

June 30, 2008

Mr. Bria Shea, Director
Planning and Building Division
Grays Harbor County
100 West Broadway Ave., Suite 31
Montesano, WA 98563

RE: Comments on Draft Critical Areas Ordinance

Dear Brian Shea:

Please accept my comments on the above document. First, I have a few general comments. Then, I will try to refer to pertinent pages and numbers in the document to facilitate review of my comments.

In general, I think there was far too much analysis of the immediate economic picture and the short-term financial costs to landowners of protecting critical areas and far too little analysis of the value of these areas, in both economic and other terms. There are huge values to our and future generations in protecting the most ecologically sensitive elements of the natural environment. There was very little consideration of this important aspect in this document.

Also, why were there not public workshops much earlier in the process of developing this voluminous text? Members of the community could have supplied other sources for information in the document.

Another point, I would like to include by reference the comments made by Futurewise on June 25, 2008. They are too lengthy to repeat here but they pretty much concur with my ideas.

Page 5 – The list of mitigation principles is good. However, I'd like to have the "Avoiding impacts" alternative be not only the preferred one, but have it state that the others will only be considered if it is impossible to achieve the avoidance.

Page 6 – The list of critical areas is a good one, but should also include rivers and streams and their riparian areas, and steep slopes greater than 60%.

B4 – The sources of available science includes USDA Soil Survey maps. These maps are only an indication and ground truthing is necessary to see the important details. The ground truthing needs to be conducted by qualified personnel; e.g., a geologist.

B4 – National Wetlands Inventory maps are, again, general indicators of the presence of wetlands, as they are based on aerial photos. Ground truthing is necessary because the wetlands indicated are almost always larger and more complex than the maps state. Also, many wetlands, especially forested wetlands, don't show up on these maps. They are a valuable, but incomplete, resource. Independent (not hired by the developer) wetland scientists need to do the ground work.

B5 – Use Forest Practices Resource maps instead of base maps as they are more accurate and complete. The base maps miss a lot of detail and even misplace streams and wetlands and hazardous slopes on occasion. The other references are good.

Page 9 – Hasn't Oregon's ballot measure been overturned? To design a system based on this law is to damn future generations to a completely unprotected environment for them and their children.

Whatever healthy environment that we enjoy today from the achievements of the past 30-40 years can be undermined by this type of system. Protection and retention of our county's sensitive areas is in the best interest of the public – present and future. This must not be sacrificed to the immediate needs of one or a few landowners.

Amidst the lengthy discussion of “compensation” to landowners, I failed to see any discussion of “compensation” to us and our children for the “takings” of our natural heritage – fish, wildlife, water quality, and our general quality of life. And regarding the discussion of private activities in critical areas and economic costs of relinquishing those activities, there is a great need to educate landowners on the resource values of protection of buffers and other critical areas.

Streamside and wetlands buffers on private forest land in WA are not based exclusively on science, but are deep compromises due to demands from the timber industry. They are not adequate to protect public resources or downstream property owners – e.g., the December 2007 devastating debris flows in the upper Chehalis basin from industry lands. There were most definitely steep, geologically hazardous slopes involved there.

Page 25 – Adequate buffers along rivers and streams on agricultural lands protect not only the public resources but also reduces the loss of the farmer's land to erosion. I don't see that factor discussed in the economic comments.

Page 26 – Although it is reasonable to require different buffer widths on streams of different widths and fish capacity, having variable-width buffers along the same stream or wetland is not a good idea. There may be a loss of important areas if the buffer is too narrow at some point, e.g., loss of large conifers in a riparian zone having few of these. Changes from an adequate buffer should be deemphasized so you don't end up with an erodible pinch-point in the buffer.

Page 28 – 4 – Biofiltration swales should not be placed in buffers, but could be valuable adjacent to buffers. The swales necessitate removal of trees and other native vegetation, thus resulting in the loss of much of the value of the buffer. In fact, it could make it meaningless. The swales also represent an opportunity for the introduction of invasive, non-native plants, further compromising the ecological value of the buffer. Recreational trails are best placed adjacent but not within a buffer unless the buffer width is increased by at least as much width as the trail occupies. I agree with the first three sentences of Paragraph 2 and with Paragraph 3.

Page 33 – 7 - I seriously question the valuation results in the Table at the bottom of Page 33. the word “subjective” here indicates that this table be rejected. Could you identify its source?

Page 36 -11 – The conclusion that a “0” buffer yields the best economic return shows just how completely irrelevant an economic analysis can be – that so many important factors are ignored in this analysis – water quality, wildlife, downstream effects, recreation, the value of fish to the ecosystem and many others. This whole discussion is so incomplete that it should be disregarded. It should not be used as a guide for making decisions.

Page 47 § 48 – I prefer the Northwest Forest Plan maximum protection table – WA Forest and Fish buffers are alright in the core area but the inner zone needs to be left intact. The outer zone buffer is meaningless as it calls for only 20 trees/acre – only 1 tree every several hundred feet. It is also far too complicated for non-industrial landowners.

BUFFERS

Buffers on all streams and wetlands need to be much wider than recommended in this report. They need to range from 50 feet for small, intermittent streams and wetlands under 0.1 acre to 200 feet for large stream and wetlands over 2 acres and/or containing open water. Small or seasonal wetlands are important for amphibians and wildlife needing extra nutrition in the spring, such as pregnant elk. All wetlands with open water or mature forested areas should be placed in the highest category and have the widest buffers.

Riparian and wetland buffers provide the following necessary functions and need to be sufficiently broad in order to do this:

1. Absorb sediment and chemical-laden runoff, preventing its entry into the waterbody;
2. Provide root stability to keep levels of erosion at their natural rates;
3. Provide shade and fish-friendly temperature maintenance to streams and wetlands;
4. Provide habitat for the vast majority of wildlife in Grays Harbor County, including tree nesting ducks and other aquatic species;
5. Provide food and hiding cover for aquatic species, including fish
6. Absorb floodwaters and flood debris, reducing damage in downstream areas

These functions could easily be expanded to include a number of others. The important thing is that the buffer be sufficiently broad to carry on the functions. Wetlands and streams without adequate buffers are at risk of losing some critical functions. Streams and wetlands and their buffers act as ecological units, neither of which works well without the other.

I look forward to upcoming opportunities to participate in the discussion that leads to a really comprehensive and environmentally sound Critical Areas Ordinance for Grays Harbor County. Thank you for the opportunity to comment on this preliminary draft plan. There is a lot more room for discussion and improvement.

Sincerely,

Janet Strong