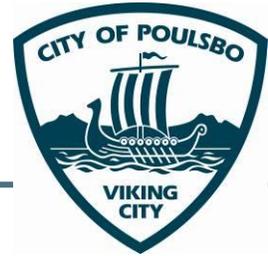


City of Poulsbo

PLANNING AND BUILDING DEPARTMENTS



October 12, 2011

Commissioner Arnie Bockus
Commissioner Tony DeCarlo
Commissioner Glenn Gilbert
Port Manager Kirk Stickels
Port of Poulsbo
P.O. Box 732
Poulsbo, WA 98370

Re: Port of Poulsbo Letter of October 6, 2011 – Shoreline Master Program (SMP)
Notice of Application and Optional DNS, Planning File No. 09-21-11-1

Dear Commissioners and Port Manager:

The Planning Department has received your letter of October 6, 2011, regarding the Notice of Application and Optional Determination of Non-Significance (DNS) for the proposed SMP amendments to the comprehensive plan policies and development regulations.

I am surprised to hear that the Port believes the City's SMP update process "has not adequately included input and participation from the public and other government agencies who have mutual responsibility in managing the shorelines within the City of Poulsbo", and that "the (DNS) should be denied and additional public review, input and revisions must be conducted". It especially concerns me that the Port has made these sweeping statements without providing any details or information to substantiate them, including information on what environmental impacts the Port believes the SMP will cause that should prevent issuance of a DNS.

As a point of legal clarification, the state SEPA rules (WAC 197-11) do not require the lead agency to obtain public input or participation in order to issue a SEPA threshold determination. A SEPA threshold determination indicates whether the lead agency believes that probable significant adverse environmental impacts will result from a proposed development, or, in the case of a non-project action such as the SMP, a determination of whether or not the overall effect of a plan or program will likely result in significant adverse environmental impacts. The determination relies on the information in the SEPA environmental checklist and any other environmental studies and documents included with the application.

The City will issue the DNS according to the requirements of the optional DNS process in WAC 197-11-355, which included the required 14-day public comment period on the Notice of Application. Additionally, the City will provide a second 14-day public comment period for the DNS itself – as a public courtesy, not as a legal requirement - but the issuance of the DNS will not be postponed for additional public comment on the overall SMP.

Regarding public participation, since June 2009 the City has been conducting a very extensive SMP public outreach and information program, as approved by the Department of Ecology and the City Council. The Port has been included in this program at every step along the way. Please see the attached list summarizing all of the City's communications to the Port and the general public regarding the SMP. As shown, the City has made repeated requests for the Port to review, comment and participate in the SMP update. The Port has been provided with all public notices, invitations to open houses and workshops, and information on available draft documents, and City staff have met with the Port Commissioners and Port manager to discuss their concerns.

Although the Port sent a letter asking questions and making general observations in July 2010, it was not until September 2011 - when the Planning Commission was halfway through their review of the final draft SMP - that the Port finally provided substantive comments on the SMP documents. I regret that the Port began participating so late in the process, but the Planning Department will continue to keep the Port informed and aware of their additional participation opportunities, including the upcoming Planning Commission and City Council public hearings.

Sincerely,

Barry Berezowsky
Planning Director

Attachment

cc w/attachment: Mayor Becky Erickson
Poulsbo Planning Commission
Joe Burcar, Department of Ecology
Keri Weaver, Associate Planner