



Clallam County Shoreline Master Program (SMP) Update

Summary of Focus Group Meetings

Clallam County hosted five “focus group” meetings in late January 2011 to hear what people in Clallam County think about shorelines and shoreline management. The focus groups are one component of a multi-faceted effort to engage County residents in defining a “vision” for shoreline management. During the Shoreline Master Program update process, citizens and other interested parties will have numerous additional opportunities to participate or comment on the County’s progress.¹ The intent of the focus groups was to gather early input to design the rest of the update process so that it will be meaningful and relevant to County citizens. Participants were asked about their prevailing concerns based on their experiences, and what would inspire them to participate in the County’s SMP update process.

Meeting Structure and Attendance

A team of consultants hired by the County facilitated discussions in each of the following forums, with assistance from County staff:

- January 19: East end shoreline property owners; met in Sequim
- January 20: West end shoreline property owners; met in Sekiu
- January 26: Central county shoreline property owners; met in Port Angeles
- January 27: Water-related business owners; met in Port Angeles
- January 27: Recreational shoreline users; met in Port Angeles

Shoreline property owners were invited based on a random sample of shoreline property owners taken from the County Assessor records. Business owners and shoreline users were invited based on review of business listings and user groups with a direct relationship to the shoreline. Participants to all forums were invited via mailer, with follow-up phone calls by County staff to encourage attendance.

A total of over 130 private citizens attended the focus groups. Many of the property owners who attended the meetings have resided in Clallam County for decades—over 80 years in some cases. Others are relative newcomers. The average tenure of property owners attending the Sekiu meeting was roughly 40 years whereas most of the Sequim attendees have resided in the County for 5 to 10 years. Residents in all three property

¹ For more information on the public outreach process, please contact County staff at SMP@co.clallam.wa.us. Additional background information about the Clallam County Shoreline Master Program Update is located at the end of this document, and at: http://www.clallam.net/RealEstate/html/shoreline_management.htm

owner focus groups expressed strong ties to the shoreline environment. Property owners represented a variety of shoreline types including freshwater lakes, streams and marine areas and they offered a broad range of perspectives based on their personal experiences with the changing nature of the shoreline environment and community, e.g., eroding bluffs and riverbanks, increased pressure from public use and access, and shifting business opportunities.

Business owners and recreational shoreline users attending the meetings also represented a variety of locations and activities, and a mix of longevity in Clallam County. Attendees included kayakers and kayak business owners, bed and breakfast owners and other tourism-related businesses, small community associations (e.g. Diamond Point), real estate professionals, hikers, horsemen groups, and representatives from building/construction, engineering and the timber industry.

Summary of Focus Group Comments

Participants at the focus group meetings were asked two general questions to help inform the design of the SMP update process:

- Do you think things are improving or going in the wrong direction in Clallam County in regard to protecting the shorelines, providing public access, and protecting the rights of the use of private property owners along rivers, creeks, lakes, and saltwater shorelines?
- What would inspire you to participate in Clallam County's effort to protect the ecology of the shoreline, provide public access, support water dependent uses and protect private use of land?

Meeting participants offered a broad range of insights, perceptions and experiences, which are summarized below.

What is Improving and What is not Improving Along Shorelines?

The groups were asked to discuss three key aspects of shoreline management: environmental protection, public access and shoreline development rights.

Environmental Protection

Many of the focus group participants indicated that they believe conditions are generally improving along the County's shorelines. Participants cited examples that included the closing of the mills and the reduction of water pollution from "big polluters," improvements in state forest practices requirements for streamside buffers and road maintenance to control sediment, and better standards for on-site septic systems. There was also considerable mention of recent efforts to restore stream habitats, which many view as an indication of progress toward sound environmental stewardship. Several participants noted, however, that some habitat improvement projects had created erosion problems for adjacent private property owners and expressed the importance of careful design and follow-up to ensure restoration projects are working and not creating problems.

Focus group attendees also described examples of environmental issues that are not trending in a positive direction. Participants spoke about increases in algae blooms in the lakes, effects of non-point pollution, buffer encroachment, and removal of logs along the shoreline. Others expressed concern about the poor condition of native salmon runs and beach closures caused by water quality contamination. Erosion caused by shoreline armoring (old and newer armoring), the loss of beach sediments, and declines in the health of eelgrass, kelp, shorebirds and seabirds were also cited as examples of a deteriorating environment. A few people expressed concern about impacts from forest practices such as increased sedimentation. Garbage from container ships and sewage from Victoria, B.C. were also noted as evidence of shoreline degradation. Some participants said reduced fishing opportunities are negatively affecting businesses and detracting from the region's overall economic viability. Several business representatives said they depend on healthy shorelines for tourism, recreation, fishing and other shoreline-related commerce.

Numerous meeting attendees stated that “we have enough regulation” and suggested that the shoreline management update would be more aptly directed towards improving application of the existing rules. Many provided examples of regulatory inconsistencies, lack of enforcement, or confusion over the requirements. Some residents suggested that the lack of enforcement favors bad behavior and penalizes good behavior: those who follow rules and apply for permits “go through the ringer” and incur significant costs, whereas people that conduct illegal activities frequently go unpunished. This view was expressed as “the system” being “at odds with the people”—the majority of whom “want to do the right thing.” At each meeting, there was general agreement among participants that “everyone wants to follow the rules.” Participants said “we want to be good stewards, but there is not enough education and we don't know the rules.” Several shoreline residents expressed satisfaction with the County's implementation of the existing rules; one person in particular said “despite the negative lore about the County, my experience has been quite positive.”

Public Access

The prevailing view expressed at the meetings is that public access to County shorelines is limited and the need for safe, well-managed access is high. Participants expressed a strong desire to be able to access the beach for various recreational and business-related needs. For example, some people from the surfing community articulated their desire to create additional legal access to key surfing locations. Bed and breakfast owners and other tourist-related businesses explained that access to the shoreline is an important aspect of the visitor experience that creates a positive impression and helps bring people back.

Focus group participants acknowledged that in many places access to the marine waters is constrained by high or unstable bluffs. They said this puts pressure on existing access points and creates a demand for access to the areas that impact adjacent landowners. Several property owners expressed interest in working with the community to figure out a way of providing more access along the steep segments of shoreline.

Some property owners described heavy traffic volumes and parking issues at existing access points; others expressed concerns about garbage, vandalism and foot traffic, all of which can impact the ecology, safety and aesthetics of the shoreline.

Recreational users, shoreline property owners, and business owners expressed their perception that public access has been reduced in recent years as more private lands have been closed to the public. Some property owners (including homeowners, forestry companies and small businesses such as bed and breakfast owners) report that while they used to allow access onto/across their lands, they stopped doing so because of adverse consequences or because of growing concerns about liability. For example, private forest landowners used to allow more public access, but indicated that they have spent tens of thousands of dollars removing garbage and dealing with vandalism or have incurred increased liability from drug related and other illegal activities. Kayakers indicated that there are few points to pull out from Pillar Point east, and that the distance between safe, accessible beaches (for resting) may be too far for some users.

Recreational users expressed concern that as the population grows and tourism increases there will be additional demands on and damage to existing public access points. People asked that new public access be considered in areas where there is already illegal access occurring or where future demand is likely. Business owners and shoreline residents also identified safe and secure public access to the shorelines as one of their primary concerns.

Property owners noted that there are numerous places for public to access shorelines via public lands (including national park/forest lands, state park/forest lands, and county parks) that should be included in future discussions/plans about shoreline access.

Shoreline Development Rights

A number of participants expressed the importance of their property development rights. One participant at the Port Angeles forum requested that the County prepare a thorough assessment of the adequacy of the existing rules before making changes. This summarized a view expressed by many people that the current regulations are sufficiently stringent and do not need to become more burdensome for private property owners. While many participants expressed concern that new regulations will create more severe restrictions, some acknowledged that effective regulations help protect property owners from harmful acts by irresponsible landowners. This perspective was stated by several residents at the Sequim forum, including the remark that, “Those of us who live on the water have spent a lot out of our pocketbooks to be there. We want to make sure that we don’t lose any rights—or any of the protections--that we get through the regulations.” Some shoreline residents at the Sequim forum also complimented the County for denying some specific building permits that were likely to impact neighbors (via placement of fill), and emphasized the importance of consistent enforcement (especially related to vegetation removal on bluffs and rivers). Within this range of perspectives, there was a shared belief that government should recognize property owners as good stewards of the shoreline who do not simply need more regulations.

Property owners at each landowner focus group said they do not see the benefit of many of the shoreline regulations compared to the financial burdens of complying with the rules. Some residents suggested the County needed to provide a full accounting of the economic impact of any new regulations. Concerns about new regulations also stemmed from the perception that the cost of complying with current regulations is significant. Property owners explained that the permit process often requires special studies prepared by consultants or other experts which creates a large financial burden on the landowner. Some shoreline residents indicated that the site visits that were conducted by County staff in the past were less burdensome. This point led to a discussion that budget cuts have reduced staff available for on-site consultation, essentially shifting the financial burden from the collective (paying for county staff) to the individual (person desiring a permit).

Concerns and Hopes for the Future of Clallam County Shorelines

A timely question articulated by one participant after listening to the concerns of others about the past, is “what do we do now to move forward?” People at the focus group sessions consistently expressed hope that governmental programs could become more clear, coordinated and applied more consistently to the benefit of property owners and the environment. One participant said of the shoreline rules, “I shouldn’t have to read a book to be able to live on my property.”

Residents, business owners and users are concerned that shorelines will continue to be degraded unless there is better enforcement and more government resources directed at the most important issues. Many people acknowledged the local economic benefits from population growth, tourism and associated development and want a management approach that provides safeguards for the environment yet does not create greater infringements on private property rights. One person offered, “don’t create such a straight-jacket that you prevent wise decision-making and problem-solving in the future.”

Meeting attendees frequently expressed concerns about property loss caused by shoreline erosion and about future impacts to property from storms, floods and other events. Some of them also voiced concerns about the decline of native salmon and the impacts that could have on tourism and the economy as a whole.

Recommendations for Inspiring Participation in the SMP Update Process

People at the workshops were very clear that the most important consideration in terms of engaging the public is to design a process that allows them to see how their input and feedback are used. People want to know that their concerns are being taken into account and that their participation is having tangible results. One person put it very clearly: “This is how democracy works—by citizens getting engaged in the decision-making.”

There were questions and concerns expressed at most focus groups about the role of the state in the shoreline update process. Several participants requested the opportunity to engage in a direct dialogue with Ecology staff during the update process or to have Ecology attend all the meetings. Many people wanted to gain a better understanding of how no net loss will be applied in Clallam County. Some property owners perceive the no net loss provisions of the Shoreline Management Act as a vague concept and, “worry that

it gives Ecology an open-ended opportunity to ask for more.” In general, knowing and understanding Ecology’s requirements and what is “already written in stone” appears to be important to participants, who want to know how much local control is available and want to hear from Ecology directly on these issues.

Participants in the focus groups also asked how tribal concerns will be addressed in the solutions to be developed. Property owners at the Sequim forum included a shoreline property owner who identified herself as a tribal member. Several property owners at other forums indicated that they would like to see direct tribal engagement and prefer that tribal concerns are raised early in the process.

Meeting participants are eager to delve into substantive discussions about real issues and want to focus on finding solutions. For example, attendees stated that they want direct discussions about what no net loss means and how the responsibility for achieving it should be allocated between shoreline property owners and the general public. The economic implications of shoreline management were also raised as a potential substantive issue.

Respect was mentioned by some property owners as critical to inspiring participation in the update process. Citizens asked to have well-facilitated, structured meetings with clear agendas; to receive meeting summaries; to receive information that is accessible and relevant; and to have transparent process where it is clear how decisions are being made and how information is used. Some suggested that meetings with smaller groups of people engaged in solutions could facilitate better problem-solving than traditional public meetings structured with an information download followed by individual comments.

People asked for frequent notice about meetings and for access to information through email, the local newspaper, phone calls and mailings. People also asked to have multiple opportunities (mid-day and evening) to participate in meetings covering the same subject matter so people with standing evening or daytime obligations could attend. Many of the people who attended the focus groups had never participated in a public process. Others described previous processes where they invested time but did not see the benefits or did not feel their input was valued or heard.

Next Steps

County staff and consultants are using the perspectives expressed at the focus group meetings to design an effective and respectful process for updating the Shoreline Master Program. The first set of public meetings in April 2011 will be designed to deal directly with a number of the important issues that people raised such as: floodplain management, river restoration, bank/shore erosion, and public access. The meetings will be held at several locations and different times of the day to provide people options for attending. Ecology will be invited to each of the public meetings and correspondence from Ecology will be posted on the County’s website.

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In addition to hosting meetings, the County will ensure that people are informed through articles in the paper, e-mail updates, public notices and county staff participation in meetings of existing organizations.

Several reports will be generated in coming months that will be available for public review. A summary of how the existing shoreline rules compare to the state requirements will be available to citizens in late March and will be used to initiate a dialogue about how and why the shoreline rules might change. The Consistency Report will highlight areas where changes may be needed to comply with state law or address development patterns that are occurring on the shoreline but are not well addressed by the existing rules. The shoreline Inventory and Characterization, underway in the spring of 2011, will also examine site-specific issues and concerns raised during the focus groups, such as the location of eroding shorelines and the spacing of public access for different types of recreation.

Addendum: Background on the Clallam County SMP Update

Clallam County is in the midst of a two-year process to update the rules that govern shoreline use and development. These rules, known as the Shoreline Master Program, apply to the lands within about two hundred feet of major rivers, streams, lakes and the marine shoreline as well as to some portions of the floodplain. The program also regulates activities that occur in the water including some types of shellfish production and the placement of shore armoring, docks, marinas, and other moorage. Clallam County's Shoreline Master Program was adopted in 1976 and has not been substantially updated in almost forty years.

The shoreline rules are a requirement of the Shoreline Management Act passed by a vote of the people in the 1970s. The Act has three main objectives:

- protect the environmental quality of the shoreline,
- encourage public access to public lands/waters and
- support water dependent and related uses of property including residential development.

In 2003, the State legislature required all local governments in the State to update their shoreline master programs to reflect the latest scientific information and ensure that local issues as well as statewide interests are addressed. Clallam County received State funds to complete the update, which is expected to take about 18 months. The County's shoreline update process includes the following steps:

1. Inventory and characterization of current shoreline conditions using the latest data and information.
2. Consistency evaluation comparing the current Shoreline Master Program to the State's requirements.
3. Vision statement describing the community's hopes for the future of shorelines.
4. Identify strategies to achieve the three purposes of the Shoreline Management Act.
5. Update policies and regulations and/or develop new policies and regulations where needed.
6. Review by the Planning Commission, approval by the Board of County Commissioners and final approval by the Department of Ecology.