

Merrill, Hannah

From: zSMP

From: pearl hewett [mailto:]

Sent: Tuesday, August 13, 2013 1:10 PM

To: zSMP

Cc: Karl Spees; marv chastain; Randy Dutton; yellowbanks ; Jo Anne Estes; info@justwateralliance.org; Sandy Rains; Delane Hewett; judymiller ; notac@olympen.com; connie beavias; Tristin Hewett; Vi; Don; McEntire, Jim; Miller, Sheila Roark; Chapman, Mike; Steve Gray; Van De Wege, Rep. Kevin; steve.tharinger@leg.wa.gov; Hargrove,Jim; Lois Perry; Sue Forde; Stuart McColl; Rick Forschler -; randy simmins; Harry and Karen Creviston; Windy Boulden; Misty Rains; Jay Petersen; Sandy Collins; george Chandler; Jim Boyer; Frank M Penwell; mary pierce pfaff; marg

Subject: SMP and Water 1970-2013

This is my public comment on the
Clallam County SMP Update
Pearl Rains Hewett

[SMP and Water 1970-2013](#)

Posted on [August 13, 2013 11:22 am](#) by [Pearl Rains Hewett](#) *Comment*

IT SEEMED LIKE A GOOD IDEA AT THE TIME?

Based on this **1971 premise**

1971 Rod Mack: ENVIRONMENTAL PERSPECTIVE is one of many perspectives, my observation is that in areas where **ECONOMICS is a prime consideration—in the smaller, less affluent communities—there is a higher priority for jobs and tax base than there is priority for environmental concerns**

IT SEEMED LIKE A GOOD IDEA AT THE TIME?

Based on this **1971 premise**

Rod Mack: My charge, when I joined ECOLOGY IN 1971, was developing the regulations related to the permit system of the Shoreline Management Act (SMA) as well as the guidelines. Those **GUIDELINES were basically instructions FOR LOCAL GOVERNMENTS'** preparation of their Master Programs as well as standards or criteria for evaluating developments that took place on the shorelines, **AGAIN, BY LOCAL GOVERNMENT.**

IT SEEMED LIKE A GOOD IDEA AT THE TIME?

Both by premise and legislative intent

IN 1971....

In 1972 the SHORELINE MANAGEMENT ACT PASSED

The FEDERAL road to **SMP and WATER HELL** was PAVED with good intentions?

AND HOW MUCH FEDERAL MONEY?

When the Federal Coastal Zone Management Act came along, it said, if a state wants to do a program, **here's some MONEY** to do it; then, once it's done, **here's some MORE MONEY** to manage it.

There's a definite tie. The Federal Coastal Zone Management Act came about in '72 at virtually the same time our Shoreline Management Act was finally approved.

We were watching it very closely, because the **federal law provides SUBSTANTIAL FUNDING to states** that develop management programs. Here, we had the Shoreline Management Act.

MORE FEDERAL MONEY AND MORE FEDERAL MONEY AND MORE FEDERAL MONEY

BAIT AND SWITCHED TO FEDERAL CONTROL

When? and how did we lose our right to local government?
When? and how were the appointed given state RULE by WAC?
When? and how were federally appointed agencies given ultimate power?

WHEN INDEED..

THE EXPLOSION OF FEDERAL LEGISLATION ENACTED BETWEEN 1970 AND 1980 TO PROTECT THE ENVIRONMENT

HISTORY Shoreline Act 40, 263 From 1971-2005

Washington State Department of Ecology
Ecology Publication #05-01-006
A 570 page report the first 35 years, 1970 – 2005

UPDATE 2013 STATE? SHORELINE MANAGEMENT ACT?
HAS BECOME FEDERALLY ENACTED
SHORELINE MANAGEMENT BY APPOINTED FEDERAL AGENCIES.

Shoreline Act 40, 263 From 1971-2005

1971 The **ENVIRONMENTALISTS** proposed the state's jurisdiction would include 500 feet back from the water's edge, providing for a strip of land, 500 feet wide, that would be the jurisdiction of their bill.

1971 They, the **ENVIRONMENTALISTS** also placed primary, **almost exclusive, planning and REGULATORY AUTHORITY WITH THE DEPARTMENT OF ECOLOGY, instead of**

LOCAL GOVERNMENT

Resulting in a very STRONG ROLE by the STATE and a much lesser role by LOCAL GOVERNMENT.

That initiative got enough signatures to go on to the ballot at the next general election. Seeing that, THE LEGISLATURE THEN DECIDED, as is allowed and provided for under the state's constitution, to enact their version to put on the ballot, which was the 1972 SHORELINE MANAGEMENT ACT, which ultimately passed. The basic difference between the initiative and the act was that the act named a strip 200 feet from the water's edge as the area of jurisdiction, and then set up the joint state/local approach.

2013 WA STATE SHORELINE MANAGEMENT ACT? AND WATER?

A much lesser role of STATE AND LOCAL government?

FEDERAL APPOINTED AGENCIES EDICTS MANDATING TO THE WA STATE DEPARTMENT OF ECOLOGY

WA STATE DEPARTMENT OF ECOLOGY'S WAC'S, EDITICS, RULING, REGULATING AND ENFORCING OF LOCAL COUNTY AND CITY GOVERNMENT

ENACTED BY CONGRESS CONTROLLED AND MANDATED BY FEDERAL APPOINTED AGENCIES AND ENVIRONMENTALISTS placed exclusive, planning and regulatory authority with federal appointed government agencies EPA ETC....

RESULTING IN A VERY STRONG ROLE BY THE ACTS OF CONGRESS and AMENDMENTS TO THOSE ACTS and DELIGATING ALL POWER TO APPOINTED FEDERAL AGENCIES AND ENVIRONMENTALISTS.

IF WILD OLYMPICS WAS FEDERALLY ENACTED jurisdiction would include 500 feet (or more) back from the water's edge, providing for a strip of land, 500 feet (or more) wide, that would be the FEDERAL jurisdiction of that ACT.

Chapter Seven – Saving the Shorelines 2005

The Plan to Protect the Coastlines

An interview with Rodney Mack

February 2, 2005

Position held at time of interview:

Retired, formerly Program Manager for the Shorelands and Environmental Assistance Program,

Washington State Department of Ecology, 1983-1994

From an environmental standpoint, given the two versions of the shorelines legislation, the environmentalist version talked about a jurisdictional area. In other words, what areas, what pieces of geography, the act applied to.

Our Shoreline Management Act was probably, with maybe the exception of California, the strongest law of its kind in the country at the time. This was right at the beginning of the ENVIRONMENTAL MOVEMENT,

and what we were doing was groundbreaking. It wasn't a case where we could pick up the phone and call some other state and say, hey, what did you guys do in dealing with this? Other states were calling us.

When the Federal Coastal Zone Management Act came along, it said, if a state wants to do a program, here's some MONEY to do it; then, once it's done, here's some more MONEY to manage it.

There's a definite tie. The Federal Coastal Zone Management Act came about in '72 at virtually the same time our Shoreline Management Act was finally approved.

We were watching it very closely, because the federal law provides SUBSTANTIAL FUNDING to states that develop management programs. Here, we had the Shoreline Management Act.

History is GOOD
EXACTLY WHAT WAS WA STATE PLANNING IN 2005?

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WA STATE WATER

There's an old saying, "In the Eastern United States, we take water for granted. In the WEST, we take water from each other.

My comment WHISKEY IS FOR DRINKING; WATER IS FOR FIGHTING OVER

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History is GOOD

EXACTLY WHAT WAS WA STATE PLANNING IN 2005?

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2013 WA STATE DEPT OF ECOLOGY AND CONGRESS

CONGRESS PASSED THE ESA AS PART OF THE EXPLOSION OF FEDERAL LEGISLATION
ENACTED BETWEEN 1970 AND 1980 TO PROTECT THE ENVIRONMENT.

1966 CONGRESS ENACTS FEDERAL Endangered Species Act

Congress passed the ESA as part of the explosion of federal ... – Gale

www.gale.cengage.com/pdf/samples/sp657497.pdf

by ES ACT – Related articles

Congress passed the Endangered Species Preservation Act in 1966, ... Congress enacted significant MORE amendments in 1978, AND MORE 1982, and MORE 1988,

...

1969 The National Environmental Policy Act of | Department of Energy
energy.gov/nepa/downloads/national-environmental-policy-act-1969

Full text of the National Environmental Policy Act (NEPA) of 1969, as amended, available as a download.
NEPA established a national policy for the environment ...

1972 Coastal Zone Management Act – Office of Ocean and Coastal ...
coastalmanagement.noaa.gov/czm/czm_act.html

Congressional Action to Help Manage Our Nation's Coasts ... growth in the coastal zone by passing the
Coastal Zone Management Act (CZMA) in 1972. The Act ...

1972 CONGRESS ENACTS FEDERAL Clean water act
CWA | Civil Enforcement | Compliance and Enforcement | U.S. EPA
www.epa.gov/Compliance/civil/cwa/index.html

Congress passed the ESA as part of
THE EXPLOSION OF FEDERAL LEGISLATION ENACTED
BETWEEN 1970 AND 1980 TO PROTECT THE ENVIRONMENT.

This entry was posted in [APPOINTED FEDERAL AGENCIES](#), [Clallam County SMP](#), [Economic Impact](#), [Intro to Deprived Of Our Water](#), [Politically Motivated](#), [Rubber Stamped](#), [Shoreline Management Plan](#), [The We's who WANT](#), [Tribal Right issues?](#), [WA State Water Laws](#), [WHAT A CONCEPT?](#), [Wild Olympics](#).