



COMMERCIAL • INDUSTRIAL • AGRICULTURAL • NATURAL RESOURCES

January 19, 2021

Thurston County Planning Commission
Thurston County
2000 Lakeridge Drive SW
Olympia, WA 98502

RE: SMP – Offut Lake Property Designation

Dear Commissioners,

Looking ahead to the discussion about our Offut Lake properties in your upcoming meeting this Wednesday evening, we wish to summarize our concerns, as outlined more fully and supported by our attached letter dated 12/27/19, and the biologist report dated 12/3/19.

We strongly disagree with the County's proposal in the SMP draft to redesignate our properties from Conservancy to Natural. Our parcels are each 5+ acres in size, which are zoned one house per 5 acres, where currently we can build within 100' of the shoreline. We should remain Conservancy (proposed Rural Conservancy), as Rural Conservancy in the draft SMP will allow a house on each parcel, to within 150' of the lake (up from current Conservancy code at 100'). We can work with Rural Conservancy, but not Natural with all its new restrictions.

The biologist report proves that our land does not meet the State's criteria for Natural but actually qualifies as Rural Conservancy. We should not be redesignated to Natural. This is not an ancient old growth forest. These are second or third growth trees. There is nothing special or unique - if this were not by a lake, it wouldn't get a second look. We feel we are being punished for being good stewards of the land.

As we have testified before you, the County's new definition of Natural includes language that is more strict than the WAC. The WAC allows a house to be built anywhere within the 200' setback (via a CUP), while the County's stricter draft SMP generally does not allow a house at all within 200' (only less than 200' if there is no way to build elsewhere on the lot, beyond 200'). If a house is carefully designed to respect the environment, and there is "no net loss", then why shouldn't it be allowed, especially when it is only one house on a large 5-acre parcel? It is OK with the State, why not the County?

We also request that the Planning Commission and staff change the draft SMP, finding compromises that would protect the land while at the same time allowing landowners to use their land. Please allow the WAC permissions within Natural. Allow a house on parcels 5 acres

or more in size, and inside the 200' setback (back to 150'), where the house is carefully designed to protect the land (e.g. no net loss). Buffer setback requirements should also be flexible in Natural up to 150' when houses are sensitively designed, in all situations (do not limit flexibility in buffers to only when a house cannot be built beyond 200'). The house permit approval could be made administrative, so staff and the landowner can work together for a design that works, and there would be less process hassle and expense. Code flexibility will also make it easier for the County when other landowners file appeals.

We believe the suggestions above will improve the process for the County and landowners and assert that our parcels shall remain Conservancy as they do not meet the criteria for Natural. Thank you very much for your time and consideration of our position.

Very truly yours,

SEGALE PROPERTIES LLC

A handwritten signature in black ink, appearing to read 'M. Segale', with a long, sweeping horizontal line extending to the right.

Mark A. Segale

Cc: Andrew Deffobis

Encls.



COMMERCIAL • INDUSTRIAL • AGRICULTURAL • NATURAL RESOURCES

December 27, 2019

Andrew Deffobis
Associate Planner
Community Planning & Economic Development Department
Thurston County
2000 Lakeridge Drive SW
Olympia, WA 98502

RE: SMP Property Designation

Dear Mr. Deffobis,

We are the owners of six land parcels on the west end of Offut Lake (11732320101, 11732320102, 11732320103, 11732320104, 11732320105, 11732320106). They comprise approximately the southern 60% of SMP reach LOF-1 to LOF-2, and all of SMP reach LOF-5 to LOF-1. In the current SMP, they are designated as Conservancy. In the new proposed SMP they have been re-classified to Natural. We see no basis for this change to a more restrictive status and are writing to ask the County to please leave our property as Conservancy (Rural Conservancy in the new SMP).

Attached please find a property survey and report dated 12/3/19, prepared by Carl Hadley of Cedarock Consultants, Inc., a professional aquatic biologist and consultant with 30 years' experience. After visiting the property, considering the existing physical conditions and science, state laws and the County's existing and proposed codes, he concludes that our property does not meet the criteria for Natural and is best designated as Rural Conservancy.

Based on Mr. Hadley's report, we can see no reason for our property to be re-classified to Natural. Almost none of the criteria for Natural apply (and none in full). Our property is largely in compliance with and closely meets the Rural Conservancy criteria, making it the appropriate designation. We do not understand the County's basis for the change to Natural.

Per the report, there is nothing unique or valuable here to protect. The only area with any consistency with Natural is within 100 feet of the lake, which is and will always be protected by the CAO irrespective of the SMP designation.

The entire reach LOF-1 to LOF-2 should not be designated as Natural, considering that within the three properties north of ours, comprising the northern 40% of the reach, are two houses very close to the shoreline, and a parcel that has been logged and cleared to within 100' of the

shoreline. As to the much smaller reach LOF-5 to LOF-1 (all our property), it includes a large wetland off the southwest corner of the lake that is already protected by the CAO, so again there is no need for a change to Natural.

In addition to the SMP code criteria issue above, the change in designation to Natural creates a hardship for our parcels. These parcels have wetlands, wetland buffers, and steep slopes, so pushing the area where a home can be built out beyond 200 feet in the new SMP severely limits the options (if any are left) for placement of a house. While the new code allows for some consideration of that situation through a Conditional Use Permit, it seems unreasonable to add that constraint, the complications, and the expense of that extra process when these parcels should not be designated as Natural in the first place. We also note that DOE guidelines in WAC 173-26-211(5)(a)(ii)(C) which allow single family residential development within the Natural environment have not been carried over into the new County SMP for the Natural designation, which is not in keeping with the County's SMP Fact Sheets #1 and #2 that represent to the public that "regulations have been simplified" to make them more flexible and efficient (and also seemingly in conflict with the County directive to streamline the new SMP, not to make it more restrictive). The new Rural Conservancy buffer is proposed at 150 feet, which is much more reasonable for our situation (and 50 feet greater than that allowed in the current code).

Lastly, it should be noted that being in the rural area of the County our parcels are zoned one house per 5 acres, and these parcels are all 5 acres (or slightly more) in size. They cannot be developed to the density of the other properties around Offut Lake. Each parcel will accommodate only one house – certainly 6 houses across a total of 32.59 acres can be planned carefully without significant impact to the disturbed environment described by Mr. Hadley's report, nor have any impact to the shoreline that will be 150 feet away under a Rural Conservancy designation.

To affirm, based on the facts provided in the attached professional property survey and this letter, we ask the County to please leave our property as Conservancy (Rural Conservancy in the new SMP).

Thank you for your time and consideration of this matter, and are happy to furnish additional information, answer questions, or meet as needed.

Very truly yours,

SEGALE PROPERTIES LLC

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Mark A. Segale

CEDAROCK CONSULTANTS, INC.

MEMORANDUM

Date: December 3, 2019
To: Mark Segale – Segale Properties
Subject: Offut Lake Property – Shoreline Designation Review

Preface

In the draft Shoreline Management Program Update, Thurston County has proposed changing shoreline properties along the west side of Offut Lake from an existing designation of **Conservancy** to a more restrictive designation of **Natural**. This change in designation has significant impacts on landowner ability to utilize the land. Because of this, a current landowner in the area (Segale Properties) requested we conduct a site-specific study of current conditions in the area of proposed change (Figure 1) and evaluate those conditions relative to designation criteria for both **Rural Conservancy** and **Natural** in the current draft of the SMP (Tables 1 and 2).



Figure 1. Offut Lake showing area of review.

Methods

The site (Figure 1) was visited on October 18, 2019. The shoreline area consisting of lands extending about 200 feet landward of the lakeshore was walked from south to north. Specific attention was paid to forest condition, shoreline condition, fish and wildlife habitat, evidence of human use, topographic setting, and general setting.

Existing Conditions

The south end of the site contains a large fresh-water forested wetland area surrounded by steep forested hillslopes extending 20 to 25-feet above the forest floor. The wetland is contiguous with the lake. The wetland is a critical area protected under the Thurston County Critical Areas Ordinance and will be permanently protected.

The upland shoreline area adjacent to Offut Lake consists of a 150 to 250-foot wide swathe of second or third growth forest on a moderate to steep slope. The slope extends 25 to 30 feet in elevation above the lake and ranges from 35 to 50 percent in grade. The early successional stage forest appears to be about 70 years old, is dominated by native coniferous trees with some deciduous trees and other non-native vegetation (e.g. English Holly, English ivy, Scott's broom) mixed in. The forest extends steeply down to water's edge. The forest is not particularly dense with numerous areas of open canopy and possibly human-enhanced clearings (see Figures 4-6, 11). On the uphill side (150 to 250 feet from the lake) the forest has been recently harvested with a mix of ground coverage ranging from bare dirt, to low shrub, to 5 to 10-year old trees (see Figures 4, 7-9).

The forest itself is relatively narrow with a lake to one side and a completely cleared landscape to the other (see Figure 1, 4, 7-9). Wildlife use is expected to be typical for a suburban setting and lower and less diverse than larger timberland tracts with greater width and less human traffic.

There is significant evidence of human use throughout the forested area including trails, fire rings, benches, and trash (see Figures 6, 10-11). A road also provides access to the shoreline in this area.

The immediate shoreline of Offut Lake within this area is in a mostly undisturbed condition with almost no improvements noted (see Figure 3). The forest floor extends down to a narrow gravel beach with many of the trees and shrubs overhanging the water. The lakebed appears to drop off slowly with several downed trees noted in the water. The shoreline immediately to the southeast contains moderate density single family residences (see Figures 1 and 5).

The observations made during this survey generally agree with the description found in the Thurston County Shoreline Master Program Update Inventory and Characterization Report (2013) for the reach between LOF(5) and LOF(2) (Figure 12). That is the wetland in the south,

and undeveloped forestry-related uses with steep slopes and no particularly valuable habitat or function along the west.



Figure 2. Typical shoreline condition showing vegetation and steep slope.



Figure 3. Typical lakeshore conditions with gravel beach and overhanging vegetation.



Figure 4. Typical buffer looking landward through shoreline area from lake shore near south end of property.



Figure 5. Looking across shoreline at neighboring houses.



Figure 6. Old fire pit in clearing.



Figure 7. Typical buffer looking landward from lake shore near middle of property.



Figure 8. Typical buffer looking landward from lake shore near north end of property.



Figure 9. Young third growth along outer portion of shoreline.



Figure 10. Park bench in clearing.

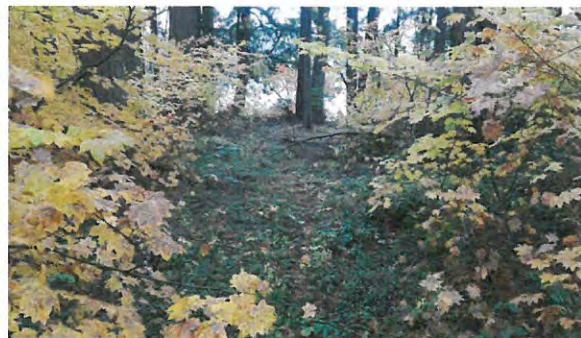


Figure 11. Example of trail system in area.

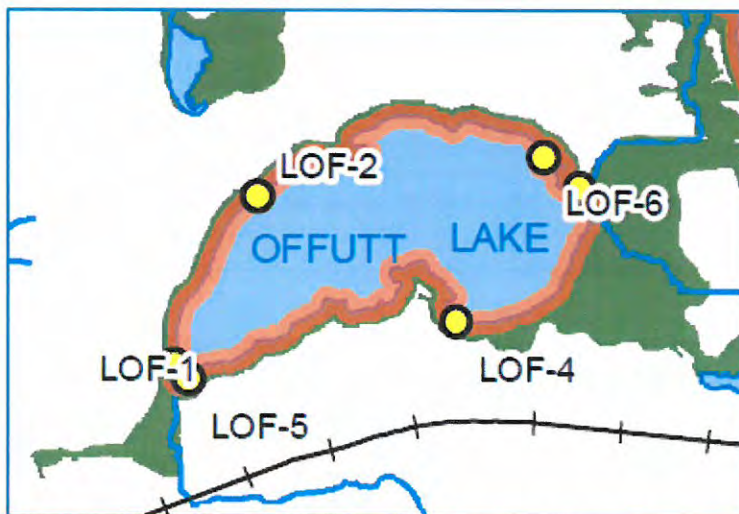


Figure 12. Portion of figure from Thurston Co. SMP Inventory (2013)

Consistency with Designation Criteria

The Draft SMP designation criteria for Rural Conservancy and Natural shoreline designations are provided in Tables 1 and 2 along with relevant observations regarding existing site conditions within the shoreline management area (to 200-feet from ordinary high water).

Table 1. Site Consistency Draft Shoreline Designation Criteria for Rural Conservancy	
Rural Conservancy Criteria	Site Conditions
Currently support lesser-intensity resource-based uses, such as agriculture, aquaculture, forestry, or recreational uses, or are designated agriculture or forest lands;	Consistent - Currently supports forestry with mix of second and third growth trees, and some informal recreational uses.
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;	Partially consistent – the land has been used for forestry and contains no residential uses. All properties have environmental limitations including steep banks and wetlands.
Can support low-intensity water-dependent uses without significant adverse impacts to shoreline functions or processes;	Consistent – These large lots could provide water access and maintain the vast majority of the shoreline functions and processes. Informal access already occurs by local residents as witnessed by trails up from water to picnicking areas.
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;	Consistent – Private land
Does not meet the designation criteria for the Natural environment;	Partially Consistent – very little of the site meets any of the designation criteria for the Natural environment. And only the immediate shoreline area within about 100 feet of the water meets any of the criteria.
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.	NA

Shading: Green = Consistent; Yellow = Partially Consistent; Red = Inconsistent

Table 2. Site Consistency Draft Shoreline Designation Criteria for Natural	
Natural Criteria	Site Conditions
The shoreline is ecologically intact and currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity; or	Not consistent – The entire shoreline has been used for commercial forestry and has been harvested at least once and possibly twice in some areas. The resultant stand of trees is not irreplaceable. Current human activity includes roads, trails, water landings, and picnic areas.
The shoreline is considered to represent ecosystems and geologic types that are of scientific and educational interest;	Not consistent – The shoreline is a typical commercial forestry dominated landscape common throughout western Washington. It has no unusual features that would be of scientific or educational interest.
The shoreline is unable to support new development or uses without adverse impacts to ecological functions or risk to human safety.	Not Consistent – These large lots could provide water access and maintain the vast majority of ecological functions and processes. Informal access already occurs by local residents as witnessed by trails up from water to picnicking areas. There are no unusual safety risks in the area.
The shoreline includes largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.	Not Consistent – Except for a large wetland that is protected under the Thurston County Critical Areas Ordinance under all circumstances, the entire property has been logged one or more times leaving it best described as disturbed.
Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation.	Partially Consistent – The entire area has been logged one or more times. However, regrowth nearest the shoreline is around 70 years old and provides wildlife habitat as well as aquatic habitat protection functions. Both native and non-native vegetation is present throughout site.
Generally free of structural shoreline modifications, structures, and intensive human uses	Partially Consistent – the shoreline is generally free of structural modifications and structures, but, has been completely logged one or more times. This is a very intensive land use.

Conclusions

Under the draft SMP regulations a Natural shoreline designation is meant to be applied to *Shorelines having a unique asset or feature considered valuable for its natural or original condition that is relatively intolerant of intensive human use* (19.200.130). The property in question has historically served as private timberland and is neither in natural nor an original condition having been completely logged one or more times. The resulting narrow strip of second and third growth timber has functional value to aquatic habitat along the shoreline (e.g. bank protection, large wood recruitment) but is not pristine, nor high quality wildlife habitat. The stand of trees is not irreplaceable, having been regrown once or twice like any commercial forestland. There are no other natural features (e.g. estuaries, unstable bluffs, coastal dunes, spits) on this land that are irreplaceable once disturbed.

Application of shoreline designation criteria to a parcel of land is not an exact process with many of the criteria being somewhat vague (e.g. “largely undisturbed”, “generally free of”, “considered to”). However, a review of landscape consistency with proposed designation criteria provided in Tables 1 and 2 finds the Segale property fits more closely with the proposed designation as Rural Conservancy than the proposed Natural designation. In fact, existing conditions on the Segale property do not fully meet any of the Natural shoreline designation criteria.

Because most of the larger remaining trees are found on steep slopes, near wetlands, or associated with other critical areas, much of the protection from environmental alteration is unrelated to the SMP. Existing and future Critical Area Ordinances will protect this land as critical area or buffer regardless of any protection that may be afforded by the shoreline designation. Additional protection would come from code details such as allowed uses within the buffer (e.g. trail widths, appurtenances, etc.), ability to buffer average, and from mitigation requirements implemented to protect and enhance shoreline ecological function.

Report Author

This report was prepared by Carl Hadley, a professional aquatic biologist with 30 years of experience evaluating effects of changing land use on aquatic habitat. Mr. Hadley is the principal biologist with Cedarock Consultants, Inc.

Thurston County Shoreline Stakeholders Coalition

7541 Holmes Island Rd SE, Olympia, WA 98503-4026

January 19, 2021

To: Thurston County Planning Commissioners

From: John H. Woodford, Chair
Thurston County Shoreline Stakeholders Coalition

Re: Coalition comments on October 21, 2020, “pink” SMP Chapter 19.600

Commissioners,

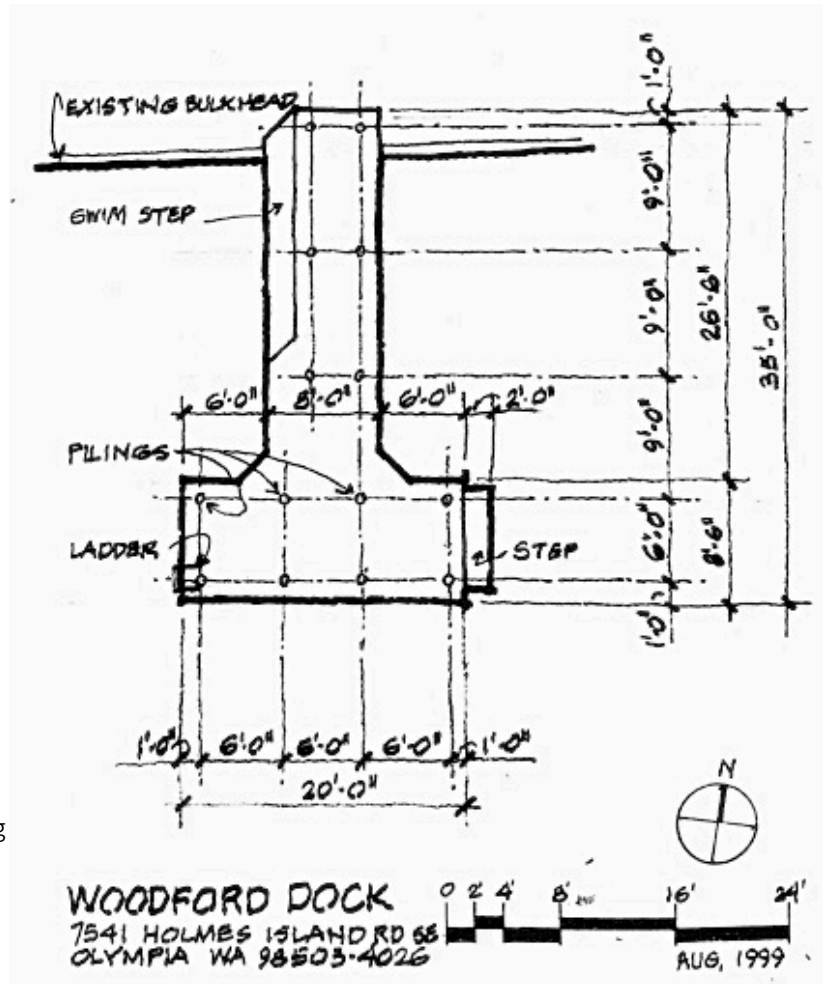
Those of us at the Thurston County Shoreline Stakeholders Coalition (the Coalition) see a plethora of issues in Chapter 19.600. Many of the issues have been footnoted as “Option for Public Hearing.” Why not just address these items now, at the Planning Commission? Several more do not recognize the different environmental conditions extant in marine and freshwaters. In the interest of brevity, I will focus on just a couple of these issues.

1. The Coalition is requesting that you Commissioners ask Mr. Deffobis, “Why were Water Oriented Industrial Uses in Shoreline Residential SEDs changed from ‘Prohibited’ to ‘Conditional Use Permit’?” This change occurred in the immediately preceding, “green,” edition of the SMP edited by Mr. Deffobis. See **Table 19.600.105...the Matrix** (pg. 89), **19.600.150.A.2** (pg. 110) and **19.600.150.B.3.a** (pg. 111).

Where in a Thurston County Shoreline Residential SED could you find a place where any industrial use would be compatible with residential use? Everyone, please take a close look at the SED map. Other than the Boston Harbor area and a sizable portion the west coast of Eld Inlet (Steamboat Island), all other marine water Shoreline Residential stretches are very limited. The vast majority of Shoreline Residential properties are adjacent the County’s freshwater lakes. Allowing any industrial use in an existing residential neighborhood seems counter to any reasonable planning standards.

Mr. Deffobis and I exchanged numerous emails on this subject from April to June of 2020. We do not agree on the interpretation of **WAC 173-26-241**, but he did write, “The draft SMP provision would only apply to areas where zoning allows industrial development.” If you find that this Matrix change should stand, please ask staff to add a footnote to the Matrix stating, “...CUP use would only apply to areas where zoning allows industrial development.”

2. We have many issues with **19.600.160 Mooring Structures and Activities**. I will address only **19.600.160.c.3 Pilings** at this time. Mr. Deffobis has offered an “Option for Public Hearing: Consider a shorter distance for spacing pilings in lakes, such as 10 feet.” We would suggest the removal of any limitation on dock/pier piling spacing for lakes.



As an example, here is a plan of my dock on Holmes Island, Long Lake. All piling spacing is **under** ten (10) feet.

Thank you for your consideration of these key issues.

Respectfully submitted,

John H. Woodford, Chair
Thurston County Shoreline Stakeholders Coalition



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December 27, 2019

Andrew Deffobis
Associate Planner
Community Planning & Economic Development Department
Thurston County
2000 Lakeridge Drive SW
Olympia, WA 98502

RE: SMP Property Designation

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Per the report, there is nothing unique or valuable here to protect. The only area with any consistency with Natural is within 100 feet of the lake, which is and will always be protected by the CAO irrespective of the SMP designation.

The entire reach LOF-1 to LOF-2 should not be designated as Natural, considering that within the three properties north of ours, comprising the northern 40% of the reach, are two houses very close to the shoreline, and a parcel that has been logged and cleared to within 100' of the

shoreline. As to the much smaller reach LOF-5 to LOF-1 (all our property), it includes a large wetland off the southwest corner of the lake that is already protected by the CAO, so again there is no need for a change to Natural.

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CEDAROCK CONSULTANTS, INC.

MEMORANDUM

Date: December 3, 2019
To: Mark Segale – Segale Properties
Subject: Offut Lake Property – Shoreline Designation Review

Preface

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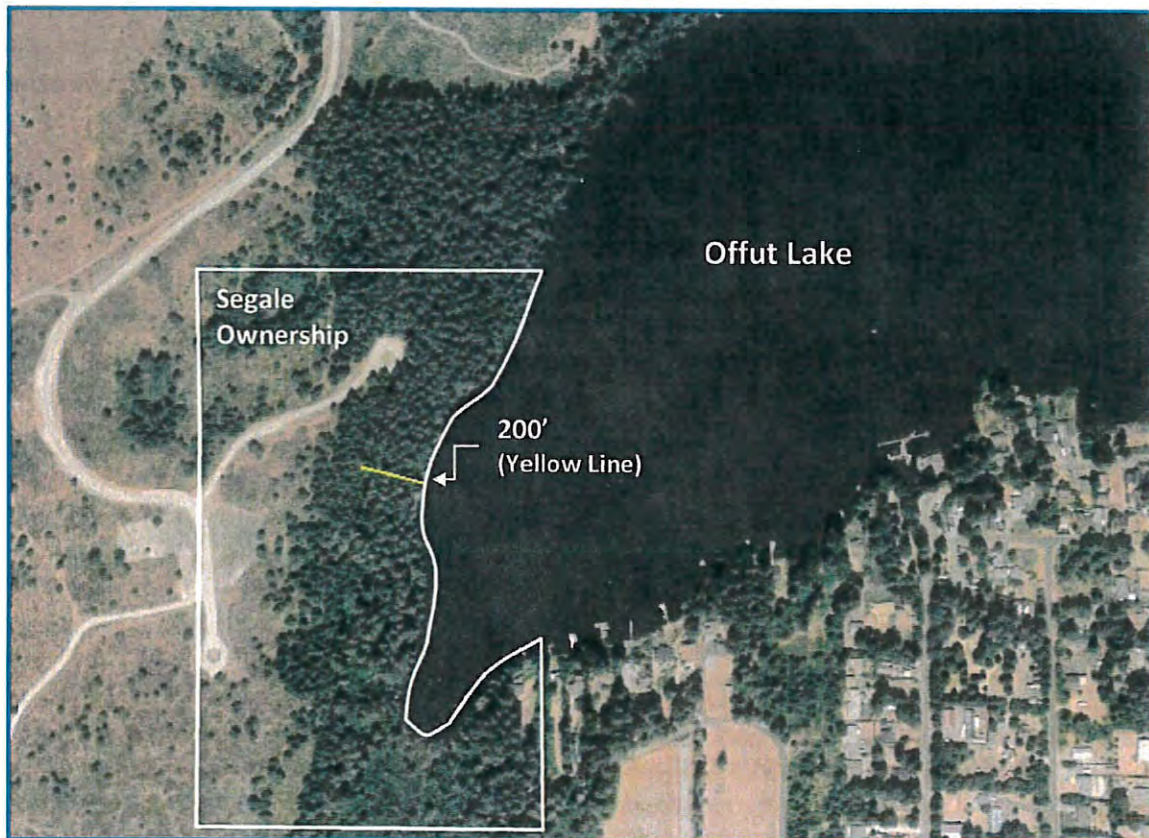


Figure 1. Offut Lake showing area of review.

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Figure 5. Looking across shoreline at neighboring houses.



Figure 6. Old fire pit in clearing.



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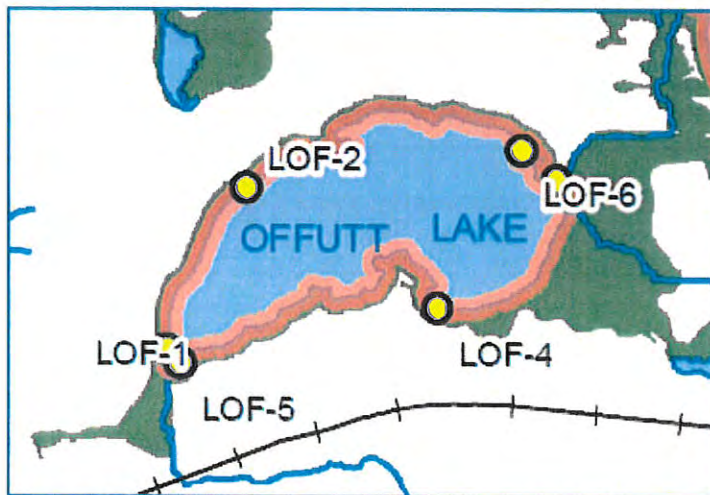


Figure 12. Portion of figure from Thurston Co. SMP Inventory (2013)

Consistency with Designation Criteria

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Table 2. Site Consistency Draft Shoreline Designation Criteria for Natural

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The shoreline is ecologically intact and currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity; or	Not consistent – The entire shoreline has been used for commercial forestry and has been harvested at least once and possibly twice in some areas. The resultant stand of trees is not irreplaceable. Current human activity includes roads, trails, water landings, and picnic areas.
The shoreline is considered to represent ecosystems and geologic types that are of scientific and educational interest;	Not consistent – The shoreline is a typical commercial forestry dominated landscape common throughout western Washington. It has no unusual features that would be of scientific or educational interest.
The shoreline is unable to support new development or uses without adverse impacts to ecological functions or risk to human safety.	Not Consistent – These large lots could provide water access and maintain the vast majority of ecological functions and processes. Informal access already occurs by local residents as witnessed by trails up from water to picnicking areas. There are no unusual safety risks in the area.
The shoreline includes largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.	Not Consistent – Except for a large wetland that is protected under the Thurston County Critical Areas Ordinance under all circumstances, the entire property has been logged one or more times leaving it best described as disturbed.
Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation.	Partially Consistent – The entire area has been logged one or more times. However, regrowth nearest the shoreline is around 70 years old and provides wildlife habitat as well as aquatic habitat protection functions. Both native and non-native vegetation is present throughout site.
Generally free of structural shoreline modifications, structures, and intensive human uses	Partially Consistent – the shoreline is generally free of structural modifications and structures, but, has been completely logged one or more times. This is a very intensive land use.

Conclusions

Under the draft SMP regulations a Natural shoreline designation is meant to be applied to *Shorelines having a unique asset or feature considered valuable for its natural or original condition that is relatively intolerant of intensive human use* (19.200.130). The property in question has historically served as private timberland and is neither in natural nor an original condition having been completely logged one or more times. The resulting narrow strip of second and third growth timber has functional value to aquatic habitat along the shoreline (e.g. bank protection, large wood recruitment) but is not pristine, nor high quality wildlife habitat. The stand of trees is not irreplaceable, having been regrown once or twice like any commercial forestland. There are no other natural features (e.g. estuaries, unstable bluffs, coastal dunes, spits) on this land that are irreplaceable once disturbed.

Application of shoreline designation criteria to a parcel of land is not an exact process with many of the criteria being somewhat vague (e.g. "largely undisturbed", "generally free of", "considered to"). However, a review of landscape consistency with proposed designation criteria provided in Tables 1 and 2 finds the Segale property fits more closely with the proposed designation as Rural Conservancy than the proposed Natural designation. In fact, existing conditions on the Segale property do not fully meet any of the Natural shoreline designation criteria.

Because most of the larger remaining trees are found on steep slopes, near wetlands, or associated with other critical areas, much of the protection from environmental alteration is unrelated to the SMP. Existing and future Critical Area Ordinances will protect this land as critical area or buffer regardless of any protection that may be afforded by the shoreline designation. Additional protection would come from code details such as allowed uses within the buffer (e.g. trail widths, appurtenances, etc.), ability to buffer average, and from mitigation requirements implemented to protect and enhance shoreline ecological function.

Report Author

This report was prepared by Carl Hadley, a professional aquatic biologist with 30 years of experience evaluating effects of changing land use on aquatic habitat. Mr. Hadley is the principal biologist with Cedarrock Consultants, Inc.

October 26, 2020

TRANSMITTED VIA ELECTRONIC MAIL ONLYsmp@co.thurston.wa.usplanningcommission@co.thurston.wa.us

Shoreline Code Update
Thurston County Planning Commission
c/o Thurston County Community Planning & Economic Development Department
2000 Lakeridge Drive SW, Building 1
Olympia, Washington 98502

**Re: Comment on Shoreline Master Program Update
Offut Lake Shoreline Designation (LOF-1, LOF-2, and LOF-5)**

Dear Planning Commissioners:

This firm represents DEJOR Investments, LLC (“DEJOR”). DEJOR owns property located at 3847 Waldrick Road SE, Tenino, Thurston County, Washington (Thurston County Tax Parcel No. 117-32-240300) (the “Property”). The Property contains shoreline located on Offut Lake¹ identified as the LOF-1, LOF-2, and LOF-5 reaches in the County’s draft SMP update materials.

As currently proposed, the SMP update would re-designate the Property from its current “Conservancy” designation to the more restrictive “Natural” designation. However, site-specific evaluation of existing conditions completed by a qualified biologist and review of historic use of the Property demonstrates that the proposed “Natural” designation is neither appropriate nor warranted under the Shoreline Management Act (RCW 90.58) and Ecology’s SMP Guidelines (WAC 173-26). Instead, we believe the new “Rural Conservancy” shoreline designation is appropriate for the LOF-1, LOF-2, and LOF-5 reaches and therefore respectfully request that the proposed designation for these reaches be changed from “Natural” to “Rural Conservancy” in the proposed draft.

A. Existing Condition and Historic Use of the Property

The DEJOR Property is situated across Offut Lake from the historical Ada’s Resort (now known as the Offut Lake Resort) and has been improved and used, together with its shoreline, for

¹ Offut Lake basin is located near the center of Thurston County. It is approximately 1,532 acres in size. The majority of the basin, 1,430 acres, is located in WRIA 13. A small portion of the basin, 102 acres, is located in WRIA 23. Water in this basin generally flows to the east towards the Deschutes River. Offut Lake basin contains 3.03 miles of Shoreline Management Act jurisdictional lake shoreline, broken into six reaches (Reach series name: LOF).

over a century. The Property includes a dock and a large trail access to the shoreline wide enough to trailer boats to Offut Lake, although it is used predominantly for pedestrians. A large free-standing fieldstone fireplace is situated at the top of the trail. This fireplace is the last remnant of the previous development left by Mr. Mentzer, who purchased the Property in the early 1900s—around the time the southern shore was platted. Mr. Mentzer, who also owned a lumber mill in Tenino, built a dance hall for entertaining family and friends. The dance hall existed until the 1980s.

The Property also includes forest roads for forest management and general egress that provides access to the Property and the neighboring cabin to the south.

The Property currently contains a residence located on top of the lake's slope as well as several outbuildings including a small cabin and a storage building. A second single-family residence with a deck is now used as a guest cabin. The Property was recently logged, and new forest is emerging to the west of the cabin. Neighboring properties in the shoreline segment (Thurston County Tax Parcel Nos. 117-32-240600, 117-32-240100, 117-32-240201, and 117-32-240900) also contain single-family residences.

Additional detail and maps depicting existing conditions can be found in the Shoreline Reconnaissance Report for the Property attached at **Tab A**, which was prepared by Alex Callender of Land Services Northwest (the "Callender Study").

B. Current Shoreline Environmental Designation

Thurston County's current SMP (1990) designates the Property as "Conservancy." The "Conservancy" designation was intended "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."² Environments classified under this designation are "characterized by low-intensity land use and moderate-intensity water use with moderate to little visual evidence of permanent structures and occupancy."³ Most land uses are allowed within the current Conservancy designation after obtaining a conditional use permit or substantial development permit.

C. Proposed Shoreline Environmental Designation

The proposed SMP update would change the designation of the Property from "Conservancy" to "Natural." However, review of the Property's existing conditions and historic usage against Ecology's SMP Guidelines demonstrates that the proposed designation as "Natural" is in fact inappropriate. Instead, the Property should be designated as "Rural Conservancy" using the revised designations in the proposed SMP update.

² Thurston Regional Planning Council, Shoreline Master Program for the Thurston Region (1990), at 28, *available at* <https://www.thurstoncountywa.gov/planning/planningdocuments/current-SMP1990-full-doc.pdf>

³ *Id.*

1. The “Natural” Environment

Under the SMP Guidelines, the “Natural” designation is meant “to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use.” WAC 173-26-211(5)(a)(i). However, site-specific evaluation of the Property demonstrates that there few areas that could be considered “relatively free of human influence” in this specific shoreline segment. Indeed, the entire Property, except for the wetland area,⁴ has been developed over the last century with vacation and recreational uses, including a dance hall, beaches, visitor cabins, docks, and piers. This land use pattern has existed since the early 1900s, when the Property was developed, and the southern shore was platted for development.

Moreover, the Property does not meet any of the specific designation criteria for the “Natural” shoreline designation found in the SMP Guidelines. The Callender Study confirms that the Property is not ecologically intact and does not appear to be providing any “irreplaceable function or ecosystem-wide process that would be damaged by human activity.” WAC 173-26-211(5)(a)(iii)(A). Although the area is forested primarily with Douglas fir, there are also various invasive species present throughout the nearshore. The presence of such invasive species and conditions do not indicate that the Property is currently “ecologically intact,” nor does it appear to be providing any irreplaceable function or ecosystem-wide process that would be damaged by human activity. *See* WAC 173-26-211(5)(a)(iii)(A).

Second, the area does not “represent ecosystems and geologic types that are of particular scientific and educational interest[.]” WAC 173-26-211(5)(a)(iii)(B). The shoreline segment at issue has high recreation value due to its well-known reputation as a fishing area. There are no geologic features found in any appreciable quantity that would warrant extra protection beyond the protections offered by the existing “Conservancy” shoreline environmental designation and its corresponding setbacks along with the protections offered by the critical areas code.

Finally, the Property is able to “support new development or uses without significant adverse impacts to ecological functions or risk to human safety.” WAC 173-26-211(5)(a)(iii)(C). The Property contains a slope that would require a steep slope setback (50 feet) and the lake itself has a setback requirement (100 feet). There is no apparent slide zone associated with this slope. Moreover, the trees on the Property’s shore do not show any indicators of sluffing, such as bowing. The extra encumbrance of the natural environment would not provide any special protections not already available; however, it could reduce the flexibility of any development that would be contemplated in the future due to increased setbacks.

2. “Rural Conservancy” Environment

The “Rural Conservancy” designation is meant “to protect ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural flood plain processes, and provide recreational

⁴ There is a wetland associated with a mostly undisturbed, unnamed stream between LOF-5 and LOF-2.

opportunities.” WAC 173-26-211(5)(b)(i). In contrast to the “Natural” designation proposed, which meets none of the designation criteria, the Property meets multiple criteria for the “Rural Conservancy” designation under the SMP Guidelines. *See* WAC 173-26-211(5)(b)(iii). Designation as “Rural Conservancy” is appropriate if any of the criteria are met. *Id.*

The first criterion in WAC 173-26-211(5)(b)(iii)(A) considers whether the shoreline is “currently supporting lesser-intensity resource-based uses, such as agriculture, forestry, or recreational uses” The Property and surrounding area is known for fishing, swimming, and other water recreational activities and has historically served these functions.

The second criterion is WAC 173-26-211(5)(b)(iii)(B), which considers whether “the shoreline is currently accommodating residential uses outside urban growth areas and incorporated cities or towns.” The Property includes residential uses and is outside an urban growth area or incorporated boundary.

The third criterion in WAC 173-26-211(5)(b)(iii)(C) considers whether the “shoreline is supporting human uses but subject to environmental limitations, such as properties that are adjacent to steep banks” This criterion is also met, as the shoreline currently supports human uses but has some limitations on developable areas adjacent to steep banks.

The fourth criterion WAC 173-26-211(5)(b)(iii)(D) considers whether the “shoreline is of high recreational value or with unique historic or cultural resources.” As noted above, the Property has over a century of well-documented water recreational uses.

The current zoning in Shoreline Segments LOF-1, -2, and -5: RRR 1/5 (Rural Residential/Resource) is entirely consistent with the Rural Conservancy designation. Any potential degradation or depletion of the area’s biological resources are adequately mitigated by critical area buffers (Thurston County Code Title 24), which currently apply within the shoreline jurisdiction by ordinance, and which will be adopted by reference in the proposed SMP. In addition to critical areas, the proposed “Rural Conservancy” designation in the draft update will provide for buffers between 110 and 150 feet. As documented in the Callender Report, designation as “Rural Conservancy,” rather than “Natural,” will result in no net loss of ecological functions in this particular shoreline segment.

Therefore, applying the SMP Guidelines, the proposed designation of the Property should be changed to “Rural Conservancy.”

D. The Shoreline Inventory Does Not Support the Proposed “Natural” Designation

In 2013, the County completed an SMP update *Inventory and Characterization Report* (the “Report”).⁵ The Report did not identify any conditions associated with the Property’s

⁵ 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>

shoreline, which explain or support the change in overall designation from “Conservancy” to the more restrictive “Natural” proposed with this update. Perhaps more importantly, due to the length of time associated with the County’s SMP update, the Report has not been updated since its release in 2013. 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). The term “current” is commonly defined to mean “occurring in or existing at the present time.” It would not appear that the Report as a whole can be considered “current” for purposes of the SMP update process unless it is comprehensively updated or supplemented with additional technical information. However, there is no question that the Callender Report is current and reflects existing, site-specific conditions on the Property and its shorelines.

E. Conclusion

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). Proper shoreline designation is a key feature of the County’s update process. Because the Property meets none of the criteria for the proposed “Natural” designation and instead meets multiple criteria for “Rural Conservancy,” we respectfully request that the designation of LOF-1, LOF-2, and LOF-5 be changed to “Rural Conservancy” in the proposed draft SMP.

We appreciate your time and attention to this matter. Thank you again for the opportunity to comment.

Very truly yours,



Heather L. Burgess

HLB/tfv

cc: **(via email only w/attachment)**
Client

Alex Callender, MS, PWS, Land Services Northwest (landservicesnw@gmail.com)

Travis Burns, Thurston County Deputy Prosecuting Attorney

(travis.burns@co.thurston.wa.us)

Attachment:

Tab – Shoreline Reconnaissance Report prepared by Alex Callender, MW, PWS

Tab A

**Shoreline Reconnaissance Report
prepared by Alex Callender, MW, PWS**



Land Services Northwest
120 State Avenue NE PMB 190
Olympia WA 98501

September 9, 2020

to: DeJors Investment LLC

from: Alex Callender MS, PWS, Land Services Northwest

subject: Shoreland Reconnaissance for Parcel No. 011732240300

This report was developed to provide information on the attributes of the subject property to support the Shoreline Environmental Designation decision making process for the current update for the Thurston County Shoreline Master Program, which is now underway. Thurston County, the Department of Ecology, and possibly other agencies may be interested in the results, findings, and conclusions of this report.

1.0 Introduction

1.1 Project Location

The subject property is a 16.62 acre parcel number located at 3847 WALDRICK RD SE, Tenino, WA with the legal description of Section 32 Township 17 Range 1W Quarter GOV LOT 3 Survey TR A Document 4236984 BDSA (BOUNDARY DISPUTE SETTLEMENT AGREEMENT SURVEY) in Thurston County.

1.2 Shoreline segment

The shoreline segment under investigation is found on Offut Lake and includes LOF- 1, LOF-2 and LOF 5 segments found in the draft Inventory and Characterization (Thurston County, 2003) (**Figure 1**).

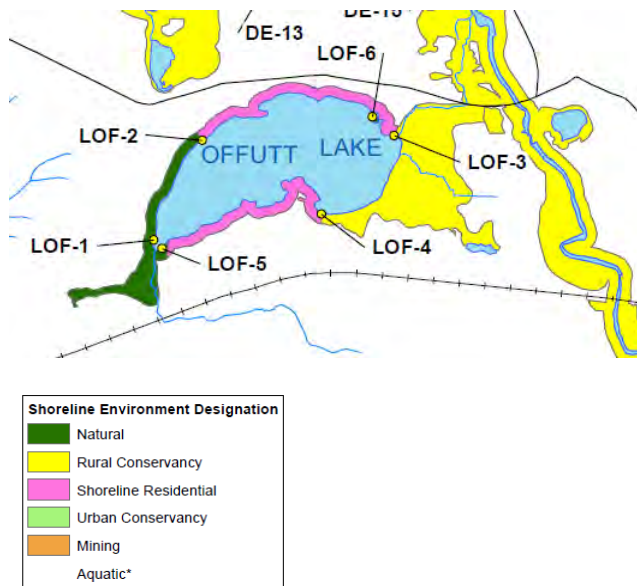


Figure 1 – Draft Shoreline Designations (Thurston, 2017)

The subject property is a portion of the properties under consideration for a shoreline environmental designation change, which also includes the properties found in **(Figure 2)** and Appendix F.

2.0 Historical and Current Conditions

2.1 General property description and position in the Landscape

Offutt Lake was named after the Offutt brothers who made a donation land claim in the 1850's. The lake has been known as a place of respite since its use was popularized by the mill workers in the region with several mills operating in the area.

The subject property is a gently rolling 16.62 acre property adjacent to the approximately 192 acre Offutt Lake to the east. There are forest roads that give access to the wellhouse, residence and other areas of the property for forest management and general ingress and egress to the property. The property has a dock on the lake and the shoreline is modified with a 15-25 foot wide trail to the shoreline to presumably trailer boats to the lake although it appears to mostly be used for pedestrian access. At the top of the lake trail onsite is a large free standing fieldstone fireplace which is the last remnant of the previous development left by the Mr. Mentzer, who purchased the property in the early 1900's about the time the southern shore was platted. Mr. Mentzer, who owned a lumber mill in Tenino, also built a dance hall for entertaining family and friends. That hall existed and was well used in its day and existed until the late eighties.

The current residence exists on top of a slope to the lake, and there are outbuildings to include a small cabin and a storage building. The current single family residence with a deck is now used as a guest cabin. The site has been logged recently and the new forest is emerging to the west of the cabin. There are forest roads and roads for access to the wellsite, as well as a driveway for ingress and egress to the residence and the neighboring cabin to the south. To the west there is Erin Lane SE, to the north is

Waldrick Road SE and parcel# 11732240600 which is also adjacent to Offut Lake and has a single family cabin with a boat house. There is also parcel# 11732240100 which is mostly forested, but also has a single family residence on the southern border. Parcel # 11732240201 is circumscribed by the parcel 11732240100 and contains a single family residence. To the south there is a parcel # 11732240900 which has a part-time resident with a single family residence (**Figure 3A**).

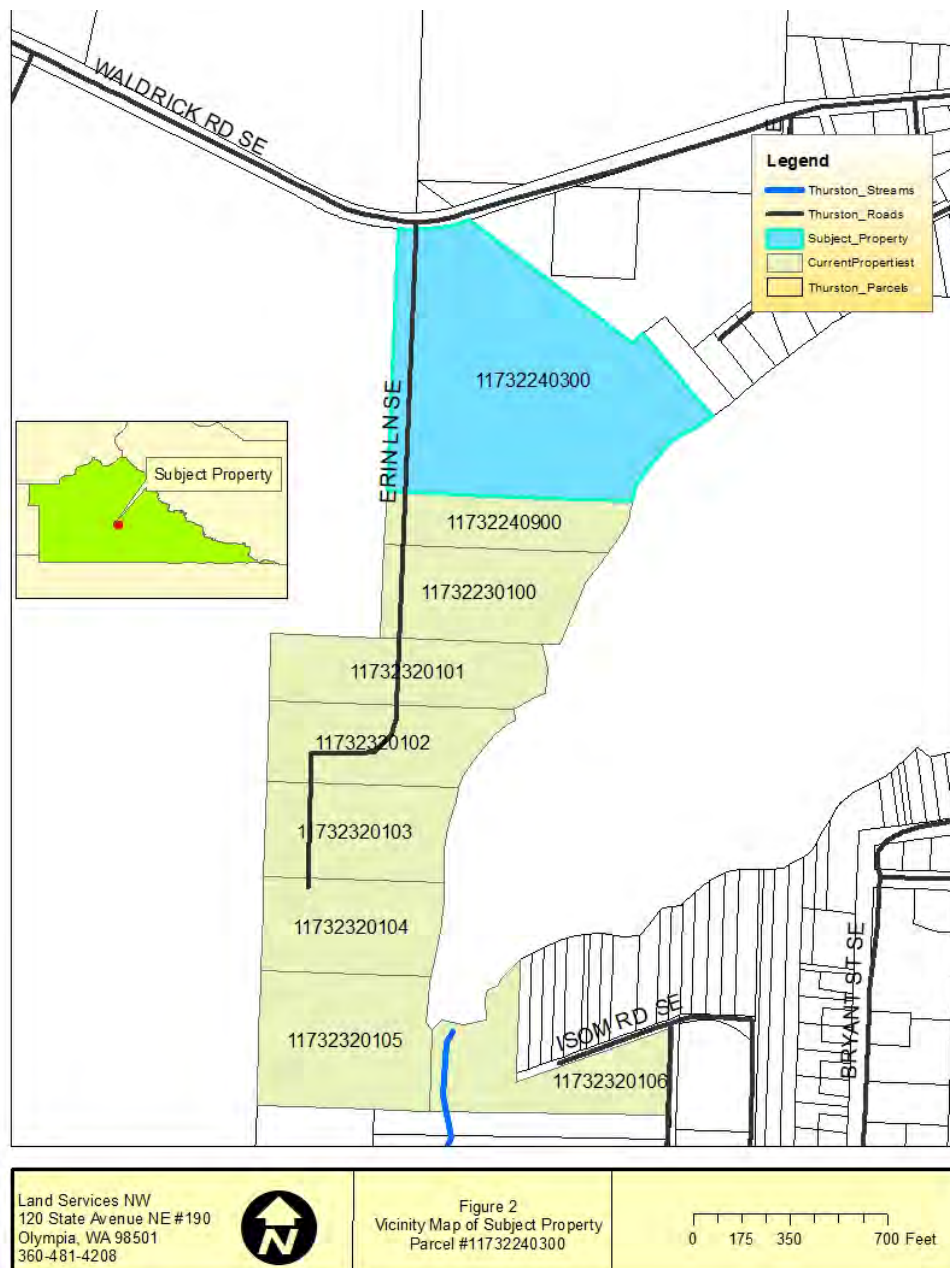


Figure 2 – Subject and Adjoining Properties in Shoreline Segment

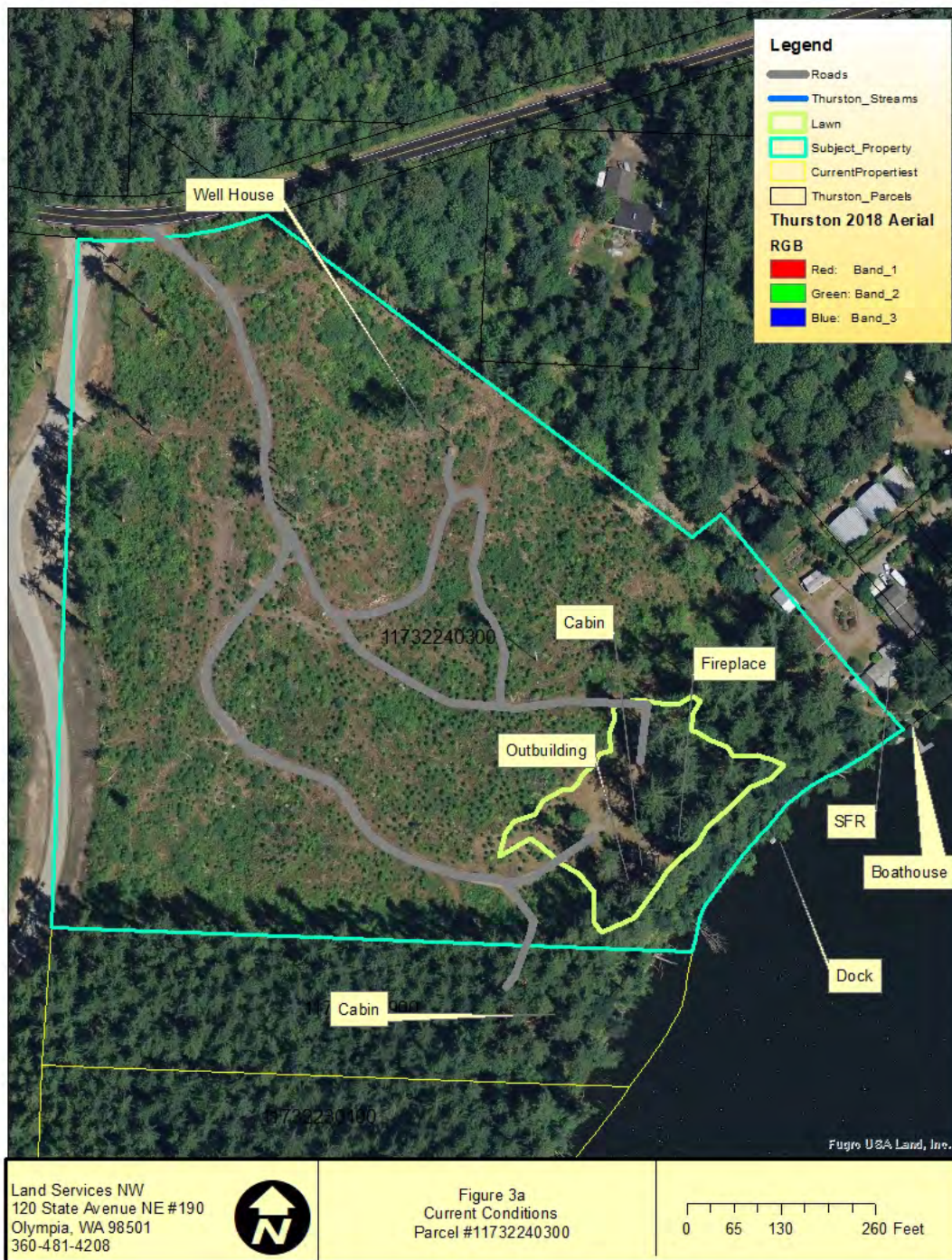


Figure 3a – Current Subject Property Conditions



3.0 Current Shoreline Environmental Designation (SED) and Shoreline Jurisdiction

3.1 Shoreline Jurisdictional area and the Ordinary High Water Mark

The Shoreline Management Act defines the Ordinary High Water Mark in RCW 90.58.030.c. as

(c) "Ordinary high water mark" on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: PROVIDED, That in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water;

The Author was an employee for the Department of Ecology, trained in making these determinations. The protocol can be found in "Determining the Ordinary High Water Mark for Shoreline Management Act Compliance in Washington State" (ECY, 2016). The Ordinary High Water Mark and other features were delineated, and GPS points were taken with an Arrow 100 GPS with differential corrections. This was sufficient for the purposes of the study, however, it is not a survey. Shoreline Jurisdiction is 200 feet in all directions from the ordinary high water mark and includes any associated wetlands that may share the ordinary high water mark with Offut Lake. There are no wetlands in the vicinity of the subject property, however, there is a wetland to the south in the Shoreline Segment of Study. The Current Shoreline Environmental Designation is shown (**Figure 4**)

Currently, the property is designated as "Conservancy" under Thurston County's Shoreline Management Program (SMP). Under this designation the following apply:

4. Conservancy Environment

- a. Residential densities shall not exceed one (1) unit per acre regardless of housing type.
- b. For shoreline lots not clustered, the minimum lot size shall be forty thousand (40,000) square feet of dry land area and the minimum lot width shall be one hundred (100) feet (measured at the ordinary high water mark and at the building setback line). Lot coverage with impervious surfaces in this environment shall not exceed thirty percent (30%).
- c. The basic setback for residential structures shall be one hundred (100) feet from the ordinary high-water mark and/or comply with General Regulation #16.
- d. Land clearing and grading is permitted after obtaining a shoreline permit, an exemption from the Administrator, or a land clearing permit from the local jurisdiction for preparation of new building sites. 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. The ground cover in the buffer may be disturbed only after approval of the Administrator where one or more of the following conditions apply:

(1) A building site has been approved in the buffer area and an erosion control and vegetation protection plan has been approved by the Administrator.

(2) The applicant wishes to landscape the area with other vegetation and has an erosion control plan approved by the Administrator.

(3) When the construction of access pathway is proposed for to the shoreline, vegetation will be removed only within the boundaries of constructed access pathway.

Most uses are currently allowed within the Conservancy designation after obtaining a conditional use permit or substantial development permit. Industrial development and port uses are prohibited, including upland storage of logs. (III.VIII.D.2). Expansion and maintenance of existing log storage and handling facilities is allowed.

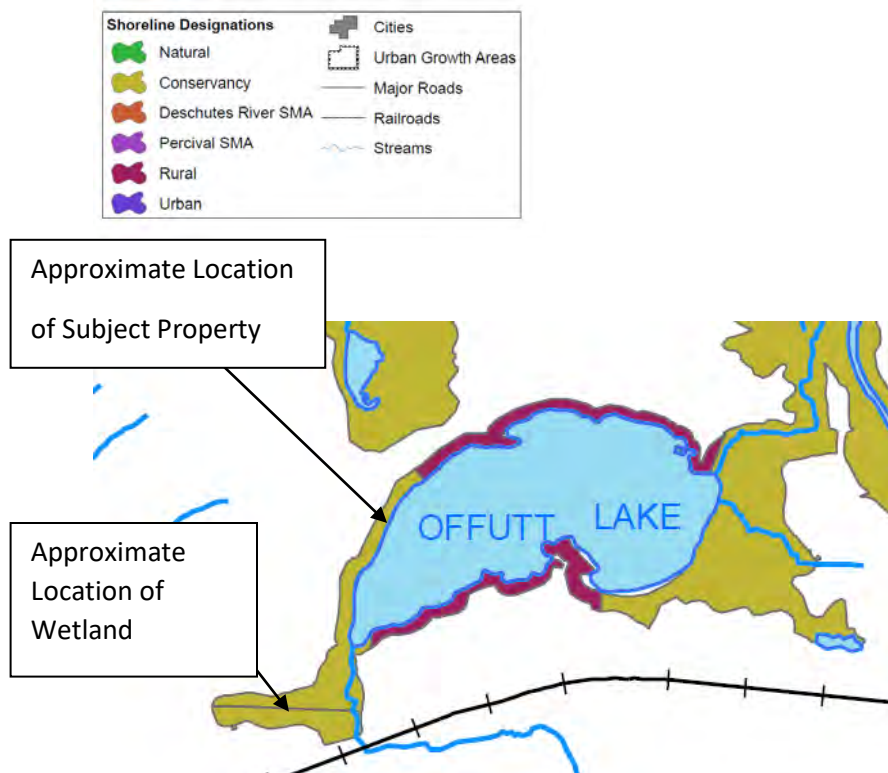


Figure 4 – Current Shoreline Environmental Designation (SED)

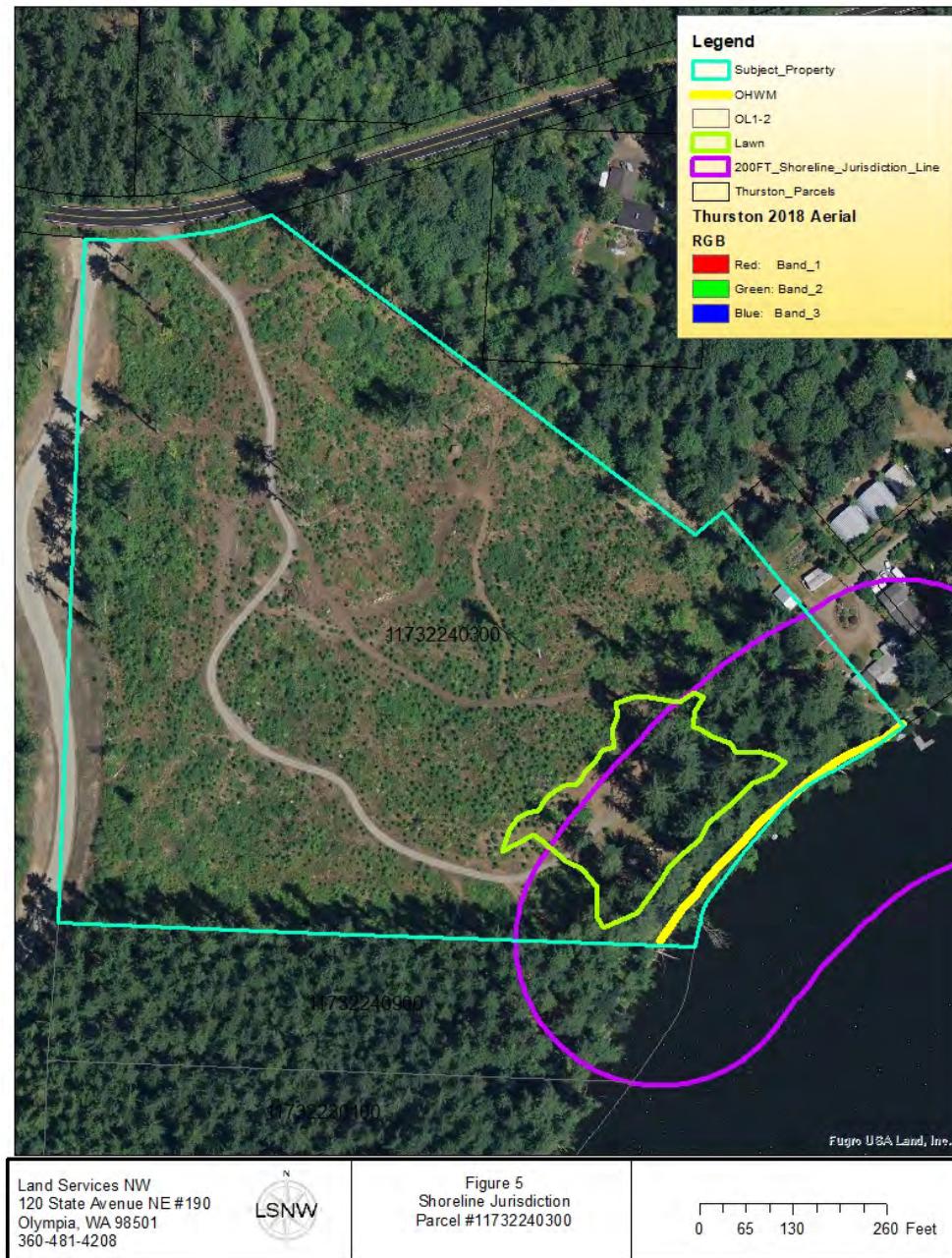


Figure 5a - Onsite Shoreline Jurisdiction

4.0 Methods

4.1 Existing Information

A review of existing information of the property was studied to provide a better understanding of the property and its position in the landscape. The information is included in the Appendix A-G.

US Fish and Wildlife Service National Wetland Inventory

The US Fish and Wildlife Service maintains a GIS with wetlands that are detectable using SPOT Satellite photography. This imagery has limitations as the resolution is relatively coarse, therefore it is not always reliable. This data base does not show any wetlands within 315 feet of the subject property. It does show Offut Lake in its current location as L1UBH which is the Cowardin Classification for Lacustrine, Limnetic, Unconsolidated Bed, Permanently Flooded. It also shows a PEM1C or Palustrine Emergent Seasonally Flooded wetland just offsite to the north. No wetland was found in this area during the reconnaissance. Further to the south on the western shore of Offut Lake it shows two smaller PSSC of Palustrine Shrub scrub seasonally flooded wetlands. There is a wetland between LOF 2 and LOF 5 which is listed as PFOC which is Palustrine, Forested, Seasonally flooded. The satellite photography used for the data is sometimes outdated and not always a high resolution which makes onsite visits necessary to verify.

NRCS Soil Survey for Thurston County

The NRCS maintains a GIS of soils information for Thurston County. It shows the subject property and surrounding property as having :

- Everett gravelly sandy loam 15 to 30% slopes
- Everett gravelly sandy loam 3-15% slopes
- Spanaway gravelly sandy loam 3-15% slopes

No organic or hydric soils found on site and most soils are typical of those found in glacial outwash prairies.

There are lower lying portions to the south offsite associated with what appear to be wetland areas in the segment that also have organic Mulkiteo Muck soils, however these areas were not field verified during the reconnaissance. It appears that these areas are outside of shoreline jurisdiction (>200 feet from the OHWM), with the exception of the wetland area that is associated with the un-named stream between LOF 2 and LOF 5 segments.

Thurston County Geodata Shapefiles

Thurston County maintains a GIS shapefile inventory of Wetlands and Streams and Waterbodies in the county which has additional local knowledge in addition to the NWI information. The database shows a wetland in the approximate position as Offut Lake, as well as, offsite wetlands to the southwest, where the organic soils area found. These wetlands to the west appear to be isolated and there is not enough

science on the influence of isolated wetlands to create a significant nexus with the lake. There is a wetland associated with an un-named stream that appears to be the input for the lake (**Appendix D**).

USGS Topographic Map

The USGS has a list of maps that cover the United States in 7.5 minute quadrants. These maps note wetlands, streams and lakes. This map does not show any wetlands streams or other features nearby except for Offut Lake (**Appendix E**).

Since these are just indicators derived from satellite photography and other remote sensing methods, an onsite visit was conducted to verify on site conditions.

Department of Ecology Water Quality Atlas Data

The Department of Ecology maintains a GIS Database of surface water attributes. In this instance, they show Offut Lake as listed 303d as well as the Deschutes to which it drains (**Appendix H**). In the remarks it states:

The water quality assessment category 5 was based on results indicating an exceedance of Total PCBs based on the sum of PCB aroclors, and also an exceedance of Total PCBs based on the sum of PCB congeners, in fillet samples of largemouth bass.

Category determination based on results from lab methods for PCB Aroclors and PCB congeners.
--

Sample results exceeded the FTEC; therefore the Assessment Unit meets the requirements for a Category 5 determination.
--

The FTEC (fish tissue equivalent concentration) is the concentration of a contaminant in fish tissue that Washington equates to the National Toxics Rule water quality criterion for the protection of human health.
--

Data

The Deschutes River Basin is currently implementing a TMDL to improve water quality in the basin.

4.2 Onsite Survey

Methods

A walking survey was conducted by working downhill from the subject property to the lower areas to the east on the and then traversing back up along the hill on different transects through the woods looking for streams and wetlands, steep slopes and other critical features. Suspicious areas where there were depressions, hydrophytic vegetation, or other indicators of wetlands or the flow of water were explored using the methodology found in the Army Corps of Engineers Wetland Delineation Manual (Environmental Laboratory, 1987) and the regional guidance found in the Mountains Coasts and Valleys Supplement to the Corps Manual (USACE, 2010). General observations of habitat, overall shoreline use were also noted. The Ordinary High Water Mark was determined using guidance found in

4.3 Results

The site was surveyed and there were slopes down to Offut lake that were approximately 10-30 percent. Some (5) Garry oaks (*Quercus garryana*) were discovered during the survey and were typically 12-24 inches in diameter. No endemic oak species such as the Western grey squirrel were found during the survey and the PHS map did not indicate that species was found in the area. Soils preferred by the Mazama pocket gopher were noted, however, no mounds were found during the survey. Even though Land Services Northwest is qualified to make a presence absence determination for the Mazama pocket gopher, this reconnaissance did not constitute a formal survey for this species for ESA permitting as the proper survey methods for the species was not followed.

The vegetation along the slope was typical for upland area in glacial outwash prairie soils. Douglas fir, Western red cedar, Big leaf maple and Red alder were found in upland areas with an understory of Ocean spray, Osoberry, Snowberry, salal and other smaller forbes. The area had a significant amount of invasive species such as English holly, English ivy, Himalayan blackberry and cutleaf blackberry Robert's geranium and Reed canary grass. The water was checked and although it was late summer, floating pondweeds were not found in this part of the lake and the lake bed was cobble. There was some Slough sedge and red osier dogwood in the transitional area between the summer lake level and the Ordinary high water mark. It did not appear to be enough to constitute a lake fringe wetland (>30% cover).

5.0 SHORELINE MASTER PROGRAM UPDATE GUIDELINES AND ECOLOGY GUIDANCE

5.1 SMP Guidelines

The Shoreline Master Program Update Guidelines for Shoreline Environmental Designations can be found in WAC 173 – 26- 211. The Shoreline Planners Handbook (ECY, 2009) list five shoreline jurisdictions as follows:

The SMP Guidelines provide extensive direction on developing shoreline environment designations. First, the Guidelines note that master programs “address conditions and opportunities of specific shoreline segments” through environment designations [WAC 173-26-191(1)(a)]. Section 201 directs local governments to “establish environment designations and identify permitted uses and development standards for each environment designation” based on the shoreline inventory and analysis and to prepare policies and regulations [WAC 173-26-201(3)]. Environment designations are addressed more thoroughly in Section 211 of the Guidelines. This section addresses basic requirements, consistency with the local comprehensive plan, required provisions such as management policies and designation criteria, and recommended environment designations. The Guidelines recommends a classification system with six basic shoreline environments:

- High Intensity. • Shoreline Residential. • Urban Conservancy. • Rural Conservancy. • Natural. • Aquatic.

Local governments can establish a classification system different than that included in the Guidelines, or use their current environment designations. However, tailored environment designations **must be consistent with the policies and purposes of the general environment designation provisions in the Guidelines** and cover the breadth of the environments – the complete scheme for shoreline management – as included in the Guidelines [WAC 173-26- 211(4)(c)]. For each environment designation, a purpose, designation criteria and management policies must be established. These are already provided for in the six environment designations recommended (ECY, 2007)

WAC 173 26-211 (ii) **Classification criteria.** Clearly stated criteria shall provide the basis for classifying or reclassifying a specific shoreline area with an environment designation.

The area that is currently undergoing classification is listed in the Thurston County SMP Update Inventory and Characterization as LOF-1 and LOF-2 and LOF – 5 (**Figure 6**). The current SED for this area is “Conservancy”. The latest draft is considering changing the designation to “Natural”.

5) The designations.

(a) "Natural" environment.

(i) **Purpose.** The purpose of the "natural" environment is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Consistent with the policies of the designation, local government should include planning for restoration of degraded shorelines within this environment.

There are few areas that are "relatively free of human influence in this shoreline segment. All areas except for the wetland have undergone some development to include as previously mentioned dance halls, beaches, visitor cabins, and docks and piers. This land use pattern has existed since the early 1900's when the property was developed and the southern shore was platted for development.

(iii) **Designation criteria.** A "natural" environment designation should be assigned to shoreline areas if any of the following characteristics apply:

- (A) The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity;

An assessment of the area has determined that the area is not ecologically intact and it does not appear to be providing any irreplaceable function or ecosystem-wide process that would be damaged by human activity. Water quality should be protected under the current system. Vegetative coverage in shoreline jurisdiction would be maintained to the extent of the buffers.

- (B) The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or

The area has a high recreation value, as the area is well known locally as a fishing area for the stocked fish in the lake, however, there are not any geologic features found in any appreciable quantity that they would warrant extra protection beyond the protections offered by the existing Conservancy SED and its setbacks combined with the protections offered by the critical areas code. The preferred Rural conservancy SED would track well with the current conditions as well.

- (C) The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.

There is a slope that would require a steep slope setback(50-feet) and the lake itself has a setback requirement (100-feet). There is not apparent slide zone associated with this slope and the trees on shore do not show any indicators of sluffing, such as bowing. The extra encumbrance of the natural environment would not provide any special protections not already available, however it could reduce the flexibility of any development that would be contemplated in the future as the shoreline setback would increase to 200-feet. The guidelines show area that warrant special protection would be largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats.

None of these features are found in the shoreline in this portion of the lake, however there is a wetland associated with the un-named stream that is mostly undisturbed. This is in between LOF 5 and 2.

Ecologically intact shorelines, as used here, means those shoreline areas that retain the majority of their natural shoreline functions, as evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, ecologically intact shorelines are free of structural shoreline modifications, structures, and intensive human uses. In forested areas, they generally include native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water bodies.

Recognizing that there is a continuum of ecological conditions ranging from near natural conditions to totally degraded and contaminated sites, this term is intended to delineate those shoreline areas that provide valuable functions for the larger aquatic and terrestrial environments which could be lost or significantly reduced by human development. Whether or not a shoreline is ecologically intact is determined on a case-by-case basis.

The subject property is not relatively free of human development as required by the guidelines. The ecological condition which is described as large would more appropriately be applied to an area such as the Black River Wildlife Refuge where development would not be appropriate, as there are large stretches of shoreline without trails or other access features. The subject shoreline has a small dock for mooring and fishing. There is a graded road/trail down the hill to the shoreline. The neighboring features also have developed access.

*Although the area is forested primarily with Douglas fir, the understory has a number of invasive species such as Himalayan blackberry (*Rubus armeniacus*) and Cut-leaf blackberry (*Rubus lacianatus*), and English ivy (*Helix hedera*) which is prevalent throughout the nearshore. Flag Iris was found in the transition zone between the OHWM and summer low levels. Invasive pond lilies are found in the water and although often overlooked because of their slow growing nature, they are invasive and often can overtake much of the native vegetation in the nearshore. Potemegeton or common pond weeds are also found in the nearshore. This would not be considered ecologically intact, however, they are not beyond the ability to restore them to that condition over time. The dock and boat storage areas is forested, but lacks an understory. The next door neighbor to the north has an over-the-water boathouse.*

The term "ecologically intact shorelines" applies to all shoreline areas meeting the above criteria ranging from larger reaches that may include multiple properties to small areas located within a single property.

It does not appear that the area is ecologically intact according to these criteria.

Areas with significant existing agriculture lands should not be included in the "natural" designation, except where the existing agricultural operations involve very low intensity uses where there is no significant impact on natural ecological functions, and where the intensity or impacts associated with such agriculture activities is unlikely to expand in a manner inconsistent with the "natural" designation.

There are no agricultural activities in this area.

b) "Rural conservancy" environment.

(i) **Purpose.** The purpose of the "rural conservancy" environment is to protect ecological functions, conserve existing natural resources and valuable historic and cultural areas in order

to provide for sustained resource use, achieve natural flood plain processes, and provide recreational opportunities. Examples of uses that are appropriate in a "rural conservancy" environment include low-impact outdoor recreation uses, timber harvesting on a sustained-yield basis, agricultural uses, aquaculture, **low-intensity residential development** and other natural resource-based low-intensity uses.

(ii) Management policies.

- (A) Uses in the "rural conservancy" environment should be limited to those which sustain the shoreline area's physical and biological resources and uses of a nonpermanent nature that do not substantially degrade ecological functions or the rural or natural character of the shoreline area.

The subject property and surrounding property has limited development and does not include bulkheads or other development that would substantially degrade the ecological functions. In fact, unlike many of the shoreline areas in Thurston County, this shoreline has been developed for years with a rich history of forestry and community that has enjoyed the recreational use of the shoreline while sustaining the ecological functions of the area without degradation.

Except as noted, commercial and industrial uses should not be allowed. Agriculture, commercial forestry, and aquaculture when consistent with provisions of this chapter may be allowed. Low-intensity, water-oriented commercial and industrial uses may be permitted in the limited instances where those uses have located in the past or at unique sites in rural communities that possess shoreline conditions and services to support the use.

The area has been maintained as forestland with the exception of the addition of some formal maintenance roads. The only water oriented uses are associated with the primarily residential use, a preferred use in this environment when consistent with the Shoreline Master Program and the Shoreline Management Act.

Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time, such as boating facilities, angling, hunting, wildlife viewing trails, and swimming beaches, are preferred uses, provided significant adverse impacts to the shoreline are mitigated.

These are common facilities that are now present and conducted as there is a dock in the vicinity of the subject property. There is also a boat storage area for paddle type boats which is also consistent with allowed uses on the lake. There are no commercial ventures contemplated for this environment.

Mining is a unique use as a result of its inherent linkage to geology. Therefore, mining and related activities may be an appropriate use within the rural conservancy environment when conducted in a manner consistent with the environment policies and the provisions of WAC [173-26-241](#) (3)(h) and when located consistent with mineral resource lands designation criteria pursuant to RCW [36.70A.170](#) and WAC [365-190-070](#).

- (B) Developments and uses that would substantially degrade or permanently deplete the biological resources of the area should not be allowed.

The existing buffers under the CAO which would be adopted by reference in the new SMP and the SED buffers would prevent the substantial degradation or depletion of the biological resources of

the area. The cumulative impacts of full build out of the area would still allow the shoreline functions as they are now maintained.

- (C) Construction of new structural shoreline stabilization and flood control works should only be allowed where there is a documented need to protect an existing structure or ecological functions and mitigation is applied, consistent with WAC [173-26-231](#). New development should be designed and located to preclude the need for such work.

The slopes that surround the shoreline and the limits of motorized boat traffic to 5hp prevents the requirements for structural shoreline stabilization. Maintenance of the mature forest overstory would add to the shoreline resiliency.

New development would have to be situated sufficiently far away so as to not require flood control works.

- (D) Residential development standards shall ensure no net loss of shoreline ecological functions and should preserve the existing character of the shoreline consistent with the purpose of the environment. As a general matter, meeting this provision will require density, lot coverage, vegetation conservation and other provisions.

The zoning provisions in the Shoreline Segments LOF 1, 2 and 5 are RRR1/5, Rural Residential/Resource. There are no plans to exceed this density and there are no known reasons why the area should not be able to support this density and still maintain the shoreline functions of the area.

Scientific studies support density or lot coverage limitation standards that assure that development will be limited to a maximum of ten percent total impervious surface area within the lot or parcel, will maintain the existing hydrologic character of the shoreline. However, an alternative standard developed based on scientific information that meets the provisions of this chapter and accomplishes the purpose of the environment designation may be used.

The standards for impervious surfaces should be maintained.

Master programs may allow greater lot coverage to allow development of lots legally created prior to the adoption of a master program prepared under these guidelines. In these instances, master programs shall include measures to assure protection of ecological functions to the extent feasible such as requiring that lot coverage is minimized and vegetation is conserved.

The lot coverage in the LOF 1, 2 and 5 will be newly created lots when they are subdivided so they will operate under the new measures to assure protection of ecological functions. Currently, the vegetation must be maintained in the development area to the extent feasible.

- (E) New shoreline stabilization, flood control measures, vegetation removal, and other shoreline modifications should be designed and managed consistent with these guidelines to ensure that the natural shoreline functions are protected. Such shoreline modification should not be inconsistent with planning provisions for restoration of shoreline ecological functions.

(iii) **Designation criteria.** Assign a "rural conservancy" environment designation to shoreline areas outside incorporated municipalities and outside urban growth areas, as defined by RCW [36.70A.110](#), if any of the following characteristics apply:

(A) The shoreline is currently supporting lesser-intensity resource-based uses, such as agriculture, **forestry**, or recreational uses, or is designated agricultural or forest lands pursuant to 2

(B) The shoreline is currently accommodating residential uses outside urban growth areas and incorporated cities or towns;

This is being met. There are no urban growth areas in this shoreline reach.

(C) The shoreline 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;

There are some areas with steep banks, but they are adjacent to developable areas.

(D) The shoreline is of high recreational value or with unique historic or cultural resources; or

The area is known to be a fine lake for recreational fish, swimming and other water enjoyment activities. It has a history for this function.

(E) The shoreline has low-intensity water-dependent uses.

As mentioned earlier, it has boating, fishing and swimming.

Areas designated in a local comprehensive plan as "limited areas of more intensive rural development," as provided for in chapter [36.70A](#) RCW, may be designated an alternate shoreline environment, provided it is consistent with the objectives of the Growth Management Act and this chapter. "Master planned resorts" as described in RCW [36.70A.360](#) may be designated an alternate shoreline environment, provided the applicable master program provisions do not allow significant ecological impacts.

Lands that may otherwise qualify for designation as rural conservancy and which are designated as "mineral resource lands" pursuant to RCW [36.70A.170](#) and WAC [365-190-070](#) may be assigned a designation within the "rural conservancy" environment that allows mining and associated uses in addition to other uses consistent with the rural conservancy environment.

There are no mines in this shoreline.

5.2 2013 Thurston County Inventory and Characterization (Draft)(2008) Inventory and Characterization and other Findings

The Thurston County Draft Inventory and Characterization failed to make any differentiation of changes found in the subject shoreline to support the change in environmental designation from Conservancy to Natural. This document has not been updated since its development.

Some of the highlights of this document with regard to the subject shoreline is recognition that the input streams are not themselves shorelines, however, they are protected under the critical areas codes as Fish and Wildlife Habitat Conservation Areas. The stream which outlets to the Deschutes is noted as having a barrier to fish so the lake will not support salmonids, however it is stocked with rainbow trout

cutthroat trout and has largemouth bass among other fishes. It states that it may support bald eagles and wood duck.

The document states, “The east and west lake shores still retain primarily unmodified vegetation.” This would be in contrast to our findings as the vegetation on this site has some native vegetation, but some area have modified ornamental vegetation.

The identified issues cited were mentioned in The Deschutes Watershed Characterization Report (Thurston County, 2011) identified potential riparian, wetland, and floodplain restoration or protection sites around Offutt Lake.

It is not clear where these opportunities exist.

Puget Sound Water Flow Characterization Management Strategies (Stanley et al., 2012) Offutt Lake and Offutt Lake Creek is recommended for highest protection.

This study is concerned primarily with water flow management and it does not appear that any development done in a manner supported by the current shoreline environmental designation would result in impairment as the protections offered by the CAO are currently some of the strictest in the state.

*In fact, the Deshutes Basin Evaluation (Thurston County, 2013) mentions that the Planned Impacts of growth are “Likely to remain in the current conditions”. The Cumulative Impacts Analysis Working Draft points to the area between the Deschutes River and Offut Lake and **not** the western shore of Offut Lake as important for protection. (Thurston County, 2018)*

TABLE 12: BASIN GROUPINGS BASED ON BASIN AND IN-STREAM CONDITIONS AND WATER FLOW PROCESS DEGRADATION.

Budd Inlet/Deschutes River Watershed	Landscape Group	Categories - Current Basin and In-Stream Conditions	Puget Sound Watershed Characterization Water Flow Degradation				Revised Current Condition Categories
			Delivery	Surface Water	Groundwater Recharge	Groundwater Discharge	
			Budd Inlet/Deschutes River Watershed				
Black Lake	Lowland	Impacted	Medium	n/a	Medium	Medium	Impacted
Capitol Lake	Lowland	Degraded	High	n/a	High	Low	Degraded
Chambers	Lowland	Impacted	Medium	Medium	Medium	Medium	Impacted
Deschutes River (Lower)	Lowland	Impacted	Medium	Medium	Medium	Medium	Impacted
Deschutes River (Middle)	Lowland	Sensitive	Low	Medium	Low	Low	Sensitive
Deschutes River (Upper)	Mountain	Sensitive	Low	Low	Low	Low	Sensitive
East Bay 1	Coastal	Sensitive	Low	Low	Low	Low	Sensitive
East Bay 2	Coastal	Sensitive	Low	Low	Low	Low	Sensitive
East Bay 3	Coastal	Impacted	Medium	Medium	Medium	Medium	Impacted
East Bay 4	Coastal	Impacted	Medium	Medium	Medium	Medium	Impacted
Ellis Creek	Coastal	Sensitive	Medium	Medium	Low	Low	Sensitive
Indian Creek	Lowland	Degraded	High	High	Medium	High	Degraded
Lake Lawrence	Lowland	Impacted	Low	n/a	Low	Medium	Impacted
Mountain Lake	Lowland	Sensitive	Low	Low	Low	Low	Sensitive
Mission Creek	Coastal	Impacted	Medium	Medium	Medium	Low	Impacted
Moxie Creek	Lowland	Degraded	High	Medium	High	Low	Degraded
Offutt Lake	Lowland	Sensitive	Low	n/a	Low	Medium	Sensitive
Percival Creek	Lowland	Impacted	Medium	Medium	Medium	Medium	Impacted
Reichel Lake	Mountain	Impacted	Low	n/a	Low	Medium	Impacted
Schneider Creek (W/E)	Coastal	Impacted	Medium	Low	Medium	Low	Impacted
Surgeon Creek	Lowland	Sensitive	Low	Medium	Low	Low	Sensitive
West Bay 1	Coastal	Sensitive	Low	Low	Low	Medium	Sensitive
West Bay 2	Coastal	Sensitive	Medium	Medium	Low	High	Impacted
West Bay 3	Coastal	Degraded	High	Low	High	Low	Degraded

TABLE 17: BASIN EVALUATION FOR EFFECTIVENESS OF MANAGEMENT STRATEGIES.

Basin or sub-basin	Current Conditions (Table 12)	Impacts due to Growth (Table 17)	Potential Dwelling Units (TRPC 2013)	Potential Dwelling Units/Sq Mi	Zoning changes an effective tool? (Criteria in Table 15)	Initial Screening Outcomes
Budd Inlet/Deschutes						
Black Lake	Impacted	At risk of further impacts	3,158	460	Yes	Yes
Capitol Lake	Degraded	Likely to remain in current condition	639	336	Yes	No
Chambers	Impacted	Possibly at risk of further impacts	5,648	426	Yes	Possibly - Yes
Deschutes River (Lower)	Impacted	Possibly at risk of further impacts	3,954	226	Yes	Possibly - Yes
Deschutes River (Middle)	Sensitive	Possibly at risk of further impacts	1,948	54	No	No
Deschutes River (Upper)	Sensitive	Likely to remain in current condition	37	1	No	No
East Bay 1	Sensitive	Likely to remain in current condition	19	33	No	No
East Bay 2	Sensitive	Likely to remain in current condition	15	14	No	No
East Bay 3	Impacted	Likely to remain in current condition	27	20	No	No
East Bay 4	Impacted	Likely to remain in current condition	22	24	No	No
Ellis Creek	Sensitive	Possibly at risk of further impacts	129	88	Yes	Possibly - Yes
Indian Creek	Degraded	Likely to remain in current condition	870	374	Yes	No
Lake Lawrence	Impacted	Likely to remain in current condition	160	44	No	No
McIntosh Lake	Sensitive	Likely to remain in current condition	51	20	No	No
Mission Creek	Impacted	Possibly at risk of further impacts	490	427	Yes	Possibly - Yes
Moxie Creek	Degraded	Likely to remain in current condition	1,683	430	Yes	No
Offut Lake	Sensitive	Likely to remain in current condition	120	43	No	No
Percival Creek	Impacted	Possibly at risk of further impacts	5,378	609	Yes	Possibly - Yes
Reichel Lake	Impacted	Likely to remain in current condition	41	6	No	No
Schneider Creek (West Bay)	Impacted	Possibly at risk of further impacts	812	782	Yes	Possibly - Yes
Spurgeon Creek	Sensitive	Likely to remain in current condition	353	37	No	No
West Bay 1	Sensitive	Possibly at risk of further impacts	101	76	No	No
West Bay 2	Impacted	At risk of further impacts	441	688	Yes	Yes
West Bay 3	Degraded	Likely to remain in current condition	859	967	Yes	No

(Thurston County, 2013)

Accordingly, the management strategy outlined by Stanley et al, 2010 as used in the Basin Analysis and Management Strategies for Thurston County would suggest that the area is suited for conservation which is more properly suited to the Conservancy SED.

Conclusions

The subject property was explored using commonly accepted protocols. Onsite conditions do not include a pristine or native vegetated shoreline with irreplaceable functions. The area has been logged and has a high functioning area of regrowth and all the properties have roads to service future development, although none is proposed at this time. There are no physical shoreline modifications, and limited piers and docks, typical of development found in a rural conservancy shoreline jurisdiction. A desktop study of the neighboring areas in the shoreline reaches of LOF 1, 2 and 5 found no features in shoreline jurisdiction that would be affected by the cumulative impacts of expected development, given the existing development constraints already imposed by the Shoreline Master Program under the existing shoreline environmental designation of Conservancy and the additional overlay of the Critical Areas Code which would be adopted in shoreline jurisdiction upon acceptance of the new Shoreline Master Program. The designation as Rural Conservancy rather than Natural would still result in no net loss of ecological functions in this particular reach.

Reference:

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. U.S. Fish and Wildlife Service, Department of the Interior. FWSOBS-70/31.

Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1, US Army Engineer Waterways Experiment Station, Vicksburg, Miss.

Federal Geographic Data Committee. 2013. Classification of wetlands and deep water habitats of the United States. FGDC-STD-004-2013. Second Edition. Wetlands Subcommittee, Federal Geographic Data Committee and U.S. Fish and Wildlife Service, Washington, DC.

Hitchcock, C.L., and A. Cronquist. 1973. *Flora of the Pacific Northwest*. University of Washington Press. 730 pp.

Hruby, T. (2014). Washington State Wetland Rating System for Western Washington: 2014 Update. (Publication #14-06-029). Olympia, WA: Washington Department of Ecology.

Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016.
The National Wetland Plant List: 2016 wetland ratings.
Phytoneuron 2016-30: 1-17. Published 28 April 2016. ISSN 2153 733X

Munsell Color. 1988. *Munsell Soil Color Charts*. Kollmorgen Instruments Corp., Baltimore, Maryland.

National Technical Committee for Hydric Soils (NTCHS). 2015. The hydric soil technical standard. Hydric Soils Technical Note 11. https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_051608.pdf (accessed 19 September 2016).

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Field Indicators of Hydric Soils in the United States, Version 7.0. G.W. Hurt and L.M. Vasilas (eds.). USDA, NRCS, in cooperation with the National Technical

Committee for Hydric Soils.

U.S. Army Corps of Engineers. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-10-3. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

USDA, NRCS. 2016. The PLANTS Database (<http://plants.usda.gov>, 5/28/2017). National Plant Data Team, Greensboro, NC 27401-4901 USA. <http://plants.usda.gov>

Thurston County Planning and Economic Development, 2013. Basin Evaluation and Management Strategies For Thurston County WRIs 13 and 14. Olympia, WA

Thurston County Planning and Economic Development. 2018. Cumulative Impacts Analysis – Working Draft. Olympia, WA

Thurston County Water Resources. 2010. Offut Lake Lake level Elevations. Thurston County Public Works. Olympia, WA. Last accessed at <https://www.co.thurston.wa.us/tcweeds/lakes/lakes-monitoring.html> on September 9, 2020

U.S. Fish and Wildlife Service. 1973. *National Wetlands Inventory Map, Maytown Quadrangle*.

Washington State Department of Ecology. 2009. Shoreline Planners Handbook. ECY Publication # 11-06-010. December, 2017

Washington State Department of Ecology. 2014. Washington State Wetland Rating System for Western Washington. Ecology Publication # 04-06-025. August. 2014

Washington Department of Ecology. 2020. Water Quality Atlas. Accessed September 9, 2012 <https://fortress.wa.gov/ecy/waterqualityatlas/map.aspx?CustomMap=y&RT=1&Layers=30&Filters=n,y,n,n&F2.1=0&F2.2=0&BBBox=-14338616,5395963,-12562831,6503994>

Washington State Department of Natural Resources. 1994. *Endangered, Threatened and Sensitive Vascular Plants of Washington*.

Washington State Department of Fish and Wildlife. 1999. Species of concern: State candidate species. WDFW. Olympia, WA.

Appendix A

Photos



Onsite Dance Hall Circa 1900's





Onsite Well



Replanted Trees



Access Roads





Mowed Lawn



Remnants of Earlier Development



Typical Understory



Trail – Boat Access



Invasive Flag Iris



Neighbors Boathouse to Waters Edge





Invasive English Ivy



Boat Storage Area

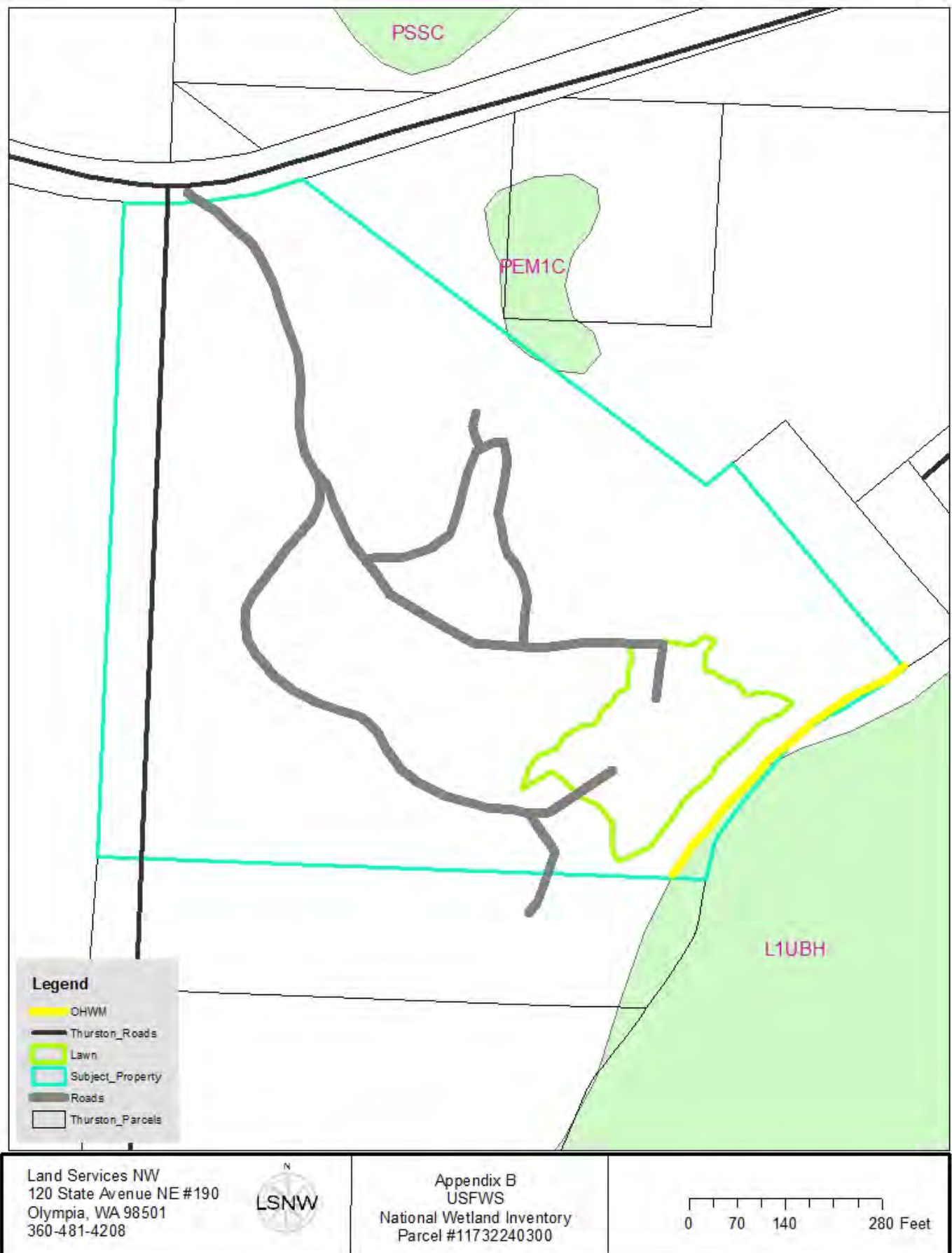


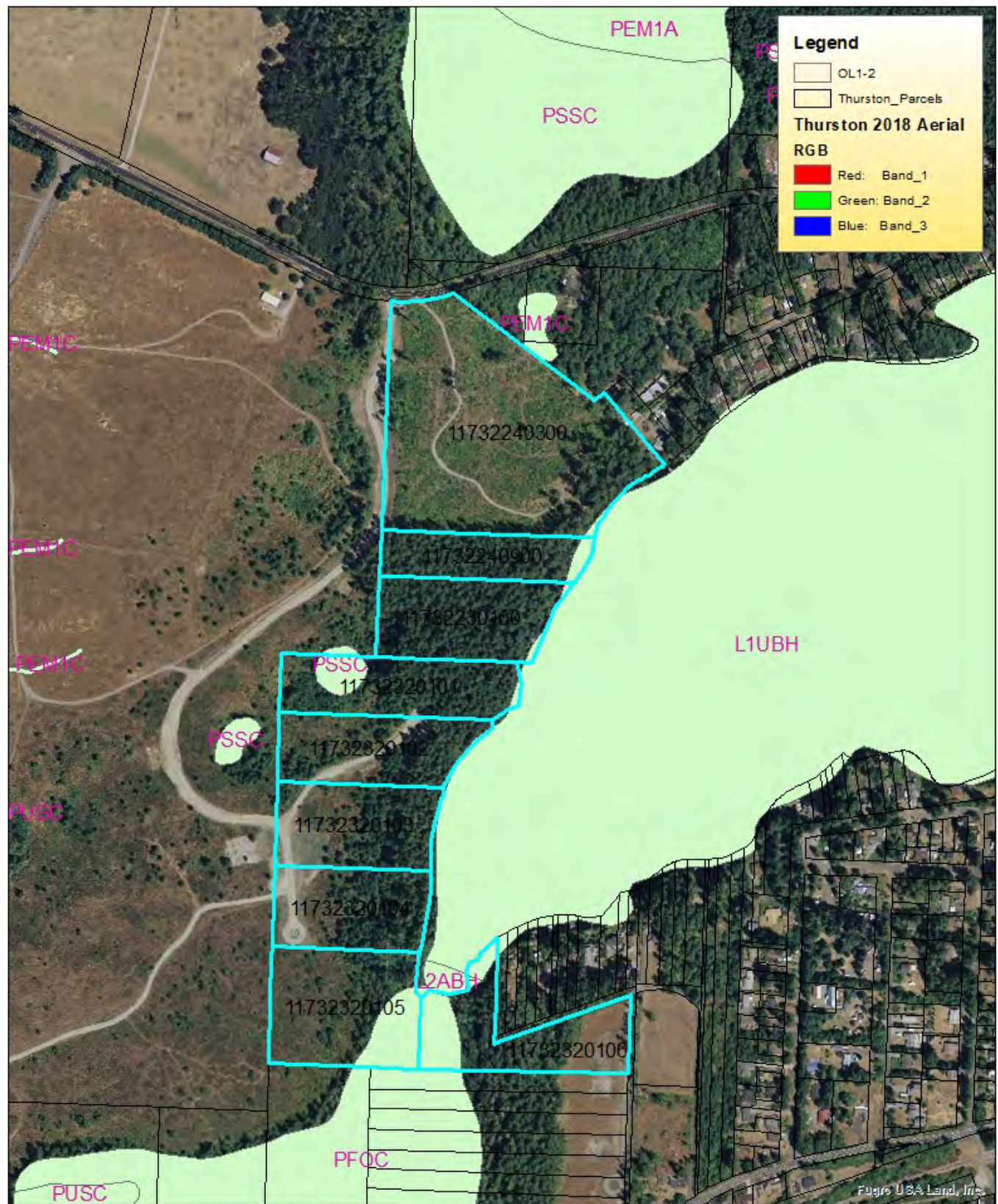
Edge of Residential Development



Appendix B

USFWS National Wetland Inventory





Land Services NW
120 State Avenue NE #190
Olympia, WA 98501
360-481-4208

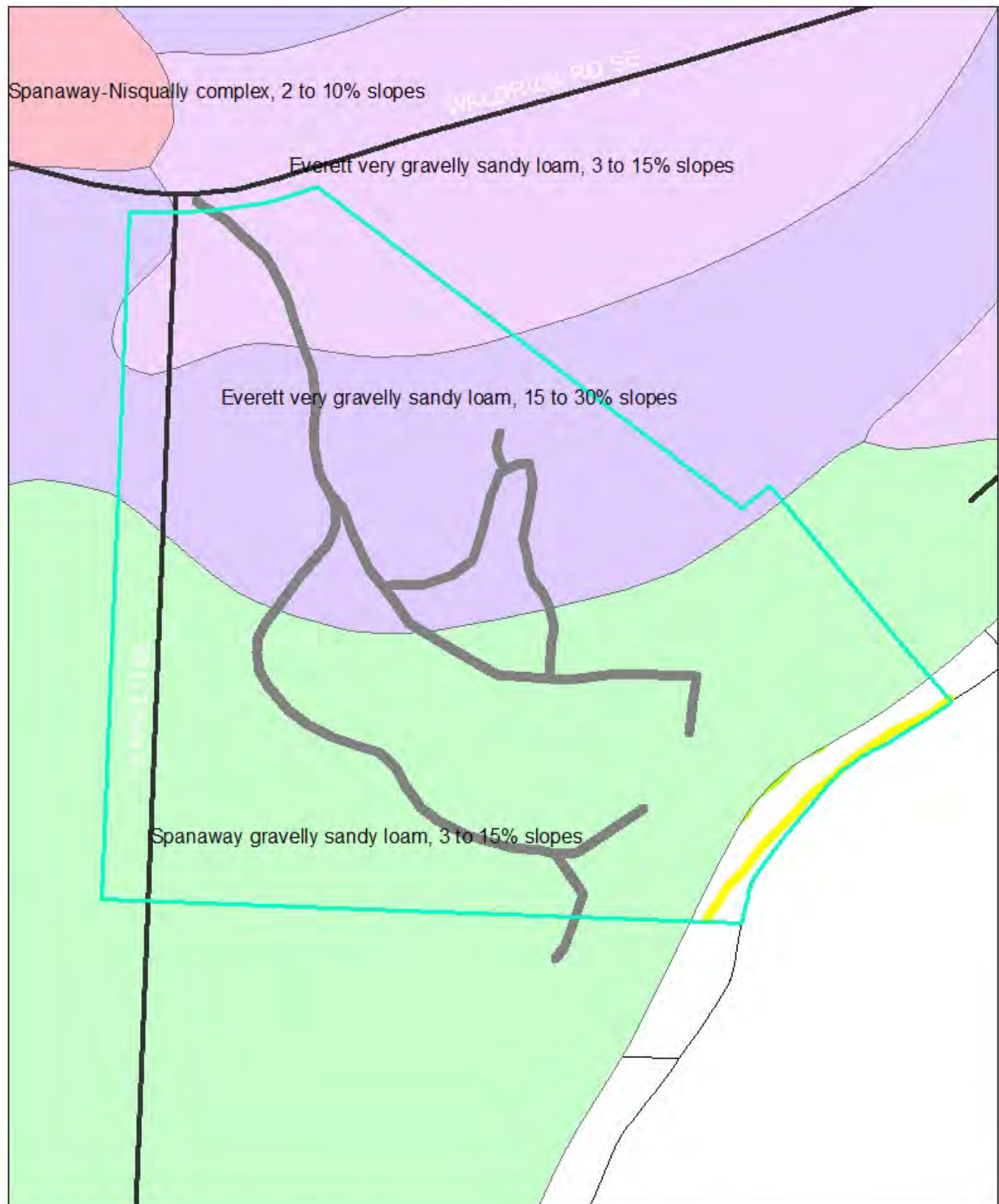


Appendix B
NWI
LOF1-2
Shoreline Environmental Segment

0 212.5 425 850 Feet

Appendix C

NRCS Soil Survey Map

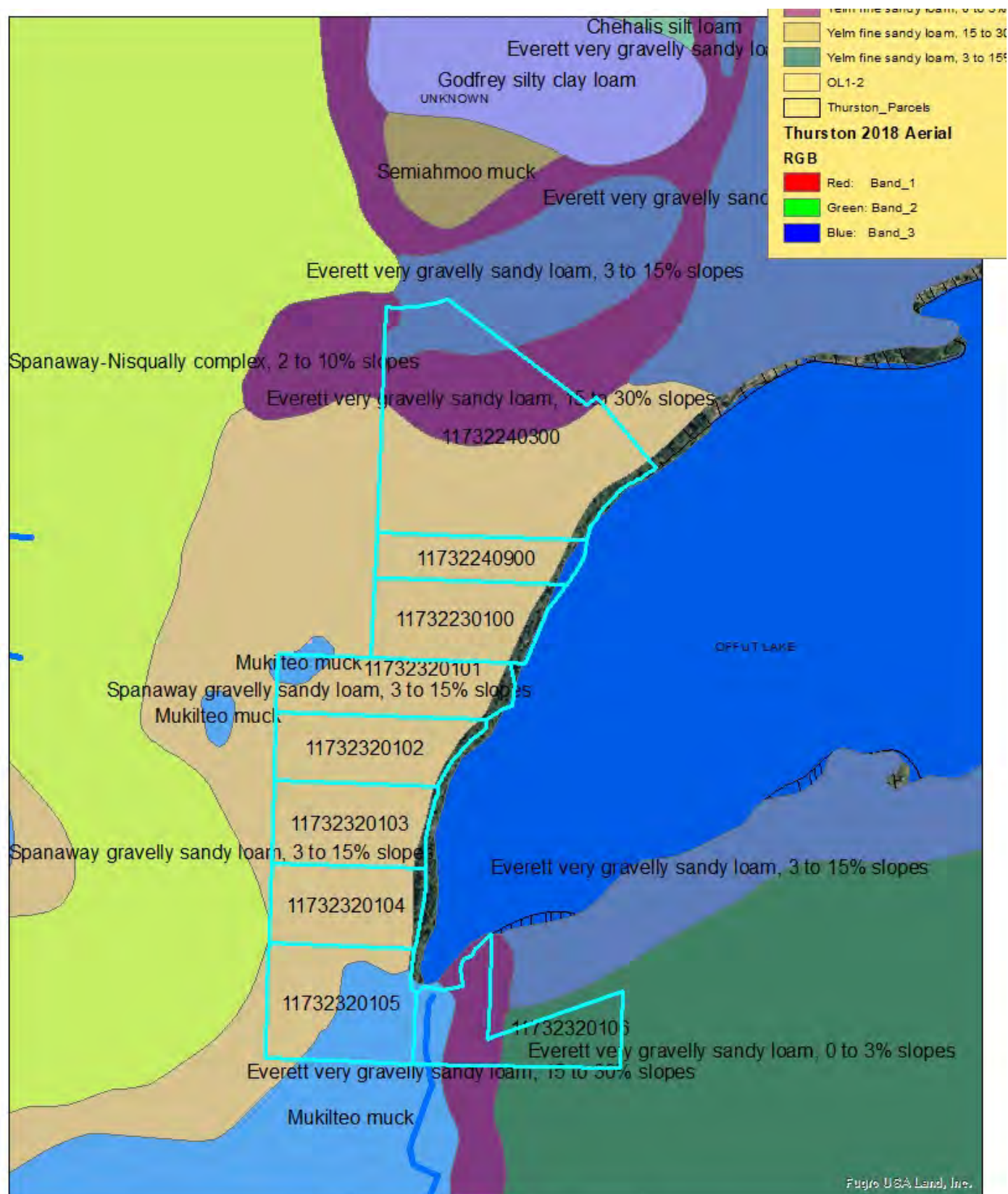


Land Services NW
120 State Avenue NE #190
Olympia, WA 98501
360-481-4208



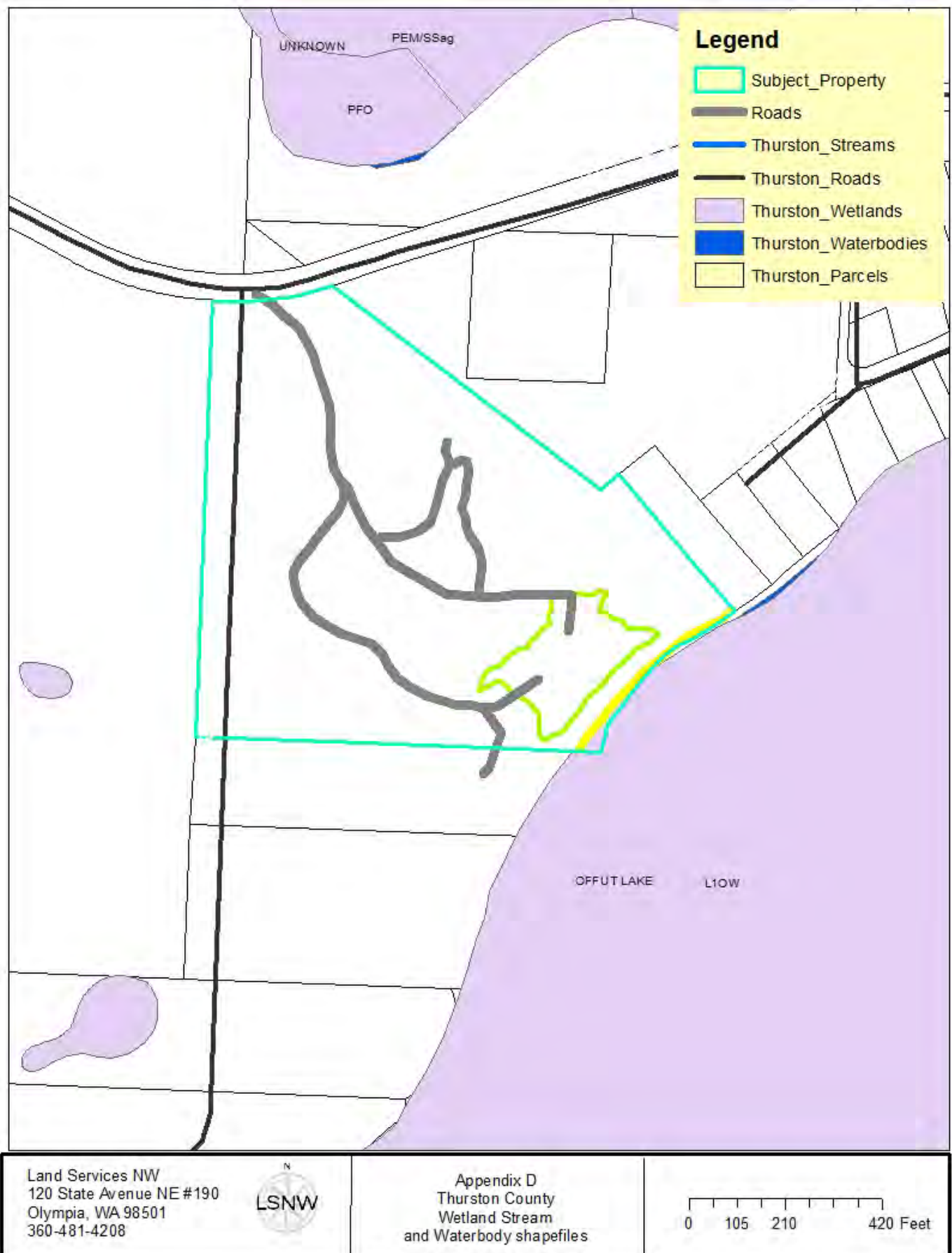
Appendix C
NRCS
Soil Survey Map for Thurston County
Parcel #11732240300

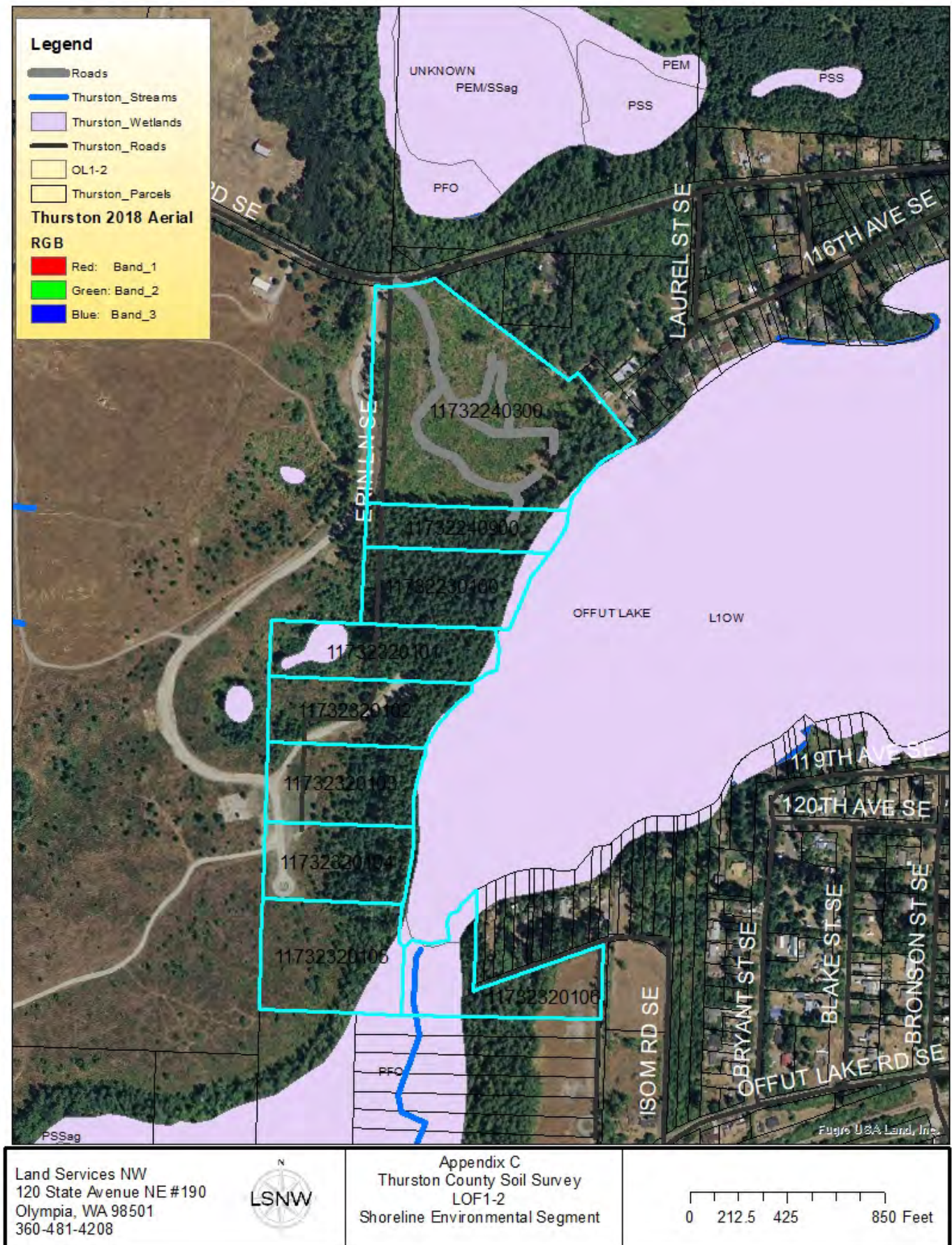
0 70 140 280 Feet



Appendix D

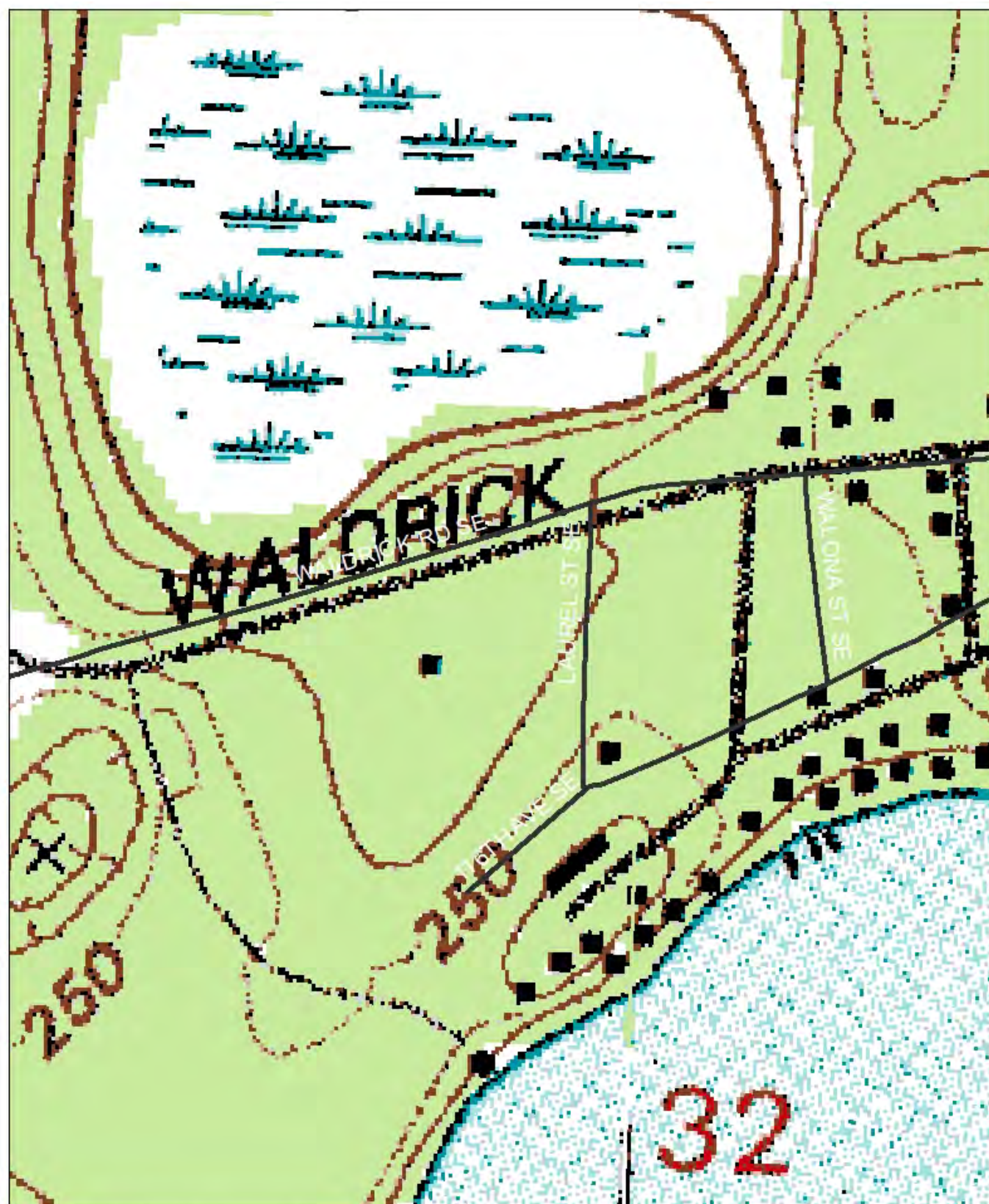
Thurston County Wetland and Stream Shapefiles





Appendix E

USGS TOPO MAP



Land Services NW
120 State Avenue NE #190
Olympia, WA 98501
360-481-4208



Appendix E
USGS TOPO Msp

0 105 210 420 Feet

Appendix F

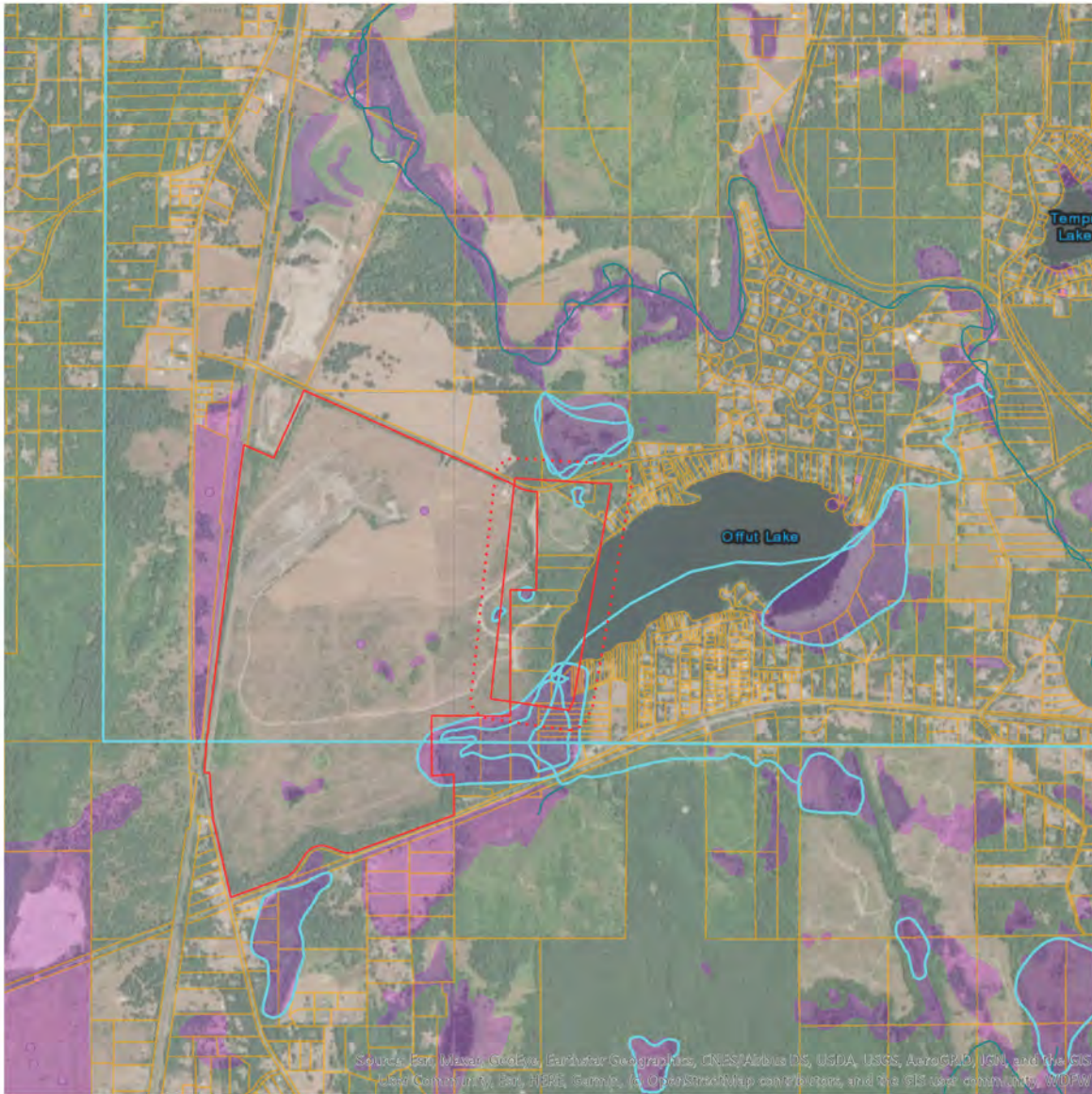
Priority Habitats and Species and Salmonscape Map

9/7/2020

PHS Report



Priority Habitats and Species on the Web



Buffer radius: 300 Feet

Report Date: 09/07/2020, Parcel ID: [11732220100](#)

PHS Species/Habitats Overview:

9/7/2020

PHS Report

Occurrence Name	Federal Status	State Status	Generalized Location
Fall Chinook	N/A	N/A	No
Cutthroat	Not Warranted	N/A	No
Resident Coastal Cutthroat	N/A	N/A	No
Wood duck	N/A	N/A	No
Freshwater Emergent Wetland	N/A	N/A	No
Freshwater Forested/Shrub Wetland	N/A	N/A	No
Lake	N/A	N/A	No
Big brown bat	N/A	N/A	Yes

PHS Species/Habitats Details:

Fall Chinook	
Scientific Name	<i>Oncorhynchus tshawytscha</i>
Priority Area	Occurrence/Migration
Accuracy	NA
Notes	LLID: 1228131469238, Fish Name: Chinook Salmon, Run Time: Fall, Life History: Anadromous
Source Record	52657
Source Dataset	SWIFD
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
More Info	http://wdfw.wa.gov/wlm/diversity/soc/soc.htm
Geometry Type	Lines

9/7/2020

PHS Report

Cutthroat	
Scientific Name	<i>Oncorhynchus clarki</i>
Priority Area	Occurrence
Accuracy	NA
Notes	LLID: 1228131469238, Stock Name: West South Sound Coastal Cutthroat, Run: Unspecified, Status: Unknown
Source Record	7020
Source Dataset	SASI
Source Name	Not Given
Source Entity	WDFW Fish Program
Federal Status	Not Warranted
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
More Info	http://wdfw.wa.gov/wlm/diversity/soc/soc.htm
Geometry Type	Lines

Resident Coastal Cutthroat	
Scientific Name	<i>Oncorhynchus clarki</i>
Priority Area	Occurrence/Migration
Accuracy	NA
Notes	LLID: 1228131469238, Fish Name: Cutthroat Trout, Run Time: Unknown or not Applicable, Life History: Unknown
Source Record	52656
Source Dataset	SWIFD
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
More Info	http://wdfw.wa.gov/wlm/diversity/soc/soc.htm
Geometry Type	Lines

9/7/2020

PHS Report

Wood duck	
Scientific Name	<i>Aix sponsa</i>
Priority Area	Breeding Area
Accuracy	1/4 mile (Quarter Section)
Notes	WOOD DUCK PAIR OBSERVED WITH BROOD
Source Record	900936
Source Dataset	PHSREGION
Source Name	SKRILETZ, JEFF
Source Entity	WA Dept. of Fish and Wildlife
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00026
Geometry Type	Polygons

Wood duck	
Scientific Name	<i>Aix sponsa</i>
Priority Area	Breeding Area
Site Name	SPUGEN CREEK
Accuracy	1/4 mile (Quarter Section)
Notes	WOOD DUCK BREEDING AREA
Source Record	902433
Source Dataset	PHSREGION
Source Name	SKRILETZ, JEFF
Source Entity	WA Dept. of Fish and Wildlife
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00026
Geometry Type	Polygons

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PHS Report

Freshwater Emergent Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: PALUSTRINE - NWI Code: PEMC
Source Dataset	NWIIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

Freshwater Forested/Shrub Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: PALUSTRINE - NWI Code: PSSC
Source Dataset	NWIIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

9/7/2020

PHS Report

Freshwater Forested/Shrub Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: PALUSTRINE - NWI Code: PSSC
Source Dataset	NWIIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

Freshwater Forested/Shrub Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: PALUSTRINE - NWI Code: PSSC
Source Dataset	NWIIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

9/7/2020

PHS Report

Freshwater Forested/Shrub Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: PALUSTRINE - NWI Code: PFOC
Source Dataset	NWIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

Lake	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: LACUSTRINE LITTORAL - NWI Code: L2ABH
Source Dataset	NWIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html
Geometry Type	Polygons

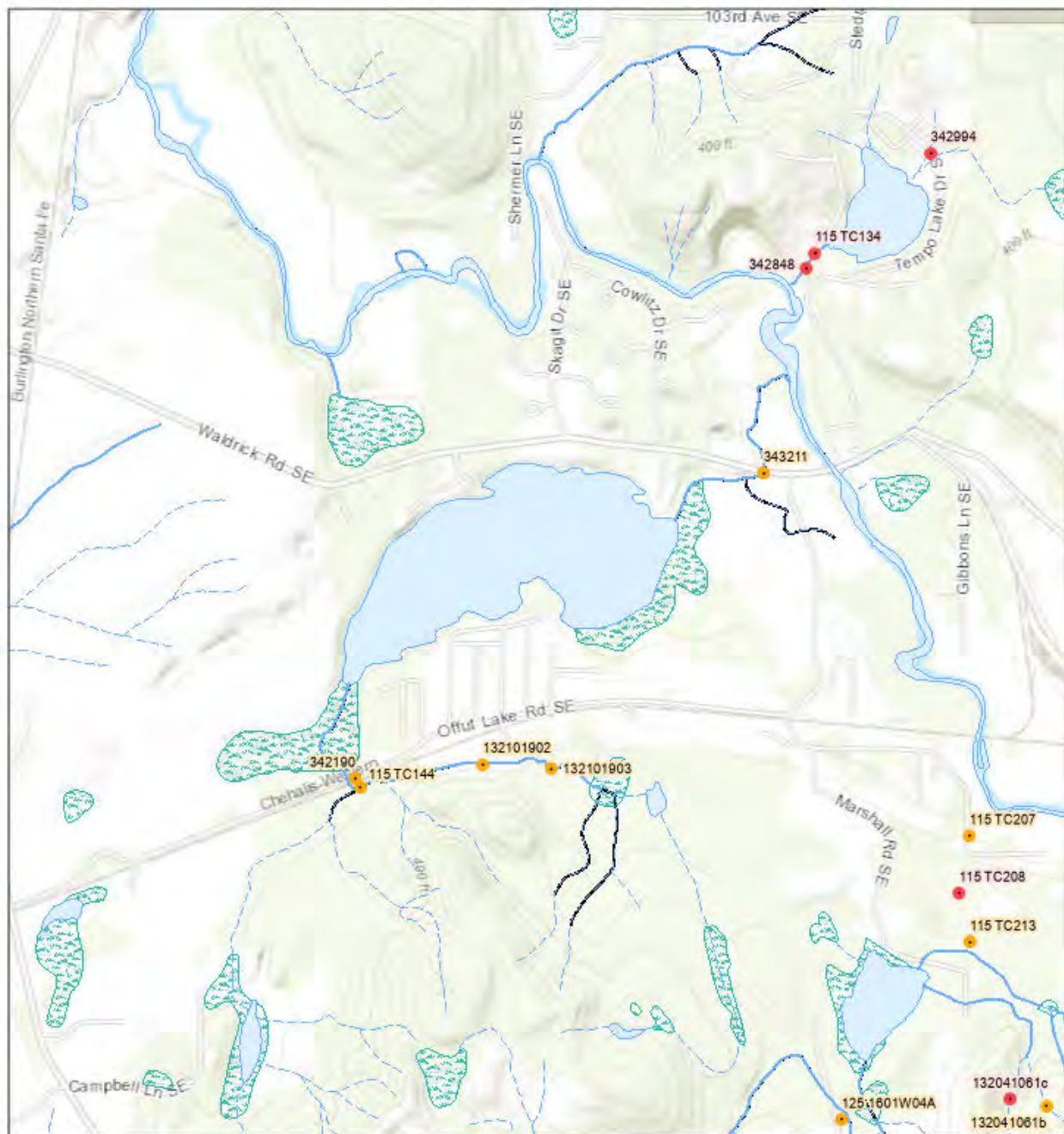
9/7/2020

PHS Report

Big brown bat	
Scientific Name	<i>Eptesicus fuscus</i>
Notes	This polygon mask represents one or more records of the above species or habitat occurrence. Contact PHS Data Release (360-902-2543) for obtaining information about masked sensitive species and habitats.
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	Y
SGCN	N
Display Resolution	TOWNSHIP
ManagementRecommendations	http://wdfw.wa.gov/publications/pub.php?id=00605

DISCLAIMER. This report includes information that the Washington Department of Fish and Wildlife (WDFW) maintains in a central computer database. It is not an attempt to provide you with an official agency response as to the impacts of your project on fish and wildlife. This information only documents the location of fish and wildlife resources to the best of our knowledge. It is not a complete inventory and it is important to note that fish and wildlife resources may occur in areas not currently known to WDFW biologists, or in areas for which comprehensive surveys have not been conducted. Site specific surveys are frequently necessary to rule out the presence of priority resources. Locations of fish and wildlife resources are subject to variation caused by disturbance, changes in season and weather, and other factors. WDFW does not recommend using reports more than six months old.

SALMONSCAPE



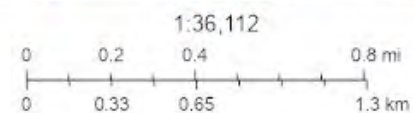
August 27, 2020

Other Barriers

- ▼ Total Blockage
- ▼ Total Blockage, Fishway Present
- ▼ Partial Blockage
- ▼ Partial Blockage, Fishway Present
- ▼ Unknown Blockage

Dams

- Total Blockage
- Total Blockage, Fishway Present
- Partial Blockage
- Partial Blockage, Fishway Present
- Unknown Blockage



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, USGS/NHD, Dale Gombert (WDFW), WDFW

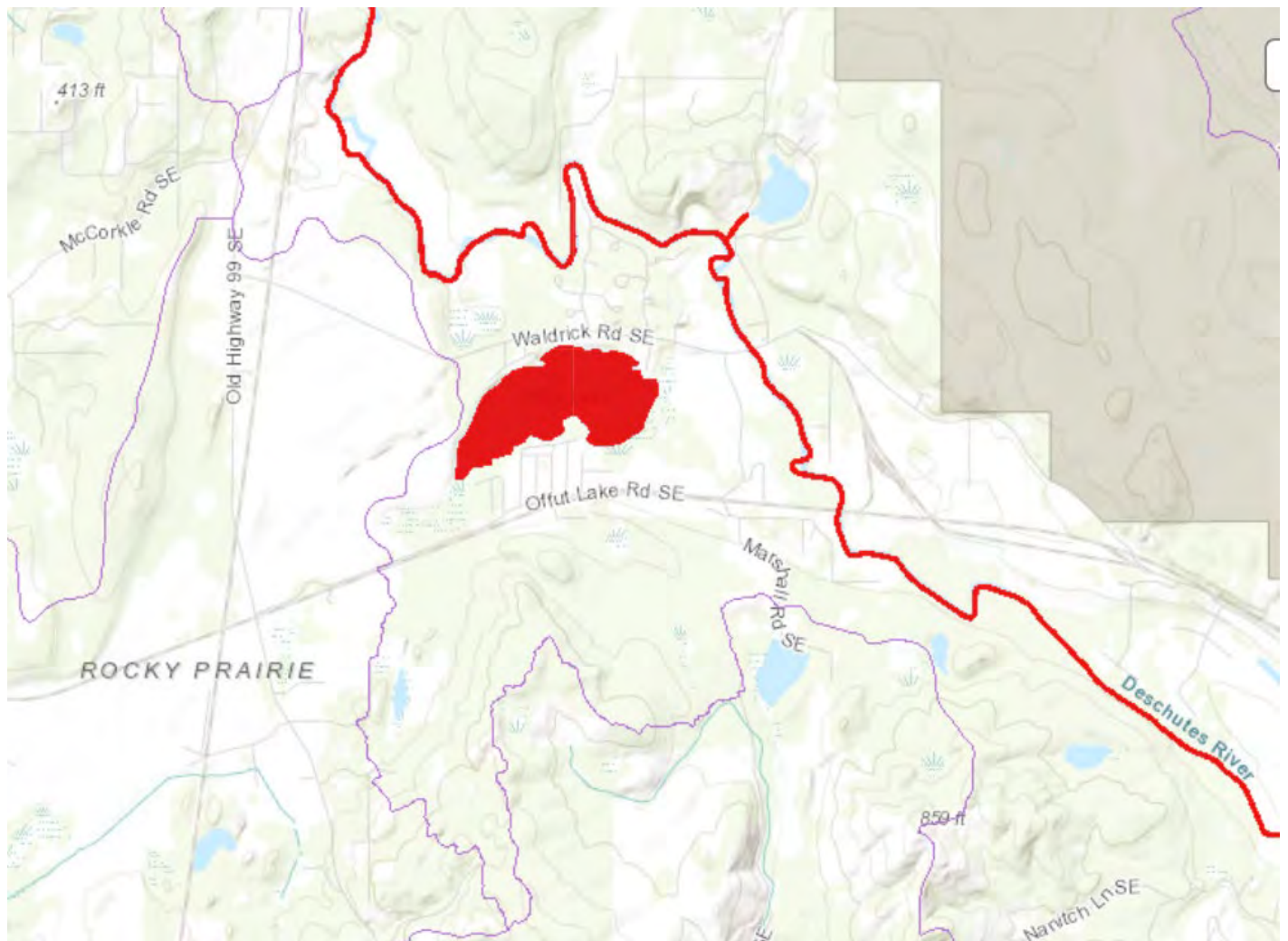
Appendix G

Excerpt from the Basin Study Report

Munn Lake	LMU-1-LMU-2	Conservancy	Natural	<ul style="list-style-type: none"> • Ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity. • Considered to represent ecosystems and geologic types that are of particular scientific and educational interest • Unable to support new development or uses without significant adverse impacts to ecological functions. • Includes largely undisturbed portions of wetlands, 100-year floodplain and ecologically intact shoreline habitats. • Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation. • Generally free of structural shoreline modifications, structures, and intensive human uses.
Munn Lake	LMU-2-LMU-1	Conservancy	Urban Conservancy	<ul style="list-style-type: none"> • Appropriate and planned for development that is compatible with maintaining or restoring of the ecological functions of the area, that are not generally suitable for water-dependent uses • In urban growth area • Suitable for water-related or water-enjoyment uses • Open space, flood plain, or other sensitive areas that should not be more intensively developed • Potential for ecological restoration • Retain important ecological functions, even though partially developed • Potential for development that is compatible with ecological restoration
Offut Lake	LOF-1-LOF-2	Conservancy	Natural	<ul style="list-style-type: none"> • Ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity. • Considered to represent ecosystems and geologic types that are of particular scientific and educational interest • Unable to support new development or uses without significant adverse impacts to ecological functions. • Includes largely undisturbed portions of ecologically intact shoreline habitats. • Retain the majority of their natural shoreline functions, as evidenced by shoreline configuration and the presence of native vegetation. • Generally free of structural shoreline modifications, structures, and intensive human uses.
Offut Lake	LOF-2-LOF-3	Conservancy (south end of reach); rural (remainder of reach)	Shoreline Residential	<ul style="list-style-type: none"> • Predominantly single-family or multifamily residential development or are planned and platted for residential development.
Offut Lake	LOF-3-LOF-4	Conservancy	Rural Conservancy	<ul style="list-style-type: none"> • Outside incorporated municipalities and outside urban growth areas, AND at least one of the following: • Currently supporting low-intensity resource-based uses (agriculture). • Currently accommodating residential uses • Supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to wetlands and 100-year flood plains <p>Notes: The reach includes areas within the 100-year floodplain that are impacted with a few houses, agriculture, and driveways. Breeding occurrence of wood duck. Resident Cutthroat. West South Sound Coastal Cutthroat. Large ecologically intact wetland.</p>
Offut Lake	LOF-4-LOF-5	Rural, conservancy	Shoreline Residential	<ul style="list-style-type: none"> • Predominantly single-family or multifamily residential development or are planned and platted for residential development.

Appendix H

Department of Ecology Water Quality Atlas Map



Legend

Red = 303d Listed

Appendix I

Offut Lake Lake Historic Lake Levels

