

Merrill, Hannah

From: Megan [REDACTED]
Sent: Saturday, April 23, 2011 12:07 AM
To: Merrill, Hannah
Subject: some issues that need to be addressed in the SMP

Hello, there are some issues that also need to be resolved that are not specifically mentioned in your draft.

1). The setbacks are defined in the SMP that do not agree with the county zoning designation. It would be best if the SMP deferred to the county zoning because the SMP is updated so rarely.

2). The SMP uses the designations of mean high tide, ordinary high water, and is interpreted as vegetation change, and current placement of bulkhead. None of these lines coincide. This is crazy-making and counterproductive. Please pick one that can be defined. If you defer to the mean high tide, a marker to consider is a change in the algae (to the brown fuzzy species) growing on pilings that corresponds with Mean High High Water.

3). Another reason to consider language changes about setbacks based from current lines of bulkheads: We would all agree it is a good idea to move a bulkhead farther back to facilitate improved beach/upland connectivity while still providing extreme weather event protection to property structures. However, this makes a structure non-conforming because it is now too close. Furthermore, most lots struggle to be large enough to allow for all the setbacks currently required as the law is now. Please ensure the language does not prevent people from adopting a better approach.

4). Please establish what is meant by a setback. If a setback gets moved back (due to law or interpretation shifts) than there are a lot of cases where a current structure will become 'nonconforming.' Do you mean for this law to prevent someone from adding a second story to a home that does not move closer to the water? (the strict critical areas code still applies) If not, be very clear that you clarify this rule. Currently there is ambiguity and interpretation differences about not penetrating the plane of non-conformity (even upwards on the same lines).

5). The aquaculture section should also deal with algal aquaculture. Algal aquaculture is being developed as a way to improve the atmosphere by sequestering carbon, scrubbing water of excess nutrients and pollutants, growing biofuel, generating animal feed and nutraceuticals. Please ensure your regulations are set up to encourage this use of our waterways and shore-lands. This is a marine water dependent use because salt water does not compete with agriculturally limited fresh water supplies.

6). Scientific Research uses for docks, pilings, moorings, etc need to be allowed a great deal of flexibility, not more restrictions.

7). Please consider defining different beach regimes with respect to bulkheads. For instance, a bulkhead on an accreting low bank beach (such as Diamond Point) is a very different thing from a bulkhead blocking a feeder bluff. The first case has very little impact on ecosystem function, while the second case has a large negative effect.

8). I like and hope your regulations will continue to protect lagoon systems adjacent to the marine waters. Lagoon seepage has a large impact on the adjacent beach flora and fauna.

9). Hopefully you will encourage the placement of moorings, and not muddy the regulatory landscape any more than it already is. (the 'free permit' currently requires 5 agencies and a mound of incomprehensible paperwork) Moorings are much better solution than anchors.

Sincerely,
Megan Black


Sequim, WA 98382

Please contact me if you wish for clarification on any of my comments.