

# San Juan Initiative Policy Group

December 5<sup>th</sup>, 2007

Grange Hall, San Juan Island

Meeting Summary –Final

Prepared by Amy Windrope, 12/16/07

## Policy Group Members Present

Tom Cowan	Steve Simpson	Patty Miller
Peter Dederich	Lisa Byers	Jonathan White
Dana Kinsey (for Ron Zee)	Bernie Hargrave	Fayette Krause
Jeff Bash	Jeri Ahrenius	Mike Grady (for Elizabeth Babcock)
Kit Rawson	Pete Kilpatrick	
Ron Zee	Kevin Ranker	
	Sam Buck	

## Staff

Amy Windrope

Carol MacIlroy

## Public

Barbara Rosenkotter	Richard Strathmann	Megan Dethier
Stephanie Buffum Field	Bob Querry	Tina Whitman
Kyle Loring	Susan Key	Jim Johannessen
Laura Arnold	Mary Knackstadt(MRC)	
Jim Slocomb	Mike Kaill	

## Absent Policy Group Members:

Lincoln Bormann	Lynn Bahrych	Jodi Bush
Elizabeth Babcock	Bridget Moran	
Nick Jones	Rich Doenges	

## Decisions:

Meeting Summary for Oct. 26<sup>th</sup> approved with addition of Steve Simpson to attendees.

Staff was also asked to spell out acronyms.

## Key Announcements:

- This was the last meeting with Carol MacIlroy due to the closing of Shared Strategy. Carol was recognized for her work in starting the SJI. Her insight and leadership will be missed.
- The Puget Sound Partnership will be a formal partner in the San Juan Initiative and has committed to hiring Amy Windrope. Jim Kramer will continue in his role of overseeing strategy and management of the San Juan Initiative as a consultant.
- The San Juan Initiative has been awarded a \$20,000 grant from the Bullitt Foundation for Phase 3 and 4.

## **Next Steps:**

- Continue to refine interview/survey tool and identify respondents in order to better understand protection issues.
- Create document or presentation that walks through the permit process for shoreline modifications.
- Continue gathering data at the County-wide scale in order to identify protection issues.
- Begin planning case studies for in depth analysis of protection effectiveness.
- Complete regulatory gap analysis for priority habitats and shoreline modifications

## **Discussion items:**

### **1. Summary of San Juan Initiative Decisions**

Staff asked Policy Group for comments or changes to document.

- Need to change wording to reflect focus on shoreline modification as a component of shoreline development.
- This is an evolving document that will continue to reflect decisions of the Policy Group.
- This is a good and useful document that accurately reflects decisions to date.

### **2. Panel presentation and discussion for how shoreline modification is an important issue in San Juan County and greater Puget Sound. (Power points attached)**

Panel: Megan Dethier, Friday Harbor Labs

Tina Whitman, Friends of the San Juan's

Jim Johannessen, Coastal Geologic Services

Questions for Panel

- Is there any water quality data on these sites?

Megan: Westcott Bay does.

- Do surf smelt or sand lance need water every day on their eggs?

Tina: Can stay out of water for quite some time, weeks.

- Are recreational impacts big on spawning beaches?

Tina: According to DFW, recreation impacts are not a problem.

- Any data on salt marsh systems.

Megan: Very productive habitats. Biodiversity is very high in them. Salmon don't use them much in San Juan County.

- How important are shadows to forage fish spawning?

Tina: Not clear data.

- Question about the vulnerability of undeveloped sites. Why do people build these structures? Why the continual threat to the shore?

Jim: Just the perception of the property owner. They may think erosion happens faster than it does. People want views and lawns.

- Are there alternatives that are better than traditional hardening?

Jim: First, we ask, is there an erosion threat? Sometimes, people overact. Yes, some methods are better than others.

- If the goal is to protect habitat for forage fish, can we focus on just those places, or must we protect the entire shoreline?

- What is happening around the shoreline separate from forage fish?

Megan: All the shoreline is used by organisms we care about. Forage fish are not the only concerns. Some habitats are more critical than others, embayments, with sand and gravel beaches. Rocky shores have been slower to be developed so there have been fewer impacts.

- Great presentations. Very useful to the group.
- Are permits being issued for completely new bulkheads?

Tina: Yes, if you can get a consultant to say the property is threatened.

Jim: There are very big bulkheads going in, whether repair and replace or not. Seems huge new ones go in to replace small old ones.

- Seems natural for people to fear global warming and storm damage and to want a bulkhead. How much research is there relative to the destruction of the herring spawning from docks versus boat anchoring? Seems to be a real push against docks, but we let people anchor boats over eelgrass. Has there been research?

Tina: mooring buoys, properly designed, are better than docks. People are still getting permits for docks even though there is eelgrass. There has been no change in the number of permits for docks over eelgrass even with new regulations.

- How much can we say, or do a study, scientifically, about why people modify the shoreline?

Megan: First, we need to recognize that it is development pressure.

Jim: Yes, there should be a study looking at why people modify shoreline, what perceptions and attitudes lead to the shoreline modification. There have been a few at the graduate level, but more would be good.

- There has been research on this, especially back East.

Tina: SJC doesn't have the resources to provide good options to landowners. Jim can calm people and provide less built options. But really no one locally has that expertise. Locally, people just use rock because that is what they have done in the past.

- Seems we lack long term data on the impact of docks and such. Just a short term amount of science, so seems we shouldn't make any policy decisions without the long term data.

Megan: We know for certain that docks eliminate eel grass under them. But we also know that eel grass moves around.

### **3. Panel discussion and staff presentation of County-wide shoreline resources, modifications and protection issues**

Bob Querry, The Permit Center

Stephanie Buffum Field, Executive Director of Friends of the San Juan's

Peter Kilpatrick, Ravenhill Construction

Shireene Hale, Senior Planner, Community Development and Planning

Lee McEnery, Planner, Community Development and Planning

- Be careful about language. Using 'findings' may be too strong. Must be clear. More like "observations". Then we need criteria to move an observation to a finding.
- SEPA provides information about cumulative impacts regarding County wide plans. How are cumulative impacts captured by permits?

- Lisa would like to see the interview tool and help craft.

Bob: state law provides for a lot of exemptions, not just county.

- If the purpose of this process is to create a protective layer for SJC, you can do that. The local county can create more stringent codes than what the state allows.

### **From the Panel**

Peter Kilpatrick, Ravenhill Construction: His firm is doing a lot of shoreline work, most is quite sensitive to the environment. Concerned that Shoreline Management Act protections are based on visual impacts, not ecological which yields a single tree barrier between houses and lots. Stormwater is a serious issue though it is getting better. Dept of Ecology is having more of a presence. Not much leadership or direction from county level.

Bob Querry, Permit Center: We must appreciate the concepts from 1971 that were embodied in the Shoreline Management Act. He is frustrated that nothing seems to have improved since 1971. Years and years of more talking. Fix the holes. This group is the 100<sup>th</sup> iteration of groups who are talking about this. Push for legislation.

Shireene Hale, Senior Planner: Huge gap between expectations of state and county and ability of county to manage it. There are no resources at the County. Lots of lots of new rules and regulations, but not new resources. Concerns about the lack of staff. She has never worked in a county without staff doing routine compliance checks. No one is out checking on whether plans are being followed. The County will start charging fees so they can hire an environmental compliance person. Stormwater regulations do not work in county. Lots of sections in code are gray and nebulous. Need to be clearer. For instance, the Clearing and Grading exemption is an obvious thing to fix, 50 dump trucks is way too much to move without a permit!

- Relying on state water quality standards they are too lenient. You won't recover salmon and such with the existing standards. Toxic impacts to fish begin much lower than the state standards.

Stephanie Buffum Field, Exec. Director, Friends of the San Juans: The issue of capacity is super blatant. Issue of capacity at our county leadership level, and staffing. Impacts to county are so significant. How we choose to move forward is huge. We are 50% built out. Planning department size is largely unchanged in 20 years. County government has not kept up with county size. Interdepartmental coordination does not really happen, though it is starting to happen. There is no system for coordination. Permits are not reviewed by each department and state agencies in any systematic way. Huge vacuum. Love to see group take a permit and walk it through a process.

- Seems major purpose of departments has been to issue permits. Rather than resource protection. Suggests it would be a significant change to focus on protection, rather than issuing.
- What is the rate of growth, isn't it declining in county? Thinks county budget shows that planning is already one of the largest line items.

Bob: permit issuance has actually increased.

- Mike Grady is on a Clark County and city of Vancouver effort to have good GIS for planning permits. Helps them have sensitivity analysis.
- Capacity of county is misdirected sometimes. Permits can be held up for weird reasons.
- Are there smoking guns in this county? Where is the problem?

Stephanie: Westcott Bay is in meltdown. Eelgrass is gone. Change of use. What is causing it? We don't know. Is it septic? Is it shoreline protections?

- We have regulations that are in place. Although sometimes someone blows it, they usually are followed and we have good regulations. Are new homes causing problems? What are the actual problems or do we need to focus on this at all.

Bob: Can't have it both ways. Either we want lower taxes, or we fund the new regulations and enforce them. I appreciate the overall goals of the Stormwater manual, but it is not connected to reality.

- Learned a lot about the permit process. Likes the idea of following a building permit through the process. Must be balance between protection and permitting.

#### **4. What additional information does the SJI Policy Group need in order to understand the county-wide issues around shoreline protection?**

We are identifying issues that are significant county wide. What information will drive us to the case study level? What additional information do we need? Like Sam and Lisa were stating, how do we determine whether clearing and grading are a problem at the countywide level.

Question: where do we want to put our resources? Like to focus conversation around the five issues mentioned earlier:

Implementation  
 Coordination  
 Demographic shifts  
 Gaps in Protection  
 Lack of Capacity

- Why wouldn't we take a look at those geographical areas, eelgrass, such. Look at development, docks, bulkheads. Are we solving a problem that doesn't exist. Doesn't know that the problem is.
- Let's begin developing case studies, that way we can gather data.
- What I heard Patty say is to go to the 80 shoreline miles that have forage fish. Wants to do the next steps outlined in the Friends of the San Juan's Shoreline Analysis.
- There is a public perception level and a scientifically valid level of research. Different things.
- We cannot collect enough science. But we can move ourselves toward logic from opinion. Determine if existing regulations are doing the job, maybe not perfect,

but working. What if 100 permits were pulled and just study them. Are current regulations failing us?

- Bulkheads are a big issue. What about doing some research specifically on bulkheads.
- Perhaps having a risk framework would help. Risk has two parts. Probability and consequence. Protection focus in mind, what are pressures on the habitats.
- Thought on lack of capacity. Maybe a pinpoint study of difference in complexity of permits since 1990 to 2005? Seem there is a lack of belief that it is a capacity issue. That maybe there is a demographic piece of our problem, that our homes are more complex, our homes turnover more.
- The issue of exemption for shorelines comes up. What is exempt? What modifications result from those exemptions? Apply those modifications to the risk framework that Berne mentioned.
- This is a pilot of the PSP, if more resources or political capital is needed. Then ask. It is very important to the PSP that this works. Address ahead of time the efficiencies of the county just to head off. What is the fee schedule for all this rich new homes? Aren't they paying a lot? Shouldn't that fund the enforcement and compliance?
- Let's do apply logic and not wait entirely for science. Like stormwater. WE don't have to wait for science to know that stormwater is a problem.

#### 5. Public comment:

Barbara Rosenkotter: Says walking a bill through the permitting process would be a great exercise. As the whole group, or subset. A skit would be good. Biggest impacts to nearshore are known. Armoring, riparian vegetation, and docks over eelgrass are clearly problems.

#### 6. Kevin: Transition from shared strategy.

He is very excited. SJI is officially a pilot of the Puget Sound Partnership (PSP). Amy will be an employee of PSP and not a contractor. This is very exciting, it means that the state is going to be supporting this with their pocketbook. Jim Kramer will stay onboard in a mile high policy role. Amy will have a new boss, the salmon manager. Surfrider Foundation is stepping in as fiscal agent. MOU will be between county and PSP now.

Meeting closed at 4:30pm.