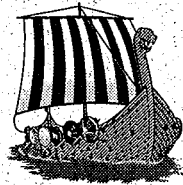


PORT OF POULSBO



October 6, 2011

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PLANNING

City of Poulsbo
Planning Department
200 NE Moe Street
Poulsbo, WA 98370

RE: Notice of Application with Optional DNS - Shoreline Master Program, City of Poulsbo
Planning File Number: 09-21-11-1

Dear Planning Department:

This letter summarizes the Port of Poulsbo's comments regarding the Shoreline Master Program (SMP) NOA with Optional DNS. The Port has commented on various stages of the SMP process including July 14, 2010 and most recent on September 21, 2011 on the Draft SMP. In our opinion, we believe the SMP does not adequately represent the future needs of the community for use of public shoreline, and 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.

In addition to concerns raised by the Port during previous comments to the City, we have the following additional concerns regarding the adoption of the SMP as it stands in Draft form:

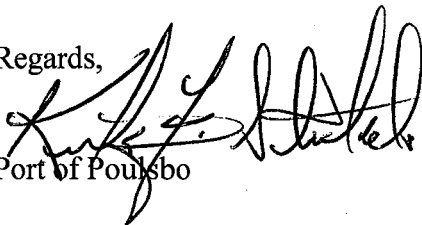
- WAC 173-26-201 – Process for updating SMP related to Ports & Harbors. “If the jurisdiction includes a designated harbor area or urban waterfront with intensive uses or signification development or redevelopment issues, work with the Washington State Department of Natural Resources and port authorities to ensure consistency with harbor area statutes and regulations, and to address port plans.” The City has not sufficiently considered the Port's comments and concerns, nor have they given adequate consideration to the Port's Master and Capital Improvement Plans during the development of the SMP update.
- WAC 173-26-201 – Process for updating SMP related to goals and requirements. “Identify measures and strategies to encourage appropriate use of the shoreline areas in accordance with the use priorities of chapter 90.58 RCW and WAC 173-26-201 (2)(d) while pursuing opportunities for ecological restoration.” The draft SMP is heavily weighted toward shoreline protection and restoration without equal consideration of existing water dependant uses and facilities and public access. The WA Shoreline Management Act establishes three broad state policies for shorelines as it relates to development of a Shoreline Master Plan as follows: 1. Encouragement of water-dependant uses; 2. Protection of Shoreline Resources; and 3. Promotion of Public Access. The Act creates a partnership between the state and local governments for

regulating the shoreline areas. This includes consultation with local Port districts such as the Port of Poulsbo. Under the guidelines set forth by Ecology, the City is required to foster and protect these three goals of the Act. Based on our review of the SMP update and corresponding allowable uses of the shoreline, it appears the intent of the current Draft SMP is to make the majority of the Port of Poulsbo a non-conforming use and the majority of associated future improvements to require Conditional Use Permits. We believe this is not consistent with the intent of the Act nor is it the requirement of Ecology in developing the updated SMP.

- Current SMP would require significant regulatory approval for all Port operations and improvements resulting in a significant level of oversight and approval of staff from both the City Council as well as Ecology. The outcome would be significant delay and expense to accomplish what is logically routine Port business; thus, negatively impacting the Port, City, and regional economy. We believe this is not the intent of Ecology for the SMP update for existing preferred uses of water-dependant and publicly accessible facilities. Based on our review of the draft SMP, we believe the requirements outlined in the document are not compatible with the goals set forth in the Act to preserve the three state policies, and are heavily weighted toward protection.

In summary, the SMP update process has not been inclusive of all shoreline users and is not consistent with the policies outlined in the Shoreline Management Act. Therefore, the SMP update requires additional public process to address these deficiencies prior to being finalized. Our opinion is the Determination of Non-Significance should be denied and additional public review, input, and revisions must be conducted prior to finalizing the SMP for consideration by the City Council.

Regards,



Port of Poulsbo