APPENDIX 2:
SUMMARY OF WRITTEN COMMENTS, ONLINE SURVEY AND CONVERSATIONS

Appendix 2 – Summary of Written Comments, Online Survey and Conversations

This draft summary was created by the Consultants to provide background information to Ecology's April 21st quarterly shoreline planner meeting. A final report will be provided in early May and disseminated to all respondents for whom we received contact information as well as the initial distribution lists. The final report will include the White Paper, recommendations on priority opportunities to improve the Shoreline Master Program Update process, copies of written comments, and a summary of the on-line survey results.

The consultant team is working under a grant from the National Fish and Wildlife Foundation to identify opportunities to improve habitat protection through the Shoreline Master Program Update process. We developed a White Paper that identified opportunities for improvement from our experiences. Department of Ecology's Shorelands management team staff provided written and verbal comments on the preliminary draft of the White Paper, but the draft remained the viewpoints of the consultant team. The final paper was circulated in March 2010 to stimulate feedback from interested parties in Puget Sound including cities, counties, property owners, conservation groups, consultants, state and federal agencies. We also developed an on-line survey and met with the Puget Sound Partnership Shoreline Subcommittee, Washington State Association of Counties Coastal County Caucus, Ecosystem Coordination Board, Ecology's SMAG group and Leadership Council. These organizations and their representatives were asked to disseminate the draft to other interested parties. Ecology's Shorelands management team staff reviewed the on-line survey and participated in all of the outreach meetings. We had several phone conversations with citizens and planners and met with representatives of the aquaculture industry at their request. Outreach was intended to stimulate feedback on how other parties viewed the importance of issues and to help both refine and define areas for continued improvement to the SMP process. Outreach was not designed or executed to be comprehensive nor statistically valid.

We received written comments from 24 people or organizations on the White Paper and over 230 responses to the on-line survey. Approximately another 100 people were reached through meetings and conversation. As previously mentioned, the comments and survey results are not statistically valid and do not represent conclusive views of any group. However, they are quite useful in beginning to understand likely common and differing perspectives of people across the range of county elected officials, local government planners, property owners and others.

White Paper Comments

We are in the process of summarizing written comments from the 24 different respondents to the White Paper and the comments received during five meetings. Ecology and other state agency SMP staff responses to the paper and survey were provided during the April 14th SMAG meeting and are not yet incorporated. In general, county and city planners who responded thought the paper accurately described the important issues that need to be addressed. Property owner's responses were concerned and often disagreed with how the paper described the issues and their concerns. They expressed that they feel alienated from decision-making by the SMP process. They feel strongly that the scientific basis for regulations is both lacking and poorly articulated.

Property owners were largely supportive of the effort to improve the process and grateful for the opportunity to comment and participate. Tribal staff pointed out the need to be explicit about the overall goals of the Shoreline Management Act as well as the recovery of Puget Sound and to clearly state both tribal rights as well as resources held within the public trust. They also expressed the importance of defining baseline conditions and that achieving no net loss of ecological functions is not sufficient to achieve the goals of Puget Sound recovery.

Overall, we were impressed by the interest in improving the update process across the diversity of differing perspectives. There is a very sophisticated understanding of human and ecological problems and issues raised through the SMP process. People were very thoughtful in their criticism of the current effort and provided rational suggestions for improvement.

Based on the feedback, several issues will be added to the list of issues in the final report and will include better background and contextual information on the Shoreline Management Act and Program, aquaculture, mitigation, future updates and science.

On-Line Survey

The survey was designed as a companion to the White Paper to provide an easier process for people to participate in than reviewing and commenting on the White Paper. It is important to note that the survey provides useful insights into how people from different perspectives view the update process but the survey is not statistically valid. The survey asked people to identify their affiliation including: city or county elected official or planner, shoreline property owner, property rights organization, consultant, scientist, state agency, business, Ecology staff, tribe and other affected party. The survey allowed people to pick more than one affiliation so a person could pick, for instance: shoreline property owner, consultant and business. Given that the results for the different affiliations are not statistically valid they cannot be used to say the majority of county planners or any other group holds a given set of perspectives. However, the results can be used to indicate how a majority of the people like county planners that responded to the survey feel about a particular issue. In the summary of responses below, we identify areas where there are major differences in the answers by one or more of the categories that people chose for their affiliation.

Overall we received 230 responses: 9 County Elected, 18 County Planners, 35 City Planners, 83 Shoreline Property Owners, 19 Consultants, 16 Property Rights Members, 11 State Agency Staff, 22 Scientists, 4 Tribal Staff, 17 Business Members, 43 Other Affected Parties.

The responders to the survey were from across Puget Sound but not evenly distributed. Some areas had many more people responding: over 80 of the respondents were from the San Juans, 24 from Kitsap, 22 from King and 16 from Jefferson. We received responses from city or county elected officials or planners from all Puget Sound counties except Mason. More than half of the 61 local government responders are in jurisdictions that have not started or are less than one year into the update process and most of the respondents overall do not have completed SMPs.

Summary of Responses to Specific Questions

The following section provides a summary of responses for each of the substantive on-line survey questions. Many of the questions allowed for open-ended responses or space for additional comment. Both the answers to the multiple choice and open-ended questions are summarized below.

1. *Do you feel current regulations are adequately protecting marine/freshwater shorelines?* Even though the issue of protecting marine and freshwater shorelines was asked separately there were no major differences between the responses.

    - Over 80 percent of property owners answered that current regulations are sufficient for protection.
    - The majority of other respondents do not think current regulations are sufficient and new regulations and programs are needed to protect the environment.
    - Most property owners and a majority of city planners thought laws were being effectively enforced, whereas over 75 percent of county planners thought current laws were not being effectively enforced.
    - Property owners were almost equally split on whether current laws were overly protective and unfairly limiting property owners or not, whereas 60-80 percent of groups did not think current laws were overly protective and unduly limiting property owners.

2. *Do you think shoreline property owners generally feel respected and supported in managing their land for their private interests and for environmental benefit?*

    Over 75 percent of property owners, county elected officials and county planners said no. When asked what would be helpful, responses included: involve property owners early in the process, give credit and acknowledgement for good stewardship, recognize that they care, be respectful and answer their questions with specifics; give clear and local examples of the problem, acknowledge what is scientifically known and where the uncertainty is, recognize the rights of property owners and the value of their experience and knowledge.

3. *Do you think incentives to encourage voluntary actions are significantly helping to protect marine and freshwater shorelines?*

    Across all categories of respondents 70-80 percent answered either no, there need to be more incentive programs or don't know.

4. *Do you generally believe the Shoreline Master Program Update process is going in the right direction or needs substantial improvement?*

   Half the County elected officials and city planners answered yes and half answered substantial improvements are needed or unsure. 70 percent of county planners said yes. Over 80 percent of the property owners and consultants answered either no substantial improvement is needed or unsure.

5. *Name one example of what is working well with the Shoreline Master Program update process.*

   There was a wide range of responses to this question. City and County planners mentioned the funding from Ecology, the inventory process, and community outreach. City planners most often complimented Ecology staff and County planners most often mentioned the public involvement process. Property owners saw little that was working and often mentioned the opposition and connectivity among landowners the process is creating as the main benefit.

6. *Which of the following do you feel are challenges to effective shoreline planning and management? Respondents were given the choice to rate an issue as high, low or not important.*

   The responses generally rated the issues into the following tiers from most frequently selected as high to least. The issues in the in Tier 1 generally were chosen by 70-80 percent of the responders across most of the affiliation categories, Tier 2 by 50-70 percent and Tier 3 by 30-50 percent. Tiers 2 and 3 should still be considered important since in many cases a majority of responders within a given group affiliation identified the issue as a high priority.

   Tier 1
   - Lack of a method to measure no net loss
   - Lack of incentives to promote use of soft shore/bio-engineered techniques
   - Property owners feel unfairly treated and resist changes to shoreline management regulations.
   - Regulatory changes tend to cause existing structures and uses to be classified as nonconforming (Note: This was selected as one of the highest issues for property owners and by over 70 percent of city and county planners.)
   - Monitoring no net loss

   Tier 2
   - Each government duplicates aspects of SMP work and there is a need for regional approaches

- Public support and resources for implementation of the new SMP (Note: 70 percent of the county planners and 50 percent of the city planners ranked this as high.)

Tier 3

- SMP restoration plans are not directly tied to ecological impacts and timely implementation of projects is uncertain
- Exemption of agriculture and forestry from Shoreline Master Programs
- Local governments don't have enough flexibility and strategic support for effective public involvement (Note: 20-30 percent of county and city planners answered this as high.)
- Lack of consistency and substantive guidance from Ecology (Note: 50 percent of the county planners and 30 percent of the city planners answered this as high.)
- Time it takes local governments to complete their SMP update
- Time it takes Ecology to complete the final review (Note: Only 2 planners were in jurisdictions that have had their plans adopted by Ecology.)

7. *If you could change one thing with the Shoreline Master Program, what would it be?*

   Responses to this question covered a broad range of perspectives not easily summarized. The following are simply examples of some themes.

   - Creating a stronger connection between Growth Management and Shoreline Management
   - More science that is local and clearly connects to policies, regulations and permit decisions
   - Removing Ecology from the process
   - Giving people a chance to work on solutions
   - Limit the exemptions for preferred uses
   - Causing existing structures and uses to be nonconforming

8. *What challenges would you be willing to work on with others to solve?*

   Over 80 people responded they would like to work on solutions and many said they would be willing work on all the issues raised by the paper and questionnaire.

9. *Are there additional comments about shoreline management that you would like to add?*

   As with the other open-ended questions, responses to this question ranged widely.

Many concerns were raised about the effect of shoreline regulations on private property owners, the recognition that shoreline management is just one part of the solution for protecting Puget Sound, and resistance to the program overall.

10. *If you wish, please provide your name and email address.*

A small number of people provided their name and contact information. The majority of the people who responded were property owners.

Written Respondents (24)

The following respondents provided written or verbal comments that were documented. A complete set of comments will be included as part of the final report.

Name	Affiliation
Susan Saffery	Seattle's Departments of Planning and Development, DOT, City Light and SPU
Norman McLeod	Natural resource consultant
Jim Hagen	Jefferson County Citizen
	Common Sense Alliance
Maggie Glowachi	City of Seattle
Chris Davis	The Nature Conservancy
Jules Michel	Citizen
Dean Patterson and Tim Trohimovich	FutureWise
Kit Rawson	Tulalip Tribe
Kit Rawson	Skagit Citizen
Michael Gallagher	Citizen, San Juan County
Laura Hendricks	Sierra Club
Anonymous	Citizen, South Puget Sound
Anonymous	Citizen/Consultant, Whatcom County
Janice Peterson	Citizen, San Juan County
Carl Shipley	Citizen, Kitsap County
Steve Sundin	City of Bellingham
Rich Peterson	Citizen (San Juan County Councilmember)
Jon Simpson	Citizen, Consultant
Elliott Menashe	Citizen, Island County
Ken Sethney	Bainbridge Shoreline Homeowners
Michael Paine	City of Bellevue
Nancy Tosta	Citizen, Burien
Mike Grayum	Northwest Indian Fisheries Commission