

Thurston County Shoreline Master Planning Update
November 28, 2018

Comments by Jim Gibbons
President and Founder of Seattle Shellfish

To: Brad Murphy, County Planner

Our company has been farming shellfish, predominantly geoduck clams, for 22 years, 20 of them in Thurston County. We currently employ about 70 full-time employees, about a dozen of whom live in the county. Our average compensation is just over \$50,000 per year and also includes a robust health and dental package. Our collective sales to date are over a hundred million dollars.

More importantly, 45 of our 70 leases are in Thurston County. Those upland lessors, the majority of them elderly individuals on fixed incomes, have earned about \$13 million dollars. That works out to an average of \$185,000 per Thurston County lease.

Not only do shellfish growers depend on clean water, farmed shellfish remove excess nutrients that Puget Sound residents continue to dump into Puget Sound. According to the National Oceanic and Atmospheric Administration, "Sixty-five percent of U.S. estuaries and coastal water bodies are moderately to severely degraded by excessive nutrient inputs, which lead to algal blooms and low-oxygen (hypoxic) waters that can kill fish and seagrass and reduce essential fish habitats." The Environmental Protection Agency states that "nutrient pollution is one of America's most widespread, costly and challenging environmental problems, and is caused by excess nitrogen and phosphorus in the air and water" and that "marine dissolved oxygen is showing a long term decline in the waters of Puget Sound..." What does all this mean? In short, think Hood Canal fish kills arriving here in Thurston County.

The Woods Hole Oceanographic Institution is on record stating that "shellfish are by far the most cost-effective strategy to control pollution." Also, Environmental Defense is on record saying that "One type of aquaculture—mollusk farming—actually reduces nutrient pollution."

In terms of shellfish aquaculture, Kitsap County is recognized as having one of the most regressive Shoreline Master Plans in the state. I am very disappointed that Thurston County has chosen to copy the plan of Kitsap County, where there is no aquaculture, rather than the more shellfish aquaculture friendly plan of Mason County, where shellfish aquaculture still thrives.

To give you an idea what this means, Pierce County is also not friendly to aquaculture. Five years ago, we began a permit process there, like the one you're proposing. It cost \$600,000 in attorney and expert witness fees and took three years to complete. All for a ten acre farm.

Because of the current cumbersome permitting process in Thurston County, our company is not attempting to permit new geoduck farms. Additionally, your proposed Shoreline Master Plan will virtually end all new oyster and clam farms in the county. Instead, new shellfish farmers will go to Mason County or Pacific County where expensive and time consuming permits above and beyond the federal U.S. Army JARPA permit are not required for new oyster or clam farms.

If Thurston County's goal is to kill the growth of any new oyster or clam farms or the ambitions of any new Thurston County shellfish farmers, then continue on your current path. Otherwise, start the process over and aim for a Shoreline Master Plan friendly to shellfish aquaculture.

28 November, 2018

Thurston County proposed Shoreline Master Program new regulations
Public hearing, Thurston County Courthouse 6:30 pm

Comments by Daniel Barth:

To Brad Murphy, County Planner, Commissioners and County elected officials and staff.

Thank you for the opportunity to speak to you all tonight. I am here to speak in opposition to the adoption of these proposed rules, requirements and regulations. I believe they are overreaching, not founded in science, poor business practice and unnecessary. They discourage, inhibit and reject opportunities for economic development, environmental stewardship and suppress certain members of our community. I encourage you to NOT approve these proposed rules.

I am a service disabled combat veteran of the Vietnam War. Together with my son a service disabled Iraq War Veteran we started Patriot Shellfish Farms. Our vision is to engage Veterans and Service members in small business in rural America through shellfish and seaweed farming. Thus, Veterans farming food in America for America and beyond.

Remember 22 veterans and 1 service member kill themselves every day. 1 in 3 women in the military has been sexually assaulted. The physical and emotional scars of war stay with us for life. I encourage you all to read Stephanie Westlund's book "Field Exercises: How veterans are healing themselves through outdoor activities". This includes agriculture and aquaculture. I know from personal experience.

In my opinion the proposed rules do not say "Welcome Home, thank you for your service and sacrifice". Rather they say go away, don't look for help or support from Thurston County.

America imports almost 85% of the seafood consumed here. Aquaculture in Thurston County could impact that number. If the County regulators and a small number of vocal aquaculture opponents would rather wear a red ball cap that says "Make China Great Again" and buy imported foods, so be it!

But if you care about America and our Veteran community I urge you to table these proposed rules, work with the shellfish and seaweed farmers already here and provide opportunity for new farmers to be part of our community. You already have some of the most restrictive shoreline regulations in the State.

Yes Aquaculture is a preferred use in the Shoreline program. It is also mandated to be fostered and supported by Federal and State legislation and Policy.

Putting up road blocks to America's veterans and support industries tell me you don't care.

Time is limited here to further present my objections and offer positive response and suggestions and input.

On behalf of our local, State and National veteran community I urge you to reconsider adopting these proposed rules.

Thank you.

Daniel Barth

Patriot Shellfish Farms

Homegrown by Heroes

Sea-Rations

Blue Greens Co.

dbarth@localaccess.com

Thurston County Shoreline Stakeholders Coalition

4108 Kyro Rd SE. Lacey, WA 98503

November 28, 2018

TO: Thurston County Planning Commissioners

From: John Woodford, Chairman
Doug Karman, Vice-Chairman
Thurston County Shoreline Stakeholders Coalition

Re: Draft Update of the Shoreline Master Program (SMP)

At the November 7, 2018 Planning Commission Meeting the Planning Department stated that an administrative permit would be required if just one board on your Pier, float or wharf needs to be replaced. In fact, according to the draft, any work in the buffer or on the shoreline would need an Administrative Permit. If taken literally, we would even need to get an Administrative permit to mow our lawns, weed our planting areas or plant/transplant native trees or bushes. If we didn't get the permit we would be committing a misdemeanor and could be arrested.

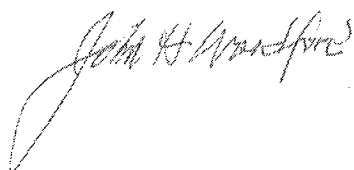
We have suggested to the Planning Department that they develop a pamphlet, regulation or policy booklet that would describe those things you can do in the buffer, on the shoreline or on Piers, floats or wharfs without a permit. There is precedence for this set by other governing agencies and would reduce confusion, time and cost to both the resident and the Planning Department without negatively impacting shoreline ecological function.

At the same meeting the Planning Department said that they do not want deck boards on a pier, float or wharf replaced with boards. They want the boards replaced by grated material. This recommendation is based on marine requirements not fresh water lake requirements. Grated material is not necessary on fresh water and is a safety hazard to our children. Not one of the reasons used to justify the grating material exist on fresh water. Piers, floats and wharfs are utilized differently on fresh water vs. salt water and they are constructed differently. The SMP should make this differentiation.

The suggested timeline included in the meeting material for tonight includes a recommendation for an open house on December 19th. Based on past poor performance of public notification and the holiday season, we believe that the open house should be moved to the new year. This would be the right thing to do, if we are really interested in transparency.

On October 10th you instructed the Planning Department to include in the timeline a meeting where selected community stakeholders could have additional time to present their proposal to the Planning Commission. Looking at the timeline included in tonight's meeting material, it is obvious that the Planning Commissioners October 10th direction has been ignored.

Respectfully submitted,



John Woodford, Chairman



Doug Karman, Vice-Chairman

Thurston County Shoreline Stakeholders Coalition

4108 Kyro Rd SE. Lacey, WA 98503

November 28, 2018

TO: Thurston County Planning Commissioners

From: John Woodford, Chairman
Doug Karman, Vice-Chairman
Thurston County Shoreline Stakeholders Coalition

Re: Draft Update of the Shoreline Master Program (SMP), Chapter 19.600

As shoreline home owners in unincorporated Thurston County, we continue to have issues with not only the draft SMP content and updating process, but now we find the apparent deliberate deletion of nearly three quarters of the chapter being presented this evening is unacceptable. Memo = ten pages. Chapter 19.600 = thirty-eight pages.

Chapter 19.600, Shoreline Use and Modification Development Standards, is the subject of this evening's Planning Commission Work Session. However, staff's Memorandum has omitted the majority of that Chapter. Following are the Chapter sub-headings; those in red have been omitted from the Memorandum.

- 19.600.100 **Applicability – Omitted**
- 19.600.105 (Shoreline) Use and Modifications Matrix
- 19.600.110 **Agriculture – Omitted**
- 19.600.115 Aquaculture
 - A. **Environmental Designations Permit Requirements – Omitted**
 - B. Application Requirements
 - C. Development Standards – Out of sequence; follows 19.600.160.B. under Mooring Structures
- 19.600.120 **Barrier Structures and In-stream Structures – Omitted**
- 19.600.125 Boating Facilities – Omitted
- 19.600.130 **Commercial Development – Omitted**
- 19.600.135 Dredging and Dredge Disposal – Omitted
- 19.600.140 Fill – Omitted
- 19.600.145 Forest Practices/Timber Harvest – Omitted
- 19.600.150 Industrial Development – Omitted
- 19.600.155 Mining – Omitted
- 19.600.160 Mooring Structures and Activities
 - A. **Environmental Designations Permit Requirements – Omitted**
 - B. Application Requirements
 - C. **Development Standards – Omitted**
- 19.600.165 **Recreation and Public Access – Omitted**
- 19.600.170 Residential Development
 - A. **Environmental Designations Permit Requirements – Omitted**
 - B. Development Standards
- 19.600.175 **Shoreline Stabilization – Omitted**
- 19.600.180 **Transportation – Omitted**
- 19.600.185 **Utilities - Omitted**

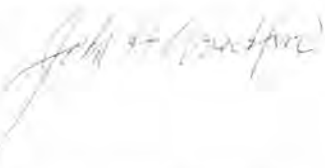
The same thing happened at the November 7th Planning Commission meeting when staff offered a Memorandum and Power Point presentation on Chapter 19.500, Permit Provisions, Review and Enforcement. Both of the offerings ended with the Shoreline Application Flow Chart. The following indicates the cut-off of Chapter 19.500:

- 19.500.050 Statement of Applicability and Purpose
- 19.500.075 Permit Types Definitions
- 19.500.100 Permit Application Review and Permits
 - A. Permit Application Review
 - B. Substantial Development Permit
 - C. Exemptions from Substantial Development Permits
 - D. Conditional Use Permits, including Administrative Conditional Use Permits
 - E. Variances and Administrative Variances
- 19.500.105 Procedure
 - A. Permit Process Summary
 - Figure 19.500.105(A)(7). Shoreline Application Flow Chart
 - B. Pre-submission Conference - Omitted
 - C. Minimum Application Requirements - Omitted
 - D. Notice of Application - Omitted
 - E. Public Hearings and Notice of Decision - Omitted
 - F. Initiation of Development - Omitted
 - G. Permit Revisions - Omitted
 - H. Time Requirements and Expirations - Omitted
 - I. Shoreline Master Program Amendment - Omitted
 - J. Administrative Interpretation - Omitted
 - K. Monitoring - Omitted
- 19.500.110 Enforcement and Penalties - Omitted
 - A. Authority - Omitted
 - B. Process – Omitted
 - C. Civil Penalties - Omitted
 - D. Criminal Penalties - Omitted

All of these “red” items need to be heard by the Planning Commission; you, and the public, are being presented a very selective portion of the SMP.

Regarding “transparency,” there has been nothing posted on the Community Planning website under the heading *Shoreline Code Updates – Meetings* since the September 12, 2018, BoCC meeting.

Respectfully submitted,



John Woodford, Chairman



Doug Karman, Vice-Chairman