conclusions:

This parcel does not appear to meet the criteria for the Natural SED—it has been partially developed since the original SED report was written. Looking at a lakewide-scale, this parcel is more like other developed parcels than it is to other parcels in

Reach LSC-1—LSC-2. Though partially developed, this parcel appears to retain ecological function, specifically in the eastern half and in the shoreline area between the newly-constructed home and water. The parcel is also subject to environmental limitations, as evidenced by the presence of mapped steep slopes. There are entire reaches on Lake St. Clair that are of similar size to this parcel.

Staff Recommendation:

To reflect existing conditions and to be consistent with the requirement to achieve no net loss of ecological function, staff recommends a Rural Conservancy SED for this parcel. This is supported by the presence of ecological function and environmental limitations on a parcel that has been partially developed. This could be accomplished by creating a separate reach for this parcel, or by changing the designation and retaining the existing reach break location.

DRAFT

SED Review Analysis: Deschutes River – DE-17—DE-18 – APN 09560002000

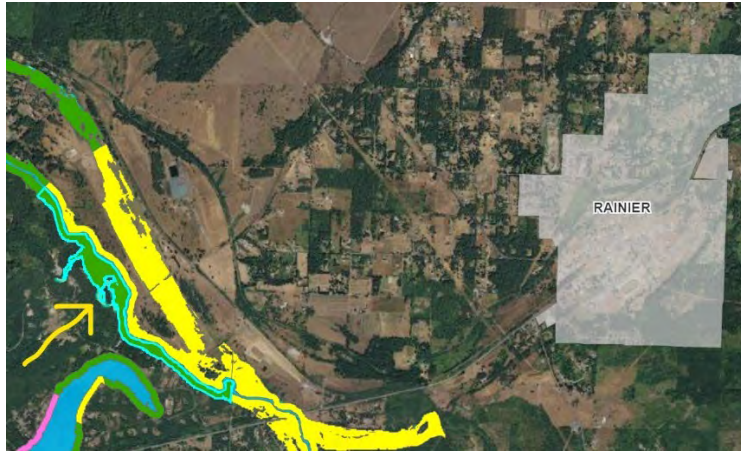


Fig. 1. General location of Reach DE-17—DE-18, indicated by yellow arrow.

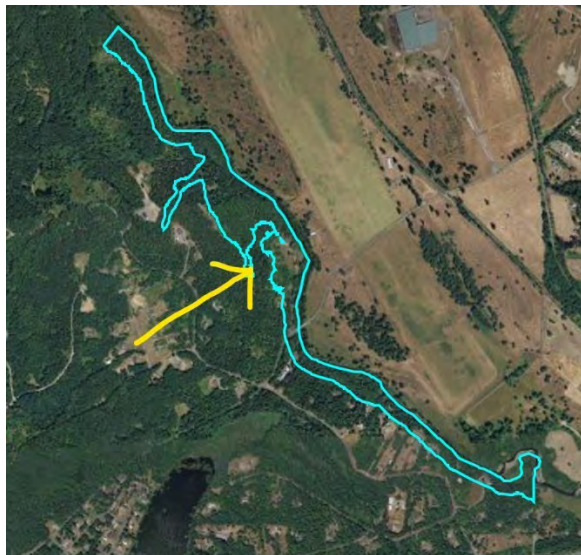
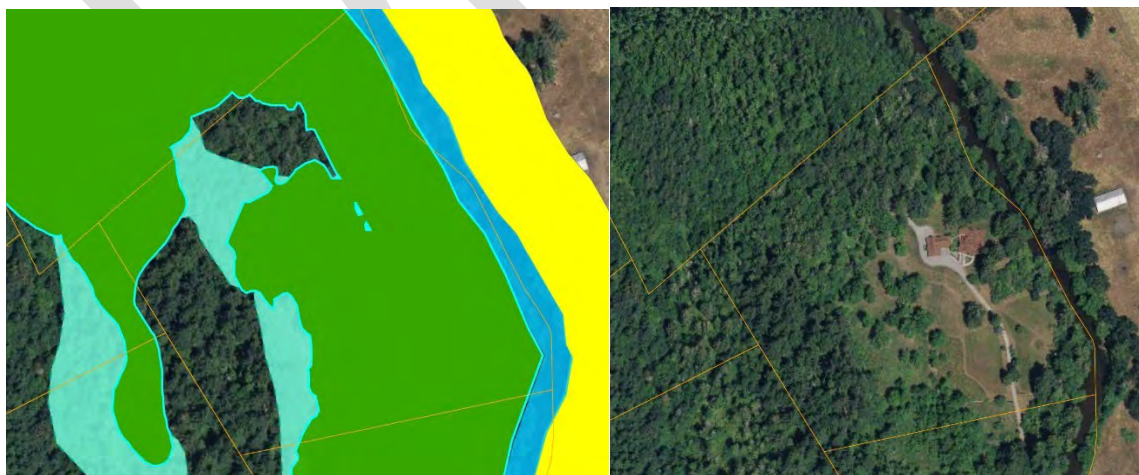


Fig. 2. Aerial view of Reach DE-17—DE-18 with subject parcel indicated by yellow arrow.



Figs. 3 & 4. Subject parcel with proposed SED (left), and aerial photograph (right).

Current SED: Conservancy

Proposed SED: Natural (left bank), Rural Conservancy (right bank)

Citizen Request: Shoreline Residential (for APN 09560002000, on the left bank)

Staff Analysis:

This reach of the Deschutes River, located between Tenino and Rainier, is identified as Reach DE-17—DE-18. This analysis will focus on the left bank of the river. During the recent public comment period, a citizen requested a Shoreline Residential SED be assigned for parcel 09560002000, stating “Shoreline Residential” seems a more appropriate designation, given the multiple single-family structures adjacent, upriver, and surrounding. Given this section of the river, historically, a portion of a Weyerhaeuser park, has always been a favored spot for steelhead and fly fishing and rafters, it seemingly falls under a different designation in many ways.

The citizen stated that the Natural SED was incorrect for their property, and that: “it is not “... free of structural shoreline modifications, structures, and intensive human uses.” It is “Currently accommodating residential uses.” As I stated previously there exist multiple single family residences since approximately 1924 ; a portion of the property was farmed (strawberries) and raised cattle; a portion was forested, once a Weyerhaeuser park and “Currently provides public access and recreational use where medium density and residential developments and services exist and are planned”. Shoreline Residential is the appropriate designation.

The following tables provide a comparison of the existing condition of the left bank of Reach DE-17—DE-18 (including the subject parcel) with the designation criteria for the Natural, Rural Conservancy and Shoreline Residential SEDs from the Thurston County SED Report, alongside other information contained in the SED Report, Inventory & Characterization (I&C), county GeoData mapping, and other sources.

Natural SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide	I&C report matrix states: The Deschutes River is heavily forested on the left bank (SW) which shows no sign of development....	Portions of this reach appear ecologically intact within shoreline jurisdiction. Parcels at the north end of the reach have historically been logged, though not since at least the mid-1990s. The subject parcel has been modified

process that would be damaged by human activity.		within shoreline jurisdiction, to include a residential structure, driveway, and lawn within 200' of the river. The northeast corner of the subject parcel appears more ecologically intact.
Considered to represent ecosystems and geologic types that are of particular scientific and educational interest	<p>This criterion is listed in the SED report for this reach.</p> <p>The I&C states that highest protection is the preferred management strategy for this reach (from Puget Sound Water Flow Characterization Management Strategies, Stanley et al., 2012)</p>	
Unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.		Development in fully forested areas could result in significant impacts to ecological function. Portions of the reach are mapped with wetlands, floodplains, and steep slopes, all of which would require review to assess human safety risks.
Includes largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.	<p>This criterion is listed in the SED report for this reach.</p> <p>I&C report matrix states: Reach may contain the following species: fall chinook, resident cutthroat, sea-run cutthroat, winter steelhead, coho salmon, wild turkey, elk. Reach may contain...wetlands and associated buffers...anadromous fish spawning and/or rearing habitat (coho, chinook, winter steelhead), elk overwintering habitat. A small stand of oak-</p>	Reach contains mapped floodplain and wetlands. Staff disagrees there is no sign of development on left bank. Many properties are developed with homes within shoreline jurisdiction. The shorelines are forested by varying degrees.

	conifer/woodland canopy forest is mapped just to the west of the eastern reach break. The entire extent of this reach is within the 100-year floodplain. The Deschutes River is heavily forested on the left bank (SW) which shows no sign of development....	
Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation.	This criterion is listed in the SED report for this reach.	Shoreline configuration is largely intact, except for Military Rd. crossing. Native vegetation is present through much of reach, though some areas have been cleared and contain lawn or residential development. Majority of reach appears to be vegetated.
Generally free of structural shoreline modifications, structures, and intensive human uses.	This criterion is listed in the SED report for this reach. I&C report matrix lists road/bridge and culvert at Military Rd. SE	Many properties feature residential development within shoreline jurisdiction. Some properties with homes within SMP jurisdiction appear to still contain significant shoreline vegetation.

Rural Conservancy SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Outside incorporated municipalities and outside urban growth areas, AND at least one of the following:		Yes, outside both city and UGA boundaries.
Currently supporting low-intensity resource-based uses such as agriculture,	I&C report matrix lists the following land uses: residential, undeveloped, timber/forest land, agricultural	Mostly not. 2 parcels in north end of reach are Designated Forest Land, and 1 is in the Assessor's current use agriculture program.

forestry, or recreation.		
Currently accommodating residential uses		Yes. Predominant use for properties in this reach.
Supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, wetlands, flood plains or other flood prone areas		Yes – supporting residential uses in many areas, but properties may be subject to wetland, floodplain, and slope limitations.
Can support low-intensity water-dependent uses without significant adverse impacts to shoreline functions or processes		Development of this type may be best suited to avoid significant adverse impacts.
Private and/or publicly owned lands (upland areas landward of OHWM) of high recreational value or with valuable historic or cultural resources or potential for public access.	I&C report matrix lists Military Rd. SE as public access within this reach.	No. Land is privately owned with limited public access opportunities. No noted historic sites on this side of Deschutes River (Linklater Ranch located on right bank).
Does not meet the designation criteria for the Natural environment.		Majority of reach does not meet Natural SED criteria (however the undeveloped parcels in north end of reach do).

Shoreline Residential SED

SED Criteria from SED Report	Inventory & Characterization/SED Report Information	Staff Analysis
Does not meet the criteria for the Natural or Rural Conservancy Environments.		Portions of this reach meet the Natural SED and other portions meet the Rural Conservancy SED.
Predominantly single-family or multifamily residential development or are planned and platted for residential development.		Many parcels have residential development but not all have homes within shoreline jurisdiction.
Majority of the lot area is within the shoreline jurisdiction.		Many properties in this reach do not meet this criterion.
Ecological functions have been impacted by more intense modification and use.		Most properties in this reach do not meet this criterion.

Conclusions:

This reach appears to contain two different land use types (undeveloped land enrolled in Designated Forest Land current use in the north end, and partially developed residential parcels in the middle and south end). The undeveloped forestry parcels appear to reflect the criteria for the Natural SED, while the more developed parcels appear to best match Rural Conservancy criteria. Most parcels in this reach feature residential development, though not all parcels have residential structures located inside shoreline jurisdiction. The majority of parcels in this reach retain significant vegetation within shoreline jurisdiction. The subject parcel has residential development and vegetation modification within shoreline jurisdiction.

Staff Recommendation:

Considering conditions across this reach, staff recommends moving the reach break at the north end of this reach south to the northern boundary of the subject parcel. This

would move the undeveloped forestry parcels in this reach into Reach DE-16—DE-17 and provide a Natural SED. Staff recommends the proposed SED for the remainder of Reach DE-17—DE-18 change from Natural to Rural Conservancy based on the existing conditions and criteria.

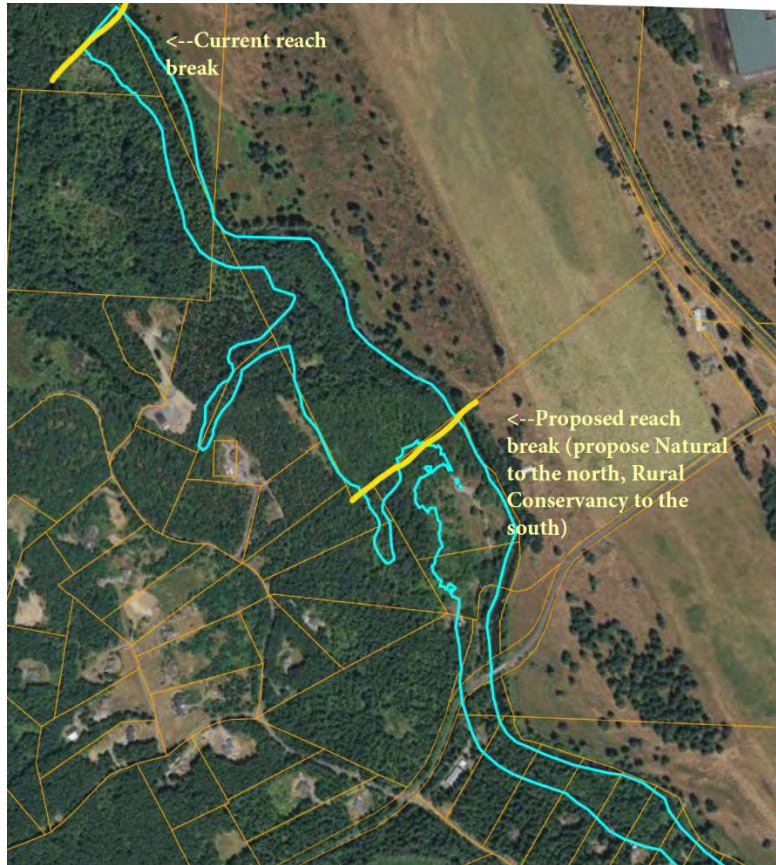


Fig. 5. Proposed relocation of reach break DE-17. This proposal would provide Natural SED to forestry parcels in north end of current reach DE-17—DE-18, and a Rural Conservancy SED to parcels south of the relocated reach break.