

Merrill, Hannah

From: pearl hewett [REDACTED]
Sent: Wednesday, September 26, 2012 1:15 PM
To: Karl Spees; Lois Perry; zSMP
Cc: marv chastain; [REDACTED]; Sue Forde; Jay Petersen; harry bell; Jo Anne Estes; mary pierce pfaff
Subject: NEGATIVE IMPACT ON PRIVATE PROPERTY
Attachments: DOE WETLAND COMMENTS.docx

TO WHOM IT MAY CONCERN

PLEASE TAKE THE TIME TO FIND OUT HOW SERIOUSLY YOUR PRIVATE PROPERTY MAY BE AFFECTED BY THE WA STATE DEPT. OF ECOLOGY WETLAND DESIGNATIONS.

WA STATE DEPARTMENT OF ECOLOGY HAS NOT DESIGNATED THE WETLANDS IN CLALLAM COUNTY.

CLALLAM COUNTY SMP UPDATE DOES NOT REFLECT THE SEVER RESTRICTIONS/RULES THAT THE DOE'S "DESIGNATED WETLANDS" WILL CAUSE.

IF YOU THINK THE SMP UPDATE HAS A NEGATIVE IMPACT ON PRIVATE PROPERTY?

JUST WAIT UNTIL YOU SEE THE PROBLEMS, THAT WA STATE DEPARTMENT OF ECOLOGY WETLAND DESIGNATIONS WILL CREATE FOR CLALLAM COUNTY PRIVATE PROPERTY OWNERS.

WETLANDS?

WETLAND PLANTS ON YOUR PROPERTY?

ADJOINING PROPERTY WITH WETLANDS?

A WETLAND HABITAT?

UNINTENTIONALLY CREATED WETLAND?

INTENTIONALLY CREATED WETLAND?

PLEASE TAKE THE TIME TO FIND OUT HOW SERIOUSLY YOUR PRIVATE PROPERTY MAY BE AFFECTED BY THE WA STATE DEPT. OF ECOLOGY WETLAND DESIGNATIONS.

I have attached a portion of an SMP WETLAND comment #312 by DOE Jeffree Stewart dated Sept. 4, 2012. He appears to be an advocate **for more restrictive everything on private property in Clallam County.**

DOE Jeffree Stewart has also refused to answer written questions, submitted by an SMP Advisory Committee Member.

Pearl Rains Hewett

the Inventory & Characterization work would be a worthwhile addition. I noticed there was no mention of the 2003 Guidelines or the no-net-loss requirements, which could fit with some of the other information presented.

On page 3.5 the lowland estuary designation description lists a single example of a recreational use that would be appropriate in these areas. I suggest adding a couple others for reasons of broader inclusion....such as "fishing" and "kayaking" or other similar activities.

On page 3-6, feeder bluffs are noted, but suggest adding something to the "Bay" Designation about sandspits and protecting the ecological processes that create and sustain these.

Wetlands Comments

Regarding Section 4.3.4, the following comments were provided by Rick Mraz:

- The draft SMP only references the 1987 Wetland Delineation Manual. This document has recently been updated to include appropriate Regional Supplements. The reference in the SMP should include the Western Mountains, Valleys and Coast Region supplement.

WAC 173-22-035 was recently modified to reflect this change. It contains appropriate language for incorporation into the SMP.

The wetland buffer table is simple and, arguably, incomplete. Interestingly, many wetlands in Clallam County may be protected with smaller buffers than what the County is proposing; some wetlands may warrant larger buffers. A more specific table such as the one used in Alternative III (Appendix 8C) of Ecology's guidance document: Wetlands in Washington State - Volume 2: Guidance for Protecting and Managing Wetlands. Washington State Department of Ecology. Publication #05-06-008. Olympia, WA (Volume II), would be appropriate for an area as diverse as Clallam County. This table considers the specific functions of the wetland and the intensity of the adjacent land use in prescribing the buffers. A more precise application of buffers widths results from this approach.

- The SMP mitigation table should be augmented. Many different types of mitigation are currently practiced in Washington State that are not represented by the current table. In addition, mitigation ratios and chances for success are often tied to the type of wetland being created or restored. A more robust, detailed mitigation table (again like the one in Alternative III) would be appropriate for the County.

Clallam Draft SMP Review – Wetlands Provisions

As previously noted, the draft SMP contains provisions associated with wetland buffers, buffer reductions and mitigation that are not consistent with the most current, accurate and complete scientific or technical information available. Ecology offers these additional comments to

provide guidance and direction toward a document that will help achieve no net loss of ecological functions and provide a more accurate implementation of environmental protections.

Specifically,

Buffers: As noted earlier, the draft SMP applies a rather blunt regulatory approach to wetland protection. The buffer table simply identifies a prescriptive distance based upon wetland category. This method lacks sensitivity and specificity, and does not take full advantage of the 2004 Wetland Rating System for Western Washington, which the County has adopted in the draft.

A more refined approach considers land use intensity, wetland functions and buffer conditions, and applies a variable-width approach with the following ranges based on site specific conditions:

Category I – 100-300 feet

Category II – 100 to 300 feet

Category III – 40 to 150 feet

Category IV – 25 to 50 feet

This approach is supported by the most current, accurate and complete scientific or technical information available. It results in buffer widths and compensation ratios based on the level of protection or compensation required for particular functions. These buffer widths consider not only the functions that need to be protected, but also the impact of adjacent land use. For example, low-intensity adjacent land uses allow for narrower buffers around wetlands than those needed to protect from the impacts of high-intensity uses.

Buffer reductions: The provisions allowing up to a 50% buffer reduction for wetlands is inconsistent with most current, accurate and complete scientific or technical information available and may result in extremely small buffers. For example, a 50% reduction of the standard 150' buffer on a Category II wetland with high habitat functions would be inadequate to protect those functions adjacent to high intensity land use (Desbonnet, 1994).

Should Clallam County adopt Alternative III for wetland buffer standards, this approach contains supportable provisions for buffer reductions as described in Appendix 8C.2.4. of Volume II

Clallam County should incorporate the recommendations on averaging in Appendix 8C.2.6 of *Wetlands in Washington State, Volume 2: Guidance for Protecting and Managing Wetlands*, which includes the following text:

- Averaging to **improve wetland protection** may be permitted when **all** of the following conditions are met:
 - The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded