



The Sentry News Letter

[insideKAPO](#) | June 2, 2011 | kpo.org

KAPO's Mission Statement

1. To free private property from unreasonable government regulation
2. To work for responsible wildlife habitat protection and for conservation of natural resources
3. To support those who defend the rights guaranteed to owners of private property by the United States and Washington State Constitutions

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Coming Events

Shoreline Task Force Meetings--

June 2, 2011 and June 23, 2011 6:30 PM Silverdale Hotel

Directors Meeting

June 7, 2011, 1:00 to 3:00PM Home Builder's Association at 5251 Auto Center Way, Bremerton. The public is invited but would you let us know you are coming, space is tight. 360-990-1088

Dinner Meeting has Changed for June--

June 30th at 7:00PM we will host Bob Williams, founding father of the Freedom Foundation, at the Silverdale Hotel for coffee and conversation. Bob will inform us what has happened at the legislature this season. All are welcome, bring a friend or neighbor. This is a no-charge event.

Presidents Report

May 23, 2011

Board of County Commissioners
KITSAP COUNTY
619 Division Street
Port Orchard, Washington 98366

SUBJECT: Adoption of The Kitsap County Shoreline Inventory and Characterization Report

Honorable Commissioners:

The Department of Community Development has brought to the Board the Final Draft of the Shoreline Inventory and Characterization report as prepared by the Department in November of 2010. The Department of Community Development relied on information from a variety of sources including the 2009 Borde, Judd Sather and Thorn East Kitsap County Nearshore Habitat Assessment and Restoration Prioritization Framework Study prepared by Battelle Marine Sciences Laboratory PNWD-4053 and the Washington Sea Grant Paper entitled Protection of the Marine Riparian Functions in Puget Sound, Washington. This latter study is referred also as the Brennan, et. al. paper as it was prepared by James Brennan, Hilary Culverwell, Rachel Gregg and Pete Granger.

Kitsap Alliance of Property Owners (KAPO) has reviewed the Shoreline Inventory and Characterization Report and many of the references and data sources cited in Appendix A of that report. Of the several reports, studies and reference data included in that appendix, the two studies mentioned above appear to have been utilized by DCD staff more than others in their Shoreline Master Program planning update work. KAPO has consistently objected to these studies as they do not meet the test for "peer reviewed science." Our comments have been presented in writing to the DCD staff and to the members of the Shoreline Task Force Group.

According to Kitsap County Resolution 022-2010 adopted on February 16, 2011, the following "whereas" can be found on page 1 of this resolution: "Whereas, the SMP is best served by including scientific and technical information that is based on accepted scientific methods, research procedures and review protocols. In order for SMP policies and regulations to achieve not net loss of shoreline ecosystem functions, the most current, accurate and complete scientific information is needed." The critical review information submitted by KAPO members to the Shoreline Taskforce and to DCD demonstrates why those two studies do not qualify as "science that meets "accepted scientific methods, research procedures and review protocols."

Most recently Bob Benze of our organization presented a letter to Larry Keeton that included a critical review report of the Brennen et. al. report. The review is a 39 page report prepared by Dr. Donald Flora of Bainbridge Island.

According to the " Kitsap County Scientific and Technical Information Policy for the Shoreline Master Program Update" adopted by Resolution 022-2010, Section 4.0 Kitsap County SMP update shall use only current, complete and accurate scientific and technical information which meets the following standards: 4.1-4.6 (see attached copy of that Policy). The above referenced studies do not meet the test found in these six criteria. Therefore, they do not qualify as "scientific and/or technical information to be used in the Shoreline Master Program update. Please note the Board of County Commissioner's use of the word "shall" in this policy. The direct inference is, if the information is not judged "scientific and/or technical" by these criteria it cannot be used.

Section 5.0 of this same adopted policy document reads as follows: "*Common sources of scientific information. Some sources of information routinely exhibit all or some of the characteristics listed in (a of this subsection. Information derived from one of the following sources may be considered current, accurate and complete scientific and technical information if the source possesses the characteristics in Table1. The*

information found in Table 1 provides a general indication of the characteristics of valid scientific process typically associated with common sources of scientific information."

Since the word "may" has been used in this section of the policy, it is incumbent on the Department of Community Development staff to perform a matrix review of all data relied upon in compiling the "Shoreline Inventory and Characterization Report" to determine which qualify for inclusion and those that do not. Even though that report is over 500 pages in length, no such matrix analysis could be found. Logically it should be found in Appendix A- "References and Data sources." There is no such analysis, likely because the DCD staff is not qualified to make judgments about data sources that qualify as valid science, yet DCD staff is using various documents to make decisions about how to characterize shoreline environments. Worse yet the Board of County Commissioners will be basing its policy and ordinance decisions on this report.

It is of some note that Appendix A- "References and Data Sources" includes "General," "Marine Characterization and Recommendations," "Fresh Water Characterization and Recommendations," "Other Potential References - Marine," "other Potential References - Freshwater," and "GIS References." When a reference list contains "potential references" one has to question under what circumstances a "potential reference" might be used and in what context. A report like this should be based on solid references. References of a speculative nature have no meaning unless one can discern the context in which they will be used.

There is little doubt DCD staff are challenged to find credible science upon which to base the Shoreline Master Program update. The average citizen and we dare say the Board of County Commissioners has an even bigger problem trying to understand the significance of inventory data and recommendations found in the Shoreline Inventory - because of the lack of solid scientific studies.

What the citizens KAPO represents do comprehend is that this study, this report, will be used as a basis to take away property rights here-to-fore enjoyed under the existing Shoreline Master Program. Not the least of which is the right to have homes that are "conforming uses", not reclassified as "non-conforming" because of arbitrary decisions about what width buffers are imposed. Equally alarming is the apparent prejudice against property protection from bank erosion by wave action in our marine environments.

Ironically one of the factors the Shoreline Inventory report fails to address is the issue of "no net loss of environmental ecosystem function." That is a mandate to be addressed in the SMP update. Yet there is no study to document what deleterious uses permitted by the existing regulations have done to degrade environmental function. In the context of the Shoreline Task Force committee our KAPO representative Bob Benze presented an analysis from the Bainbridge Island Shoreline Master Program Update to suggest that there has been a net gain in environmental function. No similar analysis has been undertaken for Kitsap County. Rather there is a presumptive notion that Kitsap County's existing regulations have contributed to a net loss of environmental ecosystem function.

The foregoing are highlights to indicate that Shoreline Inventory and Characterization report is a flawed document. As such it is of utmost concern to the property owners represented by KAPO that it will be used as a basis of policy and regulation. KAPO is vigorously opposed to the document on scientific grounds and asks the Board not to accept it as the basis for drafting policy or regulatory measures.

KAPO also implores the Board of County Commissioners to invite Widespread citizen review of this document before it is officially included in the County's Shoreline Master Program update. The Shoreline Task Force does not represent even the majority of citizens who will be affected by decisions based on this report. Therefore, a much wider review of the document is necessary.

Respectfully submitted,

William M. Palmer

President of the Kitsap Alliance of Property

Find science report here:

http://www.kitsapshoreline.org/Science_Policy_BOCC_Signed_Final_Resolution_2011.pdf

Executive Director's Report

by Jackie Rossworn
Executive Director

The Board of County Commissioners were set to pass the Shoreline Inventory and Characterization Report, conducted by Battelle, on May 24th. Kitsap Alliance of Property Owners gave testimony stating the reports are "FLAWED" and have an abundant "LACK of ANY SCIENCE". (The Report has been Peer reviewed and found to be flawed)

The Commissioners are allowing written testimony from the public until June 6th. Then on June 13th the Commissioners may pass a resolution adopting the Shoreline Inventory and Characterization Report.

On the other hand there are reports from different sources that Puget Sound is getting BETTER. Dept of Ecology has found their error in estimations of toxins entering Puget Sound waters. Clean up in Dyes Inlet has been deemed successful. The city of Bremerton has completed a 17 year 50 million dollar project to eliminate sewer overflows into the Sound. The Suquamish Tribe is monitoring waters using seining revealing a vast array of sea life. Every home owner pays a \$67.50 fee for storm water run off to help support various programs. I believe we are all participating in the clean up of Puget Sound. Could it be better? Yes, but we need science to find out what is being harmed and what isn't.

The Commissioners also contend that the Shoreline Task Force "is the public". KAPO **disagrees** with that statement. We contend there has been almost no engagement of the shoreline property owners (most do not know this is going on or think no one can just "take" their property). We feel the County has shirked it's responsibilities by trying to achieve a pre-determined outcome from the Task Force.

What happens when a home is declared non-conforming? I would like the Commissioners to address that question before anything else. This could have a huge financial impact on the whole county let alone thousands of people.

In this month's Sentry we have supplied you with numerous testimonies from various members of KAPO. Only some are waterfront property owners. The rest are from members that know it won't be long before those in rural areas will have Ecology and Kitsap County on their front porches looking for more set backs and buffers.

Contact your Commissioners to have your voice heard.

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Rob Gelder rgelder@co.kitsap.wa.us

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Shoreline Inventory and Characterization Report Insufficient

Testimony of **Alan R Beam** at the Public Hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report.

The stated purpose of the Shoreline Inventory and Characterization Report is to compile existing data in the Shoreline jurisdiction, describe ecosystem wide processes and functions, and identify current shoreline conditions. This then becomes the baseline for determining "no net loss" of ecological conditions. The INC fails to achieve these goals in many ways.

The INC does not define or enumerate the ecological functions that are to be managed for "No net loss". In particular, biological processes are not addressed; stating that: "On this basis, the nearshore assessment evaluates stressors to the controlling factors and physical processes as a proxy for ecosystem degradation"

The INC does not address the real stressors to the shoreline ecosystem, and place them in priority. The Washington State Department of Ecology identified surface runoff as the most significant contributor of toxic chemicals to Puget Sound. (Toxics in Surface Runoff to Puget Sound: Phase 3 Data and Load Estimates, May 2011, <http://www.ecy.wa.gov/pubs/1103010.pdf>) Shoreline property owners of the first 200 feet of land have only minor impact on storm water runoff and its effects.

For many of the shoreline species the inventory only provides sketchy generalizations such as patchy eel grass. There has been no attempt to quantify or discuss such high interest items as clams, mussels, oysters, geoducks and crab. This is insufficient as a baseline measurement to establish a monitoring system to determine no net loss.

The Drift Cells and NAUs are characterized and managed by amount of disturbance. In general the amount of disturbance is quantified by percent armoring of the shoreline. The Puget Sound Partnership Science panel states that bulkhead armoring "May be a good indicator, although there is not a lot of science concerning how this affects biota (i.e. difficult to determine whether it responds predictably to ecosystem attributes). Also difficult to determine thresholds - how much armoring in an area is bad? Easily measured, and cumulative effects important especially in the context of other shoreline stressors." PSP Puget Sound Science update May 2011 5.3.3.4 Interface habitat indicator evaluation (Page 22). The exclusive use of bulkhead armoring as an numeric indicator places a great percentage of the Kitsap shoreline as highly disturbed, making prioritization of restoration efforts impossible.

The Buffers and Setbacks paragraph was dropped into the INC without discussion or scientific justification. This issue is of great concern to shoreline property owners and merits consideration in the SMP process, rather than the blanket application of the flawed Critical Areas Ordinance buffers. "Critical area buffers option: Local governments may extend the shoreline jurisdiction to include "land necessary for buffers for critical areas that occur within shorelines of the state. (RCW 36.70A and RCW 90.58.030(2) (f) (ii)". This option applies to critical areas that lie partly in and partly out of the shoreline jurisdiction. Kitsap County staff recommends that the SMP jurisdiction remain at the required minimum and that the CAO buffer requirements for the outlying areas be maintained in order to consistently continue to protect the critical areas pursuant to Kitsap County Title 19." Section 2 Background page 26.

The final draft Inventory and Characterization Report is insufficient and does not support the establishment of a credible baseline to determine "no net loss of ecological function"

Dept. of Ecology Wasting Millions of Tax Dollars

Testimony of **Tim Matthes** for the Public Hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report.

May 27, 2011

Honorable Commissioners,

Please include this letter as my additional testimony on the Shoreline Inventory and Characterization Report.

On May 23, 2011, at the County Commissioners meeting, I stated in my oral testimony that the Department of Ecology has caused millions of wasted tax dollars and thousands of man hours fixing a problem that they now admit was nowhere near as disastrous as first reported. *go to [insidekapo](#) for Tim's report.*

Faulty information and the resulting decisions can and do cost taxpayers millions of dollars.

Kitsap County is now poised to make a costly and environmentally disastrous decision based on faulty information. The information that I speak of is the Battelle Report. This is the foundation that the Shoreline Inventory and Characterization Report has been based upon.

Notice I did not say science. I said information because this report does not qualify as a scientific based document.

For over a year Kitsap Alliance of Property Owners have testified to the problems with that Battelle's report. Their testimony is on record for you to read.

Your Department of Community Development has systematically disregarded their testimony.

The facilitator that is representing you in the update process has likewise refused to discuss the points that have been raised.

I implore you to go back in the record and re-think the information provided by staff and the SMP update .

Remember that when you vote yea you are **personally accepting responsibility** for the far reaching decisions and future costs that will be associated with the update.

Please, do not approve the Shoreline Inventory and Characterization Report as recommended by staff. Instead, send it back to the staff and the taskforce. Tell them to look at these complaints and make corrections to this critically important part of SMP document. Do not build our house on sinking sand!

What Does "NO Net Loss Mean"?

Testimony of **Chuck Shank** for the Public Hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report

May 27, 2011

Dear County Commissioners,

What precisely does the catch phrase "no net loss" mean?

It's very important that we the public get clear definitions of the words and phrases being used during the public participation phase of the SMP update.

I am very concerned that the "no net loss" phrase is being used to mean something, but have no clear definition of what that is, and decisions are being made based upon the SMP panel's collective understanding of this phrase.

I am concerned because the phrase is leaving out what it is referring to - the rest of the phrase - "**of ecological function**".

The correct phrase is "**no net loss of ecological function**".

Possibly the "ecological function" part is left off because it's redundant or irrelevant to everyone's understanding, but I believe it's being dropped because of the "eyes glazing over" syndrome.

Please take a few moments to look up on line or in University level texts, what "ecological function" really means. I think it will help you understand the very complex process you've undertaken to inventory and characterize the shoreline of Kitsap County.

Ecological function of the shoreline is everything physically, chemically and biologically occurring in every selected inventory area all the time day and night.

This means everything - such as seasons, sunshine, rainfall, tidal cycles, air pressure, air temperature, water temperature, water column salinity, pelagic species, benthic species, algal growth, trace elements, the carbonic acid cycle balance, and on and on.

In other words, an inventory of ecological function has never been baselined for every unique stretch of shoreline from the quiet coves and mudflats to the exposed rocky, wave-beaten shores.

It would take an army of PhD's with assistants to do such a task.

To assert that "no net loss" of ecological function is the criterion without establishing measurable and monitorable baseline parameters of biological, physical, and chemical characteristics of each and every reach area is wishful thinking at best, and unimplementable at worst.

There by establishing the real credibility of this endeavor.

In other words, "no net loss" is a measured mathematical result of ecological function before and after an event - per your interest which appears to be only man-made habitat's ecological function.

Let me suggest one more time, that you would be far better served in your quest to preserve our shoreline environment if you would instead choose to define shoreline inventory and characterization reaches according to "indicator species".

Each particular ecological niche will have an organism that is characteristic of a healthy environmental situation, and of times of an unhealthy situation. And it's not "salmon" an anadromous species.

It would be far easier to use indicator species in reach areas to define their baseline characteristics in order to track harmful change due to habitat alteration over time.

It would also be possible to define what habitat alteration caused the problem, if one is found - such as feeder bluff slumps which completely cover up and destroy thriving benthic communities, and consequently their predatory pelagic counterparts.

However, if you are intent on determining "no net loss to ecological function" then you must develop a set of measurable parameters within each of the biological, chemical and physical regimes so that you can determine if there in fact is a net loss, gain, or no change over time in every reach shown in the inventory.

Or, you could just go on doing what this process suggests and change the phrase from "no net loss of ecological function" to one more palatable in order to just continue what DOE requires of you, such as "no net loss".

I am very disappointed in this SMP update process up to now, and will continue to be disappointed unless you take control of the effort and make it credible.

"Shorelines Are Getting Better"

Testimony of **Jackie Rossworn** for Public Hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report.

Shoreline Inventory and Characterization Report
May 25, 2011

To the Board of County Commissioners and Mr. D. Greetham of the Dept. of Community Development:

I am a waterfront property owner and have been for over 33 years. As a Seattle native I spent my youth on Puget Sound, more so than others because my father was a Merchant Marine and employed by Foss Launch and Tug.

In the 1950's Puget Sound was used as a dumping ground for everything people didn't want. (And I mean everything) There was **no Metro Sewer** at that time. Beaches including salt water and fresh water were horrible. You **could not swim** in Lake Washington and most parts of Puget Sound in the Seattle area were very questionable. We have come a long ways since the 1950's and 60's and even the 70's and 80's.

When we bought our waterfront HOME in the late 70's we would laugh at what people dumped in the bay. I guess the rule was "If you no longer wanted it, throw it in the drink, it will go away". We spent many hours hauling things out. (plastic everything, glass bottles, tin cans, old boats, logs and branches etc.) (the dead cow we couldn't handle) We still haul things out but now it is almost nothing compared to then.

Times have changed. The shores of Puget Sound are now a wonderful place to live, raise your family and grow old. And then reap the rewards of taking care of Puget Sound when it comes time for you to sell and move on. Nobody is going to buy stinky, trashy waterfront. We have made this a better place with the help of our neighbors. We are excellent stewards because this is our home.

Now we are dealing with a non-scientific report issued by Battelle called the Shoreline Inventory and Characterization Report. It threatens to erase everything we have worked 33 years for.

This FLAWED report assumes that control of the first 200 feet of shoreline will improve the ecological function of the shoreline. **Show me the science.**

The Dept. of Ecology says surface run off is the problem. The SWMM Program has done a wonderful job and seen results. Ecology just throws out threats of "**taking**" property through "**Buffers**" and "**Set Backs**".

I live in rural county. If I have any run off it is very little run off as the street is behind my house. (**another FLAW, painting all properties with the same brush**).

My neighborhood is very concerned of how the Commissioners and the DoE has **demonized** those who care the most.

As a responsible neighborhood we were able to install a sewer system to eliminate possible seepage from old septic systems approximately 15 years ago. The Health Dept. checks the beaches periodically for any problems. So far none have been reported.

I would like to know how by achieving a "**NET GAIN**" in function it is now going to cost me and my neighbors our homes. (**Non-conforming status**) Maybe some are having a problem here and there with ecosystems. Let's help them.

Why don't **YOU** take the position of seeing what you can do to help those who have problems? No responsible property owner anywhere wants to destroy his or her environment. **Try education first**. Strong arming the public will get you nowhere and may cost you in the end.

Why don't you give me a call and have a discussion rather than a stand off that gets everyone nothing except angry.

I would also like to see that you have **read** the letters people have taken their time to write rather than having staff send a **matrix of "highlights"**.

Shoreline property Owners Left out of Process

Testimony of **Vivian Henderson** at the Public Hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report.

Re: Public Hearing May 23, 2011, Approving Shoreline Inventory and Characterization Report

Good evening, Commissioners:

I am here tonight to speak **against** your approving the Shoreline Inventory and Characterization Report.

Shoreline property owners don't have a clue as to what is in this report and how it will seriously affect the way they will be allowed to use their property.

I believe the county has done a very poor job in helping the shoreline property owner understand what is going on and I believe they have **purposely** been left out of the process.

I believe it is time for you, as our elected officials, to put the interest, well being, concerns and property rights of Kitsap County property owners, your constituents, ahead of unelected bureaucrats in Olympia.

Action on Battelle Study Should Be Deferred

Testimony of **Karl Duff** at the Public hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report.

Honorable Commissioners,

I recommend you vote to defer action on the item to approve the Batelle East Kitsap Shoreline Inventory and Assessment Study. Justification for this delay is as follows:

(1) There is evidence of collusion between Washington Department of Ecology (DOE) and the environmental group "*Futurewise*" in which *Futurewise*, in public forum declared it was requested by DOE to ensure "Kitsap County got it right" on the SMA update. Such collusion should be subject to the Commissioners' fact-finding and investigated prior to making the study an official resource in support of County policy.

(2) DOE has destroyed much of its credibility by falsely proclaiming to the San Juan County Commissioners that no other county has expressed concern(s) over non-conforming properties being created by SMA updates. (Mr. Eric Stockdale's video recorded statement to this effect is available if desired.)

(3) The guidance from *Futurewise* was explicitly stated to include increasing shoreline buffers width to 150 feet. The County is on record as having never been able to defend shoreline buffers in excess of 35 ft. and declared in 2004 that there was no science to justify salt water buffers in excess of 35 ft.

(4) There is strong evidence that the work in the document is emphatically not science, having not been peer reviewed and failing to demonstrate data correlation on the less than dozen instances (among many hundreds of sites) where correlation was even attempted. There are attempts on-going in which the quality of the science reported is being objectively assessed by independent scientists that could be publicly available in only another month.

(5) Kitsap County is accumulating an increasing number of large debts and potential debts associated with mismanagement and erroneous decisions regarding land use. (I can think of three examples off-hand in which multi-millions of dollars are facing the County in judgments.) It would be prudent to restrain perpetrating yet other actions which could result in judgments against the County. I therefore recommend that the Commissioners move at this time to defer the proposed action by 90 days.

SMP Burden Too Heavy For Too Few

Testimony of **Ron Ross** at the Public Hearing 23 May 2011, Kitsap County Shoreline Inventory and Characterization Report.

"The vast majority of toxins in surface run off to Puget Sound are **not** generated by the property owners of the shoreline. Please do not place the burden of correction on such few land owners."

What's The Problem Your Trying to Solve?

Testimony #2 of **Mike Gustavson** at the Public Hearing 23 May 2011 Kitsap County Shoreline Inventory and Characterization Report.

The document before you appears to be a measure of **perceived** human created "ugliness" of bulkheads and piers.

Again, what's the problem you're trying to solve?

Could the problem in fact be the relationship between the creatures that live on the upland shore to the creatures that live in the sea? Also, water quality entering Puget Sound.

The document before you was developed without looking at the biological interdependence of the sea and shore creatures. It turns out the salt water environment is toxic to virtually all shore bound creatures, and the salt water creatures cannot live on land.

There is a failure to identify any shore bound creatures who are year around resident in Kitsap County that have a primary dependence on the salt chuck. This is as opposed to opportunity dependence. For instance, eagles, a non-endangered species, forage just fine around rivers and lakes. Having the convenience of a saltwater lunch does not constitute primary association. Sampling data consistently shows salmon smolts, once in salt water, no longer eat land generated bugs.

Precisely which creatures routinely pass through the salt water to dry shore interface, and precisely where do they live?

Could it be we're once again trying our best to invent a problem, where in fact there is no problem? If you cannot identify shore dwelling creatures that have a primary association with the salt water environment and identify where they exist, there is no problem. At best, the problem exists only in very specific locations, which must be first identified by Dept. of Ecology.

If the concern is toxic loading of Puget Sound, one should look at the recently released Department of Ecology study "Toxics in Surface Runoff to Puget Sound". As **Chris Dunagan** of the Kitsap Sun stated, the study showed dramatically less toxicity than previously estimated. The majority of toxics is in streams and stormwater flows coming from developed areas, including residential. Rarely are the toxics found in forested areas. Our most highly developed areas with the greatest toxic load are inside Urban Growth Areas and cities, precisely the objective of the Growth Management Act. More and more, the data is showing higher density is the real culprit in environmental degradation.

Shoreline Inventory and Characterization Public Hearing 5/23/11

Michael Gustavson

I remind you of a bit of history.

During update of Kitsap County's Critical Areas Ordinance (CAO), Kitsap County's Department of Community Development's position was the **existing 35 foot setback** for structures was perfectly adequate. No proof of harm to the contrary was offered.

Two organizations, without offering specific local proof of harm, objected in their appeal to the Growth Management Hearings Board.

The Growth Board remanded the CAO back to Kitsap County to resolve the buffer issue. Board of County Commissioner member **Chris Endresson** moved to incorporate a 100 foot buffer "To avoid tangling with the Growth Management Hearings Board". **No specific proof of harm was offered. Patty Lent**, on the record, stated that while there was **no scientific proof of the need for the 100 foot buffer, in five years, when the Shoreline Master Plan was to be updated, the science would be in place.**

I reminded **Mr. Joe Buckar** from the State Department of Ecology of these statements and told him the State DOE owed the citizens of Kitsap County the names of creatures that live along the upland shore that are salt water dependent, and where they are located. **His response to me was there is no funding or money to develop that science.**

The document before you identifies long reaches of shoreline, identifying them as having consistent features. This is not the case. In the NAU along which I live, there is both high and low bank, a road abutting the shore that is below sea level at extreme high tide and some yard areas of salt water flooding. The stretch is armored for most of it's length. Every lot is built out.

No proof of harm is identified.

Each parcel in our county is unique, especially along the shore. Our county needs to develop a set of justified shoreline criteria that can be applied to specific parcels as building permits are requested.

Existing structures and bulkheads are all grandfathered, which was re-emphasized in this year's session of the Legislature. New bulkheads must be constructed at or above the high water mark.

Kitsap County is **still in litigation** over the 100 foot buffers established in the Critical Areas Ordinance revision of five years ago, at great expense. Legal action is planned if the County again attempts to institute shoreline buffers with no local species-specific proof of harm. How do you want to spend the tax payers money?

The City of Des Moines is **standing up** to Department of Ecology's shoreline buffer approach. I would hope you would have the courage they are exhibiting. As County Commissions, **you need to decide whom you're representing**; the citizens of Kitsap County or the Department of Community Development and State Department of Ecology staffs, whose objective to many of us is to protect and expand their jobs. As shown by State Department of Ecology's stiff objections in the current Legislative session, to use of peer reviewed science, environmental concerns run a distant second place. **They exhibit no regard for property rights.**

How to Join KAPO

Membership in Kitsap Alliance of Property Owners is available at three levels:

1. Voting Membership is open to applicants and includes voting rights. Membership dues are \$100 per year.
2. Associate Membership is also available. Associate Members do not enjoy voting rights. Associate Membership dues are \$25 per year.
3. Life Membership, voting membership for the life of the member, is available for a single payment of \$1000.

Dues are pro-rated quarterly. Contact Jackie Rossworn for correct amount based on the date of your application.

The list of KAPO members is not released to the public. Individual member information is not used for any other purpose than the specific business of KAPO.

For more information or to receive a membership application visit the KAPO web site at www.kapo.org or contact Executive Director Jackie Rossworn, at 360-990-1088 or via [email. rosswornjr@wavecable.com](mailto:rosswornjr@wavecable.com)