

Merrill, Hannah

From: pearl hewett [REDACTED]
Sent: Saturday, November 05, 2011 2:55 PM
To: zSMP; earnest spees; Lois Perry
Cc: Sue Forde; Vi; Judy Miller; Jay Petersen; Jo Anne Estes; Sandy Rains
Subject: SMP PUBLIC ACCESS LAW RCW 90.58.100:

TO WHOM IT MAY CONCERN

**This is my SMP comment
Pearl Rains Hewett Trustee
George C. Rains Sr. Estate
Member of the SMP Advisory Committee**

There is no WA State law requiring any taking of private property for public access on the Clallam County SMP Update.

WAC 173-26-221(4)(d)(iii) that requires the taking of private property for public access can only become a WA State law if it is **written into the Clallam County SMP by Margaret Clancy, Jim Kramer, Sheila Miller or Steve Grey and **approved by the Clallam County Commissioners.****

THIS IS THE SMP WA STATE PUBLIC ACCESS LAW RCW 90.58.100:

The master programs shall include, when appropriate, the following:

(b) A public access element making provisions for public access to publicly owned areas;

(c) A recreational element for the preservation and enlargement of recreational opportunities, including but not limited to parks, tidelands, beaches, and recreational areas;..." (4) Master programs will reflect that state-owned shorelines of the state are particularly adapted to providing wilderness beaches, ecological study areas, and other recreational activities for the public and will give appropriate special consideration to same."

THIS IS THE DOE SMP WAC FOR THE OF TAKING PRIVATE PROPERTY FOR PUBLIC ACCESS

WAC 173-26-221(4)(d)(iii) Non-water-dependent uses (including water-enjoyment, water-related uses) and subdivisions of land into more than four parcels include standards for dedication and improvement of public access. WAC 173-26-221(4)(d)(iii) Chapter 6.5.2(1) Public Access, of the Draft SMP.

Pearl Rains Hewett