Comments of Bob Benze
on behalf of the Kitsap Alliance of Property Owners
to the Kitsap County Shoreline Master Program Task Force
on June 3, 2010

I would like to make several points this evening related to the Draft Shoreline Inventory and Characterization report.

First, I am concerned about the county's approach to restoration. As I recall from Jeff Talent's presentation, the goal of the SMP update is to ensure no net loss of ecological function as the result of future development – with a baseline of today. This would mean that some restoration will likely be required and planned for to offset the potential ecological impact of whatever future development is allowed by the SMP update. Yet the draft study's prioritization recommendations appear to contradict this, implying that ongoing restoration of the existing shoreline is intended.

The county has said that they will be using the Puget Sound Nearshore Restoration Project as part of the planning process. This is a joint Corps of Engineers and WDFW project that, according to their May 24th presentation, used a GIS database to compare the physical condition of the state's shoreline today with an 1850 baseline (not today's baseline) derived from maps of that era – to identify shoreline restoration needs. Indeed it appears the county will be using the WDFW guidance developed from the Nearshore Restoration Project as a companion to Ecology's SMA guidelines. This raises the question of what baseline the county actually intends.

Also, at the Nearshore Restoration presentation, I noted that the purpose of the SMP update is to maintain ecological functions, but when I asked if any biological information was included in the projects database, the answer was "No". I suggested this omission would lead to wrong restoration conclusions.

When I reviewed the Draft shoreline Inventory and Characterization report being discussed this evening, I expected to see a few candidates for restoration, such as the potential restoration of salt marshes or abandoned industrial sites. Instead I see the Draft Shoreline Inventory and Characterization report identifies what appears to be the majority of the shoreline NAUs (Nearshore Assessment Units) as restoration candidates.

I then looked at the criteria used to characterize each of these stretches of shorelines. It uses a methodology that is based on identifying "stressors" and their impact on "controlling factors" that limit and determine habitat suitable for species growth. In virtually all cases these stressors are the man-made alterations to the shoreline. These are weighted and normalized in a mathematical model that was established to determine their degree of control over ecosystem structures, processes and functions. Much of the weighting appears to be subjective – with bulkheads receiving a high negative score – even though their use is permitted by the

Shoreline Management Act to protect property. There were no man-made alterations credited with improving ecological functions.

Unfortunately, the science supporting this model is weak, often appearing to be based more on assumptions and conjecture, than on relevant peer-reviewed cause and effect studies. Battelle's own data, where it exists, makes the point. Battelle studied on the order of 1500 NAUs in the Bainbridge Island and Kitsap County area. In the vast majority of these NAUs, where the authors evaluated both stressor data and habitat data, no clear correlation was found between human activity and lessened environmental health. This suggests that the model is not capable of producing credible results, including the proposed shoreline management actions

I say this with great reluctance. My relationship with Battelle goes back to the 1980's when I managed the technical program for the shipyard to put end of life nuclear submarine reactor plants into a burial trench at Hanford. I worked with top-flight Battelle scientists studying the long-term environmental effects – including some fairly sophisticated vadose zone modeling. I was on an EPA Environmental Technology Verification panel for in situ sensors that was facilitated by Battelle. I worked with Navy scientists and with Battelle marine chemists and biologists when I was assembling a scientific basis for protecting the marine environment at Navy shore facilities. During this time I developed the highest regard for Battelle's scientific expertise. Thus it was a surprise and a disappointment to see the Battelle name on a shoreline assessment for Kitsap County which clearly did not measure up to my expectations.

As you know, science often involves determining whether a cause and effect relationship exists. To do this, you make a hypothesis and then design an experiment to test it. If your data suggests your hypothesis is correct, you subject your findings to the scrutiny of your peers to see if they can find fault with your experiment, and to see if it can be replicated. There is no evidence that this was ever done to scientifically validate the restoration-prioritization methodology used by Battelle.

This is why I provided you with Dr. Flora's book of papers that systematically reviews what is scientifically known about these stressor–habitat relationships and where there are gaps in the science.

I would suggest that this draft report's characterization of the shorelines not only oversteps the requirements of the WAC for restoration, but that it is scientifically indefensible.

Because the policy that will result from this SMP update will strictly limit how a property owner can use his property, with potentially major financial consequences, it is important that the SMP update limit these controls to the minimum requirements of the law -- and where the controls are to be based on science, that pains are taken to ensure the science is defensible.

This is not currently the case and the county needs to rethink their approach to this study and their action prioritization recommendations.