November 9, 2026

Washington State Department of Ecology
ATTN: Rebecca Rothwell
Rulemaking Lead
PO Box 47600
Olympia, WA 98504

RE: New Rulemaking and Enforcement Limitations
WAC 173-26-191

Dear Rebecca Rothwell:

I am submitting an attachment that I think exemplifies why enforcement is so limited for local zoning and for shorelines uses in many local government jurisdictions. This document is from 2014 when Whatcom County was reviewing their enforcement policies before the County Council.

I referenced this problem in my letter dated November 6, 2026. For our county, enforcement is done by priority and yet Ecology has no definitions for limited enforcement based on priority. Page 4 and 5 itemizes the dilemma for probably many smaller communities where local zoning may have legislation where uses are mentioned but no permits are required. There really is no tracking system and no solutions.

I hope this shines some light on why the public is often disillusioned with Ecology's many expectations for local SMP rules. It simply isn't working as expected. Ecology rulemaking must address the priority system being used for enforcement either by exclusions, definitions, and/or more direct involvement if you want the public to actually endorse and support the efforts to bring clarity to the Shoreline Management Act by rulemaking.

Thank you again for this opportunity to comment on the many changes Ecology is proposing. I support most of it.

Sincerely,

Tani Sutley
3006 Northshore Road
Bellingham, WA 98226