

Merrill, Hannah

From: pearl hewett [REDACTED]
Sent: Saturday, May 21, 2011 8:20 AM
To: earnest spees; Kai Ahlburg; pat tenhulzen
Cc: pete church Smith; Jo Anne Estes; zSMP
Subject: Fw: Illegal Unconstitutional STATE DIRECTIVE BY WAC 173-26-191

My #8 SMP comment and recommendation.

I am now sending it to the official SMP update comment site.

Anything that is **illegal and unconstitutional** at a State level, shall not be included in Clallam County SMP update.

Pearl

----- Original Message -----

From: [pearl hewett](#)
To: [Gray, Steve](#)
Sent: Tuesday, April 12, 2011 9:32 AM
Subject: Fw: STATE DIRECTIVE BY WAC 173-26-191

Steve,

Jim Kramer asked for a copy of this WAC.

I would also like to add this as my comment on the Advisory meeting on 4/11/11.
Has a direct link for advisory comments been established?

Pearl Rains Hewett

----- Original Message -----

From: [pearl hewett](#)
To: [earnest spees](#) ; [Jo Anne Estes](#)
Sent: Tuesday, April 12, 2011 9:21 AM
Subject: STATE DIRECTIVE BY WAC 173-26-191

All,
I find this unacceptable.
Directing and identifying how our Clallam County Officials can **withhold permits** to private property owner's because the State can not legally or constitutionally regulate our private property at a state level.
We must question every addition into our revised Clallam County SMP that **goes beyond** State SMP requirement.

FYI

Pearl

WAC 173-26-191

[Agency filings affecting this section](#)

Master program contents.

The results of shoreline planning are summarized in shoreline master program policies that establish broad shoreline management directives. The policies are the basis for regulations that govern use and development along the shoreline. **Some master program policies may not be fully attainable by regulatory means due to the constitutional and other legal limitations on the regulation of private property. The policies may be pursued by other means as provided in RCW [90.58.240](#). Some development requires a shoreline permit prior to construction. A local government evaluates a permit application with respect to the shoreline master program policies and regulations and approves a permit only after determining that the development conforms to them.** Except where specifically provided in statute, the regulations apply to all uses and development within shoreline jurisdiction, whether or not a shoreline permit is required, and are implemented through an administrative process established by local government pursuant to RCW [90.58.050](#) and [90.58.140](#) and enforcement pursuant to RCW [90.58.210](#) through [90.58.230](#).