

*Jefferson County Shoreline Master Program (SMP) Update*  
**Shoreline Policy Advisory Committee (SPAC)**

**9-26-06 Meeting Notes**

**Location:** WSU Extension Learning Center – Spruce Room, Port Hadlock

**Attendees:** *Committee Members* – Karen Best, Scott Brewer, Dick Broders, John Cambalik, Larry Crockett, Jeff Davis, Peter Downey, Aleta Erickson, Ross Goodwin, Jerry Gorsline, Sarah Krueger, Eveleen Muehlethaler, Connie Muggli, David Roberts; *Alternates* - Kevin Tuuri,

*Staff & Consultants* - Josh Peters, Michelle McConnell, Margaret Clancy, Al Scalf; Christina Pivarnik

*Audience* – 6 members of the public signed the attendance sheet

**Materials:** Final Agenda; Table of Contents for STAC Review Draft – Shoreline Inventory & Characterization Report; DNR Recreational Mooring Buoy hand-out; Marine Shoreline Landowner Workshop flyer

**10:10 am Welcome & Introductions** – Project Coordinator Michelle McConnell welcomed everyone and expressed appreciation for their attendance. She introduced colleagues Al Scalf, County Department of Community Development (DCD) Director, Josh Peters, Lead Senior Planner with DCD, and Margaret Clancy with ESA Adolfson. The group of committee members each introduced themselves giving name, committee representation and organizational affiliation.

**10:11 am Public Comment** – No comments were provided; Public comment period was closed and the committee work session began.

**10:12 am Integration Strategy Follow-up** – No further discussion was made

**10:13 am Introduction to Shoreline Inventory & Characterization** – Project Consultant Lead Margaret Clancy gave an overview presentation about why and how a shoreline inventory and characterization (I&C) has been prepared for this SMP Update Project. The following points and discussion were made:

- Contents of the I & C Report are per WAC Guidelines, County grant agreements with Ecology and ESA Adolfson
- The term Best Available Science comes from Growth Management Act/Critical Areas protections, and an equivalent requirement exists for SMP work = “current, accurate and complete information” and “all available science”; also “anecdotal” information is acceptable for SMP but not for GMA/CAO
- The science assessment was made at two scales – watershed and reach
- Watershed scale assessments were grouped by the 5 WRAs that exist in Jefferson County, looked at ecosystem-wide processes as defined in the WAC, and relate process to structure to function.
- There were several options for assessment methods to use including regional management plans (i.e. WRA) and other technical studies, but Ecology’s “Protecting Aquatic Ecosystems” landscape analysis approach was selected. It has a freshwater focus, but similar methods were used for marine shorelines as well.
- Committee member John Cambalik asked if activities on federal lands could affect shoreline resources downstream. It’s possible, although in Jefferson County things are fairly well protected. Marine nearshore could be affected too.
- Committee member Karen Best asked if it’s true that 95% of land in the County is federally owned.
- The assessment method used includes:
  - Identify the areas that are important for maintaining key watershed processes = Important Areas
  - Identify land use patterns as indicators of alterations (logging, septics, docks/piers, bulkheads)

- Link the alterations to a functional response
- At the reach scale, the WAC list of SMP jurisdiction and/or the '05 Shoreline Inventory was used.
- Inventory areas can be different (more inclusive) than the SMP jurisdiction area.
- SMP jurisdiction may change based on interpretation of SMA definitions, and resources to augment contract scopes of work.
- Committee member Eveleen Muehlethaler asked who decides SMP jurisdiction – what's included? The WAC list has previously been used, and still is, however Ecology is currently in a rule change process. They are proposing that each city or county interpret and implement the SMA definitions to determine their own SMP jurisdiction. The current Jefferson County effort is stuck in the middle of using the WAC list but potentially having the rule change before the SMP update is complete. There is nothing currently in any contract budget or scope of work to expand this list.
- The approximate regulatory area for SMP = 200' upland from the ordinary high water mark (OHWM) including the 100-year floodplain
- A member of the public interjected a question: Are channel migration zones (CMZs) included? *Yes, as they've been included in various past County studies, but there's been no independent study of CMZs.*
  - A member of the public interjected a comment: The critical areas ordinance (CAO) has CMZs too, that equals double regulation! *The critical areas protections in the SMP must be equivalent or greater than to the CAO. The SMP will not duplicate the CAO regulations but no discrepancies are allowed between SMP and CAO.*
  - DCD Director Al Scalf added that at this time, a permit application could require dual review given both SMP and CAO issues, and that would stay the same with the current CAO proposal.
  - A member of the public interjected a comment: CMZs should be kept as part of SMP only and consider more general rather than specific regulations.
  - Committee member Jeff Davis added that CMZs can exist outside shoreline areas
  - Al added that the Unified Development Code is intended as named – “unified” – meaning that both SMP and CAO apply to development proposals. It's not a matter of choosing one or the other set of regulations.
  - DCD Lead Planner Josh Peters added that the Integration Strategy for this SMP update project is intended to address this issue and translate the procedural implications. Also, it can be decided later as to whether to include the whole 100-year floodplain in the SMP jurisdiction.
  - Margaret added that the issue of including critical areas buffers can also be decided later.
  - Josh added that at this time there is some disagreement on some of these issues and they are being decided at the court and state levels, outside the purview of County staff or this committee.
- There are over 130 Reach Breaks for this inventory meaning shorelines are broken into linear segments to allow for analysis of related data. Criteria for determining these reach breaks are as follows:
  - Rivers – ownership, gradient, fish barriers
  - Nearshore – drift cells, freshwater inputs
  - Lakes – one reach per lake due to small sizes
  - NOTE: reach breaks are not the same as management units used in other resource assessment/management methodologies
- John asked if the Bainbridge Island process was used to determine Nearshore reach breaks. *Battelle is assisting the restoration planning component of this SMP update, and has used a method similar to what they did on Bainbridge Island, and the Columbia River Estuary*

**11:03 am Margaret's presentation & committee discussion continued:**

Inventory Elements –

- Committee member Peter Downey asked if aquaculture is considered a land use. There's a lot of the east Jefferson County population adjacent to the Nearshore, also look at tribal harvest areas.
- Committee member David Roberts added that public tideland/harvest areas should also be included.

- Nearshore elements include: geology, bluffs, habitat, shore modifications, landslides. There is some redundancy and looseness of terms (critical areas, habitat, slides, etc.)
- John asked how salmon migration corridors were addressed. *Specific migration corridors haven't been officially designated or mapped as such by any agency. NOAA has identified priority habitats and various studies provide evidence of where these occur, but there is no "official designation" or discrete data set.*
- Freshwater elements include: wetlands, fish barriers, riparian cover, flood control structures, channel conditions
- Lake elements are fairly sparse. There's not much available data published. The '05 Inventory by Neil Harrington is very good in this area although mostly at a reach scale. This is a data gap to keep an eye on.
- Also, a new report has recently been released that identifies an additional 6 lakes that could be included under the County's SMP jurisdiction based on the SMA criteria.
- Eveleen asked what percent of the total shoreline jurisdiction do the currently listed lakes represent and, if the 6 new lakes were added, how that would affect the total. *Margaret took a ballpark guess that current lakes are maybe 2% of the total, and adding the new lakes might increase that to 3%. She'll look into that and get a more specific response back to the group. As a follow up, the team determined that 2% of the County's currently regulated shorelines are lakes.*

**11:15 am Break**

**11:29 am Margaret's presentation & committee discussion continued:**

Shoreline Ecological Functions –

- Vegetation – shade, large woody debris (LWD) input, nutrients, stabilization
- Habitat – forage, reproduction, refuge, migration
- Hyporheic – water storage, flow regulation, nutrients
- Information sources include variety of studies and GIS data sets from agencies, organizations. A table was shown that summarizes the many data sources. A question was asked what SSURGO stands for, as it was not readily apparent to anyone who regularly works with such data. *SSURGO refers to the Soil Survey Geographic (SSURGO) Database.*
- John asked how new data will be incorporated. *Margaret responded that we're taking the time now for STAC review to capture any existing data that may have been missed before finalizing the Inventory & Characterization Report. Afterwards, the document will not likely be revised until the regular SMP update cycle every 7 years, but the GIS database is a living collection of information that can be updated continuously as new data become available.*
- It was mentioned that local consultant Jim Norris has done eelgrass studies along Port Townsend and Hood Canal shorelines. And Ecology has done helicopter videos of city & County shores in ~2000/01 but they're hard to use because the visual and audio narration goes by so fast. There are no mile markers on the video so hard to relate data to the reach breaks.
- It was asked what septic data was used. *Coarse scale of septic system densities (Source: Dept. of Health), not down to specific parcels and exact tank/drain field locations.*
- Committee member Dick Broders mentioned he'd recently seen online a DOH study for Discovery Bay of septics and outfalls.
- Al asked if the Map Folio maps can zoom in all the way to parcel level. *Not at this time, but it would be possible to add the county parcel overlay when the maps become part of an interactive map server system, much like critical areas maps now online at the Jefferson County website.*
- Peter commented that the maps can only show recorded data.
- Staff and public may use the maps in different ways for regulatory issues, as opposed to the inventory maps that just establish current baseline conditions. As an example, there are differences between the work the Planning Commission critical area's committee uses the CA maps and how DRD planners use the CA maps. DNR stream typing is another area where there's some discrepancy.

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- Can the County provide staff specialists to relieve property owners of the burden of proof? *Sure, as long as it's in the budget.*
- John noted that there are 28 Dept. of Ecology permitted point-source discharges in Jefferson County, 27 of which are in East Jefferson County. He'll provide the data source for this.
- John asked if marinas were included. *Yes, and many have EIS data available.*
- Michelle noted that Ecology has taken a new '06 set of aerial oblique shoreline photos that will be available soon.
- Margaret noted that the Whatcom County project included a pictometry component of high-resolution "surveillance quality" photos with GIS references at a cost of ~\$150K. That system is available to view online.
- Jerry asked if wetlands delineation and typing data becomes part of the County record. *Some special reports are online, but also data do not exist as GIS-referenced polygon data yet. Not sure for other counties.*
- Margaret noted that Island county has done sampling of 103 wetlands for their CAO
- A member of the public interjected a question about the Island County shoreline update and suggested that it would be good to look at since Island County is also a model for CAO. <<someone (public or staff?) then commented about the Western Washington Growth Management Hearing Board and the "existing and ongoing agriculture" term – need clarification here>>
- Josh noted that if Jefferson County had staff or a specialist on retainer to produce special reports it would help update the database on an ongoing basis rather than periodic overhauls.

**12:10 pm Margaret's presentation continued with the maps component of the report:**

- The Draft I&C Report map folio has some of all potential outputs from the GIS database.
- Jerry asked who decides the shoreline environment designations (SEDs). *The STAC is currently reviewing the Draft I&C Report; STAC and SPAC will meet jointly on 10/13; and SPAC will assist staff and consultants to develop the SMP goals, policies, regulations and SEDs.*
- The I&C Report has an Appendix B that includes Neil's '05 Inventory maps, which are aerial photo based and more focused on reach breaks than on watersheds.
- It's important to remember the two scales of the I&C analyses: the watershed scale shows the areas important for the function of landscape processes; the reach scale shows the geophysical, environmentally sensitive/critical areas, habitat, vegetation, and land use patterns.
- The I&C is intended to support the SMP development and the restoration planning component supports the "no net loss" (NNL) requirement. Both the I&C and the Restoration Plan will also be helpful to other issues like salmon, shellfish, etc. The Ecology graphic shows the connection between NNL and restoration.
- The I&C helps establish the baseline for cumulative impacts, helps guide development of the SEDs and will assist the development review and permitting processes during SMP implementation.

**12:25 pm Lunch**

**12:50 pm The meeting reconvened:**

- A member of the public interjected a question about whether all wetlands are included or just those associated with SMP water bodies. *All known wetlands in the county are mapped. In addition, areas of potential wetlands are mapped where there are hydric soils and low slopes (<2%)*
- Reach breaks in marine or freshwater were sometimes delineated by infrastructure features (i.e. Highway 101, barriers, gradient changes)
- Keep in mind that we're talking about inventory reaches, not management reaches.
- A member of the public interjected a question about whether salt and freshwater wetlands have differing regulations like in the CAO. *Josh noted that estuaries are the interface between salt and freshwater systems. Margaret added that the State defines wetlands as vegetated, some estuarine areas are un-vegetated mudflats but these areas are regulated as waters of the state/waters of the US and are also considered critical areas even if they don't meet the state definition of wetlands.*

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- Committee member Jeff Davis asked if anecdotal information for specific sites would be useful. *Yes, please send to Michelle.*
- Jerry asked how and when jurisdiction issues get solved. *During permit process when Development Review site visits provide more information to adjust or expand existing SEDs.*
- It was asked whether new data would change the maps. *Not likely since the inventory is different from the permit application process. Still, criteria and process trump the maps.*
- A member of the public interjected a question about the difference between a field survey and a delineation. *A field survey identifies the existence of the feature (i.e. wetland), a delineation locates the boundaries of the feature.*
- Note on the map(s) of geophysical features: running stick figure person = stairway; slightly angled vertical rectangle = dock
- Peter noted it would be nice to have abandoned pilings mapped *Yes, it would be nice to have data available.*
- Kevin mentioned it would be useful to have a glossary of term available before the 10/13 meeting. *The current '89 SMP has a section of definitions, as does the '71 SMA and the '03 Guidelines. Materials will be provided to the group for the joint meeting.*
- John asked about delineation of diked areas in estuaries and the presence of tide gates along the Little Quilcene River and in the Shine area. *They are mapped where data are available.*
- Larry asked how official the maps are and whether other agencies can/will use them noting that it might help save money. *The maps are for planning purposes but anyone can use them.*
- The data source for the marine nearshore component was questioned. *EDT, SSHIAP, DFW*
- Josh noted that the hope is to use the database for permitting processes even outside the SMP shorelines, and to also consider DFW management considerations at the permit review level.
- The state's habitat database is updated every 6 months.
- Anecdotal information is included in the report as "personal communication".
- There's no obligation to update the State database.
- Use the big picture information and maps to help guide the specifics. SEDs determine the development provisions
- Peter noted it would be nice to see the zoning overlays on the maps too. *Josh noted that staff hopes to eventually have interactive mapping service (IMS) available online for shoreline maps*

**2:00 pm Public Comment – One member of the public made comment:**

- Patricia Farmer of Kala Point expressed concern about the recent approval for 17 trees in the shoreline to be removed or limbed.

**2:05 pm Announcements**

- Michelle reminded the group of the joint STAC and SPAC meeting on 10/13
- The meeting was adjourned