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The attached comments have been provided representing the Washington State Parks and Recreation Commission's Stewardship Division. Thank you for considering our comments.

## Draft SMA Update Comments

These comments have been prepared representing the Washington State Parks and Recreation Commission's Stewardship Division.

### Draft Chapter 173-18 WAC

Page#	Topic	WAC Citation	
4	Review and update of designations	173-18-044	Parks Stewardship supports the concept of local government master program lists being updated with periodic reviews.
Many	Lists of streams and rivers by county	173-18-060, etc.	Parks Stewardship supports removing the lists of local jurisdictional streams and rivers from WAC due to the completion of SMP comprehensive updates.

### Draft Chapter 173-20 WAC

Page#	Topic	WAC Citation	
5	Review and update of designations	173-20-044	Parks Stewardship supports the concept of local government master program lists being updated with periodic reviews.
7	Lists of lakes by county	173-20-100, etc.	Parks Stewardship supports removing the lists of local jurisdictional lakes from WAC due to the completion of the SMP comprehensive updates.

### Draft Chapter 173-22 WAC

Page#	Topic	WAC Citation	
3	Definitions	173-22-030(XX)	The definition of marine is a pertinent addition. However, many rivers and streams are "tidally influenced" yet not considered marine. It may be prudent to include tidally influenced areas of rivers and streams, or to exclude those areas in this definition.
3	Definitions	173-22-030(7)(a)	Parks Stewardship supports the concept of local governments including additional areas as shorelands managed under the SMP, including critical area buffers.
6	Shoreland area designation criteria	173-22-040(4)	Parks Stewardship supports the concept regarding options for extending the shoreland area to shoreline jurisdiction. The second sentence in part (b) is unclear and could be interpreted as buffers for critical areas requiring a sea level rise vulnerability assessment or other sea level rise projections. Perhaps the critical areas should be split out into their own subsection to avoid confusion between including "critical areas and buffers" and "areas identified as likely to be exposed to sea level rise" as two distinct possibilities.

### Draft Chapter 173-26 WAC

Page#	Topic	WAC Citation	
21	Sea level rise hazard area	173-26-020 (33)(XX)	It's not clear what the time horizon is for "areas likely to be impacted by sea level rise". It is possible to clarify how the term "reasonably likely" may be interpreted. For example,

			does this mean more than 50% likelihood of exceedance in a given time frame of study (see 173-26-246 (6)(b)(iii)(B)).
109	Nonconforming uses	173-26-221(2)(a)(iv)(D)	Parks supports the concept of new standards for development in SLR Hazard Areas, but it is unclear in the text what the reference is for guiding principles.
115	Standards for public access	173-26-221(3)(d)(vi)(B)	Parks supports this language as proposing referenced adaptation actions can be problematic within current designations.
183	Sea level rise vulnerability	173-26-246 (6)(b)(iii)(B-D)	Thank you for providing this level of description of SLR scenarios (50% likelihood threshold/20-year storm considerations). Advocating for consistent use of scenario variables will make adherence with 173-26-246 (6)(b)(vi) more achievable.
184	Sea level rise vulnerability	173-26-246 (6)(b)(iv)(D)	Does the focus on describing impacts to locally valued natural and cultural resources overlook consideration of state or nationally significant resources? Or is this covered in another section?
184	Sea level rise vulnerability	173-26-246 (6)(b)(iii)(E)	Coastal bluffs and dunes are widespread shoreline landforms that are vulnerable to/impacted by SLR. Impacts from bluff and/or dune erosion are identified as an additional relevant coastal hazard. What is the rationale for not including them in core vulnerability analysis and associated SLR Hazard Area mapping?
185	Sea level rise adaptation	173-26-246 (6)(c)(i)(A)	Thank you for providing this level of detail for adaptation strategies; this should help build consistency across jurisdictions.
185	Sea level rise adaptation	173-26-246 (6)(c)(iii)(E)	The last sentence in this section is a notable consideration (projects must not exacerbate impacts for adjacent locations) and may warrant further description of what adjacent impacts entail.
191	Sea level rise hazard area	173-26-246 (8)(p)	Use of the term “high-end sea level rise projections” is unclear. Is this referring to inclusion in a longer time horizon (2100) or higher (>50%) probability/likelihood projection scenarios?
192	Sea level rise principles	173-26-246 (10)(a)	How is the term “current” information defined in the context of SLR? At what point does SLR data formally become outdated or inaccurate? Typically, how long will the SLR projection data provided for a vulnerability assessment be acceptable? Will SLR data updates be needed for future periodic reviews?

#### Draft Chapter 173-27 WAC

Page#	Topic	WAC Citation	
9	Definitions	173-27-030(4)	The clarity of conditional use permits not authorizing prohibited use is a good addition.
9	Definitions	173-27-030(7)	The clarity for exemptions is a useful addition.
10	Definitions	173-27-030(XX)	Mitigation sequencing provides additional guidance, but there are such slight nuances in (ii) and (iv), it is left unclear. Also, it appears that (vi) would only apply to compensation (v), in which case, it could be argued that no other measure

			would require monitoring. Since most sequencing measures do require monitoring, it may be worth rewording (vi) to be inclusive of all mitigation measures.
11	Definitions	173-27-030(17)	The clarity of a variance not being a means to authorize prohibited use is a good addition.
12	Shoreline permit system	173-27-035	Thank you for providing specifics on the process of shoreline permitting. This is a vital section and is a necessary addition to the WAC.
13	Shoreline permit system	173-27-035(3)	This new section is important and a useful addition. In the past, many jurisdictions have required a substantial development permit process only because a project occurs, even if it is not development. Thank you for this clarification. Based on the proposed language, it does sound like SMPs that do not have specific rules on conditional or specific uses may be in limbo. Could the language be tightened in (3)(c) to assist local jurisdictions in the process until their periodic updates are approved?
13	Shoreline permit system	173-27-035(4)	Thank you for changing the dollar threshold to a number that will change with inflation. This is a useful change for a growing economy.
15	SDP exemptions	173-27-040(d)(iv)	If conditions of approval are not necessary, (iv) may not apply. Will there be proposed standard conditions issued for all exemptions in these cases?
21	SDP exemptions	173-27-040(2)(k)	Clarifications in this section are useful.
24	SDP exemptions	173-27-040(3)	The clarification on the information required to submit for a shoreline exemption permit is useful. This is a good addition.
26	Developments not required to obtain shoreline permits	173-27-044(6)	This is a good clarification showing that improvements to habitat or fish passage are exceptions and not exemptions.
27	Exemption authorization	173-27-050(1)	This statement contradicts 173-27-040(d)(iv), stating that conditions of approval are necessary. In this verbiage, an exemption can be approved through a statement without conditions. Please consider revising these sections to be consistent with one another.
35	Revisions to permits	173-27-100(2)(d)	Parks supports the addition of language clarifying “within scope and intent” to include requirements for vegetation conservation and critical area protection.
35	Revisions to permits	173-27-100(2)(g)	Parks supports the addition of language clarifying “within scope and intent” to include revisions not resulting in a net loss of shoreline ecological function.
38-39	SMP consistency with SEPA	173-27-115	Parks supports the addition of consistency analysis and environmental review under SEPA. In this verbiage, it appears that project review would not include SEPA if another entity claims SEPA authority. While many projects are led by local jurisdictions, there are other SEPA lead agencies, and this should be addressed in this section.

48	Application requirements	173-27-180(9)(d)	This language is more inclusive of all critical areas and is a good addition.
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