

**Memorandum: Revised Draft Shoreline Master Program
29 November 2016**

**Appendix A
Major Comments Received**

Attachment A: Major SMP Comments and Document Changes

Comment	Commenter	Date	SMP Section	Response	Significance
<ul style="list-style-type: none"> • Is there a map of current know areas that are considered Geologically Hazardous Areas? How is an applicant to know if their site is located within one of these areas? I see reference to NRCS soil maps and USGS volcanic hazard areas, but is there a specific layer/map used for landslide prone areas? What are the specific criteria that define landslide prone areas? I didn't see it in Chapter 7, but if it is there, please refer to the specific subsection. 	CRGNSA	9/30/2016	3.4.10 Geologically Hazardous Areas	<p>Requirement: WAC 173-26-221(2)(a)(ii) requires that critical areas, including geologic hazards, be protected to a level of no net loss. Geological hazards are classified per WAC 365-190-120.</p> <p>Recommendation: Landslide hazard areas are defined by SMP section 3.4.8, designation classification 1(b). There's no specific map showing geologic hazard areas. Many jurisdictions maintain critical areas maps, but the County does not. In coversations with Ecology, geologically hazardous areas maps aren't required in an SMP.</p>	Major: critical area maps
<ul style="list-style-type: none"> • In the CRGNSA for Special Management Areas, the stream buffer is extended to include these geologically hazardous areas in the CRGNSA Management Plan. If activities are proposed here then a No Practicable Alternative Analysis and Mitigation Plan are required by the CRGNSA Management Plan. 	CRGNSA	9/30/2016	3.4.10 Geologically Hazardous Areas	<p>Requirement: None. SMPs can optionally include geologically hazardous areas.</p> <p>Recommendation: SMP applicants in the CRGNSA will still be required to obtain NSA permits. Development proposed within geologically hazardous areas is required to submit a critical areas report identifying mitigations.</p>	Major: NSA Consistency
<p>There was some discussion at the August meeting about trying to align this process with the Scenic Area Consistency Review process; however, these buffers are different than those required by the NSA. Would it make sense to apply the more conservative of the two within the NSA boundary? For NSA, wetland buffers within General Management Areas are 75 feet for forest community wetland, 100 feet for shrub community wetlands and 150 feet for herbaceous community wetlands. For Special Management Areas, wetland buffers are 200 feet. In addition, for frequently flooded areas and erosion or landslide areas, the buffer is extended to include these in the CRGNSA Management Plan.</p> <ul style="list-style-type: none"> • P. 41, 3.c.viii. Why only equestrian trails? I know these tend to have more erosion; however, other trails also have the potential to deliver sediment to the wetland. • P. 41, 4.d. Should this say "in wetlands or wetland buffers" instead of just "wetland buffers"? • Critical Area Reports for Wetlands: Shouldn't the appropriate wetland buffers also be shown on the maps? • Wetland Compensatory Mitigation, Table 3-6 and 3-7: It would be good to elaborate on what these ratios mean. • Wetland Compensatory Mitigation: In the CRGNSA Special Management Area, if activities are proposed within any buffers, including wetland buffers, a Mitigation Plan is also required. So if this is expected to cover CRGNSA Consistency Review requirements, then this would also be required. 	CRGNSA	9/30/2016	3.4.6 Wetlands, Tables 3-3, 3-4, 3-5:	<p>Requirement: WAC 173-26-221(2)(a)(ii) requires that critical areas, including wetlands, be protected a level of no net loss. In addition, Ecology requires that their latest wetland buffer guidance (2014) be adopted into SMPs. The purpose of the SMP is not to replace the NSA standards. Applicants within the CRGNSA will still need to obtain NSA permits AND shoreline permits. Thus, the most conservative buffer requirements will apply. The two documents (NSA and SMP standards) have been integrated where possible including allowing for NSA natural resource protection standards in SCC Chapters 22.20 and 22.28 to substitute for SMP compliance. See Table 3-1 of the SMP in section 3.4.3.</p> <p>Recommendation: Equestrian trails revised to all trails. Revised to "wetlands and wetland buffers." Wetlands need to be delineated prior to buffers being applied, so it doesn't make sense to show wetland buffers on the map.</p>	Major - NSA Consistency

<ul style="list-style-type: none"> • Critical Area Reports for Fish and Wildlife Habitat Conservation Areas: <ul style="list-style-type: none"> o It would also be good to include the flow regime (i.e. perennial, intermittent or ephemeral stream channel) in both the report and the map. o In the CRGNSA Special Management Area, if activities are proposed within any buffers a Mitigation Plan is also required. So if this is expected to cover CRGNSA Consistency Review requirements, then this would also be required. In addition, for frequently flooded areas and erosion or landslide areas, the buffer is extended to include these in the CRGNSA Management Plan. 	CRGNSA	9/30/2016	3.4.8, Critical Areas Report for Fish and Wildlife Habitat Conservation Areas	<p>Requirement:WAC 173-26-221(2)(a)(ii) requires that critical areas, including intermittent, ephemeral, and perennial streams, be protected.</p> <p>Recommendation: To account for non-shoreline jurisdictional (i.e., fish-bearing, non-fish bearing perennial, and non-fish bearing seasonal) tributaries within the shoreline jurisdiction, the flow regime should be included for all non-shoreline streams, as shoreline streams are inherently perennial.</p> <p>If there are impacts to critical areas, a mitigation plan will be required, the intent is not to eliminate the NSA review, but efforts have been made to marry requirements when feasible.</p>	Major: NSA Consistency
<ul style="list-style-type: none"> • 3.7.1, second paragraph, last sentence. Should there be a diameter limit to the 3 trees removed? What if there are 3 large diameter trees that are responsible for a majority of shade and bank stabilization at the site? • 3.7.3, 3. What is the shoreline setback area and where is it defined? I didn't see it defined in the Ch. 7 definitions. It would be good to have the mitigation tree in a similar location to the removed tree or closer to the stream to provide maximum bank stability and/or stream shade. Of course, if the vegetation is excessively thick, this may not be necessary. • 3.7.3, 9. With a preference for aquatic friendly herbicides or maintaining an untreated buffer to the waterbody and following environmental requirements per the label. 	CRGNSA	9/30/2016	3.7 Shoreline Vegetation Conservation	<p>Requirement: WAC 173-26-221(5) requires preservation of shoreline vegetation.</p> <p>Recommendation: Allowance for removal of 3 trees in calendar year deleted. Shoreline setback area requirements are in Table 5-1. Setbacks are defined in Ch. 7. Section 3.7.3, 4 requires vegetation replacement to be in an area of low habitat functionality or as close as possible to the stream.</p>	Major: Vegetation conservation
<ul style="list-style-type: none"> •calls for a native tree removal mitigation ratio of 1:1, with 100 percent survival at the end of three years. Given the temporal losses, uncertainty of performance and differences in functions and values, the Department would suggest a more aggressive mitigation ratio to compensate for those shortfalls. Likewise, 100 percent survival can be difficult to achieve, even under optimal conditions. We recommend, mitigation ratios and calculations that are based on area of canopy being impacted, as opposed to a simple stem count. The current Skamania County Habitat Key contains examples on how to calculate mitigation ratios based on area of impact. 	Depart. Fish & Wildlife	9/28/2016	Section 3.7.3, Regulations	<p>Requirement: WAC 173-26-221 (5) requires that shoreline vegetation be preserved.</p> <p>Requirement: Section 3.7 revised to incorporates the Skamania County Habitat Protection Guidance Document. Survivorship changed to 80 percent at the end of three years.</p>	Major: vegetation conservation

<p>Describes the process for setback averaging and identifies a minimum setback of 35 feet. Current draft WDFW Riparian Management Recommendations suggest riparian/shoreline buffers equal to one site potential tree height, which in areas that support dominant Douglas fir trees, would be in the 150-200 feet range. At 35 feet, the riparian buffer loses most wildlife habitat function, most temperature control function, large woody debris recruitment, most sediment filtration function and erosion control, and will have a significantly reduced capacity to filter pollutants (see following data table). (Knutson 1997, p 89) . The Department would suggest establishing a minimum setback of 50 feet to include vegetative clearing, except as allowed through water-dependent/water-oriented use regulations, in an effort to better achieve no net loss of functions and values associated with the county's shoreline areas.</p>	<p>Depart. Fish & Wildlife</p>	<p>9/28/2016</p>	<p>Section 5.3.10 Residential Development, under Regulations(2.a)</p>	<p>Requirement: Residential uses must meet no net loss per WAC 173-26-241(2)(j).</p> <p>Recommendation: Per discussion at the 13 September SAC Mtg and WDFW recommendations, minimum setback has been revised to be 50 feet and require compliance with section 3.7 which incorporates the Skamania County Habitat Protection Guidance.</p>	<p>Major: setbacks</p>
<p>Regulations (1.e.) further outlines that water-oriented accessory residential uses to include decks, gazebos, hot tubs, boat houses, seating areas, shoreline access areas including stairs and walkways, trails, ramps, piers, bridges, stabilization, and shoreline ecological restoration projects may be located within the shoreline setback. The Department agrees that features facilitating access to the water (trails, ramps, piers, bridges, boat houses and shoreline restoration) are water-oriented, and if constructed would clearly need to be located within the shoreline setback. However, given the sensitivity of the values and functions associated with the shoreline environment, we are not clear on the rationale explaining how decks, gazebos, hot tubs and seating areas are considered "water-oriented" and therefore should be allowed in an already reduced setback. We would suggest those structures be allowed in the shoreline zone, but outside the minimum setback in an effort to better maintain shoreline functions and values.</p>	<p>Depart. Fish & Wildlife</p>		<p>Section 5.3.11 Residential Development, under Regulations(2.e)</p>	<p>Requirement: Residential uses must achieve no net loss per WAC 173-26-241(3)(j)</p> <p>Recommendation: Revised such that non-water-oriented residential uses are not located within the setback.</p>	<p>Major: residential</p>
<p>Per WAC 173-26-221(2), critical areas are designated per GMA standards not by the SMA or SMP</p>	<p>Ecology</p>	<p>10/14/16</p>	<p>3.4.3 General Critical Area Regulations</p>	<p>Requirement: WAC 173-26-221(2) requires that critical areas be designated per GMA standards</p> <p>Recommendation: Provision revised to specify that critical areas are designated pursuant to RCW 36.70A.050 and 170.</p>	<p>Major: critical areas</p>
<p>Wetland; no existing Res dvlpt; larger parcels</p>	<p>Ecology</p>	<p>10/14/16</p>	<p>Maps, South County Map/Columbia River, West to East. Duncan Creek Mouth</p>	<p>Requirement:None</p> <p>Recommendation: Changed to RC</p>	<p>Major: SED Map</p>

<p>Lack of riparian buffers and CAR-only approach unlikely to meet requirements without substantial scientific/technical rationale. May put greater burden on applicant; RCW 36.70A.480(6) requires that CAO buffers will still apply to shoreline critical areas if SMP does not establish buffers.</p> <p>Need to specifically address WAC requirements for meeting NNL, restoration of degraded areas, and protect the hydrologic connections</p>	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	<p>Requirement: WAC 173-16-221(2)(a) requires that critical areas be protected</p> <p>Recommendation:SMP revised to include buffer setbacks. The buffers reference back to the setback table in SMP section 5.1. The setbacks are required to be maintained in accordance with SMP section 3.7 (vegetation conservation) which in turn regulates vegetation removal and requires</p>	Major: setbacks
<p>These provisions likely need much greater specificity per SED to support the smaller shoreline setbacks (e.g. <100') and the lack of riparian buffers; and need to be adequately substantiated by science/technical rationale and current conditions</p>	Ecology	10/05/16	3.7 Shoreline Vegetation Conservation Chapter 3	Ecology to provide further review of setbacks	Major: Vegetation conservation
<p>This may be hard to support; what is the rationale? As noted during 9/13 SAC meeting, 3 trees per year with no other limits/criteria could result in clearing a large area over time.</p>	Ecology	10/05/16	3.7 Shoreline Vegetation Conservation Chapter 3	<p>Requirement: Comment is not based on requirement, but is intended to meet no net loss.</p> <p>Recommendation: Agree that removal of trees not subject to the vegetation conservation requirements would create net loss. Provision has been deleted.</p>	Major: vegetation conservation
<p>Same as above – permit?</p>	Ecology	10/05/16	3.7.3 Regulation 10 Chapter 3	<p>Requirement: None</p> <p>Recommendation: Provision added requiring mechanical removal or chemical treatments to be subject to a shoreline substantial development permits which exceed the exemption value threshold (\$6,516) established in WAC 173-27-040(2)(b).</p>	Major: Vegetation conservation
<p>similar to above, need better criteria/standards; same as above - be clear as to what applies in setback/buffer or in all of jurisdiction; what type of application/permit/review is required, etc.</p>	Ecology	10/05/16	3.7.3 Regulation 3 Chapter 3	<p>Requirement: None</p> <p>Recommendation: Language added requiring pruning activities exceeding exemption value threshold (\$6,416) to undergo substantial development review</p>	Major: Vegetation conservation

Per SAC discussion this section needs some work; also consider moving this to below with other tree provisions; be clear as to what applies in setback/buffer or in all of jurisdiction; what type of application/permit/review is required, etc.	Ecology	10/05/16	3.7.3 Regulations Chapter 3	<p>Requirement: Vegetation conservation to ensure no net loss per WAC 173-26-221(5)(b)</p> <p>Recommendation: SAC expressed desire to use WDFW vegetation mitigation recommendations. These have been incorporated into this section.</p>	Major: Vegetation conservation
Policy #3 allows SFR in NAT w/ a CUP but Table 5-1 shows as prohibited;	Ecology	10/21/16	4.2.3, Policy 3	<p>Requirement: WAC 173-26-211(5) indicates SFR may be allowed in NAT, but doesn't require it to be.</p> <p>Recommendation: Policy deleted to match table 5-1</p>	Major: SED Map
Setbacks <100' need to be substantiated	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Ecology to provide further review of setbacks	Major: setbacks
Would this approach have to meet Ch 2 Variance criteria? Use of the term 'variance' for an administrative allowance is confusing; consider using a different term, such as 'reduction' or similar.	Ecology	10/05/16	5.3.11 Residential Development Regulation (2)(b), Chapter 5	<p>Requirement: None</p> <p>Recommendation: "Term adjustment" now used.</p>	Major: residential
Commented [A139]: As written, this is the approach typically called 'common line'. Of course there is not requirement to use that term, however if an averaging setback adjustment approach is also allowed it would be better to use terms as commonly defined. Also given the similarly named Ch. 3.4.3.5 provisions for buffer averaging and reduction.	Ecology	10/05/16	5.3.11 Residential Development Regulation 2(a), Chapter 5	<p>Requirement: No requirement to change to language "common line."</p> <p>Recommendation: Language changed for document improvement.</p>	Major: residential

<p>How is this distance justified? How many parcels would qualify for this? As written, this would apply to any situation not just when views/access are affected. Is this degree of permissiveness in line w/ NNL?</p>	<p>Ecology</p>	<p>10/05/16</p>	<p>5.3.11 Residential Development Regulation 2(a), Chapter 5</p>	<p>Requirement: Residential uses must meet no net loss WAC 173-26-241(3)(j).</p> <p>Recommendation: This statement has been qualified to indicate that the "common line setback" approach may only be used in instances when views are obstructed, thereby narrowing the circumstances in which this applies. View obstructions must include more than 50 percent of the shoreline waterbody in question. Reductions cannot result in a setback which is less than 50 feet. No net loss must continue to be met.</p>	<p>Major: residential</p>
<p>Garden sheds and guest houses (aka accessory dwelling units; ADUs) are not listed as appurtenances and would not be preferred or exempt; consider adding specific provisions for non-water oriented residential use/dvlpt</p>	<p>Ecology</p>	<p>10/05/16</p>	<p>5.3.11 Residential Development Regulation 2, Chapter 5</p>	<p>Requirement: WAC 173-27-040(2g) has specific definition of appurtenances, but accessory uses which don't meet the definition of appurtenances are not required to have a different setback than appurtenances.</p> <p>Recommendation: Provision revised to distinguish between appurtenances and accessory uses and to indicate that both must meet setback standards.</p>	<p>Major: residential</p>
<p>Why only off-site mitigation for a <10% reduction?</p>	<p>Ecology</p>	<p>10/05/16</p>	<p>5.3.11 Residential Development Regulation 2b, Chapter 5</p>	<p>Requirement: None</p> <p>Recommendation: Revised to indicate mitigation must occur onsite to achieve no net loss.</p>	<p>Major: residential</p>
<p>Difficult to ensure NNL w/o a minimum distance specified</p>	<p>Ecology</p>	<p>10/05/16</p>	<p>5.3.11 Residential Development Regulations, 2d Chapter 5</p>	<p>Requirement: Residential uses must meet no net loss WAC 173-26-241(3)(j).</p> <p>Recommendation: Accepted Ecology's recommendation to use 35 feet from top of the slope</p>	<p>Major: residential</p>

Not all examples listed are WO; Be more specific and do not allow non-WO uses/dvlpt in the setback	Ecology	10/05/16	5.3.11 Residential Development Regulations, Chapter 5	Requirement: Residential uses must meet no net loss per WAC 173-26-241(3)(j). Recommendation: Revised to allow water-oriented residential uses only and specify that such uses must not exceed 10 percent of the area within the setbacks on the subject property.	Major: residential
General rationale: Without any Ch. 3.4 riparian buffers the SEDs need to be more protective (bigger shoreline setbacks) to help ensure NNL.	Ecology	10/14/16	Ch. 4 SEDs and Appx A Maps, SEDs Overall	Pending information from Ecology on setbacks	Major: setbacks
Anything not listed here is considered an accessory and would not be exempt from SDP, required to meet setbacks, etc.	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Acknowledged. Definition of "accessory" has been changed to exclude appurtenances.	Major: residential
Consider including examples for residential accessories to help differentiate from appurtenances.	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Definition now references accessory uses as excluding appurtenances.	Major: residential
The coarse North/South two-map scale (1:84K) presented is adequate for some parts of the County and is useful as an overview, but a finer scale is needed for key focus areas of existing/future development; At minimum, increase the 2 maps to 6 per the tiles shown; Optional to provide greater focus at the even finer scale of sub-tiles (i.e. 5a – 5g, 6a – 6d); Note - citizens/property owners typically want to see parcel lines, which also aids staff in implementation, especially if/when SED boundaries are based on parcel lines.	Ecology	10/14/16	Maps	Requirement: None Recommendation: Maps have been divided into subpanels	Major: SED Map
Photo shows existing res dvlpt - what is existing Comm dvlpt? Assessor use code = SFR; Zoning alone not adequate to force HI	Ecology	10/14/16	Maps	Requirement: None Recommendation: Change not made. There is an existing park and ride, storage, gas station, and restaurant in this area.	Major: SED Map
Zoned Comm and OC, large parcel, existing Res dvlpt? between SR 14 and RR @ Finks Rd and Broughton Rd?	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Columbia River 2, west of Spring Creek hatchery.	Requirement: None Recommendation: Land between rights of way and east to hatchery redesignated as HI	Major: SED Map
Similar to above, larger parcel size, including County-owned parcel(s) better as RC; Recognize City of Stevenson option to pre-designate in an urban growth area.	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Rock Creek 3	Requirement: None Recommendation: Left as SR	Major: SED Map
Associated wetland - open water? What is existing Comm dvlpt - Assessor land use code for local church = Rec/Public assembly; current church structure approx. 350+ feet from open water; Location physically separated from Woody's Lake so WO Comm not likely?	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Woody's Lake; SR 14 @ Butler Loop Rd	Requirement: None Recommendation: Changed to RC	Major: SED Map

North Shore Dr - Larger (i.e. 5 acre) parcel size; Perry Dr & Gates Dr - smaller lots w/ dense dvlpt make sense as SR	Ecology	10/14/16	Maps, North County Map - west to east. Swift Reservoir 2	Requirement: None Recommendation: All changed to RC	Major: SED Map
Larger (i.e. 5 acre) parcel size	Ecology	10/14/16	Maps, North County Map - west to east. Swift Reservoir 9, 11	Requirement: None Recommendation: Swift 11 changed to RC, but not 9 as it has smaller lot sizes	Major: SED Map
Zoned Govt/Svc; photo shows existing boat launch, pier/ramp/dock, RV/boat storage? Res dvlpt?	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Columbia River 1/White Salmon River 6 at Cook-Underwood Rd.	Requirement: None Recommendation: This is tribal land not subject to the SMP and is shown as such on the map.	Major: SED Map
Larger parcels zoned Residential – Higher Density; lack of existing Res development	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Columbia River 18, SW of Skamania Landing	Requirement: None Recommendation: kept as SR	Major: SED Map
Small south bank area zoned Open Space/Conservancy (OC) and Residential - Higher Density (RH); larger north bank area & forested area from SR 14 south & east to forested wetland; larger parcels; lack of existing Res dvlpt	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Duncan Creek, Skamania Land Rd @ Neilson Rd	Requirement: None Recommendation: changed to RC	Major: SED Map
Smaller parcels along north shore from Bachman Dr. to Canyon Creek Rd (Malfait Tracts) are appropriate for SR; larger parcel size and lack of existing dvlpt along south shore -> RC; Similar case for smaller parcels along north shore sandwiched betw. Washougal River Rd and the River as compared to those along south bank;	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Washougal River 7, 8, 9	Requirement: None Recommendation: South shore changed to RC, north shore kept as SR	Major: SED Map
Wetland/floodplain, larger parcels, incl. ownership by utility, lack of existing dvlpt,	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. White Salmon River 6	Requirement: None Recommendation: Changed to RC	Major: SED Map
Zoned Comm; If the existing dvlpt is WO, leave as is; If not, reduce the HI area to only include the Comm parcels along Wind River Rd; Uplands with larger parcels Zoned RH should be RC; Smaller parcels like on southern portion of Canna Vine Rd are appropriate as SR to the west with the main channel and oxbow lake/associated wetland should be NAT or RC.	Ecology	10/14/16	Maps, South County Map/Columbia River, West to East. Wind River 4, just S of Cold Creek confluence.	Requirement: None Recommendation: North side left as HI to accommodate existing commercial development. South/west side changed to RC.	Major: SED Map

<p>North shore is forested; Zoned RH but lacks existing Res dvlpt => RC; parcel line appears as SR 14 ROW => HI as consistent w/ other ROWs</p>	<p>Ecology</p>	<p>10/14/16</p>	<p>Maps, South County Map/Columbia River, West to East. Woody's Lake</p>	<p>Requirement: None</p> <p>Recommendation: Kept as high intensity since this is the SR14 right-of-way parcel</p>	<p>Major: SED Map</p>
<p>Lodgepole Ln & Nymark Dr - parcels over 1 acre, waterward portion of parcels appear to be in active channel/pCMZ area</p>	<p>Ecology</p>	<p>10/14/16</p>	<p>Maps, North County Map - west to east. Pine Creek 4.</p>	<p>Requirement: None</p> <p>Recommendation: All changed to RC</p>	<p>Major: SED Map</p>
<p>This requirement may conflict with the way PacifiCorp responds to trees that pose immediate hazards as well as its routine hazard tree maintenance we conduct under our hazard tree maintenance guideline. Waiting for an arborist to conduct an inspection, draft a report and submit it to the county for review may be unreasonably time consuming and costly in many cases. After that is complete, there would have to be a review period necessary for the county to review the information and make a determination as to whether a tree could be removed. Finally, this section is not clear as to whether there is some sort of permitting aspect to this requirement. Please clarify.</p> <ul style="list-style-type: none"> o What will the process look like for an arborist to submit its report to the county? o To which department should the report be submitted? o Will such submissions require a permit or other administrative-type fee to be submitted with the report? o What will the county's review process be for these reports and what is a reasonable expectation of the time for such a review to be completed ? o How will PacifiCorp and other landowners address hazard trees that pose such a significant risk to people or property that they need to be removed immediately and upon discovery under this requirement? o In such instances, will the County accept notification of removal after the fact? 	<p>Pacificorp</p>	<p>9/28/2016</p>	<p>3.7, Shoreline Vegetation Conservation, Subsection 3.7.3 Regulation 7</p>	<p>Requirement: The WACs require that all shoreline uses, activities be subject to a permitting process (exemption, substantial development, conditional use, or variance).</p> <p>Recommendation: Provision revised to indicate that emergency hazard tree removal is exempt and no exemption letter is required. Non-emergency hazard tree removal is subject to either an exemption or substantial development permit process. Definition of "emergency" is in Ch. 7.</p>	<p>Major: vegetation conservation</p>
<p>Hydro facilities are listed as In-Stream Structures that are conditionally allowed.</p> <ul style="list-style-type: none"> o This means PacifiCorp would be unnecessarily encumbered to seek Shoreline Conditional Use permits, requiring review and approval from Washington Department of Ecology, in addition to the required Skamania County approvals for routine maintenance items at its hydroelectric project facilities. <ul style="list-style-type: none"> • PacifiCorp recommends this use be classified as "Permitted" instead of "Conditional". 	<p>Pacificorp</p>	<p>9/28/2016</p>	<p>5.3, Table 5.1, In-Stream Structures with Rural Conservancy Designation</p>	<p>Requirement: None</p> <p>Recommendation: Hydroelectric facilities have been deleted as in-stream structures and moved to the "Utilities" section of the table and are permitted in the Aquatic, Rural Conservancy, and High Intensity environments. Swift Dam, Powerhouse, power canal, and fish collector reassigned to High Intensity as previously noted.</p>	<p>Major: SED Map</p>

<p>It is unclear from the maps how the Swift power canal, upper release channel and Lewis River historic channel are designated. Please clarify.</p> <p>There are some activities that PacifiCorp may have to conduct within the area over which this shoreline management program holds jurisdiction that are specific to hydroelectric project operations on the Swift reservoir that may not have been considered during the drafting of this program. The following are examples of different scenarios that are/may be required for PacifiCorp to comply with FERC license or regulatory requirements. It would be helpful if Skamania County would respond as to how these scenarios would be permitted under the current draft Shoreline Master Program.</p> <ul style="list-style-type: none"> • The Swift Reservoir Fish Facility (SRFF) is a floating fish collection facility held in place by piles, a mooring tower and mooring dolphins in Swift Reservoir. How would the installation of a new generator or any type of equipment on the facility be permitted? • How would the construction of a fish release facility, to include a paved fish truck access ramp and fish release pipe within 50-feet of the OHWM be permitted? • How would replacement of or installation of a new power pole, greater than 35- feet in height, within the shoreline be permitted? • How would the installation of a new transformer on the powerhouse deck suspended over the Swift power canal be permitted? 	Pacificorp	9/28/2016	Maps	<p>Requirement: None</p> <p>Recommendation: The power canal is designated as High Intensity. The LR historic channel is designated as Rural Conservancy.</p> <p>To the degree that new equipment is a normal repair activity (where replacement is the normal method of repair), these would be exempt activities subject to section 2.5 of the SMP. If this is new equipment, it would be subject to the relevant environment designation provisions which permit hydroelectric facilities and associated improvements subject to a substantial development permit process.</p> <p>A fish release facility including fish truck access ramp and fish release pipe is a "hydroelectric facility and associated improvement" is permitted outright in the Aquatic, Rural Conservancy, and High Intensity environments with a 0-foot setback.</p> <p>A new powerpole is subject to the 100-foot height limit in footnote #2 of Table 5-1.</p> <p>A new transformer suspended over the Swift Canal on the powerhouse deck would be located in the Aquatic environment. Hydroelectric facilities are permitted outright in this designation. If the new transformer would be a</p>	Major: SED Map
<p>Notes that low-intensity water-dependent uses on the shoreline are one of the items assigned a "rural conservancy" environment designation.</p> <p>Are hydroelectric dams, powerhouses and associated operations and maintenance facilities considered low intensity water-dependent uses</p>	Pacificorp	9/28/2016	Section 4.2.4, Designation Criteria 1g	<p>Requirement: The WACs apply rural conservancy to low-intensity, water-dependent uses.</p> <p>Recommendation: Dams and potentially other PacifiCorp facilities should be designated as high intensity. Map changed to reflect this recommendation. Table 5-1 has been updated to permit hydroelectric facilities in the Aquatic and High Intensity environments.</p>	Major: SED Map

<p>Notes low-intensity water-oriented industrial uses as having assigned a "rural conservancy" designation and being conditionally allowed when lot coverage is 10% or less.</p> <p>o This may be problematic for PacifiCorp as the Shoreline Master Program maps indicate our properties are designated rural conservancy by this plan although Swift Forest Camp and the Swift dam and associated facilities generally encumber much more than 10% of the tax lots on which they are located. As it is written item 1.h. may disallow future improvements and maintenance actions to PacifiCorp's existing hydro facilities and related facilities on Swift reservoir.</p> <ul style="list-style-type: none"> • Why aren't hydroelectric project facilities as well as their associated operations and maintenance specifically called out in this Section 4.2.3 similar to the way existing mining operations are? 	PacifiCorp	9/28/2016	Section 4.2.4, Designation Criteria 1g	<p>Requirement: The WACs apply rural conservancy to low-intensity, water-dependent uses.</p> <p>Recommendation: Dams and potentially other PacifiCorp facilities should be designated as high intensity. Map changed to reflect this recommendation. 10% impervious surface threshold only applies for new residential uses. Table 5-1 has been updated to permit hydroelectric facilities in the Aquatic and High Intensity environments.</p>	Major: SED Map
<ul style="list-style-type: none"> • The committee noted this designation was created with traditional port areas and in-water-work areas in mind. Why wouldn't hydroelectric project facilities be designated as high intensity environment designation? <p>o PacifiCorp recommends that the designation of the existing Swift dam as well as all existing and future associated generation and power transmission structures including but not limited to the powerhouse, power canal, fish collector be re-assigned from "Rural Conservancy Environment" to "High Intensity Environment".</p>	PacifiCorp	9/28/2016	Section 4.2.6	<p>Requirement: WAC 173-26-211(5)(d) indicates that the High Intensity environment is for high-intensity water-oriented commercial, transportation, and industrial uses.</p> <p>Recommendation: The high intensity designation is a more appropriate fit for hydroelectric facilities. Maps have been changed to redesignate Swift Dam, powerhouse, power canal, and fish collector as high intensity.</p>	Major: SED Designation
<ul style="list-style-type: none"> •1:1 mitigation ratio isn't sufficient (Use impact area approach from WDFW) •Survival percentage too high •Provide list of native trees in the appendix •What is justification for removing three trees in calendar year without adhering to these regulations 	SAC	9/13/2016	3.7.3.3, Regulations	<p>Requirement: Shoreline vegetation must be preserved to a level of no net loss per WAC 173-26-221(5)(b).</p> <p>Recommendation: Mitigation ratios have been increased to match WDFW guidance. Survival percentage has been decreased to 80% after three years based on guidance from BergerABAM landscape architects. List of native trees and plants provided in Appendix C of the SMP. Allowance for removing three trees in calendar year removed.</p>	Major: vegetation conservation
<ul style="list-style-type: none"> •Differentiate between water-oriented and accessory uses. •There should be a lot coverage limitation within the shoreline setback 	SAC	9/13/2016	5.3.11 Residential Development	<p>Requirement: Residential uses must achieve no net loss per WAC 173-26-241(3)(j).</p> <p>Recommendation: References to accessory uses in Regulation 2e removed. Accessory uses are no longer allowed in the setback. Total of all water-oriented uses within the shoreline setback must not exceed 10 percent.</p>	Major: residential use

<p>Critical freshwater habitats include streams, rivers, wetlands, and lakes, their associated channel migration zones, hyporheic zones and floodplains (WAC 173-26-221(2)(iv)(A)). Ecological functions of critical freshwater habitats depend both on continuity and connectivity along the length of the shoreline and on the conditions of the surrounding lands on either side of a river channel and surrounding a lake basin. Effective management depends on regulating uses and development within critical freshwater habitats necessary to assure no net loss of ecological functions. The SMP Guidelines require the SMP to contain provisions to protect hydrologic connections between water bodies, water courses, and associated wetlands (WAC 173-26-221(2)(iv)(B))(II). The draft SMP fails to adequately designate shoreland jurisdiction by only utilizing the "minimum" standards. The SMP fails to define or protect hyporheic zones.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>1.4.1 SMA Jurisdiction Definition</p>	<p>Requirement: WAC 173-26-221(2) requires that critical areas defined under RCW 36.70A.170 be protected in SMPs. These categories of critical areas are: (1) wetlands (2) critical aquifer recharge areas (3) fish and wildlife habitat conservation areas (4) frequently flooded areas and (5) geologically hazardous areas. WAC 173-26-221(2)(c)(iv) also refers to RCW 36.70A. These standard critical area categories protect streams, rivers, wetlands, lakes, CMZs, flood plains, and hyporheic zones.</p> <p>Recommendation: Definition of hyporheic zone added to Chapter 7. Provision added to 3.4.3(General Critical Areas Regulations) protecting critical freshwater habitats and hydrologic connections.</p> <p>Minimum versus optional or maximum shoreline jurisdiction is a policy choice of the Shoreline Advisory Committee to be discussed at the December 13 meeting</p>	<p>Major: critical areas</p>
<p>The SMA requires that the SMP shall include a conservation element for the preservation of natural resources, including but not limited to scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection (90.58.100(2)(f)), and an element that gives consideration to the statewide interest in the prevention and minimization of flood damages (90.58.100(2)(h)). Skamania County's draft SMP ("draft SMP") fails to adequately designate and protect fish and wildlife habitat conservation areas, critical freshwater habitats, groundwater, wetlands, floodways and floodplains.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>1.4.1 SMA Jurisdiction Definition</p>	<p>Requirement: The critical areas section of the SMP provides a process for designating and protecting wetlands, fish and wildlife habitat conservation areas, critical aquifers, and floodways and floodplains. Skamania County's Flood Damage Prevention Ordinance 1989-05 is adopted by reference into the SMP. New provision added to section 3.4.3 (General Critical Area Regulations) protecting critical freshwater habitats. Please note that no critical aquifer mapping exists for Skamania County; The County is not required to create new data as part of the SMP update process. Views are protected by section 3.6 (Public Access).</p> <p>Recommendation: What to do about critical freshwater habitats and aquifers that aren't mapped?</p>	<p>Major: critical areas</p>

<p>We are unclear on how the shorelines under SMA jurisdiction were selected. The criteria seem to consist of arbitrary thresholds that may not account for the diversity and relatively high ecological values in need of protection on water bodies with lower volume or flows.</p> <ul style="list-style-type: none"> •The USGS study used to select and designate shorelines is not cited. 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>1.4.1 SMA Jurisdiction Definition</p>	<p>Requirement: The definition of shorelines is specified in RCW 90.58.030.</p> <p>Recommendation: SMP section 1.4.1 has been updated to be consistent with this definition. No need to cite USGS study since text definition is static, while maps change.</p>	<p>Major: Shoreline jurisdiction</p>
<ul style="list-style-type: none"> •Designation of SMP jurisdiction is inconsistent with the SMA as it fails to include floodways. •With the requirements to utilize science, protect ecosystem-wide functions including critical freshwater habitats, protect water quality and quantity, and provide for no net loss of ecological function, we recommend including the 90.58.030 (2)(b)(ii) definition of floodways, and include the entire floodplain and critical areas buffers into shoreline jurisdiction designation. 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>1.4.1 SMA Jurisdiction Definition</p>	<p>Requirement: RCW 90.58.030 defines shorelands to include floodplains extending landward 200 feet beyond floodways.</p> <p>Recommendation: Definition of shoreline jurisdiction updated in section 1.4.1 to reflect the shorelands definition in the Act. The choice to use option or maximum shoreline jurisdiction is a policy decision of the SAC. Please note that floodways (except for the Columbia River) are not mapped for Skamania County by FEMA, so, although the shoreline jurisdiction description has been updated, this will make no practical difference at this time.</p>	<p>Major: shoreline jurisdiction</p>
<p>Section 3.2 of the Draft SMP lacks any goals concerning cultural, archaeological, and historic resources. The SMA requires shoreline master programs to include "an historic, cultural, scientific, and educational element for the protection and restoration of buildings, sites, and areas having historic, cultural, scientific, or educational values." RCW 90.58.100(2). See also, WAC § 173-26-221. YN DNR recommends including cultural resources goals and objectives in Section 3.2, consistent with those in the attached Sample SMP Cultural Resources Sections provided in Exhibit A.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.2 Goals of the Shoreline Master Program; and 3.3 Archaeological & Historic Resources</p>	<p>Requirement: RCW 90.58.100(2) and WAC 173-26-221 require that SMPs include a process for protecting cultural and archaeological resources.</p> <p>Recommendation: New goal inserted in Section 3.2.</p>	<p>Major: archaeology</p>
<p>Skamania County should consult with affected Tribes' cultural resource programs to ensure that their updated SMP considers cultural resources sites known to the Tribes that are not in DAHP's database.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.3 Archaeological & Historic Resources (and its subsections)</p>	<p>Requirement: WAC 173-26-221(1) requires that the SMP contain a process for and standards for inadvertent discoveries of cultural & archaeological materials and survey sites known to contain such resources.</p> <p>Recommendation: Language in the SMP is a "placeholder" until the Yakama Nation and stakeholders in Kittitas County come to an agreement.</p>	<p>Major: arcaheology</p>

<ul style="list-style-type: none"> •YN DNR recommends that Section 3.3 of the Draft SMP be revised to better protect (a) cultural resources which are known to Tribes but not identified on the Washington State Department of Archaeological and Historic Preservation (“DAHP”) database, and (b) undiscovered cultural resources in areas of the shoreline that have been identified as ‘high risk’ by DAHP for cultural resources. •Shoreline master program elements concerning cultural and archaeological resources must, like other SMP elements, be developed based on the identification, use and consideration of relevant scientific and technical information. RCW 90.58.100(1); WAC § 173-26-201(2). DAHP maintains an inventory of known cultural and archaeological resources. Native American Tribes in the Pacific Northwest, including the Yakama Nation, also maintain independent internal inventories of known sites. In addition, DAHP has developed a statewide archaeological predictive model that identifies certain areas of Washington State as “high risk” or “very high risk” to contain archaeological resources. 	Yakama Nation Department of Natural Resources	09/30/16	3.3 Archaeological & Historic Resources (and its subsections)	<p>Requirement: WAC 173-26-221(1) requires that the SMP contain a process for and standards for inadvertent discoveries of cultural & archaeological materials and survey sites known to contain such resources.</p> <p>Recommendation: Language in the SMP is a "placeholder" until the Yakama Nation and stakeholders in Kittitas County come to an agreement.</p>	Major: archaeology
<p>Skamania County's Inventory and Characterization Report notes the presence of known resources from DAHP's database in the inventory for each sub-basin, but does not appear to include any information from consultation with Tribes, or to address high-risk areas identified by DAHP's predictive model. As such, the Draft SMP is not based on a full understanding of the cultural and archaeological character of Skamania County's shorelines, and may provide adequate protections for cultural resources.</p>	Yakama Nation Department of Natural Resources	09/30/16	3.3 Archaeological & Historic Resources (and its subsections)	<p>Requirement: WAC 173-26-221(1) requires that the SMP contain a process for and standards for inadvertent discoveries of cultural & archaeological materials and survey sites known to contain such resources.</p> <p>Recommendation: Language in the SMP is a "placeholder" until the Yakama Nation and stakeholders in Kittitas County come to an agreement.</p>	Major: archaeology
<p>Skamania County should also expressly protect undiscovered resources in its SMP cultural policies and regulations sections, and include specific site inspection and survey requirements. YN DNR recommends revising Section 3.3 and its subsections to include protections consistent with those in the attached Sample SMP Cultural Resources Sections provided in Exhibit A.</p>	Yakama Nation Department of Natural Resources	09/30/16	3.3 Archaeological & Historic Resources (and its subsections)	<p>Requirement: WAC 173-26-221(1) requires that the SMP contain a process for and standards for inadvertent discoveries of cultural & archaeological materials and survey sites known to contain such resources.</p> <p>Recommendation: Language in the SMP is a "placeholder" until the Yakama Nation and stakeholders in Kittitas County come to an agreement.</p>	Major: archaeology

<p>We recommend including channel migration zones in (4) frequently flooded areas and (5) geologically hazardous areas.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.1. Applicability</p>	<p>Requirement: WAC 173-26-221(2) requires protection of critical areas and defines them to be those categories listed in this section of the SMP. WAC 173-26-221(2)(c)(iii) requires protection of critical freshwater habitats, but refers back to definition of critical areas in RCW 36.70A (wetlands, flood hazards, geo hazards, CARAs, FWHCAs). CMZs should not be included here. Please note that CMZ protections are included in 3.4.10 "Frequently flooded areas."</p> <p>Recommendation: No change made</p>	<p>Major: critical areas</p>
<p>3.4.2.8. We recommend including channel migration zones in flood hazard critical areas</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.2, policy 8</p>	<p>Requirement: Flood hazard areas are defined in WAC 365-190-030 and do not include CMZs. WAC 173-26-221(3) says that SMPs "should" include provisions to limit development and modifications that interfere with the process of channel migration.</p> <p>Recommendation: We do not recommend including CMZs in definition of flood hazard areas. However, this standard has been updated to say that development should be limited in CMZs</p>	<p>Major: critical areas</p>
<p>3.4.3.5. Buffers. There are deficiencies in this section. The allowance for averaging (c.) and reductions (d.) is not supported by science, and creates an administrative means of adjusting buffers outside of the variance process, not subject to external review and comment, therefore failing to achieve no net loss of ecological functions necessary to support shoreline resources and to plan for the restoration of the ecosystem-wide processes and individual ecological functions on a comprehensive basis over time.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.3, regulation 6</p>	<p>Requirement: the critical areas section must meet the "no net loss of ecological functions" requirement (WAC 173-26-186(8)(b)(i)).</p> <p>Recommendation: Revisions to this sections have been prepared using the June 2016 Ecology Guidance for CAO Updates. Averaging and enhancements measures are used through out the administratively at staff level and should not require a variance.</p>	<p>Major: critical areas</p>
<p>3.4.3.2. "The applicant shall determine and the County shall verify, on a case-by-case basis, in accordance with definitions in Chapter 7 of this SMP, whether a critical area exists and is regulated under this chapter..." (emphasis added). It is the County's responsibility to designate and protect critical areas; the determination should be the responsibility of the County. We suggest the following wording: "The applicant shall inquire and the County shall determine..."</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.3. General Critical Area Regulations</p>	<p>Requirement: None</p> <p>Recommendation: The applicant bears the burden of proof on project applications. The County is obligated to designate critical areas County wide using available data, but is not obligated to do so on a case-by-case (site) basis. Recommend leaving language as is.</p>	<p>Major: critical areas</p>

<p>The Wetland protection strategies, including Table 3-1, are inconsistent with the science in Granger, T., T. Hruby, A. McMillan, D. Peters, J. Rubey, D. Sheldon, S. Stanley, E. Stockdale. April 2005. Wetlands in Washington State - Volume 2: Guidance for Protecting and Managing Wetlands. Washington State Department of Ecology. Publication #05-06-008. Olympia, WA.</p> <ul style="list-style-type: none"> •Tables 3-2, 3-3, and 3-4. We recommend adopting recommendation from the aforementioned WDOE Wetlands guidance document for buffers. •Table 3-4. Residential density of less than 1 unit per acre is given as moderate. We suggest this density is more appropriately defined as high. What is the available science that supports this density as moderate? 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.6 Wetlands, Tables 3-3 thru 3-6</p>	<p>Requirement: the critical areas section must meet the “no net loss of ecological functions” requirement (WAC 173-26-186(8)(b)(i)).</p> <p>Recommendation: Tables were prepared using Ecology and interagency guidance documents and are consistent with available science. 2006 document states that 1 unit per acre is moderate land use. No further recommendation at this time.</p>	<p>Major: critical areas</p>
<p>The proposed “setbacks” in table 5-1 and the proposed wetland buffers in tables 3-3, 3-4, and 3-5 are inconsistent with the science, therefore failing to achieve no net loss of ecological functions necessary to support shoreline resources and to plan for the restoration of the ecosystem-wide processes and individual ecological functions on a comprehensive basis over time.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.6 Wetlands, Tables 3-3, 3-4, 3-5:</p>	<p>Requirement: the critical areas section must meet the “no net loss of ecological functions” requirement (WAC 173-26-186(8)(b)(i)).</p> <p>Recommendation: Revisions to this sections have been prepared using the June 2016 Ecology Guidance for CAO Updates and modified slightly to provide a greater range of buffers. Slight modification is not inconsistent with science. No further recommendations at this time.</p>	<p>Major: setbacks</p>

<p>The SMP Guidelines (WAC 173-26, Part III) require an identification of water quality and quantity issues, yet the Draft SMP fails to identify critical aquifer recharge areas (CARAs) or regulate the proliferation of permit-exempt groundwater wells in continuity with streams with known low flow issues. See WAC 173-26-201 (2)(E)(vii). It does not appear that Skamania County has developed CARA maps as required by the Growth Management Act (GMA) under WAC 365-190-100. Without this required information, the proposed standards are inadequate. It is recommended that Skamania County conduct the required CARA mapping and apply the requisite protection strategies. We also recommend that the SMP incorporate recommendations for protecting instream flows and critical aquatic habitats from existing Watershed Resource Inventory Area (WRIA) Watershed Plans for WRIs 27, 28 and 29 (Lewis, Salmon-Washougal, Wind-White Salmon watersheds).</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.7 Critical Aquifer Recharge Areas</p>	<p>Requirement: The Guidelines (WAC 173-26-221) don't discuss aquifers specifically, but WAC 173-26-221(6) require that SMPs include provisions that: prevent impacts to water quality and storm water quantity that would result in a net loss of ecological functions. It is true that the County has not developed CARA maps. During the Inventory and Characterization process, there was an attempt to find this data, but no such data exists. According to Ecology (Michelle McConnell), SMP updates are not required to generate new data, but only use available data. Since now data on the location of aquifers actually exists, no map can be created. The County isn't subject to an NPDES stormwater permit and not required to implement the stormwater manual.</p> <p>The SMP contains provisions protecting water quality in the following sections: 3.8 (requires stormwater reports, limitations on septic systems), 3.4.4, 3.4.6, 5.3.5(reg 5.d), 5.3.11 (reg 6). In addition 3.4.12 defines and protects CARAs.</p> <p>Recommendation: The SMP already contains adequate provisions to address water quality and quantity and CARAs.</p> <p>Instream flows for WRIA 27 and 28 are protected by the WACs. Reference to these WACs added in 3.8.3.</p>	<p>Major: critical areas</p>
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<p>The proposed protection strategy for FWHCA is inconsistent with RCW 90.58.020, WAC 173-26-201 (2) and 173-26-176 (3)(c) requirements to use science, and therefore incapable of protecting ecosystem-wide functions and insuring no net loss of ecological function.</p> <ul style="list-style-type: none"> •3.4.6.1.d “Activities, uses and alterations proposed to be located below the OHWM of any fish-bearing, regulated shoreline waterbody shall give special consideration to the preservation and enhancement of anadromous fish....” The area delineated in this section is very limited and should include floodplains or CMZ, and riparian areas that are along or in hydraulic continuity with streams that have flow limitations. •3.4.6.1.d.iii “The activity is designed so that it will minimize the degradation of the downstream functions or values of the fish habitat or other critical areas...” and •3.4.6.1.e “Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent juveniles migrating downstream from being trapped or harm.” •The previous two sections show a very simplistic life history view of anadromous fish not well suited to, for example, steelhead (<i>O. mykiss</i>) life history: that is, the movement of adults downstream and juveniles upstream. This fails to take into account that steelhead (and other anadromous fish may) spend months in rivers and migrate up and down prior to spawning. 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.8 Fish and Wildlife Habitat Conservation Areas</p>	<p>Recommendation: Critical areas, including riparian areas, are protected in the SMP. These areas overlap with floodplains and CMZs and are also therefore protected. In discussion with Ecology, they agree. New critical areas regulations in 3.4.3 address this comment and hydraulic connectivity specifically. 3.4.8(1)e revised to address upstream and downstream migration of all salmonid life stages.</p>	<p>Major: critical areas</p>
<p>The designation of FWHCA is inconsistent with the GMA in WAC 365-190-130:</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.8 Fish and Wildlife Habitat Conservation Areas, Applicability</p>	<p>Requirement: WAC 173-26-221(2)(a) requires that critical areas be protected in accordance with RCW 36.70A.030 and 170 but does not reference the WAC. Fish Wildlife Habitat Conservation Areas (FWHCAs) are defined in WAC 365-190-130.</p> <p>Recommendation: Applicability changed to mirror WAC 365-195-130. New definition of FWHCAs inserted in Ch. 7.</p>	<p>Major: critical areas</p>
<p>2.f. Recommend identification of the CMZ and floodplains.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.8, Critical Area Reports for Fish and Wildlife Habitat Conservation</p>	<p>Requirement: WAC 173-26-221(2)(iv) requires protection of critical freshwater habitats including CMZs and floodplains</p> <p>Recommendation: SMP section 3.4.5 (General Critical Area Report Requirements) already requires identification of the CMZ (where such information is already available without a field delineation) and floodplain. Requiring a field delineation of the CMZ in every instance would be prohibitively expensive for property owners.</p>	<p>Major: critical areas</p>

<p>We recommend a broader definition that includes ecosystem-wide functions and the CMZ. The no net loss standard should include floodplains.</p> <p>3. Development should be prohibited in the CMZ.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.9 Frequently Flooded Areas, Applicability</p>	<p>Requirement: WAC 173-26-221(2)(a) requires that critical areas, including floodplains, be protected to a level of no net loss. Floodplains do not include CMZs as defined by WAC 365-190-110. Development is required to be limited within the floodplain and CMZ per the requirements of 3.4.10. Nothing in the WACs or RCWs that we are aware of would prohibit development in the CMZ. That would effectively prohibit development within shoreline jurisdiction.</p> <p>Recommendation: 3.4.10 regulation 1 has been updated to require that development achieve no net loss within the special flood hazard area (100-year floodplain).</p>	<p>Major: critical areas</p>
<p>The draft SMP fails to adequately designate fish and wildlife habitat conservation areas or provide for their protection, therefore failing to achieve no net loss of ecological functions necessary to support shoreline resources and to plan for the restoration of the ecosystem-wide processes and individual ecological functions on a comprehensive basis over time.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.7 Shoreline Vegetation Conservation and Table 5.1. Shoreline Use and Standards</p>	<p>Section 3.7 Vegetation Conservation does was not intended to designate FWHCA. The comment is not understood. Additional changes to Section 3.4.8 should address any concerns over FWHCA.</p> <p>Additionally, the setbacks in Table 5.1 are required to be maintained in accordance with SMP section 3.7 (vegetation conservation) which in turn regulates vegetation removal and requires conservation consistent with WDFW guidelines. Thus, the setbacks function more like a buffer.</p> <p>No further recommendations at this time.</p>	<p>Major: critical areas</p>

<p>The protection strategies for shoreline vegetation conservation and the setbacks in Table 5.1 are inconsistent with RCW 90.58.020 and WAC 173-26-201 (2) 173-26-176 (3)(c) requirements to use science, and therefore incapable of protecting ecosystem-wide functions with no net loss of ecological function.</p> <p>3.7.1 What is scientific basis for allowing removal of fewer than 3 trees in a year? The cumulative impacts of this over time would appear to result in net loss of ecological function. Also, the definition of "significant vegetation removal" provided in Chapter 7 does not include pruning; however, significant vegetation could potentially be removed as "pruning". Recommend stricter standards or clearer definitions of what is and what isn't allowed as "pruning" (see also 3.7.3.8).</p> <p>3.7.3.2 "Mitigation sequencing [...] must be applied unless specifically excluded by this SMP..." The specific exclusions are not defined, and the Skamania County Code Title 24 already lists exemptions. By whom and how are "minor site plan alterations" decided?</p> <p>3.7.3.3 This 1:1 mitigation ratio is inconsistent with mitigation sequencing and best available science, and fails to account for lost time of function. More should be required to compensate for this loss. We recommend using WDFW's Habitat Guidance document for Skamania County.</p> <p>3.7.3.8 Recommendations of local fire prevention programs (Firewise) often result in the removal of vegetation for fire risk reduction, even in the riparian area, inconsistent with the SMP. "Hazard trees" are also loosely defined and can lead to excessive tree removal in shorelines to "protect" structures. The SMP should spell out the process for determining hazards and insuring mitigation for vegetation removal in the shorelines due to "fireproofing" or "hazard tree" removal.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.7 Shoreline Vegetation Conservation and Table 5.1. Shoreline Use and Standards</p>	<p>Requirement: WAC 173-26-221(5) requires that shoreline vegetation be conserved to achieve no net loss. Setbacks in Table 5-1 have been increased per discussions with Ecology.</p> <p>Recommendation: Shoreline vegetation conservation regulations have been revised to be consistent with WDFW recommendations provided at 13 September meeting. Provision to allow removal of less than three trees in a year has been deleted. Section 3.7 no longer references significant vegetation removal; any removal of native vegetation requires mitigation in compliance with WDFW guidelines. Pruning regulations have been updated to require pruning per the National Arborist Association Pruning Standards available on the internet.</p> <p>Mitigation sequencing: phrase referencing exclusions has been deleted.</p> <p>Mitigation ratio has been updated to meet WDFW guidance.</p>	<p>Major: vegetation conservation</p>
<p>Table 5.1. The setbacks are unsubstantiated by science, therefore failing to achieve no net loss of ecological functions necessary to support shoreline resources and to plan for the restoration of the ecosystem-wide processes and individual ecological functions on a comprehensive basis over time</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>5.3, Table 5.1</p>	<p>Ecology to provide further review of setbacks</p>	<p>Major: setbacks</p>

<p>Regulations 1. Setbacks a. Setback averaging. These provisions are inconsistent with science, therefore failing to achieve no net loss of ecological functions necessary to support shoreline resources and to plan for the restoration of the ecosystem-wide processes and individual ecological functions on a comprehensive basis over time. b. Minor setback variance should be disallowed—only standard variances allowed. This is an administrative tool that will likely result in the reduction in standards and a net loss of ecological function.</p> <p>e. Gazebos, hot tubs, seating areas and decks are not “water-oriented” uses.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>5.3.11 Residential Development</p>	<p>Requirement: Setback averaging (common line setbacks) are used in SMPs all over the state. One of the principals of SMPs is to provide view access to the shoreline, not just protect ecological functions at the detriment of view access and shoreline use.</p> <p>Recommendation: This provision has been narrowed to only apply to situations in which there is a view obstruction. View obstructions defined. Also, setback revised upward from 35 to 50 feet. In addition, vegetation must be preserved in accordance with section 3.7 which has been revised to incorporate WDFW recommendations requiring greater mitigation.</p> <p>Minor setback variations: only a 10% reduction is allowed if: an area does not contain native vegetation and critical areas would not be impacted or could be mitigated. Therefore, no net loss would be achieved.</p> <p>Gazebos, hot tubs, seating areas, and decks removed as water-oriented uses.</p>	<p>Major: residential</p>
<p>What other type of WO Comm use might there be besides WR? Does this mean a WE Comm use? If yes, use the specific term not the umbrella term for better clarity</p>	<p>Ecology</p>	<p>10/05/16</p>	<p>5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5</p>	<p>Requirement: None</p> <p>Recommendation: Water-enjoyment added</p>	

**Memorandum: Revised Draft Shoreline Master Program
29 November 2016**

**Appendix B
Minor Comments Received**

Attachment B: Minor SMP Comments and Document Changes

Comment	Commenter	Date	SMP Section	Response	Significance
Timber cutting for conversion should be allowed in shoreline residential	County	11/02/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: None Recommendation: Changed	Minor
•P. 56, 2. It seems like #2 should be the start of a new subsection called “Geologically Hazardous critical areas reports” because it doesn’t only pertain to “Volcanic hazard areas” correct?	CRGNSA	9/30/2016	3.4.10, Special Provisions - Volcanic Hazard Areas	Requirement: None Recommendation: Heading corrected.	Minor
•• P. 56, 3. This report/map should also include locations of springs (often associated with landslide sites) since drainage of these springs is critical to maintaining stability of the landslide. In addition, the map should show the estimated boundaries of the landslide to help identify if the site is located at the top, in the middle or at the toe of the landslide.	CRGNSA	9/30/2016	3.4.10, Special Provisions - Volcanic Hazard Areas	Requirement: None Recommendation: identification of springs added to item 3(g) pertaining to site drainage. Item 4c pertaining to special reports for erosion/landslide hazard areas requires delineation of these areas	Minor
• P. 40, 3.c.iv. add “of the terrain” to the end of the line.	CRGNSA	9/30/2016	3.4.6, protection standard 3.c.iv	Requirement: None Recommendation: Change made	Minor
<ul style="list-style-type: none"> • P. 45, 1.a. Later “WHPA” is used, I’m assuming that’s a Wellhead Protection Area. If so, add “(WHPA)” after “Wellhead Protection Area”. • P. 45, 1.d. Change “State” to “Washington” and add “(WDFW)” after “Washington Department of Fish and Wildlife” • Vulnerability Rating: How are vulnerability ratings determined? Who determines them? Should the person that designates the well’s vulnerability rating be a certified Hydrogeologist? • P. 46, 2.a. How is “site area” calculated? Is it the entire parcel or a subset thereof? • P. 46, 2.c. 14,500 gallons/day? That seems high? What is this number based on? • P. 46, 2.e. add “(BMPs)” after “best management practices”. • P. 47, 2.f.ii. Why not upgradient if also on site? What if there’s a source immediately upgradient that isn’t included? • P. 48, Design Standards: This sentence is a bit confusing “Stormwater shall be treated prior to infiltration for the one-hundred-year-storm...”, should it say “of” instead of “for”? 	CRGNSA		<p style="text-align: center;">3.4.7 Critical Aquifer Recharge Area</p> <ul style="list-style-type: none"> •Regulation, Designation and Classification 1a •Regulation, Designation and Classification 1d <ul style="list-style-type: none"> •Critical Areas Report for CARAS, 2a •Critical Areas Report for CARAS, 2c •Critical Areas Report for CARAS, 2e •Critical Areas Report for CARAS 2f.ii •Regulations, Design Standards, 1 	<p>Requirement: WAC 173-26-221(2)(a)(ii) requires that critical areas, including critical aquifers, be protected a level of no net loss. Vulnerability ratings determined in accordance with WAC 365-190-110.</p> <p>Recommendation: WHPA added in parenthesis. State changed to "Washington." Washington Department of Fish and Wildlife not stated in 1.d. Reference added to WAC 365-190-110 for CARA vulnerability and SMP now requires that a certified hydrogeologist establish the rating. Site area is gross site area - revision made. 14,500 gallons/day comes from 2005 Ecology Guidance on CARAs, publication 05-10-028; the referenced WAC in this document seems to be out-of-date. BMPs added in parenthesis. Upgradient: wouldn't contaminants only flow downgradient? "for" changed to "of".</p>	Minor
<ul style="list-style-type: none"> • It seems these buffers are consistent with the CRGNSA. • P. 50, 1.d. I can’t recall if “OHWM” was previously defined. • P. 50, 1.d.i. Change “state” to “Washington” • P. 50, 1.d. There also should be a requirement for appropriate state permits when working below the OHWM. Unless that is a result of this process as well? • P. 51, 2.c. Change “state” to “Washington” 	CRGNSA	9/30/2016	<p style="text-align: center;">3.4.8 Fish and Wildlife Habitat Conservation Area</p> <ul style="list-style-type: none"> •Regulation 1d •Regulation 1d.i •Regulation 1d <p style="text-align: center;">Critical Areas Reports for FWHCA, 2b</p>	<p>Requirement: None</p> <p>Recommendation: All acronyms defined at beginning of document. "State" changed to "WDFW." Standard added to require that all relevant state and federal permits be obtained for in-water work. "State" changed to WDFW since defined in acronym list</p>	Minor

<ul style="list-style-type: none"> •P. 52, 2.a.iii. Aren't there any environmental provisions that would apply to agriculture and protecting water quality (e.g. from herbicide/pesticide use near streams, etc.) that should be included similar to iv. for mining 	CRGNSA	9/30/2016	<p>3.4.9 Frequently Flooded Areas</p> <ul style="list-style-type: none"> •Regulation 2a.iv 	<p>Requirement: WAC 173-26-221(3)c specifies that agriculture may be located channel migration zone and floodway. WAC Title 16 regulates application of herbicides and pesticides</p> <p>Recommendation: Reference included to WAC title 16.</p>	Minor
<ul style="list-style-type: none"> •Again, since these activities would most likely be within stream buffers, it would be good to also require a mitigation plan. 	CRGNSA	9/30/2016	3.4.9 Frequently Flooded Areas	<p>Requirement: WAC 17326-221(2)(a)(ii) requires that critical areas, including geologic hazards, be protected to a level of no net loss. Frequently Flooded areas are classified per WAC 365-190-110.</p> <p>Recommendation: Stream buffers are addressed in Section 3.4.6 and Section 3.4.3 general requirements and a mitigation plan is required if there are impacts to the buffer. No changes are recommended</p>	Minor
<ul style="list-style-type: none"> • I was not requested to review this section, but I didn't see that anyone was requested to review this section, so I went ahead and reviewed it anyway. I have no comments on this section. ☐ 	CRGNSA	9/30/2016	3.8 Water Quality and Non-Point Source Pollution	<p>Requirement : None</p> <p>Recommendation: None</p>	Minor
<ul style="list-style-type: none"> • General Comment: There needs to be a definition of soft versus hard stabilization measures. Natural Channel Design methods should be considered in the "soft" approach. • Applicability, first sentence. May want to include landslide or lack of vegetation as natural processes. • P. 101, first partial paragraph, last sentence. Delete "Down drift" • P. 102, 3. Add "using native vegetation" at the end of the sentence. • P. 103, 3.b. Change "expect" to "except" 	CRGNSA	9/30/2016	<p>6.3.1 Shoreline Stabilization</p> <ul style="list-style-type: none"> •See definitions Ch. 7 •See 6.3.1, applicability •See 6.3.1 applicability <p>6.3.1, general regulation 2</p> <p>6.3.1, Regs for New, Enlarged or Replacement Structural Stabilization, regulation 3a.</p>	<p>Requirement: None</p> <p>Recommendation: Definitions of hard and soft stabilization provided in Chapter 7. Landslides and lack of vegetation added as natural processes. Down drift deleted. Using native vegetation added to the end of general regulation 6.3.1, 2. Expect changed to except.</p>	Minor
<ul style="list-style-type: none"> • P. 118, Regulations, 2.b. Delete "by" 	CRGNSA	9/30/2016	6.3.5 Reglation 2b	<p>Requirement: None</p> <p>Recommendation: "by" deleted</p>	Minor
<p>states... When a road or railroad completely functionally isolates the buffer from the critical area, the regulated critical area buffer shall not extend beyond the edge of the road or railroad. The Department agrees that this is a logical approach, but feels a definition of "Functionally Isolated" is appropriate. We would suggest something along the lines of the following: Functionally Isolated Buffer Areas - Areas that are functionally separated from a critical area and do not protect the critical area from adverse impacts due to preexisting roads, railroads, structures, or vertical separation shall be excluded from buffers otherwise required by this Program, on a case-by-case basis subject to a critical area report and review as determined by the Administrator. It is also important to recognize that some functions and values may still occur on the landward side of roads, railroads, structures or vertical separation, such as shading, stabilization, hydraulic connectivity and/or hyporheic influence, even if they may outwardly appear to provide no function or value.</p>	Depart. Fish & Wildlife	9/28/2016	Section 3.4.3 General Critical Area Regulations, 6(b)	<p>Requirement: WAC 365-190-080 states that counties and cities must protect critical areas.</p> <p>Recommendation: Recommend adding definition of "funtionally isolated buffer" to definitions.</p>	Minor

<p>speaks to the replacement of existing boating facilities and private moorage structures. The draft language states that if any of the following are proposed during a five-year period, the project is considered a new facility and must comply with applicable standards for new facilities.</p> <p>a. Replacement of the entire facility. b. Replacement of 75 percent or more of the support piles. c. Replacement of 75 percent or more of a boat launch, by area.</p> <p>The Department believes a 75 percent replacement threshold non-conforming structures is too high, especially if the existing structure falls well short of the current design standards for such projects. For example, if we had a non-conforming boating facility with 50 support piles and 100 boat moorage slips, the applicant could replace 38 of the 50 existing piles and 75 of the existing boat moorage slips before they had to bring the facility up to current design standards.</p> <p>State infrastructure typically uses a 50 percent threshold when differentiating between routine maintenance/repair vs. replacement/new construction. If more than half of an existing structure or facility is in need of replacement, we are typically reaching the end of the functional life of said structure or facility. At that point we start steering applicants towards incorporating current design standards into the repair/replacement project. This is not to say an applicant would be required to undertake a complete rebuild of the facility or structure, but as they make improvements, they would bring those improvements up to current design standards. The Department recommends reducing the threshold to 50 percent.</p>	Depart. Fish & Wildlife	9/28/2016	Section 5.3.3 Boating Facilities and Moorage Structures, Regulation (3)	<p>Requirement: Piers, docks must minimize and mitigate impacts to ecological functions per WAC 173-26-231 (3)(a)(3)(b).</p> <p>Recommendation: Agree that this threshold is probably too high. Reduced to 50.</p>	Minor
Add grant #, task #, etc. per grant terms (pg 26)	Ecology	10/5/2016	Cover Page	<p>Requirement: Required by Ecology grant with County</p> <p>Recommendation: Cover page now contains task and grant numbers</p>	
For consistency, either put all official/defined terms in quotes or none in quotes; definitions and relationship between these similar terms are found at RCW 90.58.030(2)	Ecology	10/14/2016	1.4.1	<p>Requirement: None</p> <p>Recommendation: The introduction of a term in a document can be put in quotes to emphasize that it is a defined term from an official publication, but after the introduction, quotes are no longer necessary.</p>	
Use bold font for more useful run-in headings (a Plain Talk technique) to aid the reader	Ecology	10/05/16	2.4	<p>Requirement: No</p> <p>Recommendation: Ecology formatting preference</p>	Minor
Ecology: Add to Ch. 7 definitions	Ecology	10/05/16	2.8	<p>Requirement: None</p> <p>Recommendation: Added</p>	Minor

Ensure consistency w/ RCW, WAC and Ch 7 definitions; e.g. garage is listed as a residential appurtenance	Ecology	10/14/16	2.8 Nonconforming Development	Requirement: None, but should be consistent with Ch. 7. Recommendation: Revised to reference both accessory and appurtenant structures. Definition of both provided in Ch. 7.	Minor
Special preference over what? Also, do they really mean to protect fisheries, or do they mean fish habitat? Protecting fisheries isn't typically part of a CAO.	Ecology	10/14/16	3.4.2 Policies	Requirement: None Recommendation: Policy revised to eliminate the idea of preference and direct that anadromous fisheries be considered.	Minor
What about separation by levee or similar?	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Language inserted for levees "or other improvement. The type of improvement is not as important as whether it functionally isolates the buffer	Minor
50% is too permissive without adequate technical rationale; typically a 25% reduction is the max allowed and a minimum distance is required; And we usually say that averaging should be allowed only when there are no feasible alternatives to the site design that could be accomplished without averaging; or when the wetland has significant differences in characteristics that affect its habitat functions, so that the buffer is increased adjacent to the higher-functioning area and decreased adjacent to the lower-functioning portion. (See page 31 of our ECY June 2016 Wetland – CAO Update guidance document); This	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: Ecology guidance requires maximum 25% reduction Recommendation: Revise SMP to limit 25% maximum reduction and include additional language as required by ecology.	Minor
Is enhancement defined? If not, it should be.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: Enhancement is defined in SMP as alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects. No further recommendation	Minor
Does this mean the entire buffer, or just segments where the buffer is narrower than the standard width?	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: none Recommendation: Changed wording to: "The buffer area shall be enhanced where the buffer is reduced through averaging measures and is narrower than the standard widths."	Minor
All wetlands referenced by this document are going to be shoreline-associated wetlands. Also, is this sentence necessary? It seems to be saying that you can't do something unless it's allowed.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Sentence deleted.	Minor
We believe a 50% reduction is a high-risk approach to protecting wetland functions. We recommend 25%. Buffer reductions should be tied to reducing the impact from the adjacent land use by requiring the measures in "Table XX.2 Required measures to minimize impacts" on page 29 of ECY's June 2016 Wetland – CAO Update guidance document.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Sentence revised to be clear that enhancements shall only be required in the buffer reduced beyond standard widths. Added Table.	Minor

definition? - significant habitat areas	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: added "as defined by WDFW" for clarity.	Minor
They've just been using "or its agent" previously—now there's a designee too? Should be consistent.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Agent and designee are two different people. The County may hire someone to inspect markers/fencing (agent) or the Shoreline Administrator may assign another staff member (designee). No change required.	Minor
Fencing should not exclude wildlife.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: Ecology Wetlands Guidance for CAO Updates Recommendation: Added "Fencing installed as part of a proposed activity or as required shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to the critical area/buffer."	Minor
Our recommendation regarding maintenance: Normal and routine maintenance and repair of any existing public or private facilities within an existing right-of-way, provided that the maintenance or repair does not increase the footprint or use of the facility or right-of-way.	Ecology	10/14/16	3.4.4 Wetlands, Regulations	Requirement: WAC 173-26-221(2)(c)(i)(A) requires that wetlands achieve no net loss of areanadfunctions Recommendation: Normal maintenance provision for roads inserted.	Minor
This might be documented in the report but is more of a requirement for who can prepare the report; move to combine w/ 'f' above?	Ecology	10/14/16	3.4.5 Critical Aquifer Recharge Areas, Regulations	Requirement: None Recommendation: Combined with above as suggested.	Minor
Again, not part of the report's content; add to 'f' above or list as 'g'; or rely on 'h' below for all reports regardless of Level?	Ecology	10/14/16	3.4.5 Critical Aquifer Recharge Areas, Regulations	Requirement: None Recommendation: Item h(now g) relied on for both	Minor
Highlighted sentence: If WDFW fails to respond to a request for review within the fourteen-day comment period, then it will be determined to mean WDFW has no concerns.	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Requirement: WAC 173-26-221(2)(a) requires that FWHCAs achieve no net loss Recommendation: Delete this provision since, if WDFW does not respond, it does not mean that they don't have concerns or that the study is adequate.	Minor
Is this term meant to be equivalent to HCAs or a sub-set? Use terms consistently or better define	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Requirement: None Recommendation: Changed to HCA for clarity	Minor
Per WAC, prohibit new dvlpmt & subdivision of land where foreseeable geohaz risk or need for structural stabilization, and meet NNL.	Ecology	10/14/16	3.4.8 Geologically Hazardous Areas, Regulations	Requirement: WAC 173-216-221(23)(c)(iii) requires restrictions on development in geologically hazardous areas per Ecology comment Recommendation: New provisions inserted as required	Minor

Chapter 1.4.2 text refers to 'Appendix A, Map 01' but the maps are named 'North Area' and 'South Area'	Ecology	10/14/16	1.4.2	Requirement: None Recommendation: Text changed	Minor
Commented [A5]: Location of the upstream point should be identified for each stream	Ecology	10/05/16	1.4.2 Applicable Shoreline Area in Skamania County Chapter 1	Requirement: None Recommendation: Table 1-1 updated with upstream latitude/longitude location of shoreline jurisdiction and moved to Appendix B.	Minor
Include requirement for ECY consultation per WAC 173-26-140	Ecology	10/05/16	2.2.2.c	Requirement: WAC 173-26-140 requires the administrator to consult with Ecology Recommendation: Revised to include administrator responsibility to coordinate with Ecology	Minor
Does the numbering imply an order of priority/preference for the items listed? If no, explicitly state no order of importance. Also, consider formatting to numbered list.	Ecology	10/05/16	2.4, regulation 6	Requirement: None Recommendation: Revised to state no order of priority. Ecology formatting preference for numbered list	Minor
Ecology Comment: This is a long sentence – hard to follow; reword/reformat for clarity. ECY publication guidelines	Ecology	10/05/16	2.4, regulation 9	Requirement: None Recommendation: Revised	Minor
Add to Ch. 7 Definitions	Ecology	10/14/16	2.8 Nonconforming Development	Requirement: None Recommendation: Added to Ch. 7.	Minor
Ensure consistency w/ RCW, WAC and Ch 7 definitions; e.g. garage is listed as a residential appurtenance	Ecology	10/05/16	2.8.8	Requirement: WAC 173-27-040(2)(g) defines appurtenance to include garages, decks, driveways, utilities, fences, septic tanks and grading not exceeding 250 cubic yards Recommendation: Sentence revised to reference both accessory and appurtenant uses which are defined in Ch. 7.	Minor
Many of these are worded/phrased as policies (including 'should'). Goals are better stated as a description of a desired future state of being, a target to work towards, the answer to 'what do you want?'. Consider re-wording as such.	Ecology	10/05/16	3.2 Goals of the Shoreline Master Program Chapter 3	Requirement: None Recommendation: Suggest accepting language edits	Minor
Who/how defined?	Ecology	10/05/16	3.3.2 Policies Chapter 3	Requirement: None Recommendation: Sentence deleted	Minor
Organization/formatting of this section needs clarification; Special provision – Volcanic hazards #3 is general to all geohaz areas, and #4 is specific to erosion hazards	Ecology	10/14/16	3.4.10 Geologically Hazardous Areas, Special Provisions - Volcanic Hazard area	Requirement: None. Formatting issue. Recommendation: Edits to heading and first provision made in this section.	Minor
Need an overall policy to ensure CAs are protected to the NNL standard	Ecology	10/14/16	3.4.2 Policies	Requirement: WAC 173-26-221(2)(a)(ii) requires that critical areas be protected to this level Recommendation: Policy 1 has been updated to reflect that critical areas should be protected to meet no net loss	Minor

What does impairment of the tax base mean in this context?	Ecology	10/14/16	3.4.2 Policies	Requirement: None Recommendation: Clause deleted	Minor
Is this exception due to minimal/no CMZ along the Columbia in the County? Perhaps better to keep the policy broad, and include details in the regs, as needed	Ecology	10/14/16	3.4.2 Policies	Requirement: None Recommendation: Clause referencing Columbia River deleted.	Minor
Need to require NNL	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: WAC 173-26-221(2)(a)(ii) requires that critical areas be protected to this level Recommendation: New provision 1 inserted which requires no net loss.	Minor
This is part of the critical area study? It sounds like a regulation.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Sentence deleted.	Minor
definition? - disrupt	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: disrupt is a common work. No definition added.	Minor
Our recommendation is that Buffer averaging and buffer reduction should not be combined on the same portion of a buffer (e.g. 'double dipping')	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: Recommendation: reduced maximum reduction to 25%. If there wasn't enough room to do averaging, this would allow for enhancements to reduce the buffer further. To the same maximum reduction. No double dipping.	Minor
Formatting, these need to move left to align with 'd' above	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Revised	Minor
Still too big of a reduction. Should be limited to 75% of standard width.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Deleted sentence	Minor
? Needs to be reworded. Property should not be subdivided if the new parcels don't have enough area outside the critical area & buffer for the intended development. Parcel size is not relevant; available area outside critical areas is.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Reworded to be clear that there is sufficient area outside the wetlands and buffers to accommodate the intended use.	Minor
Again, don't subdivide if there is not enough area outside the CA/buffer for the development.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Delete provision since section 3.4.4 contains more specific language as to uses allowed in wetlands and buffers	Minor
Are all shoreline streams n County FWHCA's? Term is duplicative	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Deleted word	Minor
I understand what they're saying, but this is overly long and clunky.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Revised	Minor

I understand what they mean, but what if the buffer was disturbed, but the disturbance was not authorized?	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: deleted that is not disturbed for clarity.	Minor
Treated wood should not be used in or near wetlands.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Deleted word	Minor
We recommend signs at an interval of 50 feet. May be difficult to fit all the required text given size limit.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: Ecology guidance recommends sign placement at 50-foot interval Recommendation: Provision revised to require 50-foot interval and to be at least 6" X 12".	Minor
road crossings?	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: added 'road'	Minor
size?	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: added 'size'	Minor
See page 34 of the ECY CAO guidance document regarding species migration.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: Ecology Wetlands Guidance for CAO Updates Recommendation: Added " when domestic grazing animals are present or may be introduced on site." and "Fencing installed as part of a proposed activity or as required shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to the critical area/buffer."	Minor
In this section, the permit has already been approved.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Clause deleted referencing permit denial	Minor
Need to be specific.	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: deleted sentence about limited access	Minor
Numbering/formatting of this section seems off; should this be #6, in between 5. Buffers and 7. Contingencies?? Sub-numbering should be consistent w/ other sections	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Revised	Minor
Reword for clarity	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Revised	Minor
Many provisions in one; separate or organize for clarity; consider suggested edits	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: Formatting changes accepted	Minor
Are these only applicable to created, restored, or enhanced critical areas or to all?	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Requirement: None Recommendation: mitigation requirement applies to all critical areas as noted	Minor
Formatting - These are large provisions with many sub-parts; easier to read/understand as a list	Ecology	10/14/16	3.4.3 General Critical Area Regulations	Revised	Minor

Typo? Or need to provide rationale for lesser distance	Ecology	10/14/16	3.4.4 Wetlands, Regulations, Table 3-1	Requirement: None Recommendation: Typo, 200 foot buffer was the anticipated width	Minor
Have these been identified/mapped for the County? Give a few examples of common locations to aid reader similar to other Applicability sections	Ecology	10/14/16	3.4.5 Critical Aquifer Recharge Areas, Applicability	Requirement: WAC 173-26-221(2)(a) requires that critical areas be protected Recommendation: critical aquifer recharge data doesn't exist so can't be mapped. Ecology agrees per phone conversation	Minor
This isn't fully consistent w/ the Ch 7 definition and could be confusing/misleading to the reader	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Applicability	Requirement: None Recommendation: revised to be consistent	Minor
Per 9/16 email - agreed, reword for clarity; Is a CAR required for the other categories of FWHCAs defined in Ch 7?	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Answer to second question is "yes"	Minor
Meaning Type S and Type F? If yes, state as such	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Requirement: None Recommendation: deleted "fish-bearing"	Minor
Optional not required?	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Requirement: None Recommendation: Changed 'will' to 'may'	Minor
Duplicative of Performance Standard #1 above	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Requirement: None Recommendation: change 3.4.3 to 3.4.5 for clarity	Minor
Alternate wording: "When development or alteration is proposed to locate in or within 300 feet of an HCA, the critical area report shall include a study to identify which listed species are using the habitat. When such species are identified, the following shall apply:"	Ecology	10/14/16	3.4.6 Fish and Wildlife Habitat Conservation Areas, Regulations	Requirement: None Recommendation: Changed wording to: "Development proposals or alterations adjacent to and within three hundred feet of a fish and wildlife habitat conservation area shall prepare, and submit, as part of its critical areas report, a habitat study which identifies species of local importance, priority species, or endangered threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area. If one or more listed species are using the fish and wildlife habitat conservation area, the following additional requirements shall apply:"	Minor
Need to address publicly owned lands on SSWS for SSWS; 'identify & evaluate suitability for access' per Checklist pg 20 and WAC 173-26-221(4)	Ecology	10/05/16	3.6 Public Access Chapter 3	Requirement: No WAC requirement to do this even though it is in the checklist. Recommendation: According to more recent discussion with Ecology, this is unnecessary.	Minor
Consider adding a policy to indicate that if/when the County completes a public access planning process per WAC 173-26-221(4.c and d.ii) an overall plan could replace the site-by-site approach.	Ecology	10/05/16	3.6.2 Policies Chapter 3	Requirement: No requirement for this policy. Recommendation: Such a plan could provide significant advantages for the County. Recommend new policy and such policy has been inserted.	Minor

Per Ch 3.2.2 Recreation & Public Access Goals	Ecology	10/05/16	3.6.2 Policies Chapter 3	Requirement: No requirement for this policy. Recommendation: Such a policy already exists at 5.3.10, policy 6. No need for duplicate policy language.	Minor
Per WAC 173-26-221(4.d.iv) and Checklist pg 20, need to address protecting existing views, and priority for WD use and physical access over views from adjacent properties in the event of conflict.	Ecology	10/05/16	3.6.3 Regulations Chapter 3	Requirement: Contained in WAC 173-26-221(4.d.iv). Recommendation: New regulations inserted which require views to be protected and allow Administrator to resolve view obstructions using setback, building clustering. Unresolvable conflicts between water-dependent uses or physical public access and views is resolved in favor of water-dependency and physical access.	Minor
Formatting – seems like these provisions should be separate, not all sub-items to #2; consider providing as a list of sub-items to a new #3 to read “When required, public access areas and facilities shall satisfy the following requirements for location, design, operation and maintenance:” or similar	Ecology	10/05/16	3.6.3 Regulations Chapter 3	Requirement: No requirement. This is a document readability preference. Recommendation: Take Ecology's advice. New item three with sub-items for construction requirements of public access has been inserted.	Minor
Consider adding a provision to encourage voluntary enhancement of native shoreline veg?	Ecology	10/05/16	3.7.2 Policies Chapter 3	Requirement: No requirement that voluntary enhancement provision be included Recommendation: Since there is no regulatory requirement that a voluntary enhancement provision be inserted, such a provision would have no effect. An example provision has been inserted should the SAC choose to keep.	Minor
Who determines? Consistent w/ WA State Noxious Weed Control Board guidance on control & disposal?	Ecology	10/05/16	3.7.3 Regulation 10 Chapter 3	Requirement: None Recommendation: Reference to WA State Noxious Weed Control Board included	Minor
‘must’ is not defined – add to Ch 7; per WAC 173-26-020(26) ‘must’ is equivalent to ‘shall’	Ecology	10/05/16	3.7.3 Regulation 2 Chapter 3	Requirement: There is no requirement that "must" be defined in SMPs. Recommendation: A definition has been inserted but, in the opinion of the consultant, is unnecessary and immaterial to the SMP update. Definitions of words in common use can be found in the dictionary.	Minor
time limit? Required action for the proponent or by natural colonization/luck? What standards/criteria apply to this activity? Any preferences for manual vs. mechanical over chemical methods? What about in/near geo haz areas?	Ecology	10/05/16	3.7.3 Regulation 9 Chapter 3	Requirement: Shoreline vegetation conservation is required to achieve no net loss per WAC 173-26-221(5). Recommendation: Revised to include applicant revegetation within 6 mos. with native. Preference for manual. Removal within geohazard area requires approved critical areas report with replanting plan	Minor

o Regulation #2: "...if water quality were visibly degraded such that the color and character were unattractive and discouraged normal uses such as swimming, fishing, boating, or viewing." Language like 'unattractive' is subjective, difficult to implement/enforce.	Ecology	10/21/16	3.8.3, Regulation 2	Requirement: None Recommendation: clause containing word "unattractive" deleted.	Minor
o Regulation #3 "...Stormwater Management Manual for Western Washington (2014 or as amended)." Further, because SFR is dominant development type in County and a common source of non-point pollution, consider adding a policy & regulation to encourage property owners to voluntarily install new or retrofit existing stormwater features per the SWMMWW BMPs, including but not limited to LID techniques (i.e. rain gardens, permeable pavement, biofiltration, etc.) This would help address incremental & cumulative impacts from existing and exempt development.	Ecology	10/21/16	3.8.3, Regulation 3	Requirement: None Recommendation: Revised	Minor
SED-specific regulations provided in Ch 5 and 6 could be further supported w/ use/modificationspecific policies added here.	Ecology	10/05/16	4.2 Environment Designations Chapter 4	Requirement: None Recommendation: In subsequent conversation with Ecology, no change required.	Minor
See related comment above re: policies to support Ch 5 & 6 regs; be consistent to include all similar provisions in this chapter	Ecology	10/05/16	4.2.3 Natural Environment, Policy 3 (old) Chapter 4	Requirement: None Recommendation: In subsequent conversation with Ecology, no change required.	Minor
Where are these?	Ecology	10/05/16	4.2.3 Rural Conservancy Environment, Policies Chapter 4	Requirement: WAC 173-26-211(5)(b)(ii)(D) requires 10% impervious surface limit in RC designation. Recommendation: Impervious surface limit added to Section 5.3.11, Regulation 2.	Minor
Also address WAC density/lot coverage provision re: max 10% impervious surface; see also Checklist pg 12	Ecology	10/05/16	4.2.3 Rural Conservancy Environment, Policy 7 Chapter 4	Requirement: WAC 173-26-211(5)(b)(ii)(D) requires 10% impervious surface limit in RC designation. Recommendation: Impervious surface limit added to Section 5.3.11, Regulation 2.	Minor
This provision for a max of 10% impervious surface per WAC -211(5.b.ii.D) is for Residential - how would this be substantiated for commercial/industrial?	Ecology	10/05/16	4.2.4 Rural Conservancy Environment, Designation Criteria (1.g), Chapter 4	Requirement: No requirement to limit water-oriented commercial and industrial to 10 % or less. Likely a mistake. Recommendation: delete provision	Minor
This needs to be better explained (@ Ch 1.6?) as PacifiCorp mgmt. plans are not under SMA.	Ecology	10/05/16	4.2.4 Rural Conservancy Environment, Policy 10 Chapter 4	Requirement: No requirement for this provision. Inserted reference to this plan. Recommendation: Delete provision, but PacifiCorp plan referenced in SMP Section 1.6.	Minor
Same as above	Ecology	10/05/16	4.2.4 Rural Conservancy Environment, Policy 9 Chapter 4	Requirement: No requirement for 10% lot coverage. Recommendation: Delete this language	Minor

This is confusing; Does the County have any areas designated RAMID or MPA?? If no, change the WAC wording to be applicable to Skamania County; Apply to CRGNSA Urban Areas; How is the 2 acre threshold substantiated? Co is 'not fully GMA' so reliance on GMA definitions is awkward – include in Ch 7 as needed.	Ecology	10/05/16	4.2.5 Shoreline Residential Environment, Designation Criteria, Chapter 4	Requirement: No requirement to reference RAMID or MPA in non-GMA counties. Recommendation: Delete reference to RAMIDs or MPAs.	Minor
This table needs some intro as to its purpose/limits, for example how to address discrepancy betw. Program text and this table, where the shoreline setbacks are fully described, etc. Also, the table shouldn't create categories or use terms that are not used in the text.	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: No requirement to provide table intro, but probably helpful to the reader. Recommendation: Requested changes made	Minor
Where is this distinction between farm & garden by acreage made, terms defined? May not comply w/ RCW Ag definitions	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: No requirement to address gardens separately from agricultural uses. Recommendation: Definition of garden inserted in Ch. 7.	Minor
Clarify if these are only for 'more than 4 units'	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: None Recommendation: Revised	Minor
Timber cutting only is not an SMA development; Ch 5.3.5 text doesn't clarify	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: Per WAC 173-26-241 timber cutting is not an SMP activity. Recommendation: Deleted timber cutting as SMP regulated activity, since timber cutting for conversion to another use would be regulated under separate use provisions.	Minor
Add a separate line for non-water oriented accessory use/dvlpt (e.g. sheds, ADUs, etc)	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: No requirement to distinguish between non-water-oriented and other types of residential uses in the Guidelines. Recommendation: Footnote inserted for water-oriented uses consistent with 5.3.11 (1)e. Consistent with WACs, term accessory not used in the context of residential uses to avoid further confusion.	Minor
What other type of WO Comm use might there be besides WR? Does this mean a WE Comm use? If yes, use the specific term not the umbrella term for better clarity	Ecology	10/05/16	5.3 Shoreline Use Policies and Regulations Table 5.1. Shoreline Use and Standards, Chapter 5	Requirement: None Recommendation: Water-enjoyment added	
Need to define term; Table 5-1 indicates an acreage limit?	Ecology	10/05/16	5.3.1 Agriculture, Chapter 5	Requirement: No requirement to define term garden, but may be beneficial for document purposes. Recommendation: Definition for term "garden" inserted in Ch. 7.	Minor

Is the intent to differentiate from ornamental landscaping? Commercial vs. personal consumption?	Ecology	10/05/16	5.3.1 Agriculture, Chapter 5	<p>Requirement: No WAC requirement addresses gardens and native vegetation. However, shoreline vegetation must be conserved to achieve no net loss.</p> <p>Recommendation: This provision allowed for the removal of native vegetation that serves a horticultural purpose <i>within</i> gardens without mitigation. Definition of "horticulture/horticultural purposes" has been</p>	Minor
Need to define terms; who would determine this? Any criteria or standards?	Ecology	10/05/16	5.3.1 Agriculture, Chapter 5	<p>Requirement: WAC requires no net loss of shoreline vegetation.</p> <p>Recommendation: BergerABAM does not recommend that standards or criteria be provided since lists of native vegetation are readily available. Nor would the county have the resources or personnel to verify that every planting/or removal within a private garden meets this standard. Many SMPs have been approved without specific standards and definitions related to horticulture.</p>	Minor
Long sentence, awkward phrasing	Ecology	10/05/16	5.3.10 Recreation Uses, Intro	Revised	Minor
To better describe what is represented in Table 5-1	Ecology	10/05/16	5.3.10 Recreational Uses Regulation 3, Chapter 5	<p>Requirement: No requirement</p> <p>Recommendation: This change should be accepted.</p>	Minor
Need to include text reference to setbacks in Table 5-1	Ecology	10/05/16	5.3.10 Recreational Uses Regulations, Chapter 5	<p>Requirement: No requirement that setbacks be referenced, but would be helpful to the reader to include.</p> <p>Recommendation: setback reference to Table 5-1 included.</p>	Minor
As written this statement could be problematic; Consider rewording as suggested, or similar if intent is achieved.	Ecology	10/02/16	5.3.10 Recreational Uses, Policy 1	<p>Requirement: No relevant requirement.</p> <p>Recommendation: Wording suggestion accepted.</p>	Minor

Need to include provisions to meet NNL, and land subdivision requirements of WAC 173-26-241 (3j); See also Checklist at pg 33 – 34. Also this section should be organized to match Table 5-1 categories of SFR, MFR and Floating	Ecology	10/05/16	5.3.11 Residential Development Chapter 5	<p>Requirement: WAC 173-26-241(3)(j) indicates that residential standards <i>should</i> address setbacks, buffers, density, shoreline armoring, vegetation conservation, and onsite sewage system standards.</p> <p>Recommendation: Regulation 1 addresses setbacks, 5 addresses stabilization/vegetation conservation, 6 addresses onsite septic systems. New regulations 3 and 4 address lot coverage and density. New provision 1 added to indicate that no net loss should be achieved for residential development including subdivisions at full build out. The policies and provisions do not breakout in to SFR, MFR, and floating very well. Most provisions deal with all residential development. Recommend keeping as is.</p>	Minor
Add definition to Ch 7 per WAC 173-27-040 (2g)	Ecology	10/05/16	5.3.11 Residential Development Chapter 5	<p>Requirement: Definition beneficial to document.</p> <p>Recommendation: Definition added.</p>	Minor
Are there additional criteria missing?	Ecology	10/05/16	5.3.11 Residential Development Regulation 2b, Chapter 5	<p>Requirement: None</p> <p>Recommendation: No further provisions. Word "and" eliminated.</p>	Minor
This can also be phrased as 'five or more'	Ecology	10/05/16	5.3.11 Residential Development, Policy 3 Chapter 5	<p>Requirement: None</p> <p>Recommendation: No change required.</p>	Minor
Need to include provision that existing utilities are not allowed to justify more intense development per WAC 173-26-211(3.c)	Ecology	10/05/16	5.3.13 Utilities, Chapter 5	<p>Requirement: WAC 173-26-211(3.c) requires Ecology suggestion</p> <p>Recommendation: New provision inserted.</p>	Minor
A long sentence	Ecology	10/05/16	5.3.13 Utilities, Chapter 5	<p>Requirement: None. Rewording preference.</p> <p>Recommendation: Reworded.</p>	Minor
This does not match Table 5-1; wording should be consistent with Policy 1 above to not locate in shoreline unless infeasible	Ecology	10/05/16	5.3.13 Utilities, Regulations, Chapter 5	<p>Requirement: None, but should be consistent with Table 5-1.</p> <p>Recommendation: Provision changed to be consistent with Table 5-1.</p>	Minor
Is the intent of this that existing outfalls may be relocated to below OHWM?	Ecology	10/05/16	5.3.13 Utilities, Regulations, Chapter 5	<p>Requirement: None</p> <p>Recommendation: Clarified this applies to both new outfall placement and existing outfall modification. Reference to section 5.3.8 inserted.</p>	Minor

Both in-water and upland operations?	Ecology	10/05/16	5.3.2 Aquaculture, Applicability, Chapter 5	<p>Requirement: No requirement for clarification, but helpful to the reader to distinguish between upland facilities regulated as agriculture versus aquaculture facilities.</p> <p>Recommendation: Definition of "Upland finfish rearing facility" added to Ch. 7 and clarification added to 5.3.2 "applicability" which indicates that upland finfish rearing facilities are not regulated by the aquaculture provisions.</p>	Minor
What about acclimation pens for stock enhancement – would they be considered as ‘aquaculture’? Clarify here and/or at Ch 7 Definitions; See also SMP Handbook Ch 16, especially at pg 39 w/ ECY recommended definitions	Ecology	10/05/16	5.3.2 Aquaculture, Chapter 5	<p>Requirement: Acclimation pens would be considered aquaculture when conducted within waters of the state.</p> <p>Recommendation: Definitions for "fish hatchery", "fish acclimation facility", and "Upland finfish rearing facilities" added to Ch. 7 and statement added to the introduction of section of 5.3.2 to indicate that finfish facilities are not included as aquaculture.</p>	Minor
Meaning remote/hard to reach? Or ‘limited’ locations meaning there are not many in number?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures	<p>Requirement: None</p> <p>Recommendation: Revised to "limited"</p>	Minor
See related comments for Ch 7 Definitions of Dock, and Pier; Consider adding other related examples here and in Ch 7 (i.e. Gangways, Ells, Floats) unless addressed elsewhere.	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Applicability	<p>Requirement: None</p> <p>Recommendation: Definitions added for dock, pier, and float.</p>	Minor
Chapter 5 = uses; Ch 6 = modifications	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Applicability	<p>Requirement: None</p> <p>Recommendation: Chapter 6 (Piers and Docks) was combined with Chapter 5 (Boating Facilities). See comments below</p>	Minor
Optional Organization - As noted previously, separate Ch 5 Boating Facility and Ch 6 Piers & Docks sections per the WAC distinction is acceptable; however many readers, especially general audience, find it counterintuitive and confusing, so some SMPs combine into one section; Consider staff and SAC preferences See also SMP Handbook Ch 12	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Applicability	<p>Requirement: None</p> <p>Recommendation: Reorganized as suggested. Remember to review this chapter</p>	Minor
Allowing via SDP in all but Natural forfeits oppy to tailor regs to existing conditions per SEDs, eg. Use of CUPs for more sensitive areas or intensive use/dvlp	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policies	<p>Requirement: None</p> <p>Recommendation: Statement deleted</p>	Minor

Intent? This term would mean the provision does not apply to public access pier/dock	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policy 5	Requirement: WAC 173-20-241 (3)(vii) requires that boating facilities protect the rights of navigation. Recommendation: Statement revised to apply to all boating facilities and moorage structures. Boating facilities and moorage structures defined to include that for public access in introduction of 5.3.3.	Minor
Based on what?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policy 5 (old)	Requirement: None Recommendation: Provision deleted. This language was not precise, so not useful.	Minor
Combine w/ #2 above?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policy 6	Requirement: None Recommendation: Number 2 above deleted.	Minor
Intent not clear;	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policy 7 (old)	Requirement: None Recommendation: Provision deleted.	Minor
Intent not clear; be more permissive for public facilities??	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policy 8	Requirement: None Recommendation: Language not clear. Intent was to be more permissive for public facilities since these serve more users and discourage development of many, individual overwater structures. Revised.	Minor
Add Ch 7 Definitions; also differentiate from Floating Homes/Floating On-water Residences for clarity	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Policy 9	Requirement: None Recommendation: Definition live aboard vessels. Houseboat definition not found.	Minor
Section includes 12 sub-sections of both general and extensive, detailed technical standards that appear to mostly reflect guidance from ECY, DNR and DFW; Consider referencing those key guidance documents from resource management agencies 'or the most current standards' to ensure up to date strategies are applied and SMP doesn't have to be immediately amended if/when guidance is revised.	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulations	Requirement: None Recommendation: General provision inserted referencing Corp and WDFW design criteria	Minor
Because of the connection/overlap, need to clearly describe what is covered here and what is covered in Ch 6.3.3 Piers & Docks; Make sure Ch 7 Definitions are equally clear; courtesy references between sections would aid the reader.	Ecology	10/05/16	5.3.3 Boating Facilities, Chapter 5	Requirement: None Recommendation: Regulations for piers, docks, and boating facilities have been combined into one section in 5.3.3	Minor
How do these provisions differ from the several above that also pertain to 'Boating facilities'?	Ecology	10/05/16	5.3.3 Boating Facilities, Regulation 14, Chapter 5	Requirement: None Recommendation: Heading changed and section reorganized to clarify that this applies to boat launches and haul out facilities	Minor
Definition?	Ecology	10/05/16	5.3.3 Boating Facilities, Regulation 15(I), Chapter 5	Requirement: None Recommendation: Live-aboard vessel defined in Ch. 7.	Minor

Table 5-1 also includes private docks for SFR?	Ecology	10/05/16	5.3.3 Boating Facilities, Regulations, Chapter 5	Requirement: None Recommendation: Regulations for piers, docks, and boating facilities have been combined into one section in 5.3.3	Minor
Be sure the record includes rationale/support for these standards	Ecology	10/05/16	5.3.3 Boating Facilities, Regulations, Chapter 5	Requirement: None Recommendation: Delete this sentence	Minor
The overwater structure itself often provides predator habitat; clarify	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures	Requirement: WAC 17326-231(3)(F) requires that overwater structures minimize and mitigate impacts to ecological functions Recommendation: Sentence revised to require light penetration.	Minor
Be sure the record includes rationale/support for these standards	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures	Requirement: None Recommendation: Suggested standard used in other jurisdictions.	Minor
Same as previous comment re: term	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures	Requirement: None Recommendation: Defined at the beginning of the section	Minor
Often termed 'nonresidential' for streamlined language	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 10	Requirement: None Recommendation: Rephrased as non-residential	Minor
Other species too?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 12a	Requirement: WAC 173-26-231 requires that piers and docks be designed to avoid, minimize, and mitigate impacts to ecological functions. Recommendation: Revised to reference any federally or state listed species	Minor
"During the low flow or low water level period of any year"? Severe drought conditions could make these dates irrelevant	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 12b	Requirement: WAC 173-26-231 requires that piers, docks, and associated structures be designed to avoid, minimize, and mitigate impacts to ecological functions. Recommendation: Revised to reference the low flow or low water level period of any year	Minor
What would a 'non floating dock' be?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 12e	Requirement: None Recommendation: "Non-floating" replaced with "seasonal."	Minor
Use of contaminated materials – oil drums, etc?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 12f	Requirement: WAC 173-26-231 requires that piers, docks, and associated structures be designed to avoid, minimize, and mitigate impacts to ecological functions. Recommendation: This provision was left unaltered since general provisions now address materials.	Minor

Formatting - should be iv	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 13f	Requirement: None Recommendation: Reformatted	Minor
How do these provisions differ from the several above that also pertain to 'Boating facilities'?	Ecology	10/14/2016	5.3.3 Boating Facilities and Moorage Structures, Regulation 14	Requirement: None Recommendation: Revised to pertain to boat launches and haul-out facilities	Minor
incl other non-salmonids	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 1c.iii	Requirement: None Recommendation: revised to reference state or federally listed fish species	Minor
Duplicative	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 1d	Requirement: None Recommendation: Deleted	Minor
See comment above about similar/related terms	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 1n	Requirement: None Recommendation: Floating home and live aboard defined in Ch. 7.	Minor
Vague	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 1o	Requirement: WAC 173-26-241(3)(c)(viii) restricts vessels from extended moorage on waters of the state Recommendation: Revised to follow Guideline language	Minor
Could these be grouped w/ General Regs above if they apply to ALL types of pier, dock, float, overwater structures	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 3	Requirement: None Recommendation: Moved to general regs	Minor
Could also be added to Ch 7. Def	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 8a	Requirement: None Recommendation: Added	Minor
Also piers, etc?	Ecology	10/14/16	5.3.3 Boating Facilities and Moorage Structures, Regulation 8a	Requirement: WAC 173-26-231 indicates piers and docks are allowed only for water-dependent and public access use Recommendation: Other types of structures (piers, gangways, floats, and ells) added	Minor
This section would be better organized by WD, WR & WE, and non WO as is presented in Table 5-1; Also, the setbacks shown in the table need to be referenced here by text.	Ecology	10/05/16	5.3.4 Commercial Uses, Chapter 5	Requirement: No requirement that this section be organized according to WD, WR, and WE and non-WO. No requirement to reference setbacks here. Recommendation: Section now includes reference to setbacks in Table 5-1.	Minor
This does not fully reflect the WAC first & second preferences for WD over WR & WE, and WO over non-WO	Ecology	10/05/16	5.3.4 Commercial Uses, Policy 4, Chapter 5	Requirement: WAC 173-26-241(3)(d) requires first and second priority as described by Ecology. Recommendation: Provision revised to reflect WACs.	Minor
Need to also give second preference for water-oriented over non-WO	Ecology	10/05/16	5.3.4 Commercial Uses, Regulation 1, Chapter 5	Requirement: WAC 173-26-241(3)(d) requires first and second priority as described by Ecology. Recommendation: Clause added to reflect WAC-required first and second priorities.	Minor

This is a separate WAC provision	Ecology	10/05/16	5.3.4 Commercial Uses, Regulation 5c, Chapter 5	Requirement: WAC 173-26-241(3)(d) treats these as separate provisions. Recommendation: Separate provision created.	Minor
Need a provision to ensure WR and WE comm uses avoid impacts to existing use, resources, values such as navigation, recreation, & public access.	Ecology	10/05/16	5.3.4 Commercial Uses, Regulations, Chapter 5	Requirement: None Recommendation: Provision inserted	Minor
Table 5-1 has separate rows for 'Log storage' 'Timber harvest' and 'temporary structures' but these specific uses are not addressed discretely here in policy or regulation.	Ecology	10/05/16	5.3.5 Forest Practices Applicability, Chapter 5	Requirement: The WACs do not require that there be specific standards for log storage, timber harvest, or temporary structures and most SMPs do not include such standards. Recommendation: Standards have been included for conversion timber harvests, log storage, roads, and stream crossings. Temporary structures has been deleted from Table 5-1.	Minor
Non-harvest forest practices are regulated by SMA/SMP i.e. roads, stream crossings, structures (outbuildings); see also ECY web guidance.	Ecology	10/05/16	5.3.5 Forest Practices Applicability, Chapter 5	Requirement: Based on Ecology guidance non-harvest forest practices are subject to the SMP. Recommendation: Clarification added in Applicability section of 5.3.5.	Minor
Add a regulation to implement this policy, and to avoid impacts to navigation, recreation, and public access per WAC 173-26-241(3e)	Ecology	10/05/16	5.3.5 Forest Practices Policy 2, Chapter 5	Requirement: WAC 173-26-241(3e) requires forest land conversions to avoid impacts to navigation, recreation, and public access. However, conversion to non-forest uses would be regulated by other provisions of the SMP, so no provision should be required. Recommendation: New policy 2 added to address this and regulation 3 revised.	Minor
This RCW cite makes for a long, complex provision that is hard to follow; Also need to specify any exception to the SSWS limits requires CUP.	Ecology	10/05/16	5.3.5 Forest Practices Regulation 2, Chapter 5	Requirement: No requirement that this provision be revised to read differently. No requirement that exception to SSWS limits requires CUP- this is an Ecology preference. However, exceptions to 30% limit may be beneficial to Skamania County businesses and property owners. Recommendation: Provision simplified for readability. Conditional use permit clause added for exceeding 30%.	Minor
Such as roads, utilities, etc?	Ecology	10/05/16	5.3.5 Forest Practices Regulation 3, Chapter 5	Requirement: No requirement that "preparatory work" be clarified, but helpful to the reader. Recommendation: term clarified.	Minor

Need to include text reference to setbacks in Table 5-1	Ecology	10/05/16	5.3.5 Forest Practices Regulations, Chapter 5	<p>Requirement: No specific WAC requirement for provision in forest practice use section that setbacks should be referenced. However, such reference is helpful to the reader.</p> <p>Recommendation: New provision inserted referencing setbacks in Table 5-1.</p>	Minor
In-water industrial use/development too?	Ecology	10/05/16	5.3.6 Industrial and Port Uses Regulation 3, Chapter 5	<p>Requirement: The WACs do not specifically address overwater/in-water construction of non-water dependent or non-water-oriented uses, but does indicate that industrial uses should be located to result in no net loss which suggests that these type of uses should not be located overwater.</p> <p>Recommendation: Provision revised to include in-water uses. Also revised to reference non-water-oriented so that water-related uses are allowed to locate over/in-water such as security worker booths at docks.</p>	Minor
Need to include text reference to setbacks in Table 5-1	Ecology	10/05/16	5.3.6 Industrial and Port Uses Regulations, Chapter 5	<p>Requirement: No requirement that setbacks be reference, but helpful to the reader.</p> <p>Recommendation: reference to setbacks in Table 5-1 added to regulation 1.</p>	Minor
Consider adding a Ch 7 definition	Ecology	10/05/16	5.3.6 Industrial and Port Uses, Applicability, Chapter 5	<p>Requirement: No requirement to add definition, and none provided in the WACs.</p> <p>Recommendation: Definition added for "industrial use" and "port" in Chapter 7. Definition removed from this section.</p>	Minor
Need to include text reference to setbacks in Table 5-1	Ecology	10/05/16	5.3.7 Institutional Uses Regulations, Chapter 5	<p>Requirement: No requirement that text reference setbacks in Table 5-1, but helpful to the reader.</p> <p>Recommendation: Text reference to Table 5-1 included.</p>	Minor
Add Ch 7 Definition or use 'shall'	Ecology	10/05/16	5.3.8 In-Stream Structures Regulations, Chapter 5	<p>Requirement: No requirement that master programs include the definition of must.</p> <p>Recommendation: Definition added to Ch. 7. However, the consultant notes that definitions of common terms are defined in the dictionary.</p>	Minor

This language is somewhat duplicative, and a specific definition for Mining is provided in Ch 7 so these additional, similar descriptions of the term are confusing as to which applies/prevails	Ecology	10/05/16	5.3.9 Applicability, Chapter 5	Requirement: No WAC requirement that mining be defined, but consistency in definitions is helpful to the reader. Recommendation: Definitions in this section eliminated to eliminate overlap/conflicts and reference to Ch. 7 definition inserted.	Minor
Need to also address use of a reclaimed site per WAC 173-26-241(3.h.ii.C)	Ecology	10/05/16	5.3.9 Mining, Chapter 5	Requirement: WAC 173-26-241(3.h.ii.C) requires this be addressed. Recommendation: This is already addressed in mining regulation 6. No change required.	Minor
Long-sentence; format to list	Ecology	10/05/16	5.3.9 Regulation 2, Chapter 5	Revised	Minor
Need to also address requirement for SEPA integration	Ecology	10/05/16	5.3.9 Regulation 4, Chapter 5	Requirement: WAC 173-26-241.3.h.2.DIII indicates SEPA review should be integrated with other review to meet D.I and II. Recommendation: Clause added to regulation 4.	Minor
Move to group w/ #3 above?	Ecology	10/05/16	5.3.9 Regulation 9 (old), Chapter 5	Requirement: No requirement to make this edit, but better understood grouped with regulation 4. Recommendation: Suggested change made.	Minor
Need to include text reference to setbacks in Table 5-1	Ecology	10/05/16	5.3.9 Regulations, Chapter 5	Requirement: No requirement that a reference to setbacks in Table 5-1 be inserted. Requirement: New provision 1 inserted.	Minor
If intended as courtesy summary of Ch 6 provisions text, note as such and how to address any conflict between text & table.	Ecology	10/14/16	6.2 Shoreline Modifications Table	Requirement: None Recommendation: Statement added as to how to resolve inconsistencies.	Minor
Should this be Table 6-1 since it's Chapter 6? Consider presenting alphabetically, similar to Table 5-1; similar to previous comment, ensure sub-groups are consistent w/ the policy & regulatory text. Similar to previous comment, ensure sub-groups are consistent w/ the policy & regulatory text.	Ecology	10/14/16	6.2 Shoreline Modifications Table	Requirement: None Recommendation: Address if budget	Minor
Delete; this SED was dropped from Ch 4 and maps	Ecology	10/14/16	6.2 Shoreline Modifications Table	Requirement: None Recommendation: Table revised since this designation no longer exists.	Minor
Add a 'Pier & Dock' header?	Ecology	11/07/16	6.2 Shoreline Modifications Table	Requirement: None Recommendation: Revised to have "Piers, Docks, Floats, and Overwater Structures" header consistent with text	Minor

This is a combination of non-structural and 'soft structural' methods – not how the text reads	Ecology	10/14/16	6.2 Shoreline Modifications Table	Requirement: None Recommendation: Revised to contain categories "Soft Structural Stabilization", "Hard Structural Stabilization" to match shoreline narrative.	Minor
These two sub categories do not reflect the greater level of specificity in the text	Ecology	10/14/16	6.2 Shoreline Modifications Table	Requirement: None Recommendation: Revised to contain mooring balls/buoys, pers, docks, floats, boat ramps, and marinas	Minor
Duplicative of above	Ecology	10/14/16	6.2 Shoreline Stabilization, Policy 2	Requirement: None Recommendation: Sentence deleted for document improvement.	Minor
Need to reflect add'l requirements for GeoTech Rpts, per WAC 173-26-231 (3.a.iii.D) such as time frames, erosion rates, etc, Consider creating a separate labeled section with sub-items?	Ecology	10/14/16	6.3.1 Regulations for New or Enlarged Structural Stabilization	Requirement: WAC 173-26-231 (3.a.iii.D) requires additional geotech report provisions. Recommendation: New "Geotech Report Requirements" section created with these requirements included.	Minor
Also need to mitigate adverse impacts to sediment conveyance systems	Ecology	10/14/16	6.3.1 Regulations for New or Enlarged Structural Stabilization	Requirement: WAC 173-26-231 (3.a.iii.E) requires mitigation of adverse impacts to sediment conveyance systems. Recommendation: New provision inserted	Minor
Similar but not exact duplicate of c.ii and Applicability language above; Consistent use of well-defined terms is preferred	Ecology	10/14/16	6.3.1 Regulations for New or Enlarged Structural Stabilization, 1c.ii	Requirement: None. Document improvement. Recommendation: Provisions revised to exactly mirror each other.	Minor
Need to meet only one or all of the listed criteria?	Ecology	10/14/16	6.3.1 Regulations for New or Enlarged Structural Stabilization, regulation 1	Requirement: See WAC 173-26-231(3)(a)(iii) Recommendation: Different situations apply to different types of development (nonwater-dependent vs. water-dependent). Clause inserted to clarify.	Minor
While WAC notes this for 1 st structure provisions, this is more general than just for new/expanded structural stabilization as included here; Could move/add to a separate GeoTech Rpt section?	Ecology	10/14/16	6.3.1 Regulations for New or Enlarged Structural Stabilization, regulation 1ai	Requirement: WAC 173-26-231 (3)(a)(iii)(A) requires that all new and expanded shoreline stabilization meet the geotech report requirements. Recommendation: New "Geotech Report Requirements" section created at the end of 6.3.1.	Minor

Does this mean permitted outright? How is this distance substantiated? Where/how often is this anticipated to occur?	Ecology	10/14/16	6.3.1 Regulations for New or Enlarged Structural Stabilization. Regulation 1a	<p>Requirement: WAC 173-26-231(3)(a)(iii) requires that stabilization structures achieve no net loss.</p> <p>Recommendation: Delete this provision since unknown how often this would occur. Worth noting that this type of provision has been approved elsewhere across the state. Few ICRs can measure the setbacks of all residential structures on the shoreline.</p>	Minor
<p>Similar provisions in other SMPS are typically intended to address areas w/ more dense (urban) development than is generally found in Skamania. Explain the need/intent for these provisions.</p> <p>Table '7-1' shows all allowed structural stabilization requires CUP, but does not include a specific row for these repair/replacement provisions.</p> <p>Need to better explain how this section/these terms relate to WAC stabilization replacement requirements (e.g. demonstrate need, waterward encroachment, removal of old structure, etc.), and SDP Exemption 2.5.9.b 'Normal maintenance or repair of existing structure...'; Note, exemptions may be conditioned to satisfy SMP/NNL and County can require a CUP for an exempt use/dvlpt.</p>	Ecology	10/14/16	6.3.1 Repair of Shoreline Stabilization	<p>Requirement: Replacement provisions are required by WAC 173-26-231(3.a.iii.C) requires replacement provisions.</p> <p>Recommendation: Replacement provisions have been separated from repair provisions and relevant WAC provisions inserted. Distinction has been made between normal repair and maintenance subject to exemption in WAC 173-27-040(2)(b) and repair (over 50% of value) which is subject to replacement standards. Table 7-1 updated to clarify whether new, expanded, or replacement stabilization is permitted.</p>	Minor
Similar to above – where/how often is this anticipated to occur?	Ecology	10/14/16	6.3.1 Repair of Shoreline Stabilization	<p>Requirement: WAC 173-26-231(3)(a)(iii) requires that stabilization structures achieve no net loss.</p> <p>Recommendation: Delete this provision since unknown how often this would occur. Worth noting that this type of provision has been approved elsewhere across</p>	Minor
Refer to WAC and ECY guidance for accurate non-structural, soft-structural, and hard-structural terms. Include as Ch 7 definitions? Also include distinction between new, expanded, and replacement stabilization per WAC 173-26-231(3.a.iii.C) last bullet, etc.	Ecology	10/14/16	6.3.1 Shoreline Stabilization	<p>Requirement: No requirement that definitions for stabilization be included in SMP.</p> <p>Recommendation: Definitions of stabilization added in Ch. 7. New paragraph added to distinguish between new, expanded, and replacement stabilization.</p>	Minor
Duplicative of Ch. 7 definition	Ecology	10/14/16	6.3.2 Fills, Applicability	<p>Requirement: None</p> <p>Recommendation: Applicability now references Ch. 7.</p>	Minor
Formatting/language - three issues in one sentence	Ecology	10/14/16	6.3.2 Fills, Applicability	<p>Requirement: None</p> <p>Recommendation: Revised</p>	Minor

Need to address overwater WR and WE as part of mixed use if they support WD and are minimum size	Ecology	10/14/16	6.3.3 Piers, Docks, Floats and Overwater Structures, Regulation 1	<p>Requirement: WAC 173-26-231(3)(F) allows that water-related and water-enjoyment uses can be auxiliary to water-dependent uses on overwater structures.</p> <p>Recommendation: Provision added to address this in 5.3.3 Regulation 1©.</p>	Minor
Definition?	Ecology	10/14/16	6.3.4 Dredging and Dredge Material Disposal, Policy 2	<p>Requirement: None</p> <p>Recommendation: Definition of wet moorage is not necessary and is commonly understood. Definition is not commonly provided in other SMPs</p>	Minor
Add to Ch. 7 Definition	Ecology	10/14/16	6.3.4 Dredging and Dredge Material Disposal, Regulation 1	<p>Requirement: None</p> <p>Recommendation: Language added to Ch. 7 definition</p>	Minor
Move to Applicability?	Ecology	10/14/16	6.3.4 Dredging and Dredge Material Disposal, Regulation 1	<p>Requirement: None</p> <p>Recommendation: Moved to applicability as suggested since this has to do with when the regulations in this section do not apply.</p>	Minor
Need to address beneficial use, and any applicable dredge disposal regional mgmt. plans; and discourage/prohibit upland disposal or in wetlands or CMZs, except limited instances via CUP, per WAC 173-26-231 (3.f)	Ecology	10/14/16	6.3.4 Dredging and Dredge Material Disposal, Regulation 6	<p>Requirement: WAC 173-26-231(3)(f) requires compliance with dredge materials management plans where applicable.</p> <p>Recommendation: Section 6.3.2, Regulation 2(d) covers disposal of dredge material for placement of fill. New provision 5 inserted addressing beneficial use. Provision inserted regarding disposal of dredge material in shorelands or wetlands of the channel migration zone.</p>	Minor
Or identified by the WA Noxious Weed Control Board. What about in-water non-native or invasive plants, per aquatic noxious weed SDP exemption per SMA, and consistent w/ RCW 17.26.020	Ecology	10/14/16	6.3.5 Shoreline Enhancement and Restoration, Regulation 2b	<p>Requirement: None</p> <p>Recommendation: Provision for aquatic noxious weed removal and control inserted, although not really necessary since already exempted per WAC 173-27-040.</p>	Minor
Per the WAC, these modifications should be allowed if for legitimate restoration even if not for conversion of hard – soft stabilization. Further, the WAC allows for new stabilization for the primary purpose of restoration/enhancement.	Ecology	10/14/16	6.3.5 Shoreline Enhancement and Restoration, Regulation 2e	<p>Requirement: WAC 173-26-231(3)(g) allows for a wide variety of activities associated with shoreline habitat and natural systems enhancement projects.</p> <p>Recommendation: New provision inserted allowing for dredging and filling associated with enhancement projects since other activities are already covered by this section.</p>	Minor

Land use zoning alone without existing development not always adequate to determine the SED.	Ecology	10/14/16	Ch. 4 SEDs and Appx A Maps, SEDs Overall	<p>Requirement: Shoreline environment designations need to take into account multiple factors including existing use pattern, the biological and physical character of the shoreline, and the goals and aspirations of the community per WAC 173-26-211(2)(a).</p> <p>Recommendation: The environment designations were established using, not only zoning, but existing use patterns documented in the ICR, a review of aerial photos, and the ecological condition of the shoreline per the ICR. See Table</p>	Minor
Has the Co. formally designated any 'rural areas of more intense development' or 'master planned resorts'? If no, these GMA terms need to be specifically defined in Ch. 7 in order to be relied upon as SED criteria.	Ecology	10/14/16	Ch. 4 SEDs and Appx A Maps, SEDs Overall	<p>Requirement: N/A</p> <p>Recommendation: The County hasn't designated any of these areas and doesn't intend to. They have been deleted as SED criteria.</p>	Minor
Residential Areas - 2 acre lot size threshold between SR and RC seems too large; suggest 1 acre or smaller. For example, smaller residential parcels at Skamania Landing, Hemlock/Canna Vine Rd, and Washougal River/Malfait Tracts are appropriate for SR. However, larger residential lots whether developed or not, are better as RC. SR needs to be applied more discretely based on existing conditions not broad-brush to also include nearby areas.	Ecology	10/14/16	Ch. 4 SEDs and Appx A Maps, SEDs Overall	<p>Requirement: None</p> <p>Recommendation: The shoreline residential (SR) environment is normally applied to areas within urban growth areas. However, in the context of Skamania County, which is a non-GMA county that does not have urban growth areas, this environment designation has been customized to fit the character of residential development in the County. Clusters of residential development in the County are typically 2 acres or less not 1 acre or less. Furthermore, since this designation is general applied to already developed areas which are not likely to see extensive additional development, there would not likely be widespread application of this designation. Any future effort to apply this designation more broadly would need to undergo an SMP amendment. Finally, the residential use standards in the SMP ensure that no net loss results from residential development whether located in SR or Rural Conservancy (RC).</p>	Minor
Consider organizing alphabetically, similar to Ch 5 Use Provisions, as a more intuitive approach to aid the reader	Ecology	10/14/16	Chapter 6	<p>Requirement: None</p> <p>Recommendation: May be completed in next round if budget remains</p>	Minor
Definitions – Dock: See also WAC 173-27-040 (2.h);	Ecology	10/21/16	CHAPTER 7	<p>Requirement: None</p> <p>Recommendation: Not sure what the requested change is. Should definition in WAC 173-27-040(2.h) replace our definition?</p>	Minor

Defer to RCW definition	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: none Recommendation: Definition now refers to RCW 84.34 definition	Minor
'dvlp't defined as a 'use'; 'use' defined as an 'activity'; nearly duplicative – needs clarification	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Definition of commercial use deleted to eliminate conflicts. Definition of "commercial development" has been changed to simply be "commercial" since a definition of "development" is provided.	Minor
Not incorrect, but only addresses larger facilities so that a singular dock is excluded in this definition. See SMP Handbook Ch 12 (pg 2) for ECY descriptions;	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Disagree. Definition includes "any...structure...providing for the securing of a boat or vessel." Why would this exclude a singular dock. No change required	Minor
Consider including/summarizing the rest of the WAC definition: ""Forest practice" shall not include: Forest species seed orchard operations and intensive forest nursery operations; or preparatory work such as tree marking, surveying and road flagging; or removal or harvest of incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber or public resources."	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Suggested language included	Minor
Analogous to 'in-water' as used for piers, docks, in- and overwater structures, etc?	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Definition of "In-Stream Structure" clarified to exclude overwater structures used for moorage or public access.	Minor
Suggested or similar; See SMP Handbook Ch 12 (pg 2) for ECY descriptions	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Suggested language included	Minor
May be helpful to clarify includes both physical and view-only access	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: WAC 173-26-221(4) defines public access as including views Recommendation: Definition revised to include views	Minor
May be helpful to include purpose/intent of setbacks to differentiate from buffers; see also SMP Handbook Ch 11.	Ecology	10/14/16	CHAPTER 7 DEFINITIONS	Requirement: None Recommendation: Definition revised to include purpose of setbacks	Minor
HUC boundaries could be deleted to simplify visual appearance, and if not needed for water body naming.	Ecology	10/14/16	Maps	Requirement: None Recommendation: HUC boundaries are needed to locate unnamed waterbodies corresponding to Table 1 of the SMP and should remain on the maps.	Minor

Need to ensure that in the event of a mapping error, the County will rely upon common boundary descriptions and the criteria contained in RCW 90.58.030(2) and chapter 173-22 WAC pertaining to determinations of shorelands, as amended, rather than the incorrect or outdated map.	Ecology	10/14/16	Maps	Requirement: WAC 173-26-211(2)(b) requires such a provision as recommended by Ecology Recommendation: New provision inserted in section 4.2.1.	Minor
It would be helpful to show federal lands	Ecology	10/14/16	Maps	Requirement: None Recommendation: Federal lands are now shown on the map	Minor
How are the boundaries of the SEDs defined? Per WAC 173-26-211(2.b): An up-to-date and accurate map of the shoreline area delineating the environment designations and their boundaries shall be prepared and maintained	Ecology	10/14/16	Supplement re: Ch. 4 SEDs and Appx A Maps, SEDs Overall	Requirement: WAC 173-26-211(2)(b) appears to require that the map show parcel lines or descriptions of boundaries Recommendation: The map now includes parcel lines.	Minor
discusses WATER RELATED USES; however, this term is not defined in Chapter 7 of the Shoreline Master Program.	Pacificorp	9/28/2016	Section 5.3 Shoreline Use Policies and Regulations, Table 5.1	Requirement: None Recommendation: Term has been included in Chapter 7.	Minor
Can this paragraph be revised to clarify whether exempt activities that don't require a federal permit(s) from the U.S. Army Corps of Engineers will be allowed without a letter or other form of written confirmation from the Shoreline Administrator?	Pacificorp	9/28/2016	2.5, Substantial Development Permits and Exemptions, Item 3	Requirement: None Recommendation: Paragraph revised to indicate that all exempt activities requires a letter from the Shoreline Administrator except emergency development.	Minor
<ul style="list-style-type: none"> Has Skamania County considered allowing a streamlined process for submitting critical area reports/habitat studies that could reference recently written and existing biological opinions from federal agencies for Federal Energy Regulatory Commission license-required actions as opposed to requiring new reports and studies each time for each project? <p>The requirements as written in this section seem unnecessarily burdensome for entities such as PacifiCorp that frequently conducts work and other activities related to hydroelectric project license compliance that are subject to the process outlined in this section.</p>	Pacificorp	9/28/2016	3.4.8, Fish and Wildlife Habitat Conservation Areas	Requirement: The WACs do not address whether existing document can be used, but does not prohibit it. Recommendation: Provision inserted in section 3.4.3 (General Critical Area Regulations) allowing for existing reports/studies to be submitted to partially or completely fulfill critical areas report requirements. This is the right section for this provision since it will apply to all types of critical areas reports, not just those for Fish and Wildlife Habitat Conservation Areas	Minor

<p>As they are currently written the setbacks for Forest Practices, Industrial , Rural Conservancy and High Intensity uses conflict with each other in such a way that PacifiCorp would be challenged to continue to perform log storage and debris piling as necessary at Swift Forest Camp and still maintain compliance with these standards because these activities happen within the reservoir and within 50-feet or less from the ordinary high water mark (OHWM).</p> <p>o What is the county's plan to allow PacifiCorp to continue to perform this type of work to meet federal license obligations while still maintaining compliance with this program?</p>	Pacifcorp	9/28/2016	5.3, Table 5.1	<p>Requirement: None</p> <p>Recommendation: PacificCorp needs to remove logs and floating debris from the Swift Reservoir to maintain hydroelectric infrastructure. It has done this at Swift Forest Camp in a cleared, graveled area along the shoreline. Recommend that PacifiCorp continue to be allowed to do this with no setback required. Normal maintenance and repair is an exempt activity.</p>	Minor
<p>This footnote advises that all structure and building heights shall be limited to 35-feet above grade for all uses EXCEPT water related industry in the high intensity environment which shall have a height limit of 50 feet, and "...other structures such as transmission towers, masts, aerials, temporary logging equipment, flag poles. ...shall have a height limit of 100 feet."</p> <p>o A "Rural Conservancy" designation places PacifiCorp's existing and potential replacement or new hydroelectric generation or power transmission facilities out of compliance with this requirement.</p> <p>o This is arguably another reason for PacifiCorp's lands and facilities to carry the "High Intensity" designation instead.</p>	Pacifcorp	9/28/2016	5.3, Table 5.1 Footnote No. 2	<p>Requirement: RCW 90.58.320 limits structure height to 35 feet except when public interest will be served</p> <p>Recommendation: Environmental Designation Map has been revised so that PacifiCorp hydroelectric facilities are in the high intensity environment.</p>	Minor
<p>Notes accessory parking requires a 100-foot setback under the designation of "Rural Conservancy". Existing facilities in multiple areas throughout PacifiCorp properties such as Swift Forest Camp and Eagle Cliff Park do not meet these requirements . This table notes that access roads and private roads need 100-foot and 50-foot setbacks respectively. PacifiCorp 's road to its powerhouse and the road on top of Swift dam do not meet these requirements.</p> <p>o Will existing facilities be 'grandfathered-in" as they are at the time this program is adopted for use? If so, how would potential future upgrades or modifications to these facilities be permitted?</p> <p>o PacifiCorp asks that Skamania County revise the draft program to more clearly differentiate between requirements for existing facilities and future upgrades to those facilities versus construction of entirely new transportation and parking facilities.</p>	Pacifcorp	9/28/2016	5.3, Table 5.1 Transportation and Parking	<p>Requirement: WAC 173-26-241(3)(k) addresses transportation uses.</p> <p>Recommendation: New private roads and access roads are considered conforming uses and would be permitted in shoreline jurisdiction subject to the setback requirements and transportation provisions in section 5.3.12. Existing roads which do not meet setback requirements are subject to the non-conforming development provisions in section 2.5 of the SMP and Skamania County Code 21.20 which allow for the ongoing use, alteration, repair, or extension of roads provided they do not further encroach into setbacks. Definition of non-conforming structure revised in Chapter 7 to include roads.</p>	Minor

<p>How do these requirements impact the existing Swift dam, powerhouse, canal and all other related hydroelectric project facilities?</p>	<p>Pacificorp</p>	<p>9/28/2016</p>	<p>6.3.1. Regulations for New or Enlarged Structural Stabilization Shoreline Stabilization</p>	<p>Requirement: WAC 173-26-231(3)(a)(iii) addresses shoreline stabilization</p> <p>Recommendation/Answer: New or expanded stabilization is subject to these standards meaning that it would have to demonstrate that a principal use or structure is in danger from shoreline erosion within 3 years. Repaired stabilization is an exempt activity not subject to the standards of this section. However, if more than 50 percent of the value of the stabilization is repaired, it qualifies as replacement and is subject to those standards. Talk to Jordana about stabilization activities. This section follows state law which is prescriptive. Very little deviation allowed.</p>	<p>Minor</p>
<ul style="list-style-type: none"> • Item 3 should more clearly state that Federal Energy Regulatory Commission license-mandated activities and the continued operation and maintenance of hydroelectric project are allowed. • Item 10 states that water-oriented industrial uses should be allowed in the rural- conservancy shoreline environment only if they maintain less than ten percent lot coverage. Again, if considered and industrial use, this would likely disallow the Swift hydroelectric dam, powerhouse and power canal. • As previously mentioned, it is generally unclear whether hydroelectric generation facilities are being considered a utility, low-intensity industrial use or and high- intensity industrial use. Please clarify. 	<p>Pacificorp</p>	<p>9/28/2016</p>	<p>Section 4.2.4, Policy 2</p>	<p>Requirement: None</p> <p>Recommendation: Policy 3 has been revised to indicate that FERC required facilities and hydroelectric projects are allowed. New policy 2 in the High Intensity environment also addresses this issue. Dams are considered water-dependent utilities. Policy 10 no longer references a 10 percent lot coverage; lot coverage limit applies to residential only. Table 5-1 has been updated to permit hydroelectric facilities in the Aquatic and High Intensity environments. New policy 3 added to section 5.3.13 indicating the hydroelectric facilities and associated infrastructure are water-dependent utilities and are allowed in the shoreline. Normal maintenance and repair of hydroelectric infrastructure is permitted as an exemption in section 2.5. New regulation 3 added to section 5.3.13 indicating that repair, replacement, improvement, expansion and new hydroelectric facilities and associated infrastructure is permitted.</p>	<p>Minor</p>

<p>During our review, we noted it appears this entire section discusses only new items.</p> <p>o How does this section apply to changes, upgrades, repairs and other activities related to utility facilities that are existing at the time this Shoreline Master Program is adopted for use?</p>	Pacificorp	9/28/2016	Section 5.3.13 Utilities	<p>Requirement: WAC 173-27-041(2)(b) allows for normal maintenance and repair of existing facilities.</p> <p>Recommendation: Existing maintained and repaired and even replaced under the exemption process in Section 2.5. Existing, conforming facilities may be expanded in accordance with Section 5.3.13. Existing, non-conforming facilities may be expanded in accordance with the provisions of section 2.8. Provision added to "Applicability" of section 5.3.13 to reflect this.</p>	Minor
<p>•Change "respect the ongoing forest products industry" to "promote the ongoing forest products industry."</p>	SAC	9/13/2016	3.10 Economic Development, Policy 2	<p>Requirement: None</p> <p>Recommendation: Changed to "Promote the ongoing forest products industry..."</p>	Minor
<p>•Insert word "sustainable" after "increase"</p>	SAC	9/13/2016	3.10 Economic Development, Policy 3	<p>Requirement: None</p> <p>Recommendation: Recommended language inserted</p>	Minor
<p>Wetlands definition should match what is in Skamania County code.</p>	SAC	9/13/2016	3.4.6 Wetlands, Applicability	<p>Requirement: WAC 173-26-221(2)(a) requires that wetlands be designated and defined per RCW 36.70A.030 which defines wetlands, so this is the definition that must be used in the SMP.</p> <p>Recommendation: RCW 36.70A.030 definition is the one used in Ch. 7 of th SMP.</p>	Minor
<p>•"Recognize statewide interest" should be deleted. Implies that state's interests are more important than local interests.</p>	SAC	9/13/2016	3.9.3 Shorelines of Statewide Significant, Regulation 1	<p>Requirement: Language "recognize statewide interest over local interest" comes from WAC 173-26-251.</p> <p>Recommendation: language changed to "recognize statewide interest by:"</p>	Minor
<p>•Recommend say that "These operations can create silt and kill aquatic species" rather than "kill bottom living animals."</p>	SAC	9/13/2016	5.3.9 Mining, Applicability	<p>Requirement: None</p> <p>Recommendation: Per Yakama Nation comments, this sentence changed to "These operations can cause fine sediment inputs to waterbodies that can affect water quality and harm aquatic life instream."</p>	Minor

<ul style="list-style-type: none"> •"adversely affect" who decides? •Recommend deleting Policy 3 pending review of WAC guidelines 	SAC	9/13/2016	5.3.9 Mining, Regulation 4(a) and Policy 3	<p>Requirement: WAC 173-26-241(3)(h) (ii)(A) requires that preference be given to mining operations that result in creation, restoration, or enhancement of habitat for priority species.</p> <p>Recommendation: Skamania County staff or the hearing examiner, who make decisions on shoreline permits, decide whether sand or gravel removal will adversely affect in-stream habitat per the recommendations of a habitat biologist in a critical areas report. Policy 3 left as is since there is a requirement WAC 173-26-241(3)(h)(ii)(A) for this.</p>	Minor
References to best available science in the draft should be changed to "other available science". Ecology suggests that current, most readily available should be used.	SAC	9/13/2016	General comment	<p>Requirement: None. Nothing in the WAC Guidelines uses the term best available science.</p> <p>Recommendation: Draft has been revised to delete "best available science" and use term "the most current, accurate, and complete scientific or technical information available" from WAC 173-26-201(2)(a)</p>	Minor
Ashes Lake should be "Ash Lake"	SAC	9/13/2016	General comment	<p>Requirement: None</p> <p>Recommendation: "Ashes Lake" changed to "Ashes (Ash) Lake" throughout SMP to recognize history of Lake name associated with Ash family</p>	Minor
Need policy promoting coordination between the County and USFS for decommissioning of forest roads	Skamania County	10/26/16	5.3.5	<p>Requirement: None</p> <p>Recommendation: Policy added</p>	Minor
Some of the subsections in this section are not numbered, and are therefore difficult to reference. Page numbers are provided where numbering was not present.	Yakama Nation Department of Natural Resources	09/30/16	3.4 Critical Areas	<p>Requirement: None</p> <p>Recommendation: Section renumbered</p>	Minor

<p>The SMA requires local governments to use scientific and technical information for the protection of ecological functions. RCW 90.58.100(1), WAC 173-26-201 (2)(a). While Skamania County has commissioned the required shoreline inventory and characterization report, it does not appear that the findings of that report are reflected in the protection strategies outlined in the SMP, therefore failing to achieve no net loss of ecological functions necessary to support shoreline resources and to plan for the restoration of the ecosystem-wide processes and individual ecological functions on a comprehensive basis over time.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>1.3 Purpose of the Shoreline Master Program</p>	<p>Requirement: SMPs are required to meet no net loss per multiple requirements in the Guidelines, but are not required to result in restoration of eco-system processes and functions over time. Local governments are required "to the extent feasible" use all "available information" per RCW 90.58.100(1), Early on, the project team issued a request for all information from private, public, and non-profits who might have information.</p> <p>Protective strategies used in the SMP include environment designations, the vast majority of which are Natural, Aquatic, and Rural Conservancy, shoreline setbacks, vegetation conservation requirements (now updated per WDFW guidance) and specific use requirements which place non-water-oriented uses further away from the shoreline consistent with the approaches used in SMPs throughout the state and approved by Ecology. Critical areas provisions in Chapter 3 protect wetlands, flood hazards, geo hazards, critical aquifers, and habitats.</p> <p>Recommendation: See further responses to Yakama Nation comments</p>	<p>Minor</p>
<p>1. Recommend incorporating the words in italics into the first bullet of Skamania County Economic Development Council's Community Action Plan goals: "Promoting sustainable recreational activities and tourism that do not degrade natural and cultural resources" 3.10.1.1 Recommend adding the words in italic to the sentence "Promote Skamania County's unique shoreline environmental resources [...] as tourist destinations while ensuring that tourism does not degrade those resources." 3.10.1.3 Recommend adding "sustainable" to the sentence: "Increase sustainable shoreline recreational opportunities [...]"</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.10 Economic Development</p>	<p>Requirement: None</p> <p>Recommendation: Can't alter bullets summarizing the EDC Community Action Plan goals since those words don't now exist in the plan. Words in italics added as requested.</p>	<p>Minor</p>
<p>We recommend including the CMZ in geologically hazardous areas.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.10 Geologically Hazardous Areas</p>	<p>Requirement: Geologically hazardous areas are defined in WAC 365-190-120 and does not include CMZs. Designation of these areas in the SMP is consistent with this WAC.</p> <p>Recommendation: No change required since the SMP designates geohazards consistent with WAC 365-190-120.</p>	<p>Minor</p>

<p>3.4.2.10. This is the first reference to the channel migration zone (CMZ); no maps are provided in the draft SMP, it is not defined in glossary, nor were any maps provided in the inventory and characterization report.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.2, policy 10</p>	<p>Requirement: Flood hazard areas are defined in WAC 365-190-030 and do not include CMZs. WAC 173-26-221(3) says that SMPs "should" include provisions to limit development and modifications that interfere with the process of channel migration.</p> <p>Recommendation: CMZ maps are not required to be included in the SMP, but were included in appendix C of the ICR. Definition of CMZ included in Ch. 7. Please note that CMZs are not required to be protected outside shoreline jurisdiction, nor is jurisdiction required to extend the full extent of CMZs since they aren't a critical area. As referenced above, within shoreline jurisdiction development in CMZs "should" be limited. The SMP already contains regulations limiting development in CMZs. See 3.4.10 Frequently Flooded Areas. Please also note that WAC 173-26-201(3)(c)(vii) only requires identification of the "general location of CMZs" in ICRs. These areas are difficult and expensive to identify precisely and no such requirement exists to do so.</p>	<p>Minor</p>
<p>3.4.2.11. We recommend removing the portion of the following sentence (shown struck out): "If artificial restrictions are considered for removal, the County shall conduct an extensive public outreach process to property owners and affected stakeholders that communicates the advantages and disadvantages of barrier removal."</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.2, policy 11</p>	<p>Requirement: None</p> <p>Recommendation: Unsure as to why commenter is requesting deletion of this phrase</p>	<p>Minor</p>
<p>3.4.2.3. We recommend adding "protection" to the following sentence: "Use best available science in the delineation, classification, mitigation, protection and restoration of critical areas." [emphasis added.]</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.2, policy 3</p>	<p>Requirement: None</p> <p>Recommendation: requested change made</p>	<p>Minor</p>
<p>These are inconsistent with WAC 173-26-201(2)(e) regarding environmental impact mitigation.</p> <ul style="list-style-type: none"> •3. "[...] shoreline access trails that incorporate elements of wilderness trail building are allowed subject to permitting." Is there a guidance document for this that provides standards? •4.a. This section does not address non-mitigation restoration for the purposes of habitat enhancement or ecological function •4.c. iv, v, vi. Recommend providing a definition for mitigation ratios as used in this context (not definition is provided in the glossary). 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.4, General Mitigation Requirements for All Critical Areas</p> <ul style="list-style-type: none"> •3b •4a <p>4c, iv, v, vi</p>	<p>#3 - Added reference to USFS standard trail plans and specifications</p> <p>#4.a - Section 4.b. is intended to address non-mitigation restoration as any critical area or buffer will be temporarily altered during construction of an approved development, including habitat enhancement projects.</p> <p>#4.c - Looked through Ecology mitigation documents and did not find a definition for ratios. Can you provide example?</p>	<p>Minor</p>

1. and 3. There is a repeated use of “may” and “when possible” –we suggest replacing with stronger language: “shall”.	Yakama Nation Department of Natural Resources	09/30/16	3.4.5, General Critical Area Report Requirements	<p>Requirement: No requirement that language be changed from "may" to "shall."</p> <p>Recommendation: Provision1 has been revised to indicate that, when there is an impact to a critical area or buffer, a report is required. Provisions 3a and 3b left as is since the County shouldn't have to rely on professional input if it's clear that either: a report is not required or it is required. 3a and b combined since they address the same issue. Provision 3c left as is: there may be instances when applicants meet standards, therefore no independent review is required. It's not appropriate to require a professional opinion in every instance.</p>	Minor
3.a. and b. We recommend that the County hire an “independent qualified professional” or seek input from a “qualified representative of the appropriate resource agency” to assist with the determination of whether a critical areas report is necessary when sufficient information to evaluate a proposal is not available.	Yakama Nation Department of Natural Resources	09/30/16	3.4.5, General Critical Area Report Requirements	<p>Requirement: None</p> <p>Recommendation: Provisions 3a and 3b revised to allow input and review by qualified representative of the appropriate resource agency</p>	Minor
4.b.ii. We recommend adding Yakama Nation to the agencies listed in (e): “[...] as listed by the federal government, state of Washington or Yakama Nation...”	Yakama Nation Department of Natural Resources	09/30/16	3.4.5, General Critical Area Report Requirements,, 4b.ii, bullet 5	<p>Requirement: None</p> <p>Recommendation: Yakama Nation added as required noticee in 2.4</p>	Minor
The definition for wetlands provided under Applicability is inconsistent with RCW 90.58.030(2)(h):	Yakama Nation Department of Natural Resources	09/30/16	3.4.6 Wetlands, Applicability	<p>Requirement: None</p> <p>Recommendation: Definition consistent with RCW, no further edits recommended.</p>	Minor
We recommend adopting recommendations from the aforementioned WDOE wetlands guidance document for mitigation	Yakama Nation Department of Natural Resources	09/30/16	3.4.6 Wetlands, Table 3-7	<p>Requirement: the critical areas section must meet the “no net loss of ecological functions” requirement (WAC 173-26-186(8)(b)(i)).</p> <p>Recommendation: Tables 3-6 and 3.7 were prepared using such guidance. No further changes recommended</p>	Minor
1. Yakama Nation would request that we also be notified in addition to WDFW.	Yakama Nation Department of Natural Resources	09/30/16	3.4.8, Critical Area Reports for Fish and Wildlife Habitat Conservation	<p>Requirement: None</p> <p>Recommendation: Section 2.4 of the SMP has been revised to indicate that the Yakama Nation shall be notified on all shoreline permits.</p>	Minor

<p>2.c. "A discussion of any federal, state or local species management recommendations, including the state department of fish and wildlife habitat management recommendations, that have been developed for species or habitat located on or adjacent to the project area[...]"</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.8, Critical Area Reports for Fish and Wildlife Habitat Conservation, 2b</p>	<p>Requirement: None Recommendation: This seems to be an incomplete thought. We were unsure what is being requested</p>	<p>Minor</p>
<p>3. Habitat Study. This should include all the species described in 2.b., not just listed species. What is the science on which the 300-foot proximity is based? Study should be explicit about protecting no net loss standard.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.8, Critical Area Reports for Fish and Wildlife Habitat Conservation, 3</p>	<p>Requirement: WAC 173-26-221(2)(a) requires that FWHCAs be protected to a level of no net loss. Recommendation: Changed to include all species in 2b. Idea was to use the BAS guidance that derived the 300 foot buffer for wetlands would provide similar justification for the 300 foot study area.</p>	<p>Minor</p>
<p>3.a. This paragraph appears to address primarily upland species. Recommend adding National Marine Fisheries Service's salmon recovery plans to those prepared by WDFW as guidance documents.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.4.8, Critical Area Reports for Fish and Wildlife Habitat Conservation, 3a</p>	<p>Requirement: none Recommendation: Added "and National Marine Fisheries Service and U.S. Fish and Wildlife Service for listed species pursuant to the Endangered Species Act." to include other recovery plans.</p>	<p>Minor</p>
<p>The SMP Guidelines require the SMP to evaluate and consider cumulative impacts of reasonably foreseeable future development on shoreline ecological functions and other shoreline functions fostered by the policy goals of the Act. The guidelines (WAC 173-26-186(8)(d) state that "To ensure no net loss of ecological functions and protection of other shoreline functions and/or uses, the SMP shall contain policies, programs, and regulations that address adverse cumulative impacts and fairly allocate the burden of addressing cumulative impacts among development opportunities." The term "cumulative" is not to be found anywhere in the draft SMP.</p> <p>A cumulative impacts analysis for the draft SMP should be available for review. Permitting should be tracked over time and a report published to show no net loss.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.5 Environmental Protection and No Net Loss</p>	<p>Requirement: WAC 173-26-186(8)(d) Recommendation: Provision added in Section 3.5 requiring a cumulative impacts analysis for developments, uses, and activities subject to the SMP. Provision added in 3.4.5 requiring critical areas report requirements to contain cumulative impacts analyses.</p>	<p>Minor</p>
<p>1. "Maintain and improve water quality..." Recommend "maintain or improve..." 2. Anadromous fisheries are also a foundation of the County's (and Tribes') economy. Recommend including protection and improvement of water quality and quantity for anadromous fisheries.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>3.8.2 Policies</p>	<p>Requirement: None. Recommendation: "Maintain and improve" is more protective; recommend keeping. Policy 1 already indicates water quality should be protected and improved for wildlife which would include anadromous fisheries.</p>	<p>Minor</p>

<p>4.2.2 Natural Environment-- This designation should take into account priority habitats and migration corridors.</p> <p>4.2.3.3 Allowances for aquaculture in this section should apply to fish hatchery operations but not to fish farms.</p> <p>4.2.3.5 Has a mineral resources of long term commercial significance inventory, as required by the GMA (RCW 36.70A170), been conducted for Skamania County? Applicant should have to demonstrate that there is no alternate resource outside of the SMA and that the required GMA analysis has been completed.</p> <p>4.2.3.10 This section appears to allow commercial and industrial uses inconsistent with 4.2.3.2.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>4.2 Environment Designations</p> <ul style="list-style-type: none"> •4.2.3 Natural Environment •4.2.4 Rural Conservancy Environment 	<p>Requirement: 4.2.2 - No requirement that the natural environment specifically reference priority habitats and migration corridors. Priority habitats are protected through the critical areas provisions.</p> <p>4.2.3.3: Aquaculture per SMP section 5.3.2 does not include upland finfish rearing facilities.</p> <p>4.2.3.5: Skamania County is not a GMA county and is not subject to the provisions requiring that mineral resource lands be designated.</p> <p>4.2.3.10: Provisions aren't in conflict, but should be paired.</p> <p>Recommendation: Recommend delete reference to RCW 36.70A.170 requiring designation of mineral resource lands. Recommend deleting 4.2.3.2 for clarity. 4.2.3.10 remains and has been edited to be consistent with WAC 173-26-</p>	<p>Minor</p>
<p>Recommend prohibiting culture of non-native or GMO species due to unacceptable potential impacts on native species and their habitats.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>5.3.2 Aquaculture</p>	<p>Policy issue which SAC should discuss</p>	<p>Minor</p>
<p>Recommend adding the wording in italics to the following:</p> <p>1.c "They will be compatible with neighboring uses including aesthetic considerations and tribal treaty fisheries."</p> <p>1.d. They will not interfere with navigation or exercise of tribal treaty fisheries."</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>5.3.3 Boating Facilities</p> <ul style="list-style-type: none"> •Policy 1 Policy 5 	<p>Requirement: None</p> <p>Recommendation: Boating facilities and moorage structures updated to be combined into a single section (5.3.3). Policy and regulation added addressing tribal treaty fisheries. See policy 1 and regulation 1.d</p>	<p>Minor</p>

<p>The definition of "in-stream structures" outlined in Section 5.3.8 is overly general and applies to "all in-stream structures placed by humans within a stream or river waterward of the ordinary high water mark [...]"; this includes structures for the purpose of fish enhancement. The general regulations in that section when applied to fish enhancement structures are restrictive and will discourage implementation of these priority projects. The inclusion of fish enhancement activities in the same category as hydroelectric facilities and irrigation structures is inconsistent with general SMP guidelines (WAC 173-26-221 (2) (iv)(C)(III)) and other sections of the SMP 6.3.6 which encourage river restoration by requiring provisions that facilitate the authorization of appropriate restoration activities and development of guidelines to streamline the review of restoration-only projects. A solution to this conflicting language is to remove fish enhancement from the list of in-stream structures in 5.3.8. The applicability, policies, and regulations for fish enhancement activities are covered in section 6.3.6. Regulation #2, "New in-stream structures shall not interfere with existing water-dependent uses, including recreation" should not apply to structures for the purposes of fish enhancement.</p> <p>Structures should be designed consistent with WDFW Stream Habitat Guidelines and implemented by a professional fish biologist or other natural resource professional with experience in in-stream fish habitat enhancement.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>5.3.8 In-stream Structures</p>	<p>Requirement: none</p> <p>Recommendation: Removed "fish habitat enhancement" from the applicability statement</p>	<p>Minor</p>
<p>Recommend altering the sentence "These operations can create silt and kill bottom-living animals" to "These operations can cause fine sediment inputs to waterbodies that can affect water quality and harm aquatic life instream and in the hyporheic zone". The hyporheic zone and CMZ should be taken into consideration here also.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>5.3.9 Mining</p>	<p>Requirement: This is a recommendation, not a requirement.</p> <p>Recommendation: Sentence revised as stated with the exception of the clause "and in the hyporheic zone" since hyporheic zone not generally affected by sediments.</p>	<p>Minor</p>
<p>Recommend expanding to include fish and wildlife habitat conservation areas. Ecological enhancement projects benefit suites of species.</p> <p>2. Include National Marine Fisheries Service with WDFW and USFWS.</p> <p>4. Laws and guidelines exist to streamline the review of restoration-only projects: the Streamlined HPA through WDFW, applications for which the County has 2 weeks to provide comment.</p> <p>5. (...such as woody debris enhancement projects)</p> <p>Regulations 2.d. Include NMFS salmon recovery plan in restoration plans which identify restoration or enhancement projects or activities.</p>	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>6.3.5 Shoreline Enhancement and Restoration</p>	<p>Requirement: None</p> <p>Recommendation: Expanded to include all habitat in shorelines. NMFS referenced. Not sure what change is being requested with regard to a streamlined process. NMFS Salmon Recovery Plan added.</p>	<p>Minor</p>

<ul style="list-style-type: none"> • “Development and uses” is used inconsistently throughout the draft SMP: in some places it is development, or activities or both. This should be consistent considering SMP is applicable to all “development and uses”. • 3.4.2.11 – “If artificial restrictions are considered for removal, the County shall conduct an extensive public outreach process to property owners and affected stakeholders that communicates the advantages and disadvantages of barrier removal.” We suggest removing portion of the sentence which has been lined out, above. • Add definitions for “Aquatic”, “High Intensity”, “Natural Environment” and other shoreline designations to Chapter 7 - Definitions. • Add definition for “Channel Migration Zone” to Chapter 7. • Add definition of “ratios” and “mitigation ratios” to Chapter 7. • Ensure that FWHCAs include critical habitat and migration corridors. • Add definition of “hyporheic zone” to Chapter 7. • Add definition of “floodways” to Chapter 7. 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>Clarifications and Corrections</p>	<p>Requirement: The SMP applies to all development, uses, and activities in shoreline jurisdiction.</p> <p>Recommendation: Section 1.5 and 2.1 revised to make clear that the SMP applies to all shoreline uses, activities, and developments within shoreline jurisdiction.</p> <p>Not sure why lined out portion of section 3.4.2.11 should be removed.</p> <p>Designation criteria define when each environment designation applies. No definition needed. Definition of CMZ added. FWHCAs designation revised to be consistent with WAC 365-190-130. Definition of hyporheic zone and floodway added to Ch. 7. No definition of mitigation ratios found in Ecology guidance.</p>	<p>Minor</p>
<p>Various references to constitutional limits and property rights in the draft are problematic, sometimes inconsistent with WAC, and/or superfluous.</p> <ul style="list-style-type: none"> • 	<p>Yakama Nation Department of Natural Resources</p>	<p>09/30/16</p>	<p>Other Issues “Constitutional limits”</p>	<p>Requirement: Part of the purpose of SMPs is to protect private property rights per RCW 90.58.020.</p> <p>Recommendation: language regarding private property rights inserted in 1.3.3. Do not recommend deleting referring to consistency with constitutional and other legal limitations on the regulation of private property. Such a statement is required by the SMP checklist and WAC 173-191(2)(a)(i)(D). 3.2.3(a) reworded slightly; do not recommend deleting - semantics - variance process referenced in this section.</p>	<p>Minor</p>