

2/2/2021

Thank you for the opportunity to comment. Attached is our request to prevent view blockage by vegetation

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22.400.135 View Blockage (due to vegetation)

Reason for change:

View blockage requirements are important to shoreline property owners. Just as requirements are provided for primary and accessory structures to maintain shoreline views, they should also be provided for vegetation.

While property owners need to comply with requirements of section 22.400.120 for Vegetation Conservative Buffer they will not generally plant trees or other shrubbery that blocks their own view. However they will and have planted vegetation along boundary lines with neighboring properties that do result in view blockage. This has usually been done as a substitute for a fence or because of vindictive action against a neighbor. We have personally experienced this and seen it done elsewhere.

Requested change:

Add Requirement similar to following in Section 22.400.135 and possibly in 22.400.120 to prevent new or future view blockage in side yards due to vegetation.

“New plantings within 15 feet of side yard boundary of the Buffer and Shoreline Setback zone described in this section above shall not be greater than 6 ft at maturity”

2/4/2021

John Read jread@vtacs.com

I would think that we should start planning for dealing with increasing levels of the ocean. At some point we either need to face up to the fact that waterfront properties are going to be flooded, which will result in billions of dollars of lost taxes and property values, or we need to propose realistic ways of dealing with the increased water levels. This is not "nature doing its thing". It is the result of human activities and now we need to address the future damage instead of waiting for a disaster.

Thanks

2/8/2021

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Hello,

I wish to submit these comments for consideration as part of the Review and Comment process on the current proposed revisions of the Kitsap SMP during its periodic review.

If you have questions on my comments please contact me at betsycooper1@gmail.com or 206-819-7834.

Thank you,
Betsy Cooper

Comments on Kitsap Shoreline Management Plan Periodic Review Proposal
Submitted to reviewSMP@co.kitsap.wa.us on February 18, 2021 by Betsy Cooper, 24897 Taree Dr.
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Thank you for the opportunity to comment on the proposed changes to the Kitsap Shoreline Management Plan. I present comments below on the Scoping Matrix and the February 2nd Public Draft Redline of Title 22 SMP. I also offer one additional request/comment for your consideration.

Comments on the Scoping Matrix and Amendment Guide

Under the Ecology Mandatory section:

#1 f – F 22.100.125 – Assure stream listings and areal extent and stream typing has been updated with the latest on water typing efforts of WDFW or the Wild Fish Conservancy and all additional mapping since 2010.

Under the Ecology Recommended section:

#2b - 22.600.145a - Revise this sentence as noted to replace 'may' with 'shall'" Forest practice that includes new or reopened right of ways, grading, culvert installations or stream crossings SHALL (may) be considered development.

#2c – 22.100.120.d - Why are Tribal Trust lands included in this exemption? It is requested that Tribal Trust Land not have a full exemption.

Under Ecology Discretionary action section:

#6 - 22.400.100.B.1.d – Reduce the time proposed for allowing construction to occur from 2 years from permit approval to 1 year from permit approval. While other sections of code allowed a permit to be viable for 2 years after approval these sensitive shoreline areas should not be allowed such a liberal amount of time particularly because action has already been under planning with the expansion of the provision of a year of permit review. Therefore addition 2 additional years is not appropriate and too many conditions could change in that time.

#7g – 22.400.120C.2.c – There is often a misunderstanding that any action that are exempt from SMP permitting is also not required to meet all the policies and requirements of the Shoreline Management Plan. Therefore, this section should state again that this variance is only given if the policies and

requirements of the plan are met. The criteria should be created before any such variances are considered.

Also, the proposed language should be revised to change the word 'could' to 'should' in the sentence; "Such an expansion SHOULD (could) be reviewed administratively during the building permit review for compliance with the SMP."

#11a – Review table 21.04 – It is not agreed that removing the hearing examiner's review offers no value added. This is particularly because, with climate change expected affects, there may need to be consideration about buffer reductions since they may not be advisable in some areas, even if the general criteria created might signal such buffer reduction is allowable.

#12b - 22.600.160.C.3.b – The revision should say "no less than 20 ft" rather than just spaced 20 ft. apart. The point is that this should not force additional pilings be installed if some pile-supported projects can be done with greater than 20 ft between pilings.

Comments on the February 2nd Public Review Draft of Tittle 22 -redline

22.100.120 Applicability

B. Development not requiring review - There should always be a requirement that the County prepare a 'Letter of Exemption' for any action not undergoing formal review under the SMP. Such letters are an opportunity for the County to track the number of actions that have occurred in any shoreline areas. It will also allow the reiteration to any project proponent that while not submitting to a formal review, the project still has the responsibility to meet all policies and requirements of the SMP.

Shoreline Stabilization – It would be advisable to add a note in the Plan that recognizes that all shoreline stabilization measures come with the requirement for appropriate maintenance. Such maintenance assures that no additional, more intrusive stabilization becomes needed down the road.

22.300.125 – Shoreline Use & Site planning

D. Policy SH23 – Should be modified to include requirements for appropriate planning for climate change affects such as sea level rise and changing effects of storm surge.

22.400.105 – Proposed Development

A. 2 – This section should include some reference or requirement to avoidance of effects of climate change, such as sea level rise or storm surge affects.

22.400.135 – View Blockage

D.1 Any appeal process should NOT be solely Administrative. It should be a type 3.

22.400.150

This section should be modified to require consideration of appropriate climate change effects in planning and approval of activities in flood hazard areas, including channel migration zones, and flood plans.

22.500.110 - Enforcement and Penalties

B.2 This section should be revised to add, as one of the considerations along with the considerations already listed: 1) the ecological function lost, and 2) the cost of replacing or mitigating the ecological damage or risk caused by the action. While the criteria currently listed are important, the true cost of

repairing the damage done by the action and the loss of ecological structure and function time and time again from no meaningful enforcement against violations must be stemmed.

22.700.130 – Cumulative Impacts

This section should state that there must also be a consideration in each analysis of the cumulative of potential climate change-related effects for the project and the other reasonably knowable actions in the area of the projects.

Finally, while I am not sure where in the plan this should be acknowledged, I call for the County to commit, as part of the Plan Periodic review, to undertaking appropriate feedback monitoring, described in Ecology Guidance. Such monitoring should include Program Consistence monitoring (demonstrating permit writers are consistently writing permits that match the SMP), Permit Effectiveness monitoring (that the projects are being built in accordance with the permit conditions and enforcement is being taken when they are not) and Plan Effectiveness monitoring (environmental or systems monitoring to demonstrate that the plan is achieving No Net Loss of ecological structure and functions).