

Attachment D: Comment Response Summary - Lewis County Locally Adopted SMP Ecology Public Comment Period, February 14 - March 16, 2017

Comment Summary prepared by Kim Van Zwalenburg, WA Dept. of Ecology on March 21, 2017

County response and rationale prepared by Lewis County and received May 4, 2017

Comment Number	Comment Topic	Commenter	Comment	Local Government Response and Rationale
1	Shorelines of Statewide Significance 1.06.02	WA Dept. of Natural Resources (DNR) – H. Flores	Support is expressed for the language in Section 1.06.02 Shorelines of Statewide Significance with a request to reference DNR in Policy C.2 for activities which are proposed on State-owned aquatic lands.	Lewis County is willing to include a policy that notes the need for DNR review of activities proposed on State-owned aquatic lands. Lewis County believes that the policy would work as a new 1.06.02(C)(3), which would then require the renumbering of the following policies.
2	Environmental Impacts and Mitigation Regulations 4.03.02	DNR	Mitigation projects on state-owned aquatic lands will require authorization from DNR. Additionally, all impacts on state-owned aquatic lands must also be mitigated on state-owned aquatic lands.	Lewis County understands the comment and is willing to include a policy that articulates the details about mitigation on DNR land at the end of 4.03.02.
3	Aquatic Vegetation Control 4.04.02 G	DNR	The comment reminds the county that DNR has a role in approving the use of pesticides/herbicides on state-owned aquatic lands. Some of the conditions usually applied to these activities is provided. It's noted that exceptions are made for state sanctioned invasive species control.	Lewis County appreciates DNR's comment and feels that, with the other likely changes to the plan (as a result of the comment letter), the issue will be adequately addressed.
4	Stormwater outfalls	DNR	Despite a reference to the stormwater manual in Section 4.07 Water Quality, it's not clear how stormwater outfalls will be permitted and sited. Section 5 Specific Shoreline Use Policies and Regulations does not explicitly address stormwater outfalls.	Lewis County appreciates DNR's willingness to discuss stormwater outfalls. Lewis County will treat stormwater as a primary Utility Use in some instances and as an accessory use (for a primary Residential, Commercial or Industrial Use) in others. Stormwater outfalls within shoreline buffers will be permitted in accordance with LCC 17.35A.670(1)(e) adopted by reference in 4.04.02(A)(2) and 4.04.02(D)(1)(a).
5	Boating and Water Access Facilities 5.07.02	DNR	The agency appreciates the reference to DNR's jurisdictional management in regulation 2 and supports regulation 6.	Lewis County appreciates DNR's support of the standards.

6	Boating and Water Access Facilities 5.07.02 G	DNR	Clarification is requested regarding the definition of “moorage cover”. Additionally, DNR has specific requirements related to covered moorage, covered watercraft lifts and boathouses on state-owned aquatic lands.	Lewis County agrees that a definition of moorage cover would be helpful. The County believes that other components of the comment have been addressed in the general requirements in 5.07.02(A)(3) and 5.07.02(B)(4). If at all possible, Lewis County would like to minimize the restatement of state law within the local SMP.
7	Clearing, Grading, and Fill 6.03.02	DNR	The placement of fill on state-owned aquatic lands is limited to remediation of contaminated sediments, habitat creation, restoration projects or shellfish aquaculture substrate amendment.	Lewis County appreciates the comment from DNR and is willing to add language to 6.03.02(E)(3) that clarifies that DNR approval is also required for state-owned aquatic lands. This language would read “All required State and Federal permits, and necessary approvals from WDNR for state-owned aquatic lands, have been obtained.”