

From: [Pelizza, Sylvia](#)
To: [BrownScott, Jennifer](#)
Subject: Re: Important: Aquaculture Process Update
Date: Wednesday, February 15, 2017 3:59:30 PM
Importance: High

Thank you.

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***Sylvia R. Pelizza***

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On Tue, Feb 14, 2017 at 12:01 PM, BrownScott, Jennifer <[jennifer\\_brownscott@fws.gov](mailto:jennifer_brownscott@fws.gov)> wrote:

Greg Ballard, Clallam County Dept of Community Development, said that as soon as they receive a Shoreline Permit application from Jamestown S'Klallam Tribe, he would send us a courtesy copy and publish a Notice of Application. Depending on the scope of the project, they will either need a Conditional Use or a Substantial Use Permit. Either permitting process will require SEPA and will provide opportunity for public comment and require a public hearing before submittal to their hearings examiner. Greg estimated that it would take 2-3 months from the receipt of application to get to public hearing. He provided this same information to the Jamestown Tribe (below).

I do not think we need to do anything at this time. We will just wait for the Notice of Application and be available to provide comment on their permitting/SEPA documents.

-jennifer

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Jennifer Brown-Scott  
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~~Dungeness NWR~Protection Island NWR~San Juan Islands NWR~~  
~~Copalis NWR~Flattery Rocks NWR~Quillayute Needles NWR~~

----- Forwarded message -----

From: **Ballard, Greg** <[gballard@co.clallam.wa.us](mailto:gballard@co.clallam.wa.us)>  
Date: Tue, Feb 14, 2017 at 11:10 AM  
Subject: FW: fyi  
To: [jennifer\\_brownscoff@fws.gov](mailto:jennifer_brownscoff@fws.gov)

**Greg Ballard**

Senior Planner

Clallam County Department of Community Development

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**From:** Ballard, Greg  
**Sent:** Friday, December 02, 2016 11:46 AM  
**To:** 'Ralph Riccio'  
**Subject:** RE: fyi

I would apply for both the CUP & Substantial Development Permit (don't charge fees twice).

Fee is the same \$1,125 + \$250 for SEPA

This proposal does not meet the criteria for being exempt for a Substantial Development per WAC 173-27-040 (attached)

The criteria for a substantial development permit (WAC 173-27-150) are met if you meet the criteria for a CUP (WAC 173-27-160).

**WAC 173-27-150**

**Review criteria for substantial development permits.**

(1) A substantial development permit shall be granted only when the development proposed is consistent with:

- (a) The policies and procedures of the act;
- (b) The provisions of this regulation; and

(c) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed

for consistency with the provisions of chapter [173-26 WAC](#), and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.

(2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.

[Statutory Authority: RCW [90.58.140](#)(3) and [90.58].200. WSR 96-20-075 (Order 95-17), § 173-27-150, filed 9/30/96, effective 10/31/96.]

## **WAC 173-27-160**

### **Review criteria for conditional use permits.**

The purpose of a conditional use permit is to provide a system within the master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW [90.58.020](#). In authorizing a conditional use, special conditions may be attached to the permit by local government or the department to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the act and the local master program.

(1) Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:

(a) That the proposed use is consistent with the policies of RCW [90.58.020](#) and the master program;

(b) That the proposed use will not interfere with the normal public use of public shorelines;

(c) That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;

(d) That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and

(e) That the public interest suffers no substantial detrimental effect.

(2) In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW [90.58.020](#) and shall not produce substantial adverse effects to the shoreline environment.

(3) Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program.

(4) Uses which are specifically prohibited by the master program may not be authorized pursuant to either subsection (1) or (2) of this section.

[Statutory Authority: RCW [90.58.140](#)(3) and [90.58].200. WSR 96-20-075 (Order 95-17), § 173-27-160, filed 9/30/96, effective 10/31/96.]

**Greg Ballard**

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**From:** Ralph Riccio [<mailto:rriccio@jamestowntribe.org>]

**Sent:** Friday, December 02, 2016 11:17 AM

**To:** Ballard, Greg

**Subject:** RE: fyi

Hello Greg,

Just to verify, I am only applying for a Conditional Use permit, not a substantial development permit and conditional use, correct?

Also, what is the final fee for that?

Ralph

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**From:** Ballard, Greg [<mailto:gballard@co.clallam.wa.us>]

**Sent:** Monday, November 21, 2016 2:07 PM

**To:** Ralph Riccio <[rriccio@jamestowntribe.org](mailto:rriccio@jamestowntribe.org)>

**Subject:** fyi

**Greg Ballard**

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