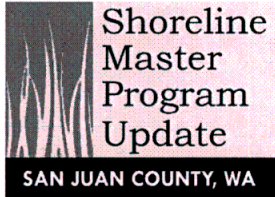


261734004000-080-080-DAVID-2012-0427



San Juan County
Community Development & Planning

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COMMENT FORM

Please give us your thoughts on the Shoreline Master Program Update.

Help shape the future of the County's Shorelines!

Your comments and input are invited as the planning process of the San Juan County Shoreline Master Program Update continues. Your concerns and questions about the update and any comments about the inventory of the County's shorelines would be helpful; for example, how accurate is the inventory, are we missing anything, etc.

S.J.C. COMMUNITY

Tad Sommerville
200 N E Pacific St., Suite 102
Seattle WA 98105 6866

APR 27 2012

PHONE: 206 . 300 . 3425

DEVELOPMENT & PLANNING

TADS @ UW . EDU

SEE ATTACHED COMMENTS ON PARCEL
261734004000

To: Colin Maycock

From: Tad Sommerville / APRIL 25, 2012

RE: Shoreline Characterization Report for SMP Update/April 30, 2012

Parcel numbers: 261734004000 & 261734003000; West Sound Management Area;
Shoreline Reach No. 30

S.J.C. COMMUNITY

APR 27 2012

DEVELOPMENT & PLANNING

Dear Mr. Maycock:

We have tried to review the overwhelming amount of information contained in the Shoreline Inventory and Characterization Report. It has been a daunting task. We own properties located in the West Sound Management Area and specifically within shoreline reach number 30. This report is our attempt to comment on and in some cases dispute the information contained in the report. We have provided some photographs with captions that provide a short narrative of the specific issue or situation.

My general comment is that the report attempts to make very broad generalizations about specific attributes of each of the reaches. For example, reach number 30 is over two miles long and encompasses a myriad of shoreline types and uses. In some parts of reach 30 there are over-water structures, beach armoring, pocket beaches, beaches with cliff and rocky substrate. Some parts of the reach are quite exposed and sunny, and some are very dark and shady. The geomorphic criteria used to delineate reaches are far from perfect. In the case of reach 30, the geomorphic data, along with the other aspects of land use, should have been evaluated in such a way that the reach should have been broken-down into smaller more geomorphically consistent reaches. This may be the case with other reaches.

Furthermore, how is it possible to organize the observations of reach 30 (or any reach described in the report) and create a scoring system called, "Reach Ecological Function Assessment"? Whereas the scoring criteria described on page 10-18 of the report may represent an admirable attempt to organize and describe the data and observations, the scope and length of the reach(s) is/are substantive and lengthy enough that the designation of a specific "0 to 5" score for a specific attribute is too arbitrary. Furthermore, the person doing the "scoring" will do so based upon their interpretation of the data. This interpretation is too dependent upon the individual's personal and professional values and the scores could somewhat be influenced by their political philosophy despite the existence of the criteria on pages 10 -18. In contrast, a small subset of other "qualified" professionals or "scorers" may score the ecological functions completely differently than the "official scorer" of this report.

As indicated on page 1 of the *Shoreline Inventory and Characterization Report*, the report (according to the author), accomplishes the following:

- Provides supporting information for determining updated environmental designations.
- Establishes the baseline for "no net loss" of ecological conditions and informs development of protective policies, regulations and mitigation standards.
- Identifies opportunities for protection, improving public access, and supporting water dependent uses.

- Identifies degraded areas and opportunities for restoration to be incorporated into the restoration plan.

While these objectives may be noble, the shoreline inventory and characterization analysis combined with its ecological function assessment scoring system, for the reasons described above, is too onerous to be used as a baseline document on which the investment, livelihoods, and lifestyles of property owners will be based. What is obviously missing from this report is any discussion of methods or processes by which a property owner can without great expense, time or trouble, dispute and hopefully resolve any discrepancies in the report. Not only will mistakes be made in a document as broad and involved as this one, but as pointed out earlier, the assessment and analysis of a reach may not be consistent with that of a property owner's shoreline.

In conclusion, we object to the use of the Shoreline Inventory and Characterization Report to be used for the purposes described in the bullet points on page one without a corresponding CD&P building application, dispute and resolution methodology that is fair, clear, not costly, efficient, and approved by the citizens and landowners. Finally, if and when the county decides to use this inventory report as a baseline for regulatory purposes, the landowner should be given plenty of notice so that he can provide the county with a shoreline inventory of his own shoreline and associated buffer – by parcel. This inventory by reach does not accomplish that objective.

In addition to the attached photos, we have the following comments and disputes:

| | | |
|--------|--------------------------|--|
| Map 12 | Floodplains and wetlands | N/A – Yet Map 19 erroneously indicates the existence of palatine emergent wetland |
| Map 19 | Land cover | Palustrine emergent wetland indicated on map in area of home. <u>Impossible; not present.</u> Rocky coastline with Rocky Mountain Juniper present. No wetland species present. See photos attached |
| Map 20 | Impervious surfaces | Structures not indicated on map. |
| Map 23 | PHS Aquatic Vegetation | No eelgrass or bull kelp described on map, no eelgrass or bull kelp ever observed over four-decade observation period. |
| Map 24 | PHS Birds and Mammals | Eagle Buffers indicated on map |
| Map 25 | PHS Fish | Pacific herring spawning area indicated |
| Map 26 | PHS Shellfish | Dungeness crab indicated |
| Map 27 | SRSC Chinook | Low or non-existent |
| Map 28 | SRSC Chum | Map indicates medium existence. Chum salmon have never been observed in 30-years. |

| | | |
|--------|---------------------------------|---|
| Map 29 | SRSC Pink | Map indicates high existence. Pink salmon have never been observed in 30-years. |
| Map 31 | SRSC Surf Smelt | Map indicates both low and medium existence. However, WDFW Surf Smelt map dated May 3, 2010 indicates no existence of surf smelt. |
| Map 32 | SRSC Sand Lance | Map indicates low existence. However, WDFW Sand Lance map dated May 3, 2010 indicates no existence of sand lance. |
| Map 33 | SRSC Pacific Herring | Map indicates medium to high existence |
| Map 34 | Vacant Parcels | N/A |
| Map 34 | Vacant Parcels | Parcel 261734003000 is vacant |
| Map 35 | Non-conforming shore structures | Yes |

These assessments of the existence of certain fish species are not based upon observations but models. We do not agree with the modeling approach and based upon our own observations dispute some of the results of the model.

It should be noted that the Shoreline Inventory and Characterization Report does not indicate specific harm that the existing structures are causing on any existing shoreline condition or habitat.

As described in the first part of the letter, the Shoreline Inventory and Characterization Report and its associated Reach Ecological Function Assessment described on page 241 does not accurately described the shoreline owned by the property owner.

Thank you.

Tad Sommerville

Table 35B. West Sound Management Area Reach Assessment – Habitat Conditions.

| Reach | Estuary/ Wetland Habitat | Total Vegetative Cover | Shoreline Alterations | Shoreline Sediment Input Alterations | Bat Presence | Bird Presence | Haul-out Habitat | Elgrass Presence | Kelp Presence | Forage Fish Priority Spawning Habitat | Shellfish Habitat | Smelt Presence Probability | Herring Presence probability | Sandlance Presence probability | Lingcod Presence probability | Pink Salmon Presence probability | Chum Salmon Presence probability | Chinook Salmon Presence probability | Total |
|-----------------------------------|--------------------------------|------------------------------|--------------------------|---|-----------------|------------------|---------------------|---------------------|------------------|--|----------------------|----------------------------------|------------------------------------|--------------------------------------|------------------------------------|---|---|--|-------|
| 23 | 0 | 4 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 4 | 2 | 1 | 1 | 3 | 4 | 4 | 2 | 38 |
| 24 | 0 | 5 | 5 | 5 | 0 | 1 | 0 | 5 | 5 | 0 | 3 | 2 | 3 | 1 | 1 | 4 | 3 | 1 | 44 |
| 25 | 2 | 3 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 2 | 3 | 2 | 1 | 1 | 2 | 1 | 1 | 31 |
| 26 | 3 | 4 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 2 | 5 | 1 | 1 | 1 | 1 | 1 | 1 | 33 |
| 27 | 2 | 3 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 2 | 5 | 3 | 1 | 1 | 4 | 3 | 2 | 39 |
| 28 | 0 | 4 | 3 | 3 | 0 | 0 | 0 | 5 | 0 | 0 | 2 | 5 | 3 | 1 | 1 | 4 | 3 | 2 | 36 |
| 29 | 0 | 4 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 2 | 5 | 2 | 1 | 1 | 2 | 2 | 1 | 33 |
| 30 | 0 | 14 | 10 | 10 | 0 | 0 | 0 | 10 | 10 | 10 | 3 | 3 | 3 | 10 | 10 | 10 | 10 | 1 | 46 |
| 31 | 1 | 5 | 5 | 5 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 2 | 3 | 1 | 2 | 4 | 3 | 1 | 38 |
| 32 | 1 | 5 | 5 | 5 | 0 | 1 | 0 | 5 | 5 | 0 | 2 | 2 | 3 | 1 | 2 | 4 | 3 | 1 | 45 |
| 33 | 0 | 4 | 5 | 5 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 3 | 1 | 2 | 4 | 3 | 1 | 32 |
| 34 | 4 | 5 | 4 | 4 | 0 | 0 | 0 | 5 | 5 | 3 | 1 | 3 | 3 | 1 | 2 | 4 | 3 | 1 | 48 |
| 35 | 0 | 2 | 5 | 5 | 0 | 5 | 0 | 0 | 0 | 0 | 1 | 2 | 3 | 1 | 2 | 4 | 3 | 1 | 34 |
| 36 | 0 | 3 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 4 | 3 | 1 | 1 | 4 | 3 | 2 | 35 |
| 37 | 1 | 4 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 4 | 3 | 1 | 1 | 4 | 3 | 2 | 37 |
| 38 | 1 | 3 | 4 | 4 | 0 | 1 | 0 | 0 | 0 | 3 | 1 | 5 | 3 | 1 | 1 | 3 | 2 | 2 | 34 |
| 39 | 1 | 4 | 3 | 3 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 5 | 4 | 1 | 2 | 4 | 3 | 2 | 38 |
| 40 | 1 | 4 | 5 | 5 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 2 | 3 | 1 | 2 | 4 | 3 | 1 | 37 |
| 41 | 1 | 4 | 2 | 2 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 3 | 3 | 1 | 2 | 4 | 3 | 2 | 33 |
| 42 | 1 | 5 | 4 | 4 | 0 | 0 | 0 | 5 | 5 | 0 | 2 | 3 | 3 | 1 | 1 | 4 | 3 | 1 | 42 |
| 43 | 0 | 4 | 5 | 5 | 0 | 0 | 0 | 5 | 5 | 3 | 1 | 2 | 2 | 3 | 3 | 4 | 3 | 2 | 47 |
| 44 | 0 | 3 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 3 | 1 | 4 | 1 | 1 | 2 | 2 | 1 | 2 | 33 |
| 45 | 0 | 5 | 5 | 5 | 0 | 1 | 0 | 5 | 5 | 0 | 1 | 3 | 2 | 3 | 3 | 4 | 3 | 2 | 47 |
| 46 | 0 | 5 | 4 | 4 | 0 | 0 | 0 | 5 | 5 | 0 | 1 | 3 | 1 | 2 | 3 | 3 | 2 | 2 | 40 |
| 47 | 1 | 5 | 5 | 5 | 0 | 0 | 0 | 5 | 5 | 0 | 1 | 2 | 2 | 3 | 4 | 4 | 3 | 2 | 47 |
| 48 | 0 | 5 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 3 | 2 | 2 | 3 | 3 | 3 | 2 | 36 |
| Median | 0.5 | 4 | 4 | 4 | 0 | 0 | 0 | 5 | 0 | 0 | 1 | 3 | 3 | 1 | 2 | 4 | 3 | 2 | 37.5 |
| Average | 0.8 | 4.1 | 4.2 | 4.2 | 0.0 | 0.4 | 0.0 | 4.4 | 1.7 | 0.6 | 1.5 | 3.2 | 2.5 | 1.3 | 1.9 | 3.5 | 2.7 | 1.5 | 38.6 |
| Percent of Highest Possible Score | 15% | 82% | 84% | 84% | 0% | 8% | 0% | 88% | 35% | 12% | 30% | 65% | 50% | 26% | 38% | 71% | 54% | 31% | 43% |



261734004000
7235



1:1200

Sommerville - 261734004000

This data has been compiled for San Juan County. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.

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Shoreline at zero tide—very rocky substrate. This is not forage fish habitat. No eelgrass or bull-kelp present. Abundance of *Sargassum muticum* in shallows. No pocket beaches. (circa April 21, 2012).



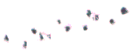
Shoreline at zero tide. Steps leading to beach. This is not forage fish habitat. No eelgrass or bull-kelp present. Very rocky substrate. No pocket beaches in ownership area of shoreline (circa April 21, 2012).



View of shoreline at zero tide. Shallows are inundated with *Sarcassum muticum*. No eelgrass or bull kelp present along shoreline of parcel. (circa April 21, 2012).



View of shoreline at zero tide. Shallows are inundated with *Sarcassum muticum*. No eelgrass or bull kelp present along shoreline of parcel. (circa April 21, 2012). This is not forage fish habitat.



Narrative of Property for Shoreline Characterization/SMP Update —April 30, 2012
Property Owner: Vinton H. & Amelia J. Sommerville; Parcel numbers 261734004000 & 261734003000
West Sound Management Area—Shoreline Reach No. 30



View north from house towards reach boundary with reach 31. Garry Oak and Rocky Mountain Juniper species present. No evidence of palustrine emergent wetland as indicated on Map 19 (circa April 21, 2012).



View west from house. No evidence of palustrine emergent wetland as indicated on Report Map 19 (circa April 21, 2012).

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APR 27 2012

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