

Nov 2014 SMP comments:

There are four issues I hope you will amend in this document. First, not all natural vegetation along shorelines is supposed to be woody shrubs or trees. Second, the setback rules for two empty adjacent lots can be arbitrarily unfair and without ecological benefit. Third, water-dependant-use seaplanes are not significantly different from boats yet equivalent support facilities for them are seriously restricted. Finally, mooring buoys are absolutely essential upgrades when protecting marine habitat. Mooring buoys prevent damage to eelgrass beds from dragging anchors and should be encouraged in all area designations.

1). Section 6.2.5 and it's following parts:

6.3.2.e

6.3.4

*"Buffers composed of predominantly woody vegetation should be established and/or preserved along all shorelines to:"*

This statement about predominantly woody vegetation is false and scientifically unsound. There are many areas of shorelines, particularly along accreting marine beaches where WOODY vegetation is not natural. Coastal Dune Ryegrass (*Elymus mollis*) is the dominant native species in these areas. Shrubs and trees will not grow in these salt laden soils, nor will they provide the ecological function and services we are looking to protect.

2). 6.7.b

Section 6.7.b uses the term ordinary high water mark (OHWM). At Diamond Point, the OHWM is different from the mean high high water (MHHW) mark by over 15 feet. The previous interpretation when the homes were first built was 50 feet from the MHHW mark. Currently DCD interprets the setback as OHWM where the bulkhead was built, so the existing homes are all considered 'nonconforming.' The way the regulation you are proposing reads, there are two lots now that will suffer consequences of this changed interpretation.

This proposed setback regulation creates a weird situation in my neighbor's case at Diamond Point while it doesn't improve anything in terms of ecological function (photo below). If the lots happened to have buildings on each side of them, then they could build straight across. Because both empty properties are adjacent, they will have to relocate their existing septic systems and each of the houses will have a very odd view direction. It seems like this regulation is without merit and unfair in such highly built up areas with narrow lots. This restriction is further exacerbated by the setbacks required from lot lines and roads.

The intention is good, but the result will be meaningless. Please consider amending the wording to say either adjacent lots, or corners of structures within 200 or 150 feet.



3). This document particularly discriminates against mooring, docking or landing seaplanes without any sound justification. They really are not different from boats and they are most certainly a water-dependant use. It seems like this is a personal bias rather than a reasonable shoreline protection.

4). The limitation on mooring buoys in natural area designations is absolutely shortsighted. These natural areas need buoys to prevent boats from dragging anchors through the sensitive seaweed, kelp, and eelgrass beds those adjacent natural areas are protecting. Study after study shows the benefits of mooring buoys over anchors to the marine environment. Mooring buoys should be allowed adjacent to all marine shoreline designations.

Sincerely,  
Megan Black, MS Marine Science  
160 N. Diamond Shore Lane  
Sequim, WA 98382