



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Coastal Region • Region 6 • 48 Devonshire Road, Montesano, WA 98563-9618
Telephone: (360) 249-4628 • Fax: (360) 249-1229

April 13, 2021

Nikole Coleman
Senior Planner, City of Poulsbo

Good morning,

Thank you so much for the opportunity for provide early comments and engagement on the City of Poulsbo (Shoreline Master Program) SMP Periodic Review. The Washington Department of Fish and Wildlife (WDFW) appreciates the thoughtful discussion, education, and inclusion in the process; thank you so much for fostering this collaboration.

Please accept the following table of comments from WDFW regarding the City of Poulsbo's SMP update. These comments specifically refer to the document Initial-Release_SMP-16.08-1.pdf, found on the City's Planning & Economic Development 2021 Shoreline Master Program Update webpage.

City of Poulsbo SMP update WDFW comments			
Page	Section	Comment	Suggested language
9	16.08.040 Definitions 66. "No net loss"	Recommend including language from State Hydraulic Code's definition of "no net loss" for consistency	Include in definition: "Sequentially for avoiding impacts, minimizing unavoidable impacts, and compensating for remaining adverse impacts to ecological functions. Mitigation required to achieve no net loss should benefit the ecological functions being impacted."
12	16.08.040 Definitions 88. "Soft shoreline armoring" or "soft shoreline stabilization"	Recommend including language from State Hydraulic Code's definition of "soft shore protection" for consistency	Include in definition: "Soft shore techniques include log placement, beach nourishment, resloping the bank, and revegetation can provide erosion protection using strategically placed natural materials while allowing beach processes and ecological functions to remain intact."
17	16.08.120 Federal and state approvals.	Note WDFW and USACE jurisdictions	Include "near" such that the resulting sentence reads:

		<p>are not solely based on the OHWM.</p> <p>For example, the USACE now uses the high tide line, whereas WDFW's Hydraulic Authority extends to any project that may impact the bed or flow of the waters of the state and this sometimes extends above/landward of the OHWM,</p>	<p>“All work near, at, or waterward of the OHWM may require permits or approvals from one or more of the following state and federal agencies...”</p>
21 to 22	16.08.160 (D) Shoreline environment designations.	<p>Ecological functions provided by an intact and functional riparian buffer is vital to the ecosystem health of nearshore habitats. Natural “N” designation areas should be determined using best available science to ensure maximum protection of those ecological functions.</p>	<p>Consider the “site potential tree height” tool in WDFW's Priority Habitats and Species Program in determining buffer designation area length from the shoreline using site specific parameters.</p>
24	Shoreline Use Table (I) Residential	<p>See comment above regarding importance of intact and functional riparian buffer.</p> <p>Please note that the change of permit type from “V” variance to “P” Permitted may result in a reduced ability for review and commenting.</p>	
34	16.08.270 Buoys	<p>Recommend including language to promote the use of helical or embedded anchors as well as mid-line floats in the design of the buoy</p>	<p>Include addition of subsection (A)(1)(c) and (B)(5) with the following language: “where feasible use embedded or helical anchors and incorporate mid-line floats to avoid impacts and scour to the seafloor.</p>

43	16.08.380 Shoreline Modifications-General requirements.	Recommend including additional application and design requirements to be consistent with State Hydraulic Code	Include addition of subsection (E) with the following language: “All shoreline modification applications must include plans with tidal elevations of the proposed structures as well as the locations of the OHWL and MHHW. Additionally plans must show the horizontal distances of the proposed structure(s) from permanent benchmark(s) (fixed objects). Each horizontal distance shown must include the length and compass bearing from the benchmark to the waterward face of the structure(s). The benchmark(s) must be located, marked, and protected to serve as a post-project reference for at least ten years from the date the application. Lastly all proposals for shoreline armoring should also specify the length of the new or replacement structure
52	16.08.480 (F) (6) Nonconforming shoreline uses and structures.	<p>WDFW does not support lateral expansions where they encroach on riparian areas. These encroachments, either to an existing buffer or shoreline set back, result in a net loss of riparian function. Even if the current buffer is grass lawn or similar degraded area, waterward/landward building expansion can result in decreased function and prevents the possibility of future enhancement/restoration.</p> <p>WDFW holds that these activities are not cohesive with restoring and protecting shoreline function. We support that expansions should be away from the shorelines, and that any expansions occurring laterally or waterward be appropriately coupled with mitigation sequencing to insure no net loss from the immediate and ongoing impact of such expansion.</p>	

In addition to our specific comments provided in the table above, WDFW would also like to highlight the completion of both volumes of our updated Priority Habitats and Species (PHS) publications on riparian ecosystems, focusing on the needs of fish and other aquatic wildlife. In May 2018, we released the manuscript of PHS Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications, which meets the criteria for Best Available Science (relative to your CAO) and/or new scientific and technical information (relative to your SMP). In December 2020, we released the final manuscript of PHS Riparian Ecosystems, Volume 2: Management Recommendations in which WDFW provides recommendations on how best to apply the science in Volume 1 through the lens of our agency’s mandate. These documents focus on the important habitat functions and values provided by freshwater riparian areas (in particular, around rivers and streams), and

include, among other things, new guidance about viewing “riparian management zones” as not simply buffers for streams and rivers, but as habitats in and of themselves. While we do not have specific draft language to offer at this time, WDFW would like to start talking with you about how these newer PHS resources can best be applied to the landscape within the City of Poulsbo.

I hope that this letter of our comments is helpful for you and welcome any questions or ongoing conversation. Please do not hesitate to reach out if we can provide any clarification, additional information, or assistance of any kind. We truly appreciate this opportunity for collaboration and hope that we can provide more technical assistance to the City of Poulsbo for our shared stewardship goals for the public.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Nam Siu', with a long horizontal flourish extending to the right.

Nam Siu
Area Habitat Biologist
Washington Department of Fish and Wildlife

cc: Dave Kloempken, WDFW
Chris Waldbillig, WDFW
Michelle McConnell, ECY

From: [Rock Family](#)
To: [Nikole CH. Coleman](#)
Subject: Shoreline Management Plan
Date: Wednesday, April 14, 2021 9:34:20 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Nikole,

It was frustrating during the last SMP process to watch the city paint itself into a corner by embracing a rigid SMP. At the point the city was trying to sell the old police station and I discussed with the Mayor the severe limitations the city imposed on itself which would prevent development. This is fact has happened. I think there was a mentality that strict restrictions would create scarcity and value - that can happen market wide - but it doesn't work for individual projects. Each project has to pencil independently.

There is a need to maintain and improve old town Poulsbo - this doesn't mean to change it, but to improve it as is. Buildings will need to be remodeled or replaced, development needs to occur in sites like the old police station which are a blight on an otherwise beautiful town. The city should create flexibility within the SMP and then manage that flexibility through zoning and other restrictions. The SMP should not exceed the restrictions imposed by the DOE and should in fact push back somewhat against the DOE for more flexibility.

Protect and enhance views of Liberty Bay, the marina and the town. Continue to create a walkable / rideable active city. Imagine the city 20 years from now and what it should look like, how it should work. Your role and foresight is critical.

Thank you for soliciting input,

Jim Rock



THE SUQUAMISH TRIBE

NATURAL RESOURCES DEPARTMENT

PO Box 498 Suquamish, WA 98392-0498

TRANSMITTED BY EMAIL

April 16, 2021

City of Poulsbo
Planning and Economic Development
c/o Karla Boughton

RE: City of Poulsbo Shoreline Master Program Periodic Review (March-April 2021)

Dear Ms. Boughton,

Thank you for the opportunity to review and comment on the proposed amendments to the Poulsbo Shoreline Master Program (SMP) and associated code revisions (draft dated 2/23/2021 and revised 4/6/2021). The Tribe seeks protection of all treaty-reserved natural resources through avoidance and minimization of negative impacts to habitat and natural systems within its adjudicated usual and accustomed fishing area (“U & A”). Local Shoreline Master Programs serve a critical role in protecting habitat, health, and tribal treaty-reserved resources.

The Tribe has reviewed the above referenced project and has the following comments. Code citations below are based on the most recent, April 6, 2021 Planning Commission draft, posted on the City’s website.

Shoreline Master Program Periodic Review- Draft (February 2021, Rev. April 2021)

16.08.040 (84). “Shoreline buffer” – ‘undeveloped’ vs. ‘predominately undisturbed’

The WAC referenced ‘for consistency’ (WAC 173-26-020) does not contain or reference this definition of shoreline buffer, but does define ‘significant vegetation removal’. The change from describing a shoreline buffer as ‘undeveloped’ to ‘predominately undisturbed’ may fit with the ‘significant vegetation removal’ definition in the WAC, but should not be used to define the buffer itself. Adding clarity in the second part of the definition on how buffers may be modified helps make the point, but the definition of ‘buffer’ itself should remain as undeveloped and in as natural of a vegetated state as possible.

Recommend:

“Shoreline buffer” means an area immediately adjacent to the shoreline as measured from the OHWM, which under optimal conditions, are composed of intact native vegetation, but may only be modified and/or reduced to accommodate allowed uses when consistent with the Shoreline Management Act and this Chapter such that no net loss of critical area or shoreline ecological functions occurs.

16.08.110 (L). A development, activity or use that meets the exemption criteria of RCW 90.58.355 and WAC 173-27-044 are not subject to any local government review and are not required to obtain a shoreline substantial development permit or exemption

In addition to referencing the RCW and WAC, it is also recommended to list out what those currently apply to, such as remedial actions, WSDOT maintenance, etc. This makes it clear to the average reader that their project is not exempt from review.

16.08.420(A) With regard to demonstration of need for shoreline armoring, please clarify why the following has been removed: “...is being caused by waves, tides or currents, and not by loss of upland vegetation or drainage issues.”? This has been replaced only with no net loss language in the draft. It is critical that shoreline armoring only be permitted when necessary to protect from natural shoreline erosion concerns such as waves and currents. Shoreline armoring should not be permitted in cases where the armoring would not solve the underlying issue (ie, poor stormwater management) unless the underlying cause is also addressed and the armoring is still demonstrated necessary to protect the primary structure. The Tribe recommends keeping the current language. Recognizing that in many cases poor upland management has resulted in emergency situations that require protection of primary structures, a caveat could instead be added that it may be permitted, provided the underlying cause of erosion is also addressed, and the project has still considered alternatives and meets the ‘no-net-loss’ standard.

16.08.480(F)(6)(b).

Proposed enlargements or expansions that do not meet the criteria in Section 16.08.550 F.6.a shall be subject to Section 16.08.550 F.4.

The cited sections do not appear in code. 16.08.500 is the last section in the draft and online code versions. Is this a typographical error?

Thank you for the opportunity to comment on the above referenced proposal. Please keep us informed of any project status and any related project actions. If you have questions or concerns, please don't hesitate to email at kbarnhart@suquamish.nsn.us .

Sincerely,



Kathlene Barnhart
Ecologist, Natural Resources Department

CC:

Chris Waldbillig, Washington Department of Fish and Wildlife

Nam Siu, Washington Department of Fish and Wildlife

Maria Sandercock, Washington Department of Ecology

DRAFT