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From: NOTAC [notac@olypen.com]
Sent: Wednesday, May 18, 2011 11:16 AM
To: zSMP
Subject: NOTAC comments on the Consistency Review

Cathy, Here are my comments on the SMP Consistency Review:

Page 3:

Management of working lands: under the Forest Practices Act should also refer to Forest & Fish Laws and HCP. These are all rules or laws that regulate forest activities.

Shoreline Environment Designations: The 5 or 6 designations need a better explanation of each type to understand the requirements of each designation and who decides how a property falls into one of the categories.

The entire document is full of references to the "NO NET LOSS of ECOLOGICAL FUNCTION" and it should be better explained as to what this means and who determines this net loss. It is an ambiguous statement.

Page 7:

Policy 2 regarding public access: Public access should not include access on private property.

Page 8:

Top bullet point: The county needs to complete assessment of shoreline conditions to determine which designation system makes sense. How will this be done and under what rules?

Page 9:

#3 bullet point: Another regulation which states: The forest and other vegetation surrounding bays, coves, headlands must remain undisturbed. Related to forestry this should come under HCP, F&F, FPA. Are other buffer requirements being considered and if so what are they?

Page 11:

#7 Vegetation, C. Setback and buffer requirements should refer to F&F, HCP & FPA regs where it pertains to forestry.

Page 12 the graph. The boxes are all the same but presumably they will be adjusted to reflect the uses and their environmental designation. Who will make the determinations? How will these designations affect forestry?

Page 13:

5.03 Regs. That require conditional use permit for forest practice in Natural Env. What does this mean and will this section defer to FPA, F&F, & HCP?

Limitations may go beyond FPA? Who determines this and under what conditions would this go beyond HCP, FPA, F&F? Natural Environment for streams needs clarifications on characteristics used such as stream width, CFS or what and who determines this character and what process would be in place for appeals.

Page 14:

Mining: How will this affect gravel pits that may be located on forest land?

Page 15:

5.10 Industrial facilities to consider public access. Public access does not belong in an industrial setting for obvious safety reasons.

Log storage is a water related, economic value. Who will review additional protections. Forestry representatives and Port should be involved in any discussions.

Page 21:

FMP Section 5.03: Regs that reference FPA, This should remain. Inclusion by reference.

Missing provisions: Bullet point 2: SMP does not make clear road const. We point out that logging roads are not ancillary to timber harvest, they allow access to the logging and are covered under FPA and RMAP rules under F&F.

Logging roads are built and maintained to standards of today. Question on roads related to loss of ecological function:

If a culvert or bridge are built or improved and pass over a stream but meets all forest practice requirements where culverts or a bridge allows all water to pass through, could it be determined that there is a loss of ecological function?

Bullet points 3 & 4 (continues on Pg22. FPA set a higher bar for protections so defer to forest rules and regs. Consider that over time Adaptive Management thru CMER research will update with best science.

Does the top paragraph on Pg. 22 imply to add an additional layer of maps relating to shorelines and if so forest industry reps. would like to see maps and review them so they are consistent with FPA rules that has all streams typed and mapped.

Page 35:

Archaeological & Historic sites: Relative to forestry activities this is covered under current rules and regs.

General comments:

The timber industry in Washington State has the highest level of protection to wildlife and the environment of any place in the World. I am skeptical that this SMP process will further regulate an industry that has already given up a significant amount of land, uncompensated, to benefit people and the environment. An additional layer of protections may become too restrictive for reasonable economic activity. Hopefully we do not regulate people out of their ability to use their land and the end game is to move everyone off the Olympic Peninsula!

I realize you have citizen involvement in this process but the reality is that it is a complex issue that is not easily understood by the average person. The text needs to be written so the average citizen will be able to understand it. Please contact me for any clarifications of my comments and I have professional foresters and other professionals willing to clarify any concerns we may have relating to forestry and land rights during this SMP process.

Carol Johnson

NOTAC