

Merrill, Hannah

From: pearl hewett [REDACTED]
Sent: Monday, March 26, 2012 10:31 AM
To: zSMP; marv chastain; lois Perry
Cc: earnest spees; Sue Forde
Subject: Re: Summary Notes from SMP Advisory Committee Meetings

TO WHOM IT MAY CONCERN

I submit this as my comment on
the Clallam County SMP Update

Pearl Rains Hewett Trustee
George C. Rains Sr. Estate
Member SMP Advisory Committee

ESA Adolfson's consultant's failure to comply with WA State Law RCW 90.58.100

Each master program **shall** contain standards governing the protection of single family residences and appurtenant structures against damage or loss due to **shoreline erosion**. The standards shall govern the issuance of substantial development permits for shoreline protection, including structural methods such as construction of bulkheads, and nonstructural methods of protection. **The standards shall provide for methods which achieve effective and timely protection against loss or damage to single family residences and appurtenant structures due to shoreline erosion**. The standards **shall provide a preference for permit issuance for measures to protect single family residences** occupied prior to January 1, 1992, where the proposed measure is designed to minimize harm to the shoreline natural environment.

The words **immanent danger** used in Clallam County SMP Update Draft, with regard to the protection of single family residences, conflicts with WA State law.

I have repeated it on at least 3 or more written SMP comments and in SM meeting verbal comments, ESA Adolfson's Margaret Clancy says she will remove the words, **immanent danger** from the SMP Update (in front of 30 people), **she does NOT**.

I confront her, she again states she will remove the words (in front of 25 people).

It is still there immanent danger 3. at the top of page 5- 37.

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

From: [Marv Chastain](#)
To: [Recipients Unidentified](#)
Cc: [Hargrove,Jim](#) ; [Pridemore,Craig](#) ; becker.randi@leg.wa.gov ; pflug.cheryl@leg.wa.gov ; parlette.linda@leg.wa.gov ; [Hasegawa,Bob](#) ; [Tharinger,Steve](#) ; [Van De Wege, Rep. Kevin](#)
Sent: Sunday, March 25, 2012 8:17 PM
Subject: Fw: Summary Notes from SMP Advisory Committee Meetings

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

From: [pearl hewett](#)

To: [Jim McEntire](#) ; [mike chapman](#) ; smiller@co.clallam.wa.us

Cc: **Sent:** Sunday, March 25, 2012 5:03 PM

Subject: Summary Notes from SMP Advisory Committee Meetings

Bob, Mike and Sheila,

As elected officials of Clallam County, I am requesting an investigate into the **total disregard of the SMP Advisory Committee private property members** and being misrepresented (in writing) by an overwhelming number of biased, special interest groups, paid county employees and ESA Adolfsen compliancy experts?

When I read the summary notes from any SMP Advisory meeting or Public forum, that I have attended, I can't believe we were at the same meeting?

Summary Notes from Shoreline Committee Meeting March 6, 2012

The **summary's of SMP Advisory meetings** for the protection of private property is treated so casually, "Oh, and somebody didn't like the setback" "And, 6 others, tribes, ecology, fish people, etc. didn't think the setbacks were wide enough". **The compromise is, proceed with the 175', 150' plus 10'.**

Summary Notes from Shoreline Committee Meeting March 6, 2012

The SMP/DOE Inventory and Characteristic Report, Lake Sutherland has no impaired or contaminated water. **My SMP comment dated 3/02/12 on>NNL of ecological function on Lake Sutherland since 1976, why? if it was based on scientific evidence, were they increasing the setback from 35 feet to 50 feet?**

There was a discussion of the environmental quality of Lake Sutherland (**see above**). Some committee members characterized it as remaining pristine due to good landowner stewardship, except for a maintenance issue at the outfall (**managed by DNR**).

Others (**one tribal member spoke out, about someone he knew**) indicated that the quality could be compared with Lake Crescent and more analysis is needed to determine whether ecological functions are healthy.

Documented SMP/DOE scientific evidence vs (1) tribal member that knows someone? The compromise, as usual, proceed with the increased 35' to 50' setback.

At the March 6, 2012 SMP Advisory meeting, I asked Carol Johnson, how many represented private property owners? She said (7) out of (25).

My question to you is,

Why are Clallam County, tax paying volunteers, spending over a year of their time trying to represent private property owners when they are being misrepresented (in writing) by an overwhelming number of biased, special interest groups, paid county employees and ESA Adolfsen compliancy experts?

Pearl Rains Hewett Trustee
George C. Rains Sr. Estate
Member SMP Advisory Committee

From: pearl Hewett [REDACTED]
Subject: Re: Public comment from Burt Reid
To: "Gray, Steve" <SGray@co.clallam.wa.us>
Cc: "Sandy Rains" [REDACTED], judymiller [REDACTED], "Vi" [REDACTED], "Jay Petersen" [REDACTED], "earnest spees" [REDACTED], "harry bell" [REDACTED], "burt reid" [REDACTED]
Date: Friday, March 23, 2012, 11:45 AM

Steve.

Based on the Maps provided for the SMP critical areas, setbacks and buffers 3/4 of Burt's property is taken.

Used only as ONE KNOW example of the massive impact these critical areas, 175' setbacks and buffers, etc. can have on one private property owner, (nothing personal) the taking of 20 or 30 acres of Rains Trust Property, Auckland Addition, Bagley Creek Estuary, Bagley Creek, and the East feeder bluffs could happen to any private property owner on the Straits of Juan De Fuca.

The summary's of SMP Advisory meetings for the **protection of private property is treated so casually**, "Oh, and somebody didn't like the setback" "And, 6 others, tribes, ecology, fish people, etc. didn't think the setbacks were wide enough". **The compromise is, we will go ahead and use the 175', 150' plus 10'.**

I sent the following email to you over a year ago.

"I feel that the **report was biased**, it did not address the issues proportionately, that in their **reporting they did misrepresent and not report private property owner's spoken grievances.**"

Thank you for your timely response to my question
Pearl

read on if you are interested.

From: pearl hewett [REDACTED]
Sent: Tuesday, March 15, 2011 10:53 AM
To: Merrill, Hannah
Cc: Gray, Steve
Subject: ESA Adolfson's focus study groups

I read the focus study groups report prepared by ESA Adolfson.

It was not representative of the meeting I attended on Jan. 26, 2011.

There was no mention of Lake Sutherland and the outpour of concern by the private property owners.

State boats taking pictures of their docks and homes etc. The fear of what the update of the SMP

would mean to their private property by making all of them non-conforming.

I feel that the report was **biased**, it did not address the issues proportionately, that in their reporting they **did misrepresent** and **not report** private property owner's spoken grievances.

In ESA Adolfson's **compliance attempt**, they placed far more emphasis on the **state take over of private property beach's** and the impute from agencies and business's then the concerns of the **60% of private property owners in Clallam County.**

I find it very disappointing that our Clallam County Commissioners have allowed a **totally self serving group of conservationists** to **publish biased findings and facts** as the result of these public focus groups.

Pearl Rains Hewett

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

From: Gray, Steve

To: zSMPC ; pearl.hewett

Sent: Friday, March 23, 2012 10:03 AM

Subject: RE: Public comment from Burt Reid

Pearl,

Mr. Reid's comment is addressed, but perhaps the summary needs further clarification. Here is the excerpt from the draft notes that was written to capture the conversation:

3. *Examples were provided by the consultants of overlapping Critical Areas and Shoreline Master Program buffers :*
 - a. *Freshwater residential: buffer is established by critical areas including conservation habitat, frequently flooded areas, and landslide hazards (per channel migration zone).*
 - b. *Feeder bluff example:*
 - *Shoreline buffer is 175 feet from Ordinary High Water Mark. May not reach top of high bluffs. Critical Areas buffer is 150 feet from the top of the bluff. These generally overlap, so the total buffer may be something less than 325 feet.*
 - *Committee members and landowners in the area north of Gale's Addition (along the Strait just east of Morse Creek), expressed concern that a 325 foot buffer along the bluffs would eliminate large amounts of property from potential development with an excessive impact to property values. There was discussion about the relative stability of the bluffs in that area and the extent of development. The buffers are largely based on safety hazards rather than ecological function. Landowners believe that 175 feet from the bottom of the ordinary high water mark is sufficient. It was noted that a site specific analysis of the site may find that the buffers overlap, which would make the total buffer something less than 325 feet, and that the controlling factor for buffer width is mostly likely to be the landslide hazard area buffer, not the shoreline buffer.*

Pearl, my understanding in regards to what Mr. Reid commented was he suggested that if you used only the 175 feet from the ordinary high water mark that should be sufficient for his bluff properties. He was not supportive of a 150-buffer on the bluff property he owned feeling that they were more stable. The language under 3b (second bullet) was intended to summarize and capture this point.

Have a great weekend and see you Tuesday.

Regards, Steve