



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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September 30, 2019

SNOHOMISH COUNTY COUNCIL  
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OCT 03 2019

The Honorable Terry Ryan, Chairman  
Snohomish County Council  
Robert J. Drewel Building, Eighth floor  
3000 Rockefeller Avenue, M/S 609  
Everett, WA 98201

CC'D TO	CF	_____
JLM	DIST 1	_____ GOT
JDG	DIST 2	_____ DLE
YSW	DIST 3	_____ ALC
HCB	DIST 4	_____ ELL
NAG	DIST 5	_____ CMF

**Re: Final Ecology Approval of the Snohomish County Shoreline Master Program Update**

Dear Chairman Ryan:

The Department of Ecology (Ecology) is pleased to announce final approval of the Snohomish County Shoreline Master Program (SMP) amendment. Ecology finds the County's program consistent with the policy and procedural requirements of the Shoreline Management Act (RCW 90.58) and its implementing rules.

Ecology approves the County's SMP amendment as submitted. The enclosed Attachment A, Findings and Conclusions document, provides more information about our decision. This is Ecology's final action and there will be no further modifications to the proposal.

The amendments adopted by this action concludes the County's periodic review under RCW 90.58.080(4). Ecology's approval affirms the SMP amendments are consistent with the applicable provisions of the SMA and its implementing rules, including periodic review requirements of WAC 173-26-090.

The SMP is effective 14 days from the date of this letter. This time period was established by the state legislature and is intended to provide lead time for the County to prepare to implement the new SMP.

Ecology is required to publish a newspaper notice that the County's SMP has received final approval. The publication of this notice, in the form of a legal ad, will begin a 60-day appeal period. We will provide a copy of the legal ad to the County for its records.



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If you have any questions, please contact our regional planner David Pater at (360) 255-4375 or [david.pater@ecy.wa.gov](mailto:david.pater@ecy.wa.gov).

Sincerely,

A handwritten signature in black ink that reads "Maia D. Bellon". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Maia D. Bellon  
Director

Enclosure

By Certified Mail [9489 0090 0027 6081 4496 35]

cc: Ikuno Masterson, Snohomish County  
Joe Burcar, Ecology  
David Pater, Ecology

**ATTACHMENT A: FINDINGS AND CONCLUSIONS  
FOR PROPOSED PERIODIC REVIEW OF THE SNOHOMISH COUNTY  
SHORELINE MASTER PROGRAM**

SMP Submittal accepted August 2, 2019, Resolution/Ordinance No. 19-020  
Prepared by Department of Ecology on August 21, 2019

Snohomish County has submitted Shoreline Master Program (SMP) amendments to Ecology for review for compliance with periodic review requirements.

Snohomish County's shoreline consists of approximately 33 miles of marine shoreline, 910 miles of freshwater lake shoreline, and 1132 miles of river and stream shoreline. The amended SMP also retains designated floodplains within shoreline jurisdiction, which includes significant areas in the Snohomish and Stillaguamish river valleys.

## FINDINGS OF FACT

### Need for amendment

The proposed amendments are needed to comply with the statutory deadline for a periodic review of the County's Shoreline Master Program pursuant to RCW 90.58.080(4). The County prepared a checklist that documents the proposed revisions. The amendment brings the SMP into compliance with requirements of the Shoreline Management Act (Act) or state rules that have been added or changed since the County's last SMP amendment, ensures the SMP remains consistent with amended comprehensive plans and regulations, and incorporates revisions deemed necessary to reflect changed circumstances, new information, or improved data.

SMP provisions to be changed by the amendment as proposed

The following provisions of the County's SMP are proposed for change:

**Shoreline Jurisdiction:** Four fresh water lake/wetland systems were added to shoreline jurisdiction. Improved GIS data helped County staff identify these areas as having greater than 20 acres of open water, thus qualifying as "shorelines", pursuant to RCW 90.58.030 (2)(e). Shoreline environment designation map adjustments were also made to recently annexed shoreline areas incorporated into local SMP's administered by the cities of Stanwood, Everett, Lake Stevens and Snohomish.

**Administrative Updates:** As part of the periodic review; a number of changes were made to SMP administrative provisions within the County's SMP in section SCC 30.44, including procedures and permit exemptions.

**Definitions:** As part of the periodic update; a number of definitions within the SMP were updated in SCC 30.91D for consistency with updated State shoreline laws.

**SMP Critical Areas Regulations (CAR) Integration:** SMP section SCC 30.67.060 was revised in a number of subsections to improve implementation and consistency with the 2015 Snohomish County CAR update. This included an addition of a common line setback to manage infill

development on vacant lots on specific highly-developed residential lake shorelines. A list of relevant lakes is included in the code revisions.

**Boating Facilities:** SMP section SCC 30.67.515 was restructured to better regulate marinas, yacht and boat clubs, boat launches and ramps, by creating a separate code section aligned with applicable SMP-Guideline requirements.

**Piers and Docks:** SMP section SCC 30.67.515 was further modified to address decking light transparency to better match decking materials, and pier or dock length limitations.

#### Amendment History, Review Process

The County prepared a public participation program in accordance with WAC 173-26-090(3) (a) to inform, involve and encourage participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines.

The County began their SMP outreach with public workshops in February 2018 and a stakeholder workshop which focused on governmental agencies and local tribes. Outreach continued with an October 23, 2018 public hearing at the Planning Commission and culminated with a County/Ecology joint review hearing at the County Council on June 5, 2019.

The County used Ecology's checklist of legislative and rule amendments to review amendments to Chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended, and determine if local amendments were needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(I).

The County reviewed changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them in accordance with WAC 173-26-090(3)(b)(ii).

The County considered whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data in accordance with WAC 173-26-090(3)(b)(iii).

The County consulted with Ecology and solicited comments throughout the review process.

The County held a joint local/state comment period on the proposed amendment following procedures outlined in WAC 173-26-104. The comment period began on May 15, 2019 and continued through June 14, 2019. A public hearing before the County Council was held on June 5, 2019.

The County provided notice to local parties, including a statement that the hearings were intended to address the periodic review in accordance with WAC 173-26-090(3) (c) (ii). Affidavits of publication provided by the City/County indicate notice of the hearing was published on May 15, 2019.

Ecology distributed notice of the joint comment period to state interested parties on May 13, 2019.

A total number of 109 individuals or organizations submitted comments on the proposed amendments. The County submitted to Ecology its responses to issues raised during the comment period on June 26, 2019.

Most of the individual citizen comments were in support of the extensive comments submitted by Future wise, Washington Environmental Council and the Pilchuck Audubon Society. These comments were submitted jointly.

An overarching comment was that the proposed revisions to the County SMP update were not adequate for achieving no net loss of ecological functions. Comments focused on amending critical area buffer requirements through incorporation of Washington State Department of Fish and Wildlife 2018 draft guidance for protecting riparian areas and recommendations to modify County buffer provisions.<sup>1</sup> Comments also recommended that the County require wider setbacks between proposed development and critical area buffers. Other comments suggested that the County should address sea level rise; incorporate a ten percent cap on individual site impervious surface limits; maintain ecologically intact shorelands, and retain the variance permit requirement for innovative development design projects.

Another set of detailed comments were submitted by the Tulalip Tribe. Their comments recommended re-designation of certain shoreline segments to the Natural Environment. Tulalip comments also supported the Future wise/WEC/PA, comments especially regarding recommended changes to the SMP's buffer standards.

Snohomish County provided detailed responses that are summarized and included in Exhibit B: *Snohomish County Shoreline Master Program Department of Ecology Comment Summary: June 2019*. Ecology finds the county's responses are consistent with the statutory obligations for conducting periodic reviews.

The proposed SMP amendment was received by Ecology for initial state review and verified as complete on August 2, 2019.

Ecology prepared an initial determination that the amendment is consistent with the policy of the SMA and applicable guidelines. A written statement of initial concurrence was sent to Snohomish County on June 28, 2019.

With passage of Ordinance NO. 19-020, on July 3, 2019 the Snohomish County Council authorized staff to forward the proposed amendments to Ecology for formal approval.

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<sup>1</sup> Final *Riparian Ecosystems, Volume 1: Science synthesis and management implications*: May 2018, and Draft *Riparian Ecosystems, Volume 2: Management Recommendations*. 2018. Washington Department of Fish and Wildlife.

#### Consistency with Chapter 90.58 RCW

The proposed amendment has been reviewed for consistency with the policy of RCW 90.58.020 and the approval criteria of RCW 90.58.090(3), (4) and (5). The County has also provided evidence of its compliance with SMA procedural requirements for amending their SMP contained in RCW 90.58.090(1) and (2).

#### Consistency with applicable guidelines (Chapter 173-26 WAC, Part III)

The proposed amendment has been reviewed for compliance with the requirements of the applicable Shoreline Master Program Guidelines (WAC 173-26-171 through 251 and 173-26-020 definitions). This includes review for compliance with the SMP amendment criteria found in WAC 173-26-201(1) (c) along with review of the SMP Periodic Review Checklist completed by the County.

#### Consistency with SEPA Requirements

The County submitted evidence of SEPA compliance in the form of *Addendum NO. 2 to the Shoreline Master Program Final Supplemental Environmental Impact Statement*, issued on April 24, 2019 for the proposed SMP amendments. Ecology did not comment on the EIS addendum

#### Other Studies or Analyses supporting the SMP amendment

Ecology also reviewed supporting documents prepared for the County in support of the SMP amendment. These documents include a public participation plan, a periodic review checklist and a Shoreline Monitoring Report Assessment, which reviewed project actions to assess the effectiveness of the County SMP implementation (titled “Attachment A” and included here as Exhibit A).

## CONCLUSIONS OF LAW

After review of the complete record submitted and all comments received, Ecology concludes that the County proposed amendments are consistent with the policy and standards of RCW 90.58.020 and RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through 251 and .020 definitions).

Ecology concludes that the proposed amendment satisfies the criteria for approval of amendments found in WAC 173-26-201(1) (c). This includes the conclusion that approval of the SMP amendment will not foster uncoordinated and piecemeal development of the state’s shorelines (WAC 173-26-201(1) (c) (i) and will assure no net loss of shoreline ecological functions will result from implementation of the amended master program (WAC 173-26-201(1) (c) (iv)).

Ecology concludes that those SMP segments relating to shorelines of statewide significance provide for the optimum implementation of Shoreline Management Act policy (RCW 90.58.090(5)).

Ecology concludes that the County has complied with the requirements of RCW 90.58.130 and WAC 173-26-090 and WAC 173-26-104 regarding public and agency involvement in the SMP review and amendment process, including conducting open houses and public hearings, notice,

consultation with parties of interest and solicitation of comments from tribes, government agencies and Ecology.

Ecology concludes that the County has complied with requirements of Chapter 43.21C RCW, the State Environmental Policy Act.

Ecology concludes that the County SMP submittal to Ecology was complete pursuant to the requirements of WAC 173-26-090, WAC 173-26-104, and WAC 173-26-110.

Ecology concludes that it has complied with the procedural requirements for review and approval of shoreline master program amendments as set forth in RCW 90.58.090 and WAC 173-26-104, WAC 173-26-110, and WAC 173-26-120.

Ecology concludes that with this action the County has completed the required process for periodic review in accordance with RCW 90.58.080(4) and applicable state guidelines (WAC 173-26).

## DECISION AND EFFECTIVE DATE

Based on the preceding, Ecology has determined the proposed amendments are consistent with Shoreline Management Act policy, the applicable guidelines and implementing rules. Ecology approval of the proposed amendments is effective 14 days from Ecology's final action approving the amendment.

Exhibit A: Snohomish County Shoreline Monitoring Report Assessment.

Exhibit B: Snohomish County Shoreline Master Program Department of Ecology Comment Summary: June 2019.

**Snohomish County Shoreline Master Program Department of Ecology Comment Summary.  
June 2019**

Comment #	Commenter	Specific Comment	Snohomish County Response
1	Futurewise, Washington Environmental Council and Pilchuck Audubon Society	(a) We recommend that Snohomish County review and improve its SMP to ensure that it is achieving no net loss of ecological functions. As is documented on page 3 below, the available information shows that the SMP is not achieving no net loss of ecological functions which is a requirement for shoreline management programs.	<p>(a) Ecology guidance provides the following purpose of the periodic review required by RCW 90.58.080(2):</p> <p>The presumption in the comprehensive update process was that all master programs needed to be revised to comply with the full suite of ecology guidelines. By contrast, the periodic review addresses changes in requirements of the act and guidelines requirements since the comprehensive update or the last periodic review, and changes for consistency with revised comprehensive plans and regulations, together with any changes deemed necessary to reflect changes circumstances, new information or improved data.</p> <p>Department of Ecology, Summary of Periodic Review Rule (WAC 173-26-090), Shorelands and Environmental Assistance Program (Sept. 20, 2017). Local jurisdictions are not required to update their shoreline inventories or characterization reports to determine whether they are meeting the no net loss standard. Rather, Ecology recognizes that because jurisdictions adopted shoreline master programs that comply with the SMA and 2004 Ecology Guidelines (chapter 173-26 WAC (Part III)), following those programs will result in meeting the no net loss standard.</p> <p>The County undertook a major effort to amend its SMP to comply with the 2004 Ecology Guidelines, resulting in the adoption of the current SMP in 2012 through Amended Ordinance No. 12-025. The SMP and the County's critical area regulations adopted under the GMA are designed to work together to achieve the outcome of no net loss of shoreline ecological functions and values. Individual development projects are subject to the "no net loss" standard under SCC 30.67.320. Additionally, the County's SMP utilizes a multifaceted approach consisting of both regulatory and non-regulatory programs to achieve "no net loss" of ecological functions and values required under the SMA on a watershed level. This multifaceted approach includes planning, policies and intergovernmental coordination; regulations and enforcement; enhancement and restoration programs; public education and stewardship opportunities; incentive and acquisition programs; and monitoring and adaptive management.</p> <p>Although the County's compliance with its SMP is deemed by Ecology sufficient to meet the no net loss standard, the SMP utilizes CAR's monitoring program, established under chapter 30.62A SCC Part 700, to establish a baseline and provide performance measures to determine whether the County is achieving no net loss benchmarks through its policies and programs.</p> <p>A Critical Area Monitoring and Adaptive Management Plan was developed in 2008. The plan established that adaptive management protocols related to riparian areas and bank modifications would be triggered when there is a 3% decrease in any indicator across County jurisdiction within any watershed relative to baseline. Snohomish County, Critical Area Monitoring and Adaptive Management Plan (Sept. 2008), p. 32 (Table 6). Riparian areas are a type of surrogate for shoreline functions and values. For wetlands, the trigger is a 5% decrease in any indicator.</p> <p>The County's most recent critical areas monitoring report was issued in December 2014 and focused on the effectiveness and implementation of permitting and enforcement to protect critical areas both inside and outside of shoreline jurisdiction. The 2014 Monitoring Report evaluated land cover change impacts in connection with permits and enforcement cases between November 2007 and April 2013. The report concluded that the 108.58 acres of land cover change impacts to critical areas and buffers represented only 0.35% of the total area of the parcels investigated and wetland impacts were less than 2% of the total area of wetlands on those same parcels. The wetland impact findings in both the 2014 Monitoring Report and earlier 2012 monitoring report published by the Department of Public</p>

Comment #	Commenter	Specific Comment	Snohomish County Response
		<p>(b) Adopt up-to-date buffers to protect Chinook salmon, other salmon, and the prey on which they rely. The State of Washington Department of Fish and Wildlife has recently updated the scientific basis for protecting riparian areas. We recommend that the buffers for salmon streams and rivers be updated to incorporate the scientific data and recommendations.</p> <p>(c) Fix Snohomish County Code Section (SCC) 30.91B.190 so buffers apply to all uses. Snohomish County interprets its development regulations, in Snohomish County Code Section (SCC) 30.91B.190, to provide that unvegetated areas surrounding critical areas are not required to be maintained as buffers because these areas do not meet the definition of buffer in the county code. This misinterprets the county's regulations and harms wetlands and fish and wildlife habitat. We recommend that SCC 30.91B.190 be clarified.</p> <p>(d) Require wider setbacks between development and critical areas and critical areas buffers in areas subject to wildfire danger. This will allow better protection for homes and other improvements.</p>	<p>Works were below the 5% threshold recommended in the County's Monitoring and Adaptive Management plan for an adaptive management action. The 2014 Monitoring Report concluded no specific code changes were needed, but recommended administrative changes related to the permit review process, collection of monitoring data, and staff training to improve critical area protections.</p> <p>As part of the 2019 SMP Periodic Review, the County conducted additional monitoring specific to shoreline jurisdiction to assess the effectiveness of the County's SMP and shoreline regulations. The County measured land cover change impacts on properties within shoreline jurisdiction that were issued development permits or had active enforcement cases with recorded critical area site plans (CASPs) between June 1, 2013, and June 1, 2015. The County started with 249 CASPs that were recorded within shoreline jurisdiction, however, the County eliminated those CASPs that had been recorded too recently to be able to assess "before" and "after" aerial photos. The County ultimately analyzed 197 recorded CASPs which contained a total of 321.49 acres of critical area protection areas (CAPA) within marine, river, and lake shoreline jurisdiction. Based on a comparison of "before" and "after" aerial photos, 167 of the CASPs appeared to be intact with no disturbance, and 30 CASPs appeared to be partially intact with only a slight intrusion into the CAPA. Of the total areas of CAPA evaluated, only 1.03 acres, or 0.32% was disturbed. This percentage is far below the 3% adaptive management trigger established in the 2008 Critical Area Monitoring and Adaptive Management Plan. Based on this additional monitoring, the County concludes that the critical area regulations applied within shoreline jurisdiction are being implemented as intended and no changes to specific code provisions are required at this time to meet the no net loss standard.</p> <p>(b) The County's existing critical area regulations continue to utilize a 150-foot buffer for salmon streams and rivers. The County considered the best available science when it revised the riparian buffer regulations in the 2007 CAR update and reviewed but did not amend the riparian buffer regulations in the 2015 CAR update. See Snohomish County, Revised Draft Summary of Best Available Science for Critical Areas (Mar. 2006), and Snohomish County, Draft Summary 2015 Best Available Science Review for Critical Area Regulation Update (2015). The Washington Department of Fish and Wildlife (WDFW) does not cite any new science in Riparian Ecosystems, Volumes 1: Science Synthesis and Management Implications (2018) to support its continued recommendations for riparian buffer widths based on one 200-year Site Potential Tree Height (SPTH). The County's 150-foot buffer for salmon streams and rivers continues to be consistent with best available science, as determined in 2007 and 2015. The County does not plan to amend CAR buffers during the 2019 SMP periodic review.</p> <p>(c) This issue was addressed in a challenge to the county's 2015 critical area regulations (CAR) update, <i>Futurewise v. Snohomish County</i>, CPSGMHB No. 15-3-0012c, FDO (Jan. 10, 2017). The Growth Management Hearings Board (GMHB) upheld the county's definition of "buffer," which was not amended in the county's CAR update and remains applicable in shoreline jurisdiction. PDS does not have a policy that requires the term "buffer" be interpreted to exclude unvegetated areas. The county does not plan to amend this definition during this periodic SMP review. However, the county is proposing amendments in Ordinance No. 19-020 which would clarify regulations for single-family residential (SFR) development and redevelopment in shoreline jurisdiction.</p> <p>(d) The existing code already has requirements for resource protection areas, including 100 feet from forest lands and 500 feet from commercial forest. The periodic SMP review is not scoped to address wildfire risks in shoreline jurisdiction.</p>

Comment #	Commenter	Specific Comment	Snohomish County Response
		<p>(e) The SMP should require site investigations for sites that the Washington State Department of Archeology and Historic Preservation predictive model rates as “survey recommended: moderate risk,” “survey highly advised: high risk,” and “survey highly advised: very high risk.” This will better protect cultural resources and reduce costly work stoppages for projects that encounter cultural resources during excavation.</p> <p>(f) Sea level rise is a real problem that is happening now. We recommend that the SMP update address sea level rise and increased coastal erosion in the frequently flooded area regulations.</p> <p>(g) Amend the County development regulations to apply the ten percent cap on total effective impervious surfaces in SCC 30.67.570 to the whole subdivision. This will help maintain fish and wildlife habitat including Chinook habitat. Please see page 14 of this letter for more information.</p> <p>(h) We support adopting Shoreline Management Program SCC 30.67.517 to clarify the standards for docks.</p> <p>(i) Retain the variance required for the innovative development design provisions of SCC 30.62A.350. This will allow more public and agency review of these proposals ensuring that they protect shoreline ecological functions. Please see page 14 of this letter for more information.</p> <p>(j) Additional intact high-quality shorelines should be designated Natural. Maintaining intact shorelines is important to maintain shoreline ecological functions and recover the Chinook salmon and the southern resident orcas.</p> <p>(k) We urge the county not to amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers. Channel migration zones are important Chinook salmon habitat and need to be protected.</p>	<p>(e) Section 1.2.4.2 of the SMP includes a Cultural, Archaeological and Historic Element, containing goals, policies and implementing regulations. Chapter 30.32D SCC includes provisions related to DAHP protected data for registered historic places and known archaeological sites. PDS has procedures in place to flag those parcels identified by DAHP’s predictive model as “Very High Risk” or “High Risk” of encountering an archaeological site. Assistance Bulletin #103 and a brochure for customers outlining Inadvertent Discovery Protocols are distributed when permit applications are submitted on those properties that have been flagged as high risk according to the predictive model. PDS employs additional procedures to provide protection for cultural and historic resources. Please contact the department for further information.            Note: The County has recently established a cultural resource coordinator - archaeologist position within the Historic Preservation Division of the Parks Department, to assist with implementing county policies for protecting sensitive resources and coordinating with tribal representatives.</p> <p>(f) While Ecology provides guidance on this issue in Appendix A of its Shoreline Master Program Handbook, addressing sea level rise is left to local government innovation. This is a broad planning issue that goes beyond the 2019 SMP Periodic Review project. Snohomish County recently joined the Puget Sound Climate Preparedness Collaborative which may help guide future policy development for the County on this topic.</p> <p>(g) The proposed amendment is narrowly focused on clarifying the intent of the 10% cap on impervious surfaces for subdivisions in shoreline jurisdiction only. The SMP periodic review is not scoped to address code amendments affecting properties outside of shoreline jurisdiction.</p> <p>(h) Comment noted.</p> <p>(i) Proposed Ordinance No. 19-020 retains the variance requirement for projects utilizing IDD provisions.</p> <p>(j) The county conducted an inventory of county shorelines for the 2012 SMP Update. In the inventory, staff divided marine shorelines into planning segments, based mostly on drift cell boundaries, and then assessed ecological functions/conditions for each segment. Shoreline environment designations were then assigned to each segment, and not on a parcel-by-parcel basis. Although one or more specific parcels may meet the criteria for designation as “Natural,” the entire marine reach segment does not. The conditions of each marine reach segment established in the 2012 SMP Update generally remain unchanged so the boundaries of each segment remain unchanged with this periodic SMP review.</p> <p>(k) State policy, as enunciated in the legislative findings of the SMA, is to increase public access to publicly-owned areas of the shoreline, and to increase recreational opportunities for the public in the shoreline. These policy goals must be implemented consistent with legislative direction to preserve the natural character of the shoreline and to protect the resources and ecology of the shoreline. The proposal to allow limited development of public lands for park purposes is consistent with the legislative intent of the SMA. It allows for the development of public parks intended to create or preserve open space, provide public access to shorelines of statewide significance, and provide passive recreation opportunities. Examples of passive recreation include memorials, interpretive</p>

Comment #	Commenter	Specific Comment	Snohomish County Response
			<p>facilities, seasonal primitive camping, and soft surface trails. The Department of Parks and Recreation inventoried only 25 properties under its management that have territory within a channel migration zone. Of those properties, several of them, such as the Robe Canyon, Lord Hill Regional Park, and Spencer Island already are developed.</p> <p>The County's Hazard Mitigation Plan discourages new development and increased densities within riparian areas, channel migration zones, and marine shorelines wherever feasible (p. 287). However, it also requires continued compliance with the SMP and the County's GMA comprehensive plan (p. 287). Both of those regulatory documents, along with the SMA itself, call for increased access to shorelines of the state, which include areas within channel migration zones. Increased access, therefore, must be balanced with goals of preservation and environmental protection. The ability to develop public parks within channel migration zones as allowed by the proposal includes required performance standards that are designed to safeguard the public, minimize the impact of development on the process of channel migration, and protect the functions and values of the shoreline. These performance standards includes: 1) restricting allowed development to public park uses only; 2) limiting public park structures to a total of 2,400 square feet; 3) limiting impervious surface to the lesser of 10 percent of the site area or two acres; 4) requiring removal or relocation of public park infrastructure if the migration of the ordinary high water mark is within two years of the infrastructure; and 5) prohibiting shoreline and bank stabilization for public park infrastructure. Additionally, any public park constructed within a channel migration zone must comply not only with the county's critical area regulations, but also applicable shoreline, land disturbing, flood hazard and bulk regulations which may place further limits on the size and amount of development. Although the Endangered Species Act Section 7 Consultation for the National Flood Insurance Program referenced by the commenter does not impose any direct regulatory requirements on the County, the performance standards imposed on development of parks facilities in channel migration zones, as well as County code provisions applicable to critical areas and flood hazard areas, address the concerns raised in that consultation as reported by the commenter.</p>

Comment #	Commenter	Specific Comment	Snohomish County Response
2	Julia Gold, the Tulalip Tribes	<p>(a) Thank you for the opportunity to comment. Tulalip Tribes would like to thank County staff for including us early in the planning process and to respond to our comments and questions. We provided comments to County Planning Commission last year. We support certain new proposed provisions, but believe that these changes will not be enough to stem the continued loss of ecological function and loss of habitat we see along Tulalip and other shorelines. We support many of the comments provided by WEC, PAS, and FW. Today we would like to highlight two issues and submit a comment letter signed by our Chairwoman by the end of the comment period.</p> <p>(b) Allow buffers to protect shoreline processes and ecosystem functions. Improve no net loss and apply net gain when needed. SCC 30.91B.190 amend definition to clarify that un-vegetated buffers must be maintained as buffers and planted with native vegetation to protect migrating salmon. Impervious shorelines with no native vegetation are a net loss to fish. Buffer Averaging creates further net loss when applied to non-conforming situations. Standard marine buffers, where feasible, will protect the beach environment as well as improvements on private property in the face of sea level rise. &lt;includes photos&gt;</p> <p>(c) Designate remaining intact marine shorelines "Natural" Meets designation criteria of WAC 173-26-211(5)(a) "Natural" environment. Purpose. The purpose of the "natural" environment is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. Shoreline environments that retain the majority of their natural shoreline functions. Two proposed segments contribute to substantial stretches of shoreline, up to 1 mile in length, when combined with Tulalip Tribes' property. Consistent with County's land use designations (RR-10). Include feeder bluffs, abundant native shoreline vegetation, land slide hazard areas, and are undeveloped (&lt;10% is requirement).</p> <p>(d) Protection of Natural Shorelines. Ensures stretches of high quality habitat for salmon and all species that depend on the food web of the nearshore environment. Allows Tribes continued access to treaty protected resources of the Salish Sea. Supports the Puget Sound fishery and provides valuable scenic, environmental, and recreational benefits for all of us to enjoy. Affected Shoreline Segments:</p> <ul style="list-style-type: none"> <li>• Southeast of Tulalip Shores</li> <li>• Southeast of Tulare Way</li> <li>• Hat Island North Bluff</li> <li>• And others as proposed</li> </ul>	<p>(a) Thank you for your comments.</p> <p>(b) Please see response in Row 1, Items (a), (b) and (c) above.</p> <p>(c) and (d) Please see response in Row 1, Item (j) above.</p>
3	Joan Smith	<p>Our shorelines of this County are the last vestige of protections for our waterways and Puget Sound. Climate change requires that our efforts must be stronger than ever before. Please carefully consider objections made by Pilchuck Audubon to current proposals that come out of a development biased Planning Commission. In spite of surrounding urban growth, we must touch lightly in those areas that have profound impact on our quality of life and that of the wildlife habitat. Please give extra consideration to these Pilchuck Audubon objections</p>	<p>Thank you for your comment. Please see county responses in Row 1 (a) – (k) above</p>

Comment #	Commenter	Specific Comment	Snohomish County Response
4	Julia Gold, the Tulalip Tribes	<p>These comments are provided for the record of Snohomish County's 2019 Shoreline Master Program Update. Tulalip has approximately 16 miles of shoreline within its Reservation and regulatory processes that affect this precious resource are of prime concern to the Tribes. Treaty resources, which are greatly affected by the health of shorelines, are vital to continuation of Tulalip culture and lifeways.</p> <p>The Tulalip Tribes is a federally recognized Indian tribe, and the successor in interest to the Snohomish, Snoqualmie, Skykomish and other tribes and bands, who were signatory to the 1855 Treaty of Point Elliott. In the Treaty, the Tulalip Tribes reserved the Tulalip Indian Reservation, including all Reservation tidelands, as a permanent homeland in exchange for ceding millions of acres of land to the United States. All Reservation tidelands continue to be owned in trust for the benefit of the Tulalip Tribes. The Tribes' treaty-reserved rights include the right to continue fishing, hunting, and gathering throughout their traditional territory, which spans the entirety of Snohomish County and beyond. Under Article VI of the U.S. Constitution, the Point Elliott Treaty and the rights reserved by the Tulalip People are "the supreme law of the land." The Shoreline Management Act also specifies that it shall not "affect any rights established by treaty to which the United States is a party." RCW 90.58.350. Recent federal court decisions have recognized that treaty fishing rights include protection against certain state actions that negatively impact fish habitat. See <i>United States v. Washington</i>, 853 F.3d 946 (9th Cir. 2017) <i>aff'd</i>, 138 S.Ct. 1832 (Mem).</p> <p>Issues of land use on the Reservation are of paramount concern to the Tulalip Tribes. The Tulalip Tribes exercises concurrent or exclusive land use authority over all lands within the exterior boundaries of the Tulalip Reservation, which covers approximately 22,500 acres and is the permanent homeland of the Tulalip Tribes. Nothing in this letter or attached materials affects Tulalip Tribal treaty rights, governmental authority, or jurisdiction. Recognizing the respective roles of the County and the Tribes, it is our hope that we can continue to improve our collaborative relationship with the County to avoid conflicts that result in confusion and regulatory uncertainty in the Reservation community. We submit these comments in the spirit of moving forward to create and maintain a true government-to-government relationship, as envisioned by the Centennial Accord and the Memoranda of Understanding signed by the Tulalip Tribes and Snohomish County over the past couple of decades.</p> <p>The Tulalip Tribes Planning Department attended meetings with County staff in 2017/18 and provided formal comments to Snohomish County Planning Commission October 23, 2018. The focus of our comments has been on two primary issues.</p> <p>1) <b>Prevent the intensification of shoreline uses and structures in developed shoreline buffers.</b> While we welcome some proposed changes in the 2019 SMP Update, we believe that these are not enough to stem the continued loss of ecological function and loss of habitat we see along developed Tulalip and other shorelines in Snohomish County.</p> <p>2) <b>Protect intact shoreline habitat where it still exists.</b> Salmon recovery relies in big part on the protection and preservation of intact segments of shorelines where juvenile salmon seek cover and feed as they grow and prepare for their journey to the ocean. Following listing of Chinook salmon under the Endangered Species Act in 1999 tens of millions of dollars have been spent on habitat improvements to help protect this culturally important and regionally iconic species. Affording protection to intact habitat is far less costly than restoring degraded habitat and a key investment we can make in the recovery of both Chinook and the Southern Resident Orca.</p>	

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		<p><b>1) The science has shown that adequate buffers are needed to protect shoreline and wetland functions from net loss, yet the County is proposing to reduce buffers and their ecological functions with several of the proposed changes.</b></p> <p>Tulalip agrees with Futurewise, Pilchuck Audubon, and Washington Environmental Council that past analysis by Planning and Development Services (PDS) is insufficient to determine what they claim in regard to insuring these regulations will not result in net loss.</p> <p><b>[1a]</b> Snohomish County regulations and the current interpretations of these regulations do not provide adequate protection of shoreline buffers in areas of over-developed, nonconforming residential development. The proposed changes of 30.67.450 and SCC 30.62A.350 will just exacerbate the continuing loss of shoreline buffers.</p> <p>Tulalip Tribes objects to the proposed exception of residential uses or structures from the 30.67.450 Non-conforming uses or structures section requirements. Most of the Tulalip Reservation's shoreline communities were platted prior to current subdivision codes and the Shoreline Management Act and were initially occupied by seasonal cabins or small homes. Over time these cottages have been replaced by larger homes that have increased impervious surfaces and resulted in many over-developed lots with little or no remaining vegetation, an essential habitat component for young salmonids and forage fish. Declaring these uses and structures to be conforming will ensure continued loss of ecological functions, which is inconsistent with the goals, policies and requirements of the SMA.</p> <p><b>[1b]</b> Tulalip Tribes supports retaining the shoreline variance requirement for innovative development under SCC 30.62A.350.</p>	<p><b>1[a]</b> Non Conforming Uses. In 2011, the Washington State Legislature made several updates to the Shoreline Management Act which resulted in local governments adopting more restrictive standards for shoreline development. At the time, many residential property owners expressed concern about their properties that, while legally-established, did not meet these updated standards for new residential development.</p> <p>The legislature found it was in the public interest to amend state law to give local governments the option of classifying these types of residential structures as conforming <i>even if they were not currently meeting updated standards for setbacks, buffers, or bulk regulations like height and density.</i></p> <p>Snohomish County did not classify these types of residential structures as conforming in 2012 and existing county code requires a shoreline variance permit for any alteration to a non-conforming use or structure in shoreline jurisdiction. When the county adopted a 150-foot shoreline setback in 2012, Ecology received a large number of shoreline variance permits due mainly to the difficulty that shoreline landowners were having with complying with this new standard setback requirement.</p> <p>Proposed Ordinance 19-020 includes an amendment that would classify legally established residential and appurtenant structures (used for a conforming use but not meeting dimensional standards for new development) to be considered conforming structures.</p> <p>This change will allow changes to existing residential properties without the requirement to obtain a shoreline variance as long as the redevelopment complies with all the remaining county critical area and shoreline regulations, such as limiting single-family expansions to the lesser of 50% of existing structure or 2,000 square feet, not allowing expanded structures to locate any closer to the shoreline than the existing structure, and not allowing the reduction of a buffer by more than 50% unless certain criteria are met.</p> <p><b>1[b]</b> Shoreline Variance Requirement. Existing county code in SCC 30.67.060(4) requires a shoreline variance permit when the Innovative Development Design (IDD) provisions in SCC 30.62A.350 (CAR) are used for any project proposal other than ecological restoration or enhancement projects.</p> <p>Early drafts of proposed amendments to shoreline regulations included a change to this code section that would have also exempted single-family residential (SFR) dwellings and appurtenances utilizing IDD provisions from the requirement to obtain a shoreline variance.</p> <p>However, the current proposed ordinance does not include this earlier amendment. Ordinance No. 19-020 currently retains the variance requirement for any project utilizing Innovative Development Designs provisions, including SFRs. The only exception is for ecological restoration or enhancement projects which is allowed in the existing code.</p>

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		<p>[1c] One ongoing obstacle to recovering ecological function on already developed properties is the County's definition of "buffer" sec 30.916.190 which reads as follows: "Buffer" means an area adjacent to a critical area consisting of naturally occurring or re-established vegetation and having a width adequate to protect the critical area. The Department of Ecology and Snohomish County may be correct in stating that it isn't the definition, but how it has been interpreted by PDS staff, who have reasoned that if vegetation is absent a "buffer" no longer exists by this definition. This erroneous interpretation of this definition is not consistent with Best Available Science or the intent of the code and inevitably negates the buffer's role to protect the critical area. Instead, the definition and treatment of buffers under the County Code should reflect the twin goals of protection and restoration of ecological functions by specifying that a buffer includes all areas that are prescribed to be buffers under the County Code, regardless of the presence or absence of native vegetation.</p> <p>[1d] Shoreline averaging on developed lake shorelines may affect only few properties, but the proposed method of averaging is not a fair application of standards and may result in new development having less buffer/setback than other, older existing nonconforming development simply due to where neighboring structures are located. It neither follows Best Available Science, basic planning principles, nor fairness or equity.</p> <p>To summarize, state law (WAC 173-26-186(8)(d), RCW 90.58.080(4)(a)) requires that the County's SMP achieves no net loss of ecological functions based on best available science. Marine riparian vegetation protected in buffers provides ecological functions such as cover and food for salmon and other fish. By reducing buffers and not requiring mitigation when nonconforming development occurs on the shoreline zone, these functions are already being negatively impacted... Several of the proposed changes described above would further reduce protection of ecological functions as compared to existing shoreline development regulations, which have already resulted in net loss of ecological function.</p> <p>Keeping homes and other improvements further away from marine shorelines will not only reduce damage to improvements from landslide hazards, erosion, storm and flood damage, but also protect and improve the resilience of shoreline habitat in the face of sea-level rise.</p>	<p>[1c] County's Definition of "Buffer". This issue was addressed in a challenge to the county's 2015 critical area regulations (CAR) update, <i>Futurewise v. Snohomish County</i>, CP5GMHB No. 15-3-0012c, FDO (Jan. 10, 2017). The Growth Management Hearings Board (GMHB) upheld the county's definition of "buffer," which was not amended in the county's CAR update and remains applicable in shoreline jurisdiction. PDS does not have a policy that requires the term "buffer" be interpreted to exclude unvegetated areas. The county does not plan to amend this definition during this periodic SMP review. However, the county is proposing amendments in Ordinance No. 19-020 which would clarify regulations for single-family residential (SFR) development and redevelopment in shoreline jurisdiction.</p> <p>[1d] Common Line Setback. Over the years, Ecology has repeatedly encouraged the county to allow for an exception to the standard 150-foot setback for new SFR development on vacant lots around some of the more highly-developed lakes in the county. Such lakes are characterized predominantly by single-family or multifamily residential development, have a moderate to high degree of shoreline armoring and overwater structures, and contain few vacant lots. Some strategies Ecology had suggested to the county that had been used by other local governments on highly-developed shoreline waterbodies included utilizing variable buffer widths.</p> <p>Ecology has said that "... these built out shorelines need some unique setback and buffer enhancement standards to allow the county to more easily manage new and redevelopment on the built out lake environments. Many cities and counties have developed such unique setbacks/buffers that create more manageable shoreline permitting for these shorelines. The common-line setback or string-line setback is one of more common regulatory tools seen in SMP's to manage residential development."</p> <p>Under RCW 90.58.020, single-family residential uses are considered a preferred shoreline use. Most comprehensively updated shoreline master plans recognize this in part through developing unique residential regulations including setbacks and buffers tailored to different existing densities of shoreline residential development. Such standards are also balanced with the overall SMA goal of no net loss of ecological functions with future development.</p> <p>During the county's last shoreline update, staff conducted a Cumulative Impact Analysis (CIA). The 2010 CIA required staff to develop a forecast model to estimate the magnitude and location of future development for the planning period 2007 – 2025. This model predicted the number of new primary structures per acre for each shoreline area.</p> <p>Development potential was then assigned a "high," "moderate" or "low" ranking, depending on the number of new primary structures per acre forecasted for each shoreline area. Looking at lakes specifically, the county selected just those lakes ranked as "high" or "moderate" with a forecast of 0.625 new primary structures per acre or higher. Density was confirmed using aerial imagery.</p> <p>This resulted in the following 14 lakes: Stickney, Roesiger, Stevens, Goodwin, Howard, Serene, Martha, Bosworth, Ketchum, Shoecraft, Loma and John Sam, Ki and Flowing.</p>

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		<p>2) Tulalip Tribes supports re-designation from "Rural Conservancy" to "Natural" shoreline environment of two areas on the Tulalip Reservation and two areas on Hat Island.</p> <ul style="list-style-type: none"> <li>• On the Tulalip Reservation, the area of shoreline starting at the south end of Tulare Way W southeast to the segment of Tribal land;</li> <li>• On the Tulalip Reservation, the area of shoreline starting at the south end of Tulalip Shores Rd southeast to the next segment of tribal land;</li> <li>• On Hat Island, the intact segment of shoreline along most of the north bluff;</li> <li>• On Hat Island, the intact segment of shoreline north and east of where Saratoga Dr. turns south, where adjacent development is outside of shoreline jurisdiction.</li> </ul> <p>The affected parcels (Attachments 1-4) should not be considered in isolation, as County staff pointed out in response to submitted comments, but rather they should be considered as significant segments of shoreline that far better meet the SMP criteria for "Natural" than "Rural Conservancy" Environment (WAC 173-26-211(S)(a)). The segments south of Tulare and south of Tulalip Shores encompass 4,300 feet and 5,200 feet respectively of shoreline if considered contiguous with Tulalip owned property, which includes features such as coastal bluffs, landslide hazard areas, and forested slopes reaching down to the beach. The adjacent Tulalip owned segments are designated "Conservation" (south of Tulare) and "Resource" (south of</p>	<p>Using GIS, staff was able to determine how many total parcels exist around each lake and, of those, how many were vacant by looking at Assessor data for properties with a \$0 value in market improvements.</p> <p>Staff excluded "parks" and "government property" from the vacant land analysis. Based on this analysis, staff identified 2,182 parcels adjacent to the 14 selected lakes, and of these, only 212 (9.72%) were vacant, which accounts for 8.06% of the total acreage.</p> <p>Of the 212 vacant parcels, many do not seem likely to be developed for various reasons. For example, the vacant parcel:</p> <ul style="list-style-type: none"> <li>• is held in contiguous ownership and reserved for a driveway, septic system or privacy;</li> <li>• has a "no Perc" rating*, critical areas or wells, and is not serviced by public water and sewer;</li> <li>• is partially covered by a structure extending onto it from the adjacent lot; or</li> <li>• includes unbuildable area below the OHWM</li> </ul> <p>For these reasons, PDS concludes it is unlikely that all 212 vacant parcels will be developed. It is important to note that these types of vacant parcels were not excluded from PDS' analysis and their inclusion may result in an overstatement of the development potential that remains around these highly developed lakes.</p> <p>Given the limited nature of buildable area estimated to exist on the remaining 212 vacant lots around the 14 selected lakes, the county concludes that it is unlikely that ecological functions will be impaired if the remaining vacant lots are to develop in a fashion similar to existing development.</p> <p>Additionally, the total impacts of developing the remaining vacant lots would be distributed over several watersheds, further reducing the cumulative impacts. When timing is considered, overall impact can be reduced further given the incremental and staggered nature of development.</p> <p>2) Please see response in Row 1, Item (j) above. Specific to the properties identified by the Tribes, PDS conducted a visual assessment using aerial imagery to evaluate whether conditions changed since the initial inventory was conducted for the 2012 SMP Update, warranting a change in designation for the segment in which the properties were located. Based on this evaluation, PDS determined that while individual parcels identified by the Tribes independently may qualify for a designation of "Natural," the shoreline segments as a whole in which those parcels were located remained appropriately designated.</p>

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		<p>Tulalip Shores), on the Tulalip Future Land Use Map in the Tulalip Comprehensive Plan and allow no development. It should be noted that the affected private parcels in SMP jurisdiction would still retain developable land outside of shoreline jurisdiction.</p> <p>WAC 173-26-221(2)(b)(iii) states "in protecting and restoring critical areas within shoreline jurisdiction, integrate the full spectrum of planning and regulatory measures, including the comprehensive plan, inter-local watershed plans, local development regulations, and state, tribal, and federal programs.</p> <p>The Tulalip Tribes also support re-designation of Hat Island parcels to "Natural" where WAC 173-26-211(5)(a) "Natural" Environment designation criteria is consistent with the character of the shoreline.</p> <p>The Tulalip Tribes seeks to continue to work with Snohomish County to implement the Shoreline Management Act's goals and policies intended to sustain and restore functioning habitat, and to insure that the beauty and resources of shorelines, lakes rivers and the Salish Sea remain for all to enjoy.</p>	
5	Joan Smith	<p>One question for me that arises in my first reading of Ord 19-020 is the clarification:</p> <p>Amends SCC 30.67.570(1)(g) to clarify that the ten percent cap on total effective impervious surface for residential subdivisions and short subdivisions lying fully or partially within shoreline jurisdiction only applies to that portion of the subdivision that lies within shoreline jurisdiction. Much impact to waterways is made by the early release of groundwater or stormwater runoff. By increasing the distance rather than limiting the distance to which the use of impervious surface may be used, would that not more greatly enhance the quality of discharge into the affected area? In short, why limit or cap it to such a shortened distance?</p> <p>Driveways and roadways as well as gardens send particulates and waters of higher temperatures into creeks, rivers, lakes or the Sound that are far from desirable during this time of climate change. Wouldn't encouraging greater, rather than lesser low impact development be better?</p>	<p>Subdivision regulations are contained in Chapter 30.41A Snohomish County Code (SCC) and address design standards for drainage in SCC 30.41A.220:</p> <p><i>All subdivisions shall comply with the requirements of chapter 30.63A SCC, including the requirement to use low impact development best management practices as directed by the Drainage Manual. Modification of drainage standards or requirements shall be done only pursuant to chapter 30.63A SCC.</i></p> <p>Shoreline development regulations in Chapter 30.67 SCC apply to all land uses, modifications, development activities, actions requiring project permits or approvals, clearing and agricultural activities <b>within distinctive shoreline areas</b> and cannot be imposed on the portion of the subdivision that is outside of shoreline jurisdiction.</p> <p>This amendment clarifies that the ten percent cap on total effective impervious surface only applies to that portion of the subdivision that lies within shoreline jurisdiction.</p>
6	Joan Poor	<p>Thank you for taking comments regarding updates to the Shoreline Master Program. I am particularly concerned about continued loss of habitat and associated ecological functions, and deeply disappointed at the asphalt surfacing that continues in close proximity to our neighborhood streams in Edmonds.</p> <p>I support the recommendations brought forward by Pilchuck Audubon Society, Futurewise and Washington Environmental Council in their June 4, 2019 Comment Letter on the 2019 Periodic Review of the Shoreline Management Program, which include:</p> <ol style="list-style-type: none"> <li>1. Ensure the county's SMP is achieving no net loss of ecological functions, which is a requirement under the SMA.</li> <li>2. Adopt State of Washington Department of Fish and Wildlife's up-to-date buffers to protect Chinook and other salmon and the prey on which they rely.</li> <li>3. Clarify that unvegetated buffers are buffers that need protection under the SMP.</li> <li>4. Require wider setbacks between development and critical areas and buffers in areas subject to wildfire danger.</li> <li>5. <i>Require stronger regulations for investigations before work begins to protect cultural</i></li> </ol>	<p>Thank you for your comment. Please see response in row 1.</p>

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		<p>resources during excavation.</p> <p>6. SMP needs to address sea level rise and increased coastal erosion in the frequently flooded area regulations to protect people and property.</p> <p>7. Apply a 10 percent cap on total effective impervious surfaces on entire subdivisions to protect fish and wildlife habitat, including Chinook.</p> <p>8. Clarify the standards for docks.</p> <p>9. Retain the variance required for the innovative development design provisions to ensure protection of shoreline ecological functions.</p> <p>10. Additional intact high-quality shorelines should be designated Natural as shown in the June 4, 2019 comment letter.</p> <p>11. Do not amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers, and which will negatively impact Chinook habitat.</p> <p>Thank you for your consideration of these comments. Please protect our shorelines and watersheds in Snohomish County.</p>	
7	David Richman	<p>As a resident of Snohomish County I want to support your efforts to protect our endangered shorelines because they provide the necessary services and habitat that make living on Puget Sound the great experience it is. Please make needed changes as described in the letter sent to you from Pilchuck Audubon Society. We are at a critical point in the survival of both the resident Orcas and the Salmon runs that they depend on. You have an opportunity to make the future better for the environmental health of the Sound.</p>	Thank you for your comment. Please see response in row 1.
8	Jack Stansfield	<p>As a resident of Snohomish County since 1949, I strongly support the recommendations brought forward by Pilchuck Audubon Society, Futurewise and Washington Environmental Council in their June 4, 2019 Comment Letter on the 2019 Periodic Review of the Shoreline Management Program, which include:</p> <ol style="list-style-type: none"> <li>1. Ensure the county's SMP is achieving no net loss of ecological functions, which is a requirement under the SMA.</li> <li>2. Adopt State of Washington Department of Fish and Wildlife's up-to-date buffers to protect Chinook and other salmon and the prey on which they rely.</li> <li>3. Clarify that unvegetated buffers are buffers that need protection under the SMP.</li> <li>4. Require wider setbacks between development and critical areas and buffers in areas subject to wildfire danger.</li> <li>5. Require stronger regulations for investigations before work begins to protect cultural resources during excavation.</li> <li>6. SMP needs to address sea level rise and increased coastal erosion in the frequently flooded area regulations to protect people and property.</li> <li>7. Apply a 10 percent cap on total effective impervious surfaces on entire subdivisions to protect fish and wildlife habitat, including Chinook.</li> <li>8. Clarify the standards for docks.</li> <li>9. Retain the variance required for the innovative development design provisions to ensure protection of shoreline ecological functions.</li> <li>10. Additional intact high-quality shorelines should be designated Natural as shown in the June 4, 2019 comment letter.</li> <li>11. Do not amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers, and which will negatively impact Chinook habitat.</li> </ol>	Thank you for your comment. Please see response in row 1.

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9	Rita Ireland, LWV Natural Resources Committee	Dear Members of a Very Important Set of Science-minded, Future Thinkers, Please grab the opportunity at our county's precious shoreline to support a better life of our estuaries and shore where the animal food chain that relies on its abundance. It is so fragile. Give your support. Sleep better.	Thank you for your comment. Please see response in row 1.
10	Marjie Fields, Sno-Isle Sierra Club Communications Chair	Given the extended comment period, the Sno-Isle Group of the Sierra Club was able to officially assess the letter submitted by Pilchuck Audubon Society and FutureWise regarding the Shoreline Management Plan review. The executive committee of the Sno-Isle Sierra Club group has now voted to endorse the letter and its message. We share the concerns expressed; especially those related to ensuring no net loss of ecological functions, requiring wider setbacks for critical areas, planning around sea level rise, and protecting shoreline habitat for salmon.	Thank you for your comment. Please see response in row 1.
11	Denise Sparks	<p>Hello, I am emailing to ask your continued protection of our chinook and orcas. Although I live in Island County I am only 3 or 4 miles from Snohomish County and what happens in your county affects what happens in mine. I am enclosing a few viewpoints for you to ponder and hopefully adopt. Thank you for your time and caring for our orcas and chinook.</p> <ol style="list-style-type: none"> <li>1. Ensure the county's SMP is achieving no net loss of ecological functions, which is a requirement under the SMA.</li> <li>2. Adopt State of Washington Department of Fish and Wildlife's up-to-date buffers to protect Chinook and other salmon and the prey on which they rely.</li> <li>3. Clarify that unvegetated buffers are buffers that need protection under the SMP.</li> <li>4. Require wider setbacks between development and critical areas and buffers in areas subject to wildfire danger.</li> <li>5. Require stronger regulations for investigations before work begins to protect cultural resources during excavation.</li> <li>6. SMP needs to address sea level rise and increased coastal erosion in the frequently flooded area regulations to protect people and property.</li> <li>7. Apply a 10 percent cap on total effective impervious surfaces on entire subdivisions to protect fish and wildlife habitat, including Chinook.</li> <li>8. Clarify the standards for docks.</li> <li>9. Retain the variance required for the innovative development design provisions to ensure protection of shoreline ecological functions.</li> <li>10. Additional intact high-quality shorelines should be designated Natural as shown in the June 4, 2019 comment letter.</li> <li>11. Do not amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers, and which will negatively impact Chinook habitat. Again, thank you.</li> </ol>	Thank you for your comment. Please see response in row 1.
12	Marthlyn Jones	I am a 30-year resident of Snohomish County and a 30-year member of Pilchuck Audubon Society. I appreciate and fully support the recommendations in their letter to you to make the Shoreline Management Program compliant with regulations and capable of providing the highest level of protection for our precious shoreline and Sound.	Thank you for your comment. Please see response in row 1.

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13	Gayle Leberg	I am a native Washingtonian and frequent traveler on the Salish Sea. Please support the recommendations from the Pilchuck Audubon Society Dear Snohomish County Council Members (or send them individually) ...I am concerned about protecting our shorelines because....fill in...I support the comments submitted to you by Pilchuck Audubon Society and Futurewise: Comments on the 2019 Periodic Review of the Shoreline Management Program for the County Council's June 5, 2019 public hearing. Please adopt all eleven of their recommendations regarding the Shoreline Management Plan update. The Shoreline Management Program Periodic Review is an opportunity to take steps to help recover the Southern Resident Orcas, the Chinook salmon, and the species and habitats on which they depend. Please adopt measures that will improve protection for these key species such as improved shoreline buffers.	Thank you for your comment. Please see response in row 1.
14	Linda Adams	I am concerned about protecting our shorelines because our salmon runs and the future of resident orcas depend on the decisions counties make for shorelines. I have three young grandsons and would like them to enjoy the Puget Sound as a healthy habitat in the future. I support the comments submitted to you by Pilchuck Audubon Society, and Futurewise: Comments on the 2019 Periodic Review of the Shoreline Management Program for the County Council's June 5, 2019 public hearing. Please adopt all eleven of their recommendations regarding the Shoreline Management Plan update. The Shoreline Management Program Periodic Review is an opportunity to take steps to help recover the Southern Resident Orcas, the Chinook salmon, and the species and habitats on which they depend. Please adopt measures that will improve protection for these key species such as improved shoreline buffers.	Thank you for your comment. Please see response in row 1.
15	Paula Townsell	I am concerned about protecting our shorelines, especially within Snohomish County. As pressure grows with climate changes (rising ocean water levels, droughts, low snow accumulations, increased wildfire hazards, and more) we are stressing our local ecosystem. The damage may not be undone if we don't endeavor to take critical steps to address this now. I support the comments submitted by both the Pilchuck Audubon Society and Futurewise in their Comments on the 2019 Periodic Review of the Shoreline Management Program for the County Council's June 5, 2019 Public Hearing. I urge that Council adopt all eleven of their recommendations regarding the Shoreline Management Plan update. The Shoreline Management Program Periodic Review is an opportunity to take steps to help recover the Southern Resident Orcas, the Chinook salmon, and the species and habitats on which they depend. Please adopt measures that will improve protection for these key species such as improved shoreline buffers.	Thank you for your comment. Please see response in row 1.

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16	David Vliet	<p>I am sending this letter in support of the recommendations put forward by the Pilchuck Audubon Society in regards to proposed updated changes to the SMP. Buffers and protections put in place by the commission today will be critical to the livability of Snohomish County residents and to the recovery and sustainability of the species that reside in Snohomish County which make this such a jewel of an area on this planet.</p> <p>Future climate change models show great challenges for lowland farmers. Protections you all put in place today can help mitigate the consequences these farmers will face in the future.</p> <p>A sincere thanks for taking the time to listen to my concerns. Thanks for doing what is best for the future of Snohomish County and putting in place low impact development practices that create balance with our unique natural environment.</p>	Thank you for your comment. Please see response in row 1.
17	Kate Lunceford	<p>I am writing to urge you to consider changes to the proposed Shoreline Management Plan being heard today. We must protect our watersheds by aligning with best science available from WA State Fish and Wildlife and other credible sources. We can balance the growth coming to Snohomish County and the urgency of environmental degradation. But we need to set good laws in place to do it. I support the comments submitted to you by WA Environmental Council, Pilchuck Audubon Society and Futurewise: Comments on the 2019 Periodic Review of the Shoreline Management Program for the County Council's June 5, 2019 public hearing. Please adopt all eleven of their recommendations regarding the Shoreline Management Plan update. The Shoreline Management Program Periodic Review is an opportunity to take steps to help recover the Southern Resident Orcas, the Chinook salmon, and the species and habitats on which they depend. Please adopt measures that will improve protection for these key species such as improved shoreline buffers.</p>	Thank you for your comment. Please see response in row 1.
18	Rachel Maxwell	<p>I am writing to you in support of the eleven recommendations made by the Pilchuck Audubon Society and Futurewise (attached). As a resident of Snohomish County since 1992, I have learned that the protection of our orcas and salmon is of utmost importance to the remarkable place in which we live. Please act in concert with the needs of our environment for it is the future. With my appreciation for all you do for our community. &lt;Attachment: Critical Areas Ordinance Update&gt;</p>	Thank you for your comment. Please see response in row 1.
19	Dorothy Hall	<p>I fully support the June 4, 2019 letter (and concerns) submitted by the Pilchuck Audubon Society, Futurewise and the Washington Environmental Council regarding the review of the Shoreline Management Program. All of the areas of concern discussed in the letter are important. Please address and resolve these issues at your near future convenience.</p>	Thank you for your comment. Please see response in row 1.

Comment #	Commenter	Specific Comment	Snohomish County Response
20	Todd Guthrie	<p>I support the recommendations brought forward by Pilchuck Audubon Society, Futurewise and Washington Environmental Council in their June 4, 2019 Comment Letter on the 2019 Periodic Review of the Shoreline Management Program, which include.</p> <ol style="list-style-type: none"> <li>1. Ensure the county's SMP is achieving no net loss of ecological functions, which is a requirement under the SMA.</li> <li>2. Adopt State of Washington Department of Fish and Wildlife's up-to-date buffers to protect Chinook and other salmon and the prey on which they rely.</li> <li>3. Clarify that un-vegetated buffers are buffers that need protection under the SMP.</li> <li>4. Require wider setbacks between development and critical areas and buffers in areas subject to wildfire danger.</li> <li>5. Require stronger regulations for investigations before work begins to protect cultural resources during excavation.</li> <li>6. SMP needs to address sea level rise and increased coastal erosion in the frequently flooded area regulations to protect people and property.</li> <li>7. Apply a 10 percent cap on total effective impervious surfaces on entire subdivisions to protect fish and wildlife habitat, including Chinook.</li> <li>8. Clarify the standards for docks.</li> <li>9. Retain the variance required for the innovative development design provisions to ensure protection of shoreline ecological functions.</li> <li>10. Additional intact high-quality shorelines should be designated Natural as shown in the June 4, 2019 comment letter.</li> <li>11. Do not amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers, and which will negatively impact Chinook habitat.</li> </ol>	Thank you for your comment. Please see response in row 1.
21	Bill Lider, Lider Engineering	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
22	Eric Adman, Sno-King Watershed Council	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
23	Chris Stay	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
24	Murl E. Leibrecht	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
25	Paula & Daniel Sullivan	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
26	Karen Dingmon	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
27	Douglas Resnick	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
28	Linda Swan	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
29	Laurie Cooper	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.

Comment #	Commenter	Specific Comment	Snohomish County Response
30	Brooks Bennett	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
31	Toni Penton	Please see identical comment in row 20	Thank you for your comment. Please see response in row 1.
32	Judy Heydrick	<p>I urge the County Council to wisely update the SMP to allow for more protective measures to ensure salmon and Orca survival. It deeply troubles me to see pictures of emaciated Orcas because we allowed the Sound's salmon population to decline so dramatically.  <a href="https://q13fox.com/2019/05/17/endangered-orca-j17s-health-in-dramatic-decline/">https://q13fox.com/2019/05/17/endangered-orca-j17s-health-in-dramatic-decline/</a>            How well the county's watersheds and coast lines are protected from pollution directly impacts the water quality these species rely upon to thrive and reproduce.</p> <p>I read and support the detailed SMP recommendations of the Environmental community. I fully concur with their call for expanding buffer widths to keep pollutants from contaminating our shorelines. Yes, the county is growing by leaps and bounds, but that shouldn't mean the bending or end of regulations crafted to preserve the area's most sensitive resources. It is up to us to ensure the survival of these iconic species before they become extinct and no longer grace our Sound.</p> <p>Thank you for your consideration.</p>	Thank you for your comment. Please see response in row 1.
33	Marshia Armstrong	Im not emailing all of the council members individually because I believe they get enough email so just put me on the record to vote in favor of anything to save the fish ; -)	Thank you for your comment. Please see response in row 1.
34	Sharon Sneddon	Pilchuck Audubon has submitted to you a carefully researched document listing specific modifications to regulations of the Shoreline Management Program. These modifications are based on best available science. Incorporating these modifications during the Periodic Review will help foster improved habitats for the many species that inhabit the shoreline ecosystem. Please do the right thing and incorporate these modifications in the Shoreline Management Program's regulations.	Thank you for your comment. Please see response in row 1.

Comment #	Commenter	Specific Comment	Snohomish County Response
35	Matthew Baerwalde Snoqualmie Tribe	<p>Please accept the following comments from the Snoqualmie Indian Tribe (Tribe) Environmental and Natural Resources Department regarding Snohomish County's (County's) 2019 Shoreline Master Program (SMP) update. Thank you for the opportunity to provide comments.</p> <p>Currently, County code mandates that piers and/or docks must be 2 feet narrower on lakes that are salmonid habitat compared to those lakes that are not salmonid habitat. It is proposed to change this to lakes containing salmonids. We request that this be altered slightly.</p> <p>The change should only apply to lakes that do not currently contain salmonids, and that did not historically contain salmonids (based upon best available information), and that cannot be restored as salmonid habitat. This is particularly important for lake that were passable to fish, but now are not because of human alterations. These lakes, which could be restored as salmonid habitat, should remain as being classified and protected as salmonid habitat. This is more in keeping with the spirit of "fish habitat," per WAC 222-16-030 which "means habitat which is used by any fish at any life stage at any time of the year, including potential habitat likely to be used by fish which could be recovered by restoration or management and includes off-channel habitat." Please note that while additional special consideration for salmonids may be appropriate per the GMA, we wish to emphasize that all "fish habitat" must be protected and that this is much more extensive than only salmonid habitat, and includes "potential habitat" as cited above. Also notable is that "potential habitat likely to be used by fish which could be recovered by restoration or management" means that stream reaches which contain fish habitat per the state rules, but which are blocked to fish passage by manmade barriers downstream, regardless of who owns the barrier, must be considered fish habitat, since barrier removal and fish passage restoration and use of the potential habitat could be achieved at such locations.</p> <p>Thank you for the opportunity to comment. If you have any questions please feel free to contact me.</p>	<p>Thank you for your comment.</p> <p>The proposed amendment to SCC 30.67.515(k)(ix)(F)(III) is intended to make a very slight change to pier and dock requirements for lake shorelines. Current county code limits the width for piers and docks to four feet for the first thirty feet from the ordinary high water mark (OHWM) on any lake that is identified as salmonid habitat.</p> <p>Code development heard from the implementers of this section of code (permitting staff and environmental biologists) that the way this provision reads is ambiguous given the county does not have a map designation for lakes identified as salmonid habitat. Staff have generally interpreted this provision to mean any lake with known Endangered Species Act (ESA)-listed species.</p> <p>Therefore, the proposed amendment clarifies that the pier and dock requirement applies to lakes that contain salmonids. These would be all Type S and Type F lakes described in SCC 30.62A.230 classified in accordance with Washington Administrative Code 222-16-030. This allows flexibility in applicability of the code, as the pier and dock requirements will be applied to any lake that contains salmonids in the future.</p>
36	Tim Hendrickson	<p>Please know that I support the comments provided earlier by the Washington Economic Council and others, in their 19-page letter. Of special concern to me are the following: 1. Address the full effects of global heating (aka global warming, climate change) on our shorelines. The effects include ocean level rise and changes in precipitation. At the current rate of human carbon consumption, these effects grow especially pronounced in the years 2050 and beyond. For example, where are our future tidelands going to be, and how will we make them fit habitat for salmon smolt? 2. Docks over a certain size need to admit some sunlight to waters below, to accommodate visual feeders such as salmon smolt. See the recent article in the Seattle Times about the new seawall work. 3. Runoff into waterways from roads and parking lots has been shown by UW researchers, to be toxic to young salmon, unless treated. Why this is has not been fully determined, but the runoff is not a healthy mix. It includes petroleum products dripping from vehicles, brake dust, tailpipe pollution, antifreeze dripping, etc. UW researchers also have discovered that a simple treatment of this runoff by natural filters, renders it safe to young salmon. Such treatment should be required for raw runoff or runoff associated with detention ponds. Thank you for hearing me.</p>	<p>Thank you for your comment.</p> <ol style="list-style-type: none"> <li>1. Please see response in row 1, item f.</li> <li>2. SCC 30.67.515(1)(k) contains regulations for docks, piers and floats. SCC 30.67.515(1)(k)(ix) includes regulations that require designs to avoid disturbing or shading significant freshwater aquatic vegetation communities or critical saltwater habitat. Additionally, SCC 30.67.515(1)(k)(ix)(I) includes regulations that require construction materials to be designed to allow maximum light passage.</li> <li>3. Chapter 30.63A SCC is devoted to regulating stormwater discharges from all new development and redevelopment to prevent and control adverse impacts of drainage and stormwater on the public health, safety, and general welfare, consistent with the provisions of federal and state law. The county's drainage regulations apply to all new development and redevelopment unless otherwise exempted or modified in code. The drainage regulations are not being addressed in the 2019 SMP Periodic Review project.</li> </ol>
37	Marjie Fields, Sno-Isle Sierra Club Communications Chair	<p>Please use the SMP Periodic Review to make needed changes as described in the letter from Pilchuck Audubon Society. You have this opportunity to make a difference in recovery of the Southern Resident Orca, Chinook Salmon, and the species and habitats they depend on.</p>	<p>Please see identical response in row 1.</p>
38	Nancy Johnson	<p>Please use the SMP Periodic Review to make needed changes as described in the letter from Pilchuck Audubon Society. You have this opportunity to make a difference in recovery of the Southern Resident Orca, Chinook Salmon, and the species and habitats they depend on.</p>	<p>Please see identical response in row 1.</p>

Comment #	Commenter	Specific Comment	Snohomish County Response
39	Megan Moore	<p>Thank you all for your very hard work in support of Snohomish County. I'm writing you today to let you know that I support the recommendations brought forward by Pilchuck Audubon Society, Futurewise and Washington Environmental Council in their June 4, 2019 Comment Letter on the 2019 Periodic Review of the Shoreline Management Program, which include:</p> <ol style="list-style-type: none"> <li>1. Ensure the county's SMP is achieving no net loss of ecological functions, which is a requirement under the SMA.</li> <li>2. Adopt State of Washington Department of Fish and Wildlife's up-to-date buffers to protect Chinook and other salmon and the prey on which they rely.</li> <li>3. Clarify that unvegetated buffers are buffers that need protection under the SMP.</li> <li>4. Require wider setbacks between development and critical areas and buffers in areas subject to wildfire danger.</li> <li>5. Require stronger regulations for investigations before work begins to protect cultural resources during excavation.</li> <li>6. SMP needs to address sea level rise and increased coastal erosion in the frequently flooded area regulations to protect people and property.</li> <li>7. Apply a 10 percent cap on total effective impervious surfaces on entire subdivisions to protect fish and wildlife habitat, including Chinook.</li> <li>8. Clarify the standards for docks.</li> <li>9. Retain the variance required for the innovative development design provisions to ensure protection of shoreline ecological functions.</li> <li>10. Additional intact high-quality shorelines should be designated Natural as shown in the June 4, 2019 comment letter.</li> <li>11. Do not amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers, and which will negatively impact Chinook habitat.</li> </ol>	Please see identical response in row 1.

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40	William Davison	<p>As a resident of Snohomish County I support the recommendations brought forward by Washington Environmental Council, Pilchuck Audubon Society, and Futurewise and in their June 4, 2019 Comment Letter on the 2019 Periodic Review of the Shoreline Management Program.</p> <p>Under the Shoreline Management Program Periodic Review, we have the opportunity to take steps to help recover the Southern Resident orcas, the Chinook salmon, and the species and habitats on which they depend. The fall Chinook stocks that originate in the Stillaguamish and Snohomish Rivers highest in importance as food sources for the southern resident killer whales. So protecting the habitats of these Chinook stocks is critical.</p> <p>I support the recommended measures outlined below that will improve protection for these key species such as improved shoreline buffers and will achieve the no net loss requirement, a requirement under the SMA;</p> <ol style="list-style-type: none"> <li>1. Adopt State of Washington Department of Fish and Wildlife's up-to-date buffers to protect Chinook and other salmon and the prey on which they rely.</li> <li>2. Clarify that unvegetated buffers are buffers that need protection under the SMP.</li> <li>3. Require wider setbacks between development and critical areas and buffers in areas subject to wildfire danger.</li> <li>4. Require stronger regulations for investigations before work begins to protect cultural resources during excavation.</li> <li>5. SMP needs to address sea level rise and increased coastal erosion in the frequently flooded area regulations to protect people and property.</li> <li>6. Apply a 10 percent cap on total effective impervious surfaces on entire subdivisions to protect fish and wildlife habitat, including Chinook.</li> <li>7. Clarify the standards for docks.</li> <li>8. Retain the variance required for the innovative development design provisions to ensure protection of shoreline ecological functions.</li> <li>9. Additional intact high-quality shorelines should be designated Natural as shown in the June 4, 2019 comment letter.</li> <li>10. Do not amend the SMP to adopt channel migration regulations that will damage salmon habitat and put people and property at risk of damage from the movement of rivers, and which will negatively impact Chinook habitat.</li> </ol> <p>Thank you for the opportunity to provide comments.</p>	Please see identical response in row 1.
41	Lance Powell	Please see identical comment in row 40.	Please see identical response in row 1.
42	Daniel Sandvig	Please see identical comment in row 40.	Please see identical response in row 1.
43	Julianne Martinson	Please see identical comment in row 40.	Please see identical response in row 1.
44	Sandra Gehri-Bergman	Please see identical comment in row 40.	Please see identical response in row 1.
45	Greg Weber	Please see identical comment in row 40.	Please see identical response in row 1.
46	Roberta Czarnecki	Please see identical comment in row 40.	Please see identical response in row 1.
47	Mara Price	Please see identical comment in row 40.	Please see identical response in row 1.
48	Dave Pierot	Please see identical comment in row 40.	Please see identical response in row 1.
49	Kimberly Crane	Please see identical comment in row 40.	Please see identical response in row 1.
50	Pat Armstrong	Please see identical comment in row 40.	Please see identical response in row 1.

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51	Debbie Spear	Please see identical comment in row 40.	Please see identical response in row 1.
52	Ryan Seek	Please see identical comment in row 40.	Please see identical response in row 1.
53	Phoebe Bachleda	Please see identical comment in row 40.	Please see identical response in row 1.
54	Derek Benedict	Please see identical comment in row 40.	Please see identical response in row 1.
55	Michelle Crow	Please see identical comment in row 40.	Please see identical response in row 1.
56	Sarah Salter	Please see identical comment in row 40.	Please see identical response in row 1.
57	Pete Compton	Please see identical comment in row 40.	Please see identical response in row 1.
58	Ben Moore	Please see identical comment in row 40.	Please see identical response in row 1.
59	Carlo Voli	Please see identical comment in row 40.	Please see identical response in row 1.
60	Linda Standow	Please see identical comment in row 40.	Please see identical response in row 1.
61	Cathy Kennedy	Please see identical comment in row 40.	Please see identical response in row 1.
62	Lloyd Weller	Please see identical comment in row 40.	Please see identical response in row 1.
63	Pamela Van Swearingen	Please see identical comment in row 40.	Please see identical response in row 1.
64	Alan Lish	Please see identical comment in row 40.	Please see identical response in row 1.
65	Ralph Becker	Please see identical comment in row 40.	Please see identical response in row 1.
66	Lisa Olver	Please see identical comment in row 40.	Please see identical response in row 1.
67	Jeanette Ivy	Please see identical comment in row 40.	Please see identical response in row 1.
68	Vicki Brix	Please see identical comment in row 40.	Please see identical response in row 1.
69	Jerry Kessinger	Please see identical comment in row 40.	Please see identical response in row 1.
70	Kate Connolly	Please see identical comment in row 40.	Please see identical response in row 1.
71	Lori Greenfield	Please see identical comment in row 40.	Please see identical response in row 1.
72	Tamela Roberson	Please see identical comment in row 40.	Please see identical response in row 1.
73	Jennifer Wheeler	Please see identical comment in row 40.	Please see identical response in row 1.
74	Lee Hawkins	Please see identical comment in row 40.	Please see identical response in row 1.
75	Mary Oakland	Please see identical comment in row 40.	Please see identical response in row 1.
76	Laura Goldberg	Please see identical comment in row 40.	Please see identical response in row 1.
77	Jack Stansfield	Please see identical comment in row 40.	Please see identical response in row 1.
78	Daniel McClure	Please see identical comment in row 40.	Please see identical response in row 1.
79	Jean Lingelbach	Please see identical comment in row 40.	Please see identical response in row 1.
80	Noah Ehler	Please see identical comment in row 40.	Please see identical response in row 1.
81	Deborah DeRosa	Please see identical comment in row 40.	Please see identical response in row 1.
82	Leslie Kreher	Please see identical comment in row 40.	Please see identical response in row 1.
83	Sandra Maddox	Please see identical comment in row 40.	Please see identical response in row 1.
84	Anna Hauksdottir	Please see identical comment in row 40.	Please see identical response in row 1.
85	Toni Reading	Please see identical comment in row 40.	Please see identical response in row 1.
86	Anna Hauksdottir	Please see identical comment in row 40.	Please see identical response in row 1.
87	Bruce Tipton	Please see identical comment in row 40.	Please see identical response in row 1.
88	Linda Studley	Please see identical comment in row 40.	Please see identical response in row 1.
89	David Mesford	Please see identical comment in row 40.	Please see identical response in row 1.
90	Gary Albright	Please see identical comment in row 40.	Please see identical response in row 1.
91	Robert Jamieson	Please see identical comment in row 40.	Please see identical response in row 1.
92	Peggy Page	Please see identical comment in row 40.	Please see identical response in row 1.

Comment #	Commenter	Specific Comment	Snohomish County Response
93	Lee Hawkins	Please see identical comment in row 40.	Please see identical response in row 1.
94	Sky Sloane	Please see identical comment in row 40.	Please see identical response in row 1.
95	Sandi Amos-Pitts	Please see identical comment in row 40.	Please see identical response in row 1.
96	Mary Bergin	Please see identical comment in row 40.	Please see identical response in row 1.
97	Andrea Fisher	Please see identical comment in row 40.	Please see identical response in row 1.
98	Dora Weyer	Please see identical comment in row 40.	Please see identical response in row 1.
99	Vanessa Jamison	Please see identical comment in row 40.	Please see identical response in row 1.
100	Sara Strickland	Please see identical comment in row 40.	Please see identical response in row 1.
101	Joy Gardner	Please see identical comment in row 40.	Please see identical response in row 1.
102	Natalie Lawrence	Please see identical comment in row 40.	Please see identical response in row 1.
103	Milton Bullion	Please see identical comment in row 40.	Please see identical response in row 1.
104	Ken Livingston	Please see identical comment in row 40.	Please see identical response in row 1.
105	Erin Johnson	Please see identical comment in row 40.	Please see identical response in row 1.
106	Meredy Davis	Please see identical comment in row 40.	Please see identical response in row 1.
107	Lindsay Ward	Please see identical comment in row 40.	Please see identical response in row 1.
108	Katelynn Manz	Please see identical comment in row 40.	Please see identical response in row 1.
109	Paula Hartsell	Please see identical comment in row 40.	Please see identical response in row 1.
110	Lisa Bedker-Madsen	Please see identical comment in row 40.	Please see identical response in row 1.
111	Ken Livingston	Please see identical comment in row 40.	Please see identical response in row 1.
112	James Tandoo	Please see identical comment in row 40.	Please see identical response in row 1.

## Attachment A Shoreline Monitoring Assessment

As part of 2019 periodic review, the county reviewed project actions in shoreline areas in an effort to assess the effectiveness of the county's SMP and shoreline regulations in Title 30 SCC. The county measured land cover change impacts on properties within shoreline jurisdiction that were issued development permits or had active enforcement cases with recorded critical area site plans (CASPs) between Jun 1, 2013, and Jun 1, 2015. CASPs identify critical area protection areas designated for protection prior to permit issuance.

The county started with 249 CASPs that were recorded within shoreline jurisdiction. Most permit activity was associated with RK (residential) or LDA (land disturbing activity) permits. Shoreline permits were not used as the sole selection criteria due to the exemptions for single family and associated development.

The CASPs were digitized and compared to recent aerial photos from both before and after development. (Note: 52 of the CASPs were recorded too recently such that "after" aerial photos were not yet available. Adjusting for the 52 CASPs that could not be evaluated, the sample size was reduced to 197).

Staff conducted visual comparisons of before and after photos against the CASP looking for site disturbance within the critical area protection areas (CAPA). Following the visual evaluation, the following ratings were assigned:

- INTACT (no disturbance) = 167 sites were developed per CASP requirements
- PARTIALLY INTACT (slight intrusion into CAPA) = 30 sites
- SIGNIFICANT IMPACT (destruction of most or all of the CAPA) = 0 sites

The 197 CASPs contained 321.49 acres of Critical Area Protection Areas (CAPA).

The total CAPA for the 30 sites that received a "partially intact" rating was 28.15 acres.

The total disturbed area within these 30 CAPAs was 1.03 acres, leaving 27.12 acres of CAPA intact.

- Out of a total of 321.49 acres of CAPA, only 1.03 acres, or 0.32%, was disturbed.
- Out of the 30 disturbed CAPAs, only 3.7% of the total CAPA area was disturbed.
- The most common disturbance was construction of small sheds within the CAPA. Driveways, mowed areas and vegetable gardens also were seen to encroach slightly into the CAPAs.

Based on this random sample of a variety of properties with CASPs, critical area protection requirements are being implemented in shoreline jurisdiction and appear to be stable over time.

