

**From:** Oly Climate  
**Sent:** Monday, February 16, 2015 2:19 PM  
**To:** zSMP  
**Subject:** OCA comments on draft Shoreline plan

Dear members of the Clallam County Planning Commission and Department of Community Development:

Attached and linked [here](#) are our comments on Clallam County's draft Shoreline Master Program.

We appreciate your work and look forward to further dialogue.

Sincerely, Ed Chadd, on behalf of  
[Olympic Climate Action](#)  
Citizens addressing the threat of climate change on the Olympic Peninsula  
Clallam County, Washington State, U.S.A.

Clallam County Department of Community Development  
& Clallam County Planning Commission  
223 E. 4th St., Suite 5  
Port Angeles, WA 98362  
February 18, 2015



RE: Climate-related comments on draft Clallam County Shoreline Master Program

Dear Department officials and Commission members:

Olympic Climate Action (<http://olyclimate.org/>) is a group of more than 350 local citizens, primarily from Clallam County, concerned about the local impacts of climate change. From this viewpoint, we offer the following comments on Clallam County's draft Shoreline Master Program (SMP).

The significant risk of global climate change is settled science. Such federal agencies as NASA, NOAA, and the Department of Defense have done extensive study, assessment, planning and preparation for climate impacts, and the President has ordered federal agencies to help communities strengthen their resilience to these impacts. Clallam County should do its part to prepare for climate change here at the local level with regard to its SMP. To ignore the best science and advice available on the subject would present great risks to Clallam County, constituting a dereliction of duty to protect people and property and to avoid potentially costly litigation.

Local climate change impacts and adaptation needs are already well documented in several local and regional reports, and a more comprehensive study is underway. Last year, The North Olympic Peninsula Resource Conservation & Development Council was awarded a \$152,000 competitive grant to examine the potential impacts of climate change here on the north Olympic Peninsula, many of which we are already seeing, and how we can prepare for those changes. Citizens, experts, representatives from the Tribes, our County and City departments and many other organizations are participating in the work. It's a major effort – one that we all can be grateful is happening. A draft report with the findings is due at the end of June. Issues like sea level rise and increased flooding will obviously impact building setbacks and infrastructure locations and requirements. To quote our Department of Ecology's SMP Handbook, "Sea level rise will have significant effects on both human and natural systems ... increasing the risk from coastal hazards and the pressure on shoreline resources. These effects present a serious challenge to shoreline planning and coastal management." Ecology's Guidelines require local governments to use "the most current, accurate and complete scientific and technical information available."

***Our mission:*** We seek a safe, prosperous, sustainable future for residents of the Olympic Peninsula by addressing the threat of climate change. [www.olyclimate.org](http://www.olyclimate.org)



Therefore, we urge the Planning Commission and the Department of Community Development to schedule your work on the SMP so that it addresses the findings of this climate change report. It makes sense for the Planning Commission to address those chapters of the SMP first that will not be impacted by climate change, and then those sections that will be impacted. Planning for climate change is the key to avoiding future damages and to ensure that the County does not expose itself and the taxpayers to later litigation due to not providing the proper guidance to the public. Here are our specific remarks on the draft SMP:

GENERAL COMMENT: Where the word “should” is used, that implies that there is a choice involved and that Clallam County officials have the discretion not to consider various important matters in planning or to warn citizens about risks. If these prudent planning tasks are not required of County officials, and those tasks are not performed, the County may be subject to considerable litigation for negligent disregard of people and property. Therefore we recommend changing all “should” statements in the document to “shall” statements.

## CHAPTER 1

Pg. 1-13: We approve of these added warnings re: climate change. These warnings must be expressed throughout the SMP.

Pg. 1-19, 1.5, #13 & 14: We approve of these added statements re: resilience to climate change and credible science.

## CHAPTER 2

Pg. 2-5, 2.4.3.i: The phrase "and that these hazards are likely to increase over time due to climate change" should be added at the end.

Pg. 2-7, 2.5.3.h: Same comment as 2.4.3.i above.

Pg. 2-10, 2.6.3.h: Same comment as 2.4.3.i above.

Pg. 2-11, 2.7.3.f: Same comment as 2.4.3.i above.

Pg. 2-12, 2.8.3.g: Same comment as 2.4.3.i above.

## CHAPTER 3

Pg. 3-27, 3.9.1 Restoration Policies, #6: We endorse this statement: “Restoration efforts should take into account potential implications of climate change to ensure the resiliency and sustainability of the restored habitats over time.”

Pg. 3-31, 3.11.1 Transportation Policies, #5: We endorse this statement: "The location and design of new transportation uses/developments including replacement of existing roads and other infrastructure should take into account implication of sea level rise and other climate change effects."

Similar climate change warnings are not included in policies for 3.1 Agriculture, 3.2 Aquaculture, 3.3 Commercial and Industrial Development, 3.4 Forest Practices, 3.5 Mining, 3.6 Parking, 3.7 Recreation, 3.8 Residential Development, 3.10 Signs, and 3.12 Utilities. What is the reason for this? It seems that it would be appropriate to include climate change warnings in policies for most if not all of the above chapter sections that are similar to those for 3.9 Restoration and 3.11 Transportation.

## CHAPTER 4

Pg. 4-24, 4.6.5 Regulations - Design Standards for New or Expanded Shoreline Stabilization, #3 "Shoreline stabilization shall be designed to take into account sea level rise, storm surges and other climate induced effects." This is the only climate change warning in chapter 4. It is also the only section that has design standards. There are no design standards or climate change warnings in regulations for 4.1 Beach Access Structures, 4.2.2 Marinas, 4.2.3 Boat Launches, 4.2.4 Piers, Docks, and Floats, Non-residential, 4.2.5 Piers, Docks, Floats, and Lifts, Accessory to Residential Development, 4.2.6 Mooring Buoys 4.3.2 Dredging, 4.4.2 Flood Hazard Management and Flood Control Structures, 4.5.2 In-stream and in-water Structures 4.6.2 Existing Structural Shoreline Armoring, and 4.6.3 Subdivisions and Existing lots without Structures. A generic climate change warning needs to be added to Chapter 4 or climate change warnings need to be added to each of the sections in the chapter. The only climate change warning is "buried" in section 4.6 only under 4.6.5 in a manner such that it could be overlooked for those looking at regulations for 4.6.2 Existing Structural Shoreline Armoring, 4.6.3 Subdivisions and Existing Lots without Structures, 4.6.6 bulkheads, 4.6.7 Revetments, and 4.6.8 Breakwaters, Jetties, and Seawalls.

In addition, it seems that there should be design standard requirements for all sections except perhaps dredging.

## Chapter 5

Pg. 5-1 to 5-7, it is unclear how the proposed buffers and vegetation conservation in Chapter 6 apply to 5.1 Existing (Grandfathered) Uses and Developments and 5.2 Clearing, Grading and Filling. For example, if the existing use/development is located within one of the Chapter 6 proposed buffers, it appears that sections 5.1.3.5, (pg. 5-2),

5.1.3.6 (pg. 5-2 & 5.3), 5.1.3.7 (pg. 5-3), 5.1.3.8 (pg. 5-3 & 5-4), and 5.1.3.9, 10 & 11 (pg. 5-4) all would allow expansion of structures landward within the proposed Chapter 6 buffers. If the existing structures are already potentially vulnerable to damage from potential climate change (e.g. sea level rise, increased storm surge, increased stream flow intensity/duration/channel migration), then the owner of the property/structure must be warned of the potential impact of climate change if they propose additional structure size.

Pg.5-6, 5.2.2.4.d Clearing, Grading and Filling Regulations allow fill waterward of the ordinary high water mark to support maintenance of a lawfully established use or development. Again the owner must be warned of the potential impact of climate change and the potential effort and cost to maintain the use or development with increased climate change impacts. The effort and cost may influence the feasible alternatives (5.2.2.4), for example moving the established use/development to another site less likely to be impacted by climate change.

Pg. 5-8, 5.3.2: There needs to be a climate change warning added to this set of regulations for public access required at subdivisions of more than 9 lots. Perhaps a letter "e" that says something like, "Planning for public access should take into account the expected future impacts of climate change."

## Chapter 6

Pg. 6-1, 6.2.1.a: Add at the end of the sentence: “, most of which are expected to intensify as climate change becomes more severe.”

Pg. 6-11, 6.7 Regulations - Common Line Setback: It appears that the common line setback can be applied even if a new development within the Shoreline Residential-Intensive zone could meet the buffer widths established in Table 6-1. This appears to defeat the policy 6.2.1.a of protecting people and property from risks associated with potential climate change impacts including increased storm surges, sea level rise, and stream flooding quantity, frequency and duration. Also, Figures 6.6 a & b don't show a situation where existing structures on either side of a new primary structure are already the same distance from the ordinary high water mark (OHWM). It seems most appropriate that a new residence should be set back as far as possible from the OHWM to prevent potential legal ramifications resulting from the County allowing a new residence to be constructed in harm's way when that could be avoided.

## Chapter 7

Pg. 7-14, 7.13.1.d: Add italicized phrase: “A geological report prepared by a qualified professional, *expressly taking into account and citing the best available science*

*regarding locally-predicted impacts of climate change, indicates that the development site...*”

Pg. 7-15, 7.14.4.d: Add at the end of that line the same italicized phrasing as above.

Pg. 7-16, 7.15.1: Add as additional information sources relevant scientific studies related to local impacts of climate change, such as the documents listed below, all of which are linked from Olympic Climate Action’s Links page (<http://olyclimate.org/links/>):

- *Jamestown S’Klallam Tribe Climate Vulnerability Assessment and Adaptation Plan*
- *Climate Change and the Olympic Coast National Marine Sanctuary: Interpreting Potential Futures*
- *Adapting to Climate Change at Olympic National Forest and Olympic National Park*
- National Park Service study of glacial recession in the Olympic Mountains
- *Climate Change Impacts and Adaptation in Washington State: Technical Summaries for Decision Makers*
- *National Climate Assessment regional report: Chapter 21, Northwest*
- *Planning for Climate Change on the North Olympic Peninsula*, funded through the North Olympic Peninsula Resource Conservation & Development Council (of which Clallam County is a member), due in draft form 6/30/15 and in final 8/31/15.

This latter document will be the most thorough and comprehensive study of local climate impacts and adaptation to date, and as such, we urge the Commission and Department to wait until the study’s findings are published before forwarding a draft SMP to the Board of Clallam County Commissioners.

Pg. 7-18 7.17.1: Add to susceptibility factors an explicit mention of saltwater intrusion as a pollutant, as a result of sea level rise due to climate change.

## Chapter 8

Pg. 8-9, 8.7.1.g: Add at the end the same phrase italicized in our Comment re: Pg. 7-14, 7.13.1.d.

Pg. 8-9, 8.8.1.b: Add salinity to the list of water quality data.

We appreciate the opportunity to comment and look forward to your further work.

Sincerely, on behalf of Olympic Climate Action,

Ed Chadd, 307 W. 6<sup>th</sup> St., Port Angeles, 98362, 360-775-9234