



462650029000-227-042-WOODMAN-20120430

SAN JUAN COUNTY
RESPONSE TO SHORELINE INVENTORY REPORT
See: http://sanjuanco.com/CDP/docs/SMP/SJC_Shoreline_Inventory_and_Characterization_Report_January_2012_Final.pdf

PROPERTY OWNERS: John and Barbara Woodman
STREET ADDRESS 1705 Yacht Haven Road
MAIL ADDRESS IF DIFFERENT Friday Harbor, WA 98250

If checked Please add our e-mail to the contact list for future shoreline proceedings
e-mail _____

TAX PARCEL NUMBER(S) 462650029 & 462650028

ISLAND San Juan S.J.C. COMMUNITY

MANAGEMENT AREA Roche Harbor APR 30 2012

REACH NUMBER #227 (FROM MAP index 37) DEVELOPMENT & PLANNING

PROPERTY CONTEXT –Broad scale **Attachment 1**
(Google Earth or Map quest showing reach or general context 1/4-1/2 mile or so)

PROPERTY CONTEXT (Close Scale) **Attachment 2**
(Google Earth or Map quest showing site and adjoining properties)
(If you can scale setbacks from structures and elements of the built environment including lawns, garden patio's etc onto the photo—So much the better)

EXISTING DEVELOPMENT ON THE PROPERTY Attachment 3

A series of Photo's

At the shoreline showing the current condition (include physical characteristics of the shoreline and both retained native vegetation and elements of the built environment improvements to include docks, bulkheads, walkways trails etc) both high and low tide photo's

At the home or business showing the current condition (include photo's of the house setting in relationship to the shoreline, other structures, lawns, patios, places of shoreline access for people, boats other improvements For commercial uses make sure the totality of the site use is properly characterized)

Does the discussion of the Reach properly reflect your property location, setting and context.
Yes , NO (Refer to reach characteristics in the text and appendices)
If not why not. Please See "Attachment A."

Does the site and adjacent shoreline contain any of the "Nearshore Key habitats and species area (identified on pp 61-76)

NO _____
YES please specify If not contested in "Attachment A"
then the property owners are in general agreement with the maps.

IS YOUR PARCEL LISTED AS A POTENTIALLY NONCONFORMING LOT BY REASON OF A STRUCTURE WITHIN 50 FEET OF THE SHORELINE (Map 35 A, B or C)

NO _____
YES (TPN 462650029 only - TPN 462650028 is undeveloped)

IF YES, DOES THE CHARACTERIZATION IDENTIFY ANY SPECIFIC HARM THE EXISTING STRUCTURE(S) IS/ARE CAUSING ON THE EXISTING SHORELINE CONDITION OR HABITAT? **(MAKE SURE YOU CHECK THE APPENDICES)**

NO
YES _____ AT PAGE(S) _____

DO THE PHOTOGRAPHS ATTACHED REFLECT THE EXISTING CONDITION AT YOUR SITE?

YES
NO _____

DOES THE INVENTORY REPORT IDENTIFY ANY SCIENTIFIC BASIS FOR MAKING YOUR PROPERTY A NONCONFORMING USE? **(MAKE SURE YOU CHECK THE APPENDICES)**

NO
YES _____ AT PAGE(S) _____

WHAT IS THE AVERAGE LOT SIZE ON THE SHORELINE IN THE AREA OF YOUR PROPERTY?

____ Less than one acre, one acre to less than five acres _____, five acres and over

WHAT IS THE PROPERTY'S CURRENT SHORELINE DESIGNATION?

URBAN _____, RURAL RR, CONSERVANCY _____ NATURAL _____

WHAT IS THE CURRENT GMA COMPREHENSIVE PLAN DESIGNATION AND ZONING FOR YOUR PROPERTY? (MAPS ON FILE WITH COUNTY)

COMPREHENSIVE PLAN Rural
ZONING Rural Residential

DOES YOUR NEIGHBORHOOD FIT THE CRITERIA FOR A RESIDENTIAL ACTIVITY CENTER AS DEFINED IN THE 2010 COMPREHENSIVE PLAN?

Residential Activity Centers are residential areas that have existing development patterns more dense than one unit per five acres, some portion of which is served by non-rural levels of capital facilities or services.

YES _____
NO

IF YES, DOES THE SHORELINE INVENTORY REPORT ACCURATELY REFLECT THE RESIDENTIAL ACTIVITY CENTER CHARACTERISTIC AND SHORELINE RESIDENTIAL MANAGEMENT GOALS IN CHARACTERIZING YOUR REACH.

YES _____
NO _____, NA

OTHER COMMENTS AND OBSERVATIONS ATTACHED

THE UNDERSIGNED PROPERTY OWNERS REQUEST THAT THE MATERIALS SUBMITTED HERewith BE INCORPORATED INTO THE COUNTY INVENTORY AND CHARACTERIZATION REPORTS TO MORE ACCURATELY REFLECT THE CHARACTERIZATION OF THE SHORELINE ABUTTING OUR PROPERTY.

(CHECK IF APPROPRIATE) X AND

~~THAT THE COUNTY SPECIFICALLY IDENTIFY AND DESIGNATE OUR AREA AS A RESIDENTIAL ACTIVITY CENTERS UNDER GMA AS PROVIDED IN THE COMPREHENSIVE PLAN BEFORE PROCEEDING WITH THE SHORELINE DESIGNATION PROCESS.~~

OWNERS SIGN

PRINT

Francine Shaw
Agent for John + Barbara
Woodman

Francine Shaw

Attachment A

John and Barbara Woodman own two shoreline parcels along Mosquito Pass; TPN 462650028 (which is currently undeveloped) and the adjacent parcel to the north, TPN 462650029 (which is a fully developed residential lot). The 2012 San Juan County Shoreline Inventory and Characterization Report identifies several environmental and geological characterizations that do not accurately define these two properties. These misrepresentations are as follows.

1. Map 9A correctly shows armoring (a stepped bulkhead) and an improved boat ramp on TPN 462650029. However, there are two beach access structures which should be recognized, also.
2. Map 14A shows the shoreline of these two properties as being a “barrier estuary.” Barrier estuaries are shoreforms consisting of inlets, lagoons, and/or marshes behind a barrier and having significant freshwater input. These may include wetlands formed on cusped forelands (a triangular, accretionary shoreform), wetlands within an embayment, or wetlands along an unembayed coastline. Barrier estuaries are partially isolated from open marine water by a barrier, with tidal exchange occurring through a narrow entrance channel. The wetland itself may include open water, a stream channel, tidal channels, and salt marshes.

There are no streams, wetlands or lagoons on or in the immediate vicinity of these two properties that could introduce fresh water into Mosquito Pass. There are no isolated areas protected from open water. Therefore, the classification of the property as a barrier estuary is incorrect.

3. Map 19A designates these properties as an estuarine aquatic bed, estuarine emergent wetland and evergreen forest. While they are clearly an evergreen forest, they are not an estuarine aquatic bed or an estuarine emergent wetland.

NOAA defines “estuarine aquatic bed” as areas that include tidal wetlands and deepwater habitats in which salinity due to ocean-derived salts is equal to or greater than 0.5 percent and which are dominated by plants that grow and form a continuous cover principally on or at the surface of the water. These include algal mats, kelp beds, and rooted vascular plant assemblages.

“Estuarine emergent wetland” is defined as all tidal wetlands dominated by erect, rooted, herbaceous hydrophytes (excluding mosses and lichens) and all such

wetlands that occur in tidal areas in which salinity due to ocean-derived salts is equal to or greater than 0.5 percent and that are present for most of the growing season in most years. Perennial plants usually dominate these wetlands.

As noted above there is no wetland on or in the immediate vicinity of these properties. Therefore, they are not an estuarine aquatic bed or an estuarine emergent wetland.

4. Map 22A identifies these lots as being within an “estuarine zone.” San Juan County defines “estuarine” as those areas that are partially protected from marine circulation and waves and possess some amount of fresh water.

The Woodman parcels are located on open water and experience a large amount of wave action especially during the stormy season. They are fully impacted by tides and marine circulation. There is no stream, lagoon or wetland on or in the vicinity of these properties that could introduce fresh water into the waters of Mosquito Pass. Therefore, it is highly unlikely that this shoreline is within an estuarine zone.

5. TPN 462650029 is identified as “potentially non-conforming.” (TPN 462650028 is not because the land remains undeveloped.) Residential use of the property is not non-conforming but rather the location of the main residence is considered non-conforming. The boat ramp and guest house are non-conforming uses as they would not be allowed to be constructed on the property today.

The main residence was built in 1950 when there were no state or local shoreline regulations. The Woodman’s main residence is located at the “top-of-bank” and does not meet current setback requirements for residential development within the Shoreline Jurisdictional Area.

San Juan County currently enforces shoreline setbacks from either the OHWM or the Top-of Bank depending upon the amount of native vegetation that exists along the shoreline. A 50-foot setback is allowed if vegetation provides an appropriate visual screen as viewed from the water and 100-feet if there is no vegetative screen.

There is no definition of Top-of-Bank in the San Juan County SMP or the state’s Shoreline Management Act. “Top-of Bank” has been described in the past by San Juan County as the area along a sloping shoreline where “you would no longer drive your Mercedes.” It is from that area that shoreline setbacks are measured.

There is a boat ramp on the north side of the shoreline that would not be allowed to be constructed on the property today. It is a "use" that is non-conforming.

The property also includes a guest house. Under current upland standards a lot must be no less than five acres in order to allow the construction of a detached guest house. The Woodman's parcel is only 1.79 acres in size.

There is a formally landscaped area between the residence, guest house and the OHWM. It is questionable if this landscaping would be allowed today. It may also be considered non-conforming.

A series of photographs are attached that are intended to document existing development on the property just in case the SMP update revises existing regulations that would create additional non-conformities on the property.



TPNs 462650028 and 462650029



1:1200

This data has been compiled for San Juan County. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.





TPM 462650029

EXISTING CONCRETE BULKHEAD 4-26-12



TPN 462650029 - EXISTING BOAT RAMP — 4-26-12



Non-Conforming Shoreline Setback Residence,
Beach access stairs and grave
Beach Condition.



Non-Conforming Shoreline Setback
and

Conforming Bulkhead & Beach Access Stairs

4-26-12

TPN 462650029



TPN 462650029

Bulkhead on
sand and Gravel Beach

4-26-12



TPN 462650029

View of Bulkhead from the south looking north.

4-26-12



TPM 462650029

Stopped bulkhead and sand/gravel Beach

4-26-12



TPN 462650029
BEACH Condition
4-26-12



Non-Confirming
Manicured Lawn within
Shoreline Setback

4-26-12

TPN 462650029



SHORELINE SETBACK
OF
GUEST HOUSE

TPN 462650029

4-26-12



Shoreline
of
Undeveloped
TPN

462650028



Beach Access
Stairs to
Boat Ramp

TPN 462650029