| ITEM | Topic or Section Number (cite) | Commentor | Specific Comment | Local Government Response and Rationale/ Ecology Response in *Italics*

1. General

   **R. Bergman**

   Regulation should apply to new commercial or residential development.

   The Shoreline Management Program does apply to new residential and commercial development. Existing residential development and normal appurtenances (such as a garage or deck) located landward of the ordinary high water mark that were legally established prior to the effective date of this Program are considered conforming, and may be maintained, repaired, replaced, or expanded as long as the development does not encroach farther waterward than the primary structure; does not exceed height limitations; does not encroach farther into critical areas or buffers; and does not result in a net loss of shoreline ecological functions.

   Ecology: Concur

2. Chapter 2.1 (1a)

   **Bill Reiersgaard**

   The 200’ wide swath from the OHWM along the Columbia river seems too wide and not necessary as the program clearly defines what has to be controlled along the shoreline.

   The minimum area subject to the Shoreline Master Program (known as "shoreline jurisdiction") is established by the Shoreline Management Act at RCW 90.58.030(2)(d), the definition of "shorelands" or "shoreland areas." Local jurisdictions do not have the authority to reduce shoreline jurisdiction.

   Ecology: Concur. Jurisdictional definitions are set in statute and can only be changed by the Legislature.

3. Chapter 4.1

   **Bill Reiersgaard**

   Who determines the "desired character of the Shoreline", a committee with no financial responsibility or the tax paying land owners?

   The Shoreline Master Program (SMP) was reviewed by a committee representing local industrial, commercial, residential, economic, and environmental interests throughout Clark County. A complete list of the Shoreline Stakeholders Advisory Committee members with their affiliations and interests is on the "Acknowledgements" page at the beginning of the SMP. The SMP was also reviewed by Vancouver’s Planning Commission and City Council.

   Ecology: Shoreline designations are a system to classify shoreline areas based on the existing land use pattern, the biological and physical character of the shoreline and the goals and aspirations of the community as expressed through comprehensive plans. Much of this information was compiled in the Inventory and Characterization (2010). The data was then used to assign shoreline designations along shorelines within the City. Draft designation maps were reviewed by the committees noted by the City (above) and also were presented at public Open Houses and to the Planning Commission and City Council for review and comment. The maps weren’t deemed final until approval by City Council.

4. Chapter 4.3.2.4 (4)

   **Bill Reiersgaard**

   "Impair views to or from the shore over time should be prohibited". This could be used to stop all use along the Shoreline.

   This provision only applies within the Natural Shoreline Designation. These areas are to be reserved due to their natural state or significant environmental functions. Within the City of Vancouver, these areas include the island in Vancouver Lake and the wetlands area on the Columbia River associated with the Water Resources Education Center. In Vancouver's urban growth area, these areas include publicly-owned lands west of Vancouver Lake and at the intersection of NE 172nd Avenue and NE Ward Road.
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<td>5</td>
<td>Chapter 4.3.4.4 (1)</td>
<td>Bill Reiersgaard</td>
<td>&quot;limiting lot coverage&quot; is tantamount to &quot;Taking&quot;. Requiring a subdivision to provide recreational facilities may be viewed as an abuse of Government power.</td>
<td><strong>Ecology:</strong> Concur. This provision addresses maintaining no net loss of ecological function. Maintaining ecological function may require limitations on lot coverage. Limiting lot coverage is a legitimate use of a jurisdiction's authority, and is a common element of zoning regulations. This provision does not require a subdivision to provide a recreational facility. Chapter 5.4.2 requires subdivisions of 5 or more parcels to provide public access (not a recreational facility), consistent with constitutional limitations and in the absence of health, safety, security, or other listed constraints.</td>
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<td>6</td>
<td>Chapter 4.4.1(2)</td>
<td>Bill Reiersgaard</td>
<td>If &quot;Official Shoreline Map can have &quot;areas automatically added to it&quot; then it can not be counted on when making plans.</td>
<td><strong>Ecology:</strong> The state rule Chapter 173-26 Washington Administrative Code (WAC) requires that local jurisdictions include this provision to have a default shoreline designation in the unlikely event that new shoreline areas are found. The City can subsequently change this designation through a master program amendment if necessary.</td>
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<td>7</td>
<td>Chapter 4.4.2</td>
<td>Bill Reiersgaard</td>
<td>If we are only allowed to see is the &quot;unofficial copy&quot; in Appendix A, how do we know what is really going on?</td>
<td>The area regulated by the SMP includes shorelines and shorelands defined by the Shoreline Management Act at RCW 90.58.030(2)(d-g) whether they are mapped or not. The map should be used as a guide (Chapter 2.1.2) along with best available science, field investigations and surveys. Mapped areas have been assigned a shoreline designation (by color on the map). This regulation states that when unmapped areas meet the definition, they will be &quot;...automatically assigned an Urban Conservancy designation for lands within city limits...&quot;. The Official Shoreline Maps are in electronic format to provide more detailed information. They are currently available on the project website: <a href="http://www.cityofvancouver.us/shorelineupdate/Public%20Review%20and%20Adoption%20Vancouver.htm">http://www.cityofvancouver.us/shorelineupdate/Public%20Review%20and%20Adoption%20Vancouver.htm</a> Once the SMP is approved by Ecology and effective, they will be available on the city's website (<a href="http://www.cityofvancouver.us">www.cityofvancouver.us</a>), kept on file in the office of the City Clerk and at Ecology. The &quot;Unofficial Maps&quot; in Appendix A are for illustrative purposes and to facilitate use of this program.</td>
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<td>8</td>
<td>Chapter 5.3.5.1 (1c) (1)</td>
<td>Bill Reiersgaard</td>
<td>What is a DNR type S water?</td>
<td><strong>Ecology:</strong> Concur. Type S streams are Shorelines of the State as defined in RCW 90.58.030(2)(e), (f) &amp; (g). Also see WAC 222-16-030(1).</td>
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| 9    | Chapter 5.3.5.1 (1c) (2)      | Bill Reiersgaard | What is a DNR type F water? | Type F streams are lakes, streams, and rivers that contain fish habitat. See WAC 222-16-030(2).  
Ecology: Concur |
| 10   | Chapter 5.8 (1)               | Bill Reiersgaard | What is included in "other view corridors"? | This refers to other established view corridors provided by view easement to the city, included in a master plan, etc.  
Ecology: Concur |
| 11   | Table 6-1                    | Bill Reiersgaard | If a motorized boat launch is permitted in "high intensity" it should also be permitted in "medium intensity". Is this a typo? | Motorized boat launches may be allowed in the Medium Intensity shoreline designation by Shoreline Conditional Use Permit. The additional review is necessary because the uses allowed are less intense than those in the High Intensity designation.  
Ecology: Concur |
| 12   | Chapter 6.3.3.4 (2)           | Bill Reiersgaard | Making "Existing, legally-established" docks non-conforming drastically reduces property value. A dock adds considerably to the tax assessed value. | Existing, legally-established private recreational docks serving one single-family home are considered non-conforming (Chapter 6.3.3.4(6)(a)). Those serving more than one single-family home (joint or community use docks) are not. Under the provisions of Chapter 2.5.3 nonconforming structures may be maintained or repaired under certain conditions, provided the improvements do not extend or expand the nonconformity.  
Ecology: Concur |
| 13   | Chapter 6.3.3.4 (7)           | Bill Reiersgaard | Prohibiting covered moorage is going to cause unnecessary deterioration and increased maintenance costs. Is the Government compensating for this? | Covered moorage impacts nearshore habitat and shoreline ecological functions. To maintain no net loss of shoreline ecological functions, covered moorage is limited and must allow light penetration. Commercial covered moorage facilities are allowed where boat construction or repair work is to be the primary activity and covered work areas are demonstrated to be the minimum necessary over water (Chapter 6.3.3.4(4)). Covered moorage associated with residential development is prohibited (Chapter 6.3.3.4(5)). Currently, there are very few covered moorages in Vancouver.  
Ecology: Concur |
| 14   | Chapter 6.3.3.4 (12)(a)(i)    | Bill Reiersgaard | A "maximum 4’ wide dock" over river water is unsafe to use. | That provision has been replaced. The standard proposed is a maximum of 8 feet in width (Chapter 6.3.3.4(6)(i)).  
Ecology: Concur |
| 15   | General Comment               | George Fornes, WA Department of WDFW | WDFW has already submitted substantial comments on the Vancouver SMP update, and |  

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<td>Fish &amp; Wildlife</td>
<td>you should have access to those as records in their process. I’ve attached a few letters for your easy reference. Please note that the email about dock standards let to a productive discussion with city staff.</td>
<td>Comment noted.</td>
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<tr>
<td>16</td>
<td>General Comment</td>
<td>George Fornes, WA Department of Fish &amp; Wildlife</td>
<td>To clarify, the City has addressed the vast majority of concerns expressed in our previous letters and we have no issues to raise with the latest revision of the SMP at this time.</td>
<td>Comment noted.</td>
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