

**ATTACHMENT C: DEPARTMENT OF ECOLOGY RECOMMENDED CHANGES TO THE CITY OF STEVENSON SHORELINE MASTER PROGRAM UPDATE - (RESOLUTION NO. 2018-322)**

The following changes are recommended as consistent with the SMA (RCW 90.58) and the SMP Guidelines (WAC 173-26, Part III) to clarify provisions for implementation:

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
1.	General	<p><i>[Correct scrivener errors, as needed, in Stevenson Municipal Code (SMC) 18.08, and the Shoreline Master Program (SMP).]</i></p> <ul style="list-style-type: none"> <li>• <b>SMC 18.08.110</b> - 1. Content. The content of <u>the</u> notice shall be...</li> <li>• <b>SMC 18.08.185</b> - Items 'E' through 'H' should be formatted as 'A' through 'D'</li> <li>• <b>SMP 2.3.2</b> - ...submittal requirements necessary <del>for</del> to ensure compliance...</li> <li>• <b>SMP 2.4.3</b> - 3. ...the review criteria of this <del>e</del>Chapter, and WAC 173-27.</li> <li>• <b>SMP 2.5.2</b> - 3. In authorizing a MPA, the City may <del>be</del> attach conditions...</li> <li>• <b>SMP 3.2.3</b> - 1. ...that are consistent with <del>this</del> WAC 173-26...</li> <li>• <b>SMP 3.2.4</b> - 3. b. ...ecological functions or <del>future</del> <u>further</u> degrade...</li> <li>• <b>SMP 4.1</b> - The provisions of this <del>section</del> <u>Chapter</u> apply generally...</li> <li>• <b>SMP 4.2.1</b> - ...that: <u>1)</u> are <del>either</del> recorded at the state historic preservation office and/or by the City; <u>2)</u> have been identified in consultation with a Tribal Historic Preservation Officer; <u>or 3)</u> have been discovered inadvertently...</li> <li>• <b>SMP 4.2.3</b> - 1.a. ...based on information from DAHP, <del>or</del> a prior archaeological report/survey, or <del>based on</del> a state or federal register...</li> <li>• <b>SMP 4.2.3</b> - 3. ...If the cultural resource <del>prof</del>essional determines...</li> <li>• <b>SMP 4.5.3</b> - 1.b. <del>That a</del><u>N</u>onstructural measures are not feasible;</li> <li>• <b>SMP 5.4.3</b> - 4.b. ...shall be designed, constructed, and maintained <del>to</del> so as not to interfere with or impair the navigational use <u>of</u> shorelines.</li> <li>• <b>SMP 5.4.3</b> - 4.d.i. Where unassociated with water-dependent <del>ntd</del> uses...</li> <li>• <b>SMP 5.4.6</b> - 1. ...institutional uses for <del>the</del> Skamania County...</li> <li>• <b>SMP 5.4.11</b> - 3. f. ...special standards <del>for</del> to <u>ue</u>nsure public and private...</li> <li>• <b>SMP 5.4.11</b> - 4.b. ... plan, design, and locate where routes: <ul style="list-style-type: none"> <li><u>i. W</u>ill have the least possible adverse effect ... fragile shoreline features;</li> <li><u>ii. W</u>and will not result in a net loss of shoreline ecological functions; and</li> <li><u>iii. W</u>ill not <del>or</del> adversely impact existing or planned water-dependent uses.</li> </ul> </li> <li>• <del>b-c.</del> <u>Alternative designs for transportation facilities...</u></li> <li>• <b>SMP 6.4.1</b> - 3.b. ii. ...establish mitigation ratios that deviate...</li> <li>• <b>Appendix A</b> - A.1. ...(SEDs) of those areas will take effect immediately...</li> <li>• <b>Appendix A</b> - A.3. ...as 1) legal actions related <u>to</u> annexation, land division...</li> <li>• <b>Appendix B</b> - B.2. ...Table A.2 is provided to catalogue <del>the</del> each letter...</li> </ul>	<p><b>Global Change</b> – In collaboration with City staff, Ecology recommends revisions throughout SMC 18.08 and the SMP, as needed, to correct minor scrivener errors such as alpha-numeric formatting, misspelling, punctuation, typos, grammatical errors (i.e. <u>insertion/deletion</u> of 'the', 'of', 'for', 'be', etc.), capitalization, citations, hyphens, and similar that have no substantive effect on implementation. Many such corrections were suggested by City staff including, but not limited to, those shown at left.</p> <p>In addition, the City may opt to:</p> <ul style="list-style-type: none"> <li>• remove the line numbering throughout the document so that reference citations are made solely by chapter, section, sub-section, provision, and sub-item numbers;</li> <li>• remove the page background watermark that reads 'Council Authorized'; and</li> <li>• correct the numbering error at 4.4.4 – 4.4.6, both in the Table of Contents and Chapter 4.</li> </ul> <p>Ecology supports these non-substantive clarifying revisions.</p>

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
2.	General	<p><b>2.9.1 Nonconforming Use &amp; Development – Purpose – Applicability – Criteria ...</b>                      2. Nonconforming uses and developments on Stevenson’s shorelines shall meet the standards of the City of Stevenson Zoning Code, SMC 17.44 – Nonconforming Uses (<u>Said provisions include all amendments adopted through February 27th, 2017, the effective date of Ordinance 2017-1103</u>), with the following exceptions: ...</p> <p><b>5.4.13 Unlisted Uses</b>                      2. Process. To the extent practicable, the interpretation of uses under this SMP shall be guided by the Zoning Code’s provisions related to interpretation of uses at SMC 17.12.020 (<u>Said provisions include all amendments adopted through February 27th, 2017, the effective date of Ordinance 2017-1103</u>), provided that...</p>	<p>City staff suggested edit to include specific reference to City Zoning Code provisions that apply in shoreline jurisdiction.                      Ecology supports these clarifying revisions.</p>
3.	SMC 18.08 Shoreline Management	<p><b>.020 Shoreline Master Program and Map Adoption.</b>                      A. There is made a part of this chapter a management plan which shall be known as the “Stevenson Shoreline <u>Master Management</u> Program” or “SMP,” adopted _____ <u>[date]</u> _____, as well as a map which shall be officially known as the “<u>Stevenson</u> Shoreline Environment Designation Map.” These documents shall be made available to the general public upon request.</p> <p><b>.050 Applicability of Provisions, Shorelines Designated.</b>                      A. Unless specifically exempted by state statute, all proposed uses and development occurring within shoreline jurisdiction must conform to chapter 90.58 RCW, the Shoreline Management Act, and the Stevenson Shoreline <u>Master Management</u> Program.</p>	<p>In collaboration with City staff, Ecology recommends these text revisions for accuracy and internal consistency.  <b>Master</b> - The submitted SMP document is titled Shoreline Master Program, consistent with the requirements of SMA and WAC. Also, SMP 1.1 Title establishes the name as Stevenson Shoreline Master Program. The SMP document title page, page header, sub-section headers and body text all use the SMA term. Our use of the term ‘master program’ is intended to indicate that an SMP has both goals &amp; policies as <i>planning</i> components as well as specific <i>regulatory</i> standards.  <b>Date</b> - Insertion of the Council final adoption date for accuracy before sending a final clean-copy version of the SMP to Ecology; City may opt to also include Ordinance Number.  <b>Stevenson</b> - Insertion of the City’s name to the SED Map title provides better clarity.</p>
4.	SMC 18.08 Shoreline Management	<p><b>.050 Applicability of Provisions, Shorelines Designated.</b>                      B. This chapter applies to all areas within shoreline jurisdiction as designated in the SMP, including:                      1. That portion of the Columbia River shoreline which lies within city limits. This chapter will apply to any Columbia River shoreline which is annexed into the city; <del>provided, the annexed shoreline has been predesignated within the SMP.</del> The entire Columbia River shoreline is a Shoreline of State-Wide Significance;                      2. The Rock Cove shoreline;                      3. That portion of the Rock Creek shoreline which lies within city limits. This chapter will apply to any Rock Creek shoreline which is annexed into the city; <del>provided, the annexed shoreline has been predesignated within the SMP.</del></p>	<p>The SMP will apply to any jurisdictional areas of the Columbia River, Rock Creek, or Ashes Lake upon annexation into the City regardless of predesignation. Per WAC 173-26-211(2.e) and SMP A.5.6, any area not predesignated (i.e. undesignated) would simply default to the Urban Conservancy SED until formally designated by way of an SMP amendment. By predesignating areas in the Urban Area Boundary, the City simply minimizes the chance of relying on this default requirement and eliminates the need for an SMP amendment.                       Ecology recommends revisions for accuracy &amp; clarity.</p>

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		4. Any portion of the Ashes Lake shoreline which is annexed into the city; <del>provided, the annexed shoreline has been pre-designated within the SMP.</del>	
5.	<b>SMC 18.08 Shoreline Management</b>	<b>SMC 18.08.120 Permits—Fees.</b> A. An application for an approval under this chapter shall be accompanied by an application fee payable to the City in an amount established and periodically adjusted by the City Council. B. <del>Fees are not refundable.</del> C. Payment of an application fee does not guarantee that a permit will be issued.	Revision suggested by City staff to reflect newly adopted 2020 permit fee refund policy. Ecology supports this edit.
6.	<b>SMP Acknowledgements</b>	<i>[Update the members listed for City Council, Local Advisory Committee, and Planning Commission]</i> <b>State Staff Support</b> This <u>Comprehensive</u> Shoreline Master Program <u>Update amendment</u> is made possible by Washington State Department of Ecology Grant G1200-044 <u>and SEASMP-StevPW-02230</u> , with the assistance of Michelle McConnell, Regional Shoreline Planner	<b>Listed Members</b> - Clarifying edits suggested by City staff to ensure all city elected and appointed volunteers involved in the SMP to date are recognized. Ecology supports this edit.  <b>State Support</b> – City staff suggested and Ecology supports these recommended revisions to modify the sub-title, and rephrase text as an SMP amendment to reflect the combined effort to satisfy both the comprehensive update and periodic review requirements. The 2019 – 21 Periodic Review grant Agreement number should also be reflected by similar text reference on the Cover Page. Ecology supports this edit.
7.	<b>SMP Page Header</b>	City of Stevenson <del>2018</del> -Shoreline Master Program  City Council Authorized Draft Staff Clean-Up Draft <del>September-December 202118</del>	<b>Global change</b> - City staff suggested and Ecology supports these recommended revisions to the Page Header text throughout the document to accurately reflect the final adopted version SMP; this text should agree with any similar text references on the cover page and at SMC 18.08. Per City discretion, Page Header text could use: document name without a date; include the Council final adoption date; include the Ecology final approval date; OR include the Effective Date.
8.	<b>SMP Table of Contents</b>	<del>2.5 Exemptions from Shoreline Substantial Development Permits</del> <u>Minor Project Authorizations</u> <del>2.5.1 Exemptions Minor Project Authorizations</del> – Interpretation and Guidelines <del>2.5.2 Statement of Exemption Process</del> <u>Minor Project Authorization Process</u>	As written, the phrasing is internally inconsistent with Chapter 2 text that uses the term “Minor Project Authorization’ at 2.5, 2.5.1, and 2.5.2.  Ecology recommends revision to have the Table of Contents match the language used in the body of the SMP.
9.	<b>1.1 Title</b>	This document shall be known and may be cited as the Stevenson <del>2018</del> Shoreline Master Program (SMP).	2018 was the local approval date, not the effective date that will be determined by City’s final adoption by ordinance and Ecology’s final action. Ecology recommends revision for accuracy and internal consistency.

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10.	<b>1.3 Shoreline Jurisdiction</b>	<p><b>1.3.2 Applicable Shoreline Jurisdiction in Stevenson</b>  <del>The extent of the shoreline jurisdiction shall be determined for specific project proposals based on the actual location of the OHWM, floodway, and the presence and delineated boundary of associated wetlands as may be determined on a site-by-site basis based on adopted definitions and technical criteria.</del> The 2018 city limits of Stevenson includes...</p> <p><b>1.3.3 Shoreline Environment Designation Map</b>                      The approximate shoreline jurisdictional area and the Shoreline Environment Designations (SEDs) are delineated on the map(s), hereby incorporated as a part of this SMP that shall be known as the "Stevenson Shoreline Environment Designation Map" (See Appendix A). The boundaries of the shoreline jurisdiction on the maps are approximate. The actual extent of shoreline jurisdiction <u>for specific project proposals</u> shall be based upon <u>the actual location of the OHWM, floodway, and the presence and delineated boundaries of associated wetlands as determined after</u> an on-site inspection and <del>based on the definitions provided</del> in accordance with SMP Sections 1.3.1 and 1.3.2, Chapter 3, Chapter 7, and <del>in accordance with</del> RCW 90.58.030.</p>	<p><b>1.3.2</b> - Revision suggested by City staff to delete duplicate language also addressed in the next sub-section.</p> <p><b>1.3.3</b> - Revisions suggested by City staff for clarity and to consolidate duplicative language.</p> <p>Ecology supports these clarifying revisions.</p>
11.	<b>1.5 Shoreline Master Program Applicability to Development</b>	<p>The SMP shall apply to all land and waters under the jurisdiction of Stevenson as identified in SMP Sections 1.3.1, 1.3.2, and 1.3.3 above. <del>If the provisions of the SMP conflict with other applicable local ordinances, policies, and regulations, the requirement that most supports the provisions of the SMA as stated in RCW 90.58.020 and that provide the greatest protection of shoreline ecological resources shall apply, as determined by the Shoreline Administrator.</del></p> <p>This SMP shall apply to every person (<u>i.e.</u> individual, <del>firm</del>, partnership, <u>corporation</u>, association, organization, <del>corporation cooperative, public or municipal corporation, or agency of the local or state</del> <u>or local</u> governmental <u>unit however designated</u>) <del>agency, public or municipal corporation, or other non-federal entity</del> that <u>uses</u>, develops, owns, leases, or administers lands, wetlands, or waters that fall under the jurisdiction of the SMA. The SMP shall not apply to federal agency activities on federal lands.</p> <p><del>SPlease</del> see SMP Chapter 2 below for more information...</p> <p><b>1.6 Relationship to Other Plans and Regulations</b>                      ...Applicants must also comply with the Stevenson Comprehensive Plan and any applicable subarea plan. <u>If the provisions of the SMP conflict with other applicable local ordinances, policies, and regulations, the requirement that most supports the provisions of the SMA as</u></p>	<p><b>Conflicting Provisions</b> – As suggested by City staff, move this 1.5 text to next section 1.6 as a more intuitive location for addressing SMP relationship to other plans and regulations.                      Ecology supports this clarifying edit.</p> <p><b>Applicability</b> – City staff suggested text revisions to better reflect RCW 90.58.030                      Definitions:                      (1)(e) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.                      Ecology supports this clarifying edit with the added insertion of 'uses'.</p> <p><b>1.6</b> - As suggested by City staff, move text from the previous section 1.5 as a more intuitive location for addressing SMP relationship to other plans and regulations.                      Ecology supports this clarifying edit.</p>

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		<p><u>stated in RCW 90.58.020 and that provide the greatest protection of shoreline ecological resources shall apply, as determined by the Shoreline Administrator.</u> The City's Shoreline Administrator or designee...</p>	
12.	<b>2.4 Permit Process</b>	<p><b>2.4.1 Permission Required ...</b>                  2. Activities <u>excepted exempt</u> from obtaining permission under this SMP include projects:                  ...</p>	<p>Ecology recommends revision for accuracy and internal consistency. Only WAC 173-27-040 lists SDP <i>exemptions</i>, the items listed here are <i>exceptions</i> to local review. As written the wording is internally inconsistent with the SDP exemptions addressed at SMP 2.5 and could cause confusion during implementation.</p>
13.	<b>2.5 Minor Project Authorizations (MPA)</b>	<p><b>2.5.1 Minor Project Authorizations – Interpretation &amp; Guidelines</b>                  1. Exemptions—as required by State law—shall be construed narrowly. Only those developments <del>that</del> <u>meeting</u> the precise terms of one or more of the state-process exemptions listed in WAC 173-27-040 may be reviewed as a Minor Project Authorization instead of as a SSDP. ...                  5. An exemption from the state's SSDP process is not an exemption from compliance with the SMA (RCW 90.58), this SMP, or any other regulatory requirements. To be authorized, all uses and developments must be consistent with the policies and provisions of this SMP and the SMA. Exemptions must still <u>achieve</u> <del>comply with</del> no net loss of...</p>	<p>Minor clarifying edits suggested by City staff for improved grammar/phrasing. Ecology supports these edits.                   See also Required Changes to 2.5 in Attachment B.</p>
14.	<b>3. Shoreline Environment Designation Provisions</b>	<p><b>3.1 Introduction</b>                  The state SMP guidelines require that Shoreline Environment Designations be assigned to shoreline areas according to their function, existing land uses, and the goals and aspirations of the community. For those unfamiliar with the Shoreline Management Act (SMA), a Shoreline Environment Designation 5 (SED) is similar to the more common concept of a zoning district. Consistent with the City's requirements under the SMA, this chapter provides a system SEDs which mirror those outlined in the SMP guidelines and overlay other zoning district requirements. The locations of the City's SEDs are described in and depicted on the map of shoreline jurisdiction and environment designations in Appendix A- <u>including descriptions of parallel environments, waterbody-specific interpretations, a parcel guide, and criteria to clarify boundary interpretations.</u></p>	<p>Additional language here would help the reader to recognize the Appendix has additional provisions related to the text of Chapter 3.                   Ecology recommends revision for clarity, as related to WAC 173-26-211(2.e)</p>
15.	<b>4.3 Environmental Protection &amp; No Net Loss</b>	<p><b>4.3.2 Regulations</b>                  5. Mitigating for Impacts. When impacts related to a proposal require mitigation, the following shall apply:                  a. The proposal shall achieve no net loss of ecological functions.</p>	<p>There is frequent confusion between:</p> <ul style="list-style-type: none"> <li>• <b>compensatory mitigation</b> that is <i>required</i> to offset the impacts of a permitted project; and</li> <li>• <b>voluntary restoration</b> conducted <i>at-will</i> solely for the improvement of degraded or impaired shorelines as an action separate from any new use/development activity.</li> </ul>



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		<p>b. The City shall not require mitigation in excess of that necessary to assure the proposal 1) results in no net loss of ecological function and 2) does not have a significant adverse impact on other shoreline functions fostered by this SMP.</p> <p>c. Compensatory mitigation shall give preference to measures that replace the impacted function directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation <del>identified in the Restoration Plan or within located elsewhere in the same reach or</del> watershed that addresses limiting factors or identified critical needs for shoreline resource conservation may be authorized, <u>including appropriate actions identified in the Restoration Plan.</u></p> <p>d. Unless waived by the City, authorization of compensatory mitigation shall require...</p>	<p>The SMP requires the former per the mitigation sequence, and supports/encourages the implementation of the Restoration Plan (RP) as a non-regulatory companion to the SMP. However, a unique circumstance could potentially occur where an action identified in the RP may be just the right fit to meet a project’s mitigation requirement, and may be conducted as such. Otherwise, mitigation and restoration are separate.</p> <p>Ecology recommends revisions for added clarity.</p> <p>See also Required Changes to 4.3.2 in Attachment B.</p>
16.	<p><b>4.5 Flood Hazard Reduction</b></p>	<p><b>4.5.1 Applicability</b></p> <p>1. The provisions of this section <u>and the critical areas protections above</u> apply in addition to the regulations for frequently flooded areas in SMC 18.13 <u>and the floodplain management regulations in SMC 15.24, including reliance on the established FEMA FIRMs, as amended</u> <del>and the critical areas protections above.</del></p>	<p>The existing text is acceptable as written. However in collaboration with City staff, Ecology recommends revision to add a soft reference to other applicable City regulations as a courtesy to the reader, and to help avoid confusion about use of the most current FIRMs. This way any future City updates to the maps adopted by the Flood Regulations will not require further revisions to the SMP. Sentence reorganization suggested for clarity/better phrasing.</p> <p><b>18.13.105 - Critical area—Frequently flooded areas.</b></p> <p><b>A. Classification and Designation.</b> All lands identified in the Federal Emergency Management Agency (FEMA) FIRMs, as amended and approved by the city as being within Zone A, are designated as frequently flooded areas.</p> <p><b>B. Performance Standards.</b> All development within designated frequently flooded areas shall comply with the city of Stevenson Floodplain Management Regulations, Chapter 15.24, as now or hereafter amended.</p> <p><b>15.24.040 - Basis for establishing the areas of special flood hazard.</b></p> <p>The areas of special flood hazard identified by the Federal Insurance Administration as Zone A as shown on the Flood Insurance Rate Map for City of Stevenson, WA, Community No. 530161 A, Panels 01-02, dated July 17, 1986 and Skamania County Washington, Community No. 530160, Panel 425, dated August 5, 1986, including any revisions thereto, and any revisions hereafter, are adopted by reference and declared to be a part of this chapter. The Flood Insurance Rate Map is on file at City Hall, 7121 East Loop Road, Stevenson, WA.</p>
17.	<p><b>4.6 Public Access</b></p>	<p><b>4.6.2 Policies</b></p> <p>5. New development should identify and preserve key shoreline views and avoid <u>obstructing</u> such views from public areas.</p>	<p>As written, the sentence is unclear – add missing word ‘obstructing’.</p> <p>In consultation with City staff, Ecology recommends revision for added clarity.</p>

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18.	4.6 Public Access	<p><b>4.6.3 Regulations ...</b>                      9.c. The City may require specific public access improvements (e.g., public viewing decks, etc.) as mitigation in lieu of more significant modifications to site and building design when the Planning Commission <del>determines that</del> <u>finds</u> such modifications would be an unreasonable financial burden on the applicant.                      10. Where there is a conflict between water-dependent shoreline uses or physical public access and maintenance of views from public properties or substantial numbers of residences that cannot be resolved using the techniques in Regulation 9 above, the water-dependent uses and physical public access shall have priority, unless <del>there is the Planning Commission finds</del> <u>a compelling reason to the contrary.</u></p>	<p>Revisions suggested by City staff for clarity.                      Ecology supports these edits.                      See also Required Changes to 4.6.3 in Attachment B.</p>
19.	4.7 Water Quality & Non-Point Source Pollution	<p><b>4.7.3 Regulations</b>                      2. Design, construction and operation of shoreline uses and developments shall incorporate measures to protect and maintain surface and groundwater quantity and quality in accordance with all applicable laws, so that significant impacts to aesthetic qualities or recreational opportunities do not occur. A significant impact to aesthetics or recreation would occur if a stormwater facility and <del>appurtenant accessory</del> structures (e.g., fences or other features) have the potential to block or impair a view of shoreline waters from public land or from a substantial number of residences per RCW 90.58.320, or if water quality were <del>visibly</del> degraded so as to discourage normal uses (e.g., swimming, fishing, boating, viewing, etc.). ...</p>	<p>In collaboration with a City staff suggested edit to revise the term ‘appurtenance’, Ecology proposes using the term ‘accessory’ as more appropriate given that the term ‘appurtenance’ is related to single-family residential uses, per Chapter 7 Definitions.                      Most water quality threats to humans &amp; wildlife are not ‘visible’ so any kind of degradation should be avoided, visible or not.                      Ecology recommends these revisions for accuracy &amp; clarity.</p>
20.	5.1 Introduction	<p>The provisions in this chapter apply to specific uses and types of development <del>that</del> typically occurring in shoreline areas...</p>	<p>City staff suggested edits for clarity/phrasing.                      Ecology supports this edit.</p>
21.	5.4.3 Boating Facilities & Overwater Structures	<p><b>4. Regulations: ...</b>                      f. Installation of boat waste disposal facilities... The locations of such facilities shall be considered on an individual basis in consultation with the state departments of Ecology, <u>Fish &amp; Wildlife</u>, Health, <u>Natural Resources, and</u> Parks, <del>and Washington State Department of Natural Resources (DNR) and WDFW,</del> as necessary.</p>	<p>City staff suggested edits for clarity/improved phrasing.                      Ecology supports these edits.                      See also Required Changes to 5.4.3.4 in Attachment B.</p>
22.	5.4.4 Commercial & Industrial	<p><b>4. Regulations: ...</b>                      b. Prior to approval of water-dependent uses, the <del>Administrator</del> <u>City</u> shall review a proposal for design, layout and operation of the use and shall make specific findings that the use qualifies as a water-dependent use.</p>	<p>City staff suggested edit for accuracy based on roles described at Chapter 2.                      Ecology supports this edit.</p>
23.	5.4.5 Forest Practices	<p><b>4. Regulations: ...</b>                      d.vii. Log Storage. Log storage shall occur outside of shoreline jurisdiction whenever other areas are demonstrated to be feasible. Log storage may occur at industrial sawmill</p>	<p>City staff suggested edits for clarity/improved phrasing.                      Ecology supports these edits.</p>

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		operations at previously cleared and improved industrial sites for the purposes of shipment and storage for milling, provided that erosion and sediment control BMPs <u>are implemented</u> in compliance with the Stormwater Management Manual for Western Washington (2014 or as amended).	
24.	<b>5.4.6 Institutional</b>	<p><b>3. Policies: ...</b>                      d. Institutional developments <del>that</del> <u>abutting</u> the water's edge should provide physical and/or visual public access to the shoreline consistent with SMP Section 4.6.</p> <p><b>4. Regulations</b>                      a. Institutional uses shall be designed to prioritize uses such that water-dependent uses have preferred shoreline location, followed by water-<del>enjoyment</del> <u>related</u> and water enjoyment uses, with non-water-oriented uses having least priority. This includes, where feasible locating water-related uses landward of water-dependent and water enjoyment uses, and non-water-oriented uses landward of all water-oriented uses.</p>	<p><b>3.d</b> - City staff suggested edits for improved grammar/phrasing.                      Ecology supports this edit.</p> <p><b>4.a</b> - As written, the duplicate word appears to be a typo; water-related and water-enjoyment uses are often addressed together.                      In concurrence with a City staff suggested edit, Ecology recommends revision to correct the error.</p>
25.	<b>5.4.7 Instream Structures</b>	<p>1. Location Description. <del>Stevenson's shorelines include a variety of i</del> Instream structures include <del>ing</del> dams, irrigation facilities, hydroelectric facilities, utilities, and flood control facilities. Instream structures are important because they provide specific benefits to humans, but also can impact the environment by impeding fish migrations, disrupting waterbody substrate, and changing the flow of waters.</p>	<p>City staff suggested edits for clarity/phrasing.                      Ecology supports this edit.</p>
26.	<b>5.4.10 Residential Development</b>	<p><b>4. Regulations:</b>  <b>d. Setbacks:</b> New, expanded, or altered residential uses and development and appurtenant and accessory uses shall adhere to the setback standards in SMP Table 5-1.                      i. <b>Minor Setback Adjustments, <u>Views Setback Consistency</u>.</b> The Shoreline Administrator may approve a minor adjustment in setback standards for <u>a</u> single-family residential <u>primary structure uses</u>, up to a maximum of 10% provided that:                      1. A single family dwelling exists on an adjacent property, and has a setback measurement that is closer than current requirements;                      2. The adjustment area does not contain native vegetation;                      3. Critical areas or buffers are not present, would not be impacted, or will be mitigated on site to achieve no net loss; and                      4. The applicant demonstrates that reducing the setback using this approach would improve views from the proposed single-family residence <u>that would otherwise be obstructed by the adjacent home. This setback adjustment is intended to provide equitable treatment between properties but does not guarantee equal or equivalent views.</u></p>	<p>i - The sub-title indicates the setback reduction is intended to provide consistent setbacks for adjacent homes, but the criteria show it's about protecting views so it's more accurate for the sub-title to better reflect the intent. Neither the SMA nor Guidelines promise parity for the sake of 'fairness' alone. However, a limited allowance to provide prescriptive relief from an obstructed view is an acceptable approach often called a 'common line' setback/buffer.                      As written, this setback reduction would allow any 'SFR use' to locate closer, rather than only the primary structure; views from appurtenant or accessory structures should not qualify for setback reduction. Implementing this provision too broadly could affect cumulative impacts and achieving NNL.</p> <p><b>i.4</b> - Relief from view obstruction seems to be the intent not allowing a home to locate closer than the standard setback just to get a better view. See also our <a href="#">SMP Handbook Chapter 11</a> (page 31) that notes:</p>



ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
			<p><i>The SMP should state that providing equitable treatment for the property owner does not mean necessarily providing an equal or equivalent view.</i></p> <p>Ecology recommends revisions for clarification to avoid overly-broad implementation of this provision to ensure NNL.</p> <p>See also Required Changes to 5.4.10 in Attachment B.</p>
27.	<b>5.4.10 Residential Development</b>	<p><b>4. Regulations:</b>  g. <del>Piers and Joint-use</del> Docks. For <u>new</u> residential development of more than 2 <del>sd</del> dwellings <del>occurring since the effective date of this SMP</del>, single-user residential docks shall not be permitted. Joint-use moorages may be allowed for such development pursuant to SMP Section 5.4.3.</p>	<p>As written, this provision doesn't accurately reflect WAC 173-26-231(3)(b):</p> <p><i>Where new piers or docks are allowed, master programs should contain provisions to require new residential development of two or more dwellings to provide joint use or community dock facilities, when feasible, rather than allow individual docks for each residence.</i></p> <p>Ecology recommends revision for accuracy &amp; clarity, consistent with WAC 173-26-231(3)(b).</p> <p>See also Required Changes to 5.4.10 in Attachment B.</p>
28.	<b>5.4.11 Transportation &amp; Parking Facilities</b>	<p><b>3. Policies.</b>  b. When it is necessary to locate transportation facilities in shoreline areas, they should be located where routes will have the least impact to shoreline ecological functions, will not result in a net loss of shoreline ecological functions, and will not <u>adversely</u> impact existing or planned water-dependent uses <del>adversely</del>. ...</p>	<p>Revisions suggested by City staff for improved phrasing.</p> <p>Ecology supports these edits.</p> <p>See also Required Changes to 5.4.11 in Attachment B.</p>
29.	<b>5.4.12 Utilities</b>	<p><b>2. Applicability ...</b>  <del>c. This section applies to actions related to utility facilities which do not qualify as normal repair and maintenance under SMP Section 2.5.</del></p> <p><b>3. Policies. ...</b>  b. Utility facilities should <u>be located within</u> existing transportation and utility rights-of-way, easements, or existing cleared areas to the greatest extent feasible.</p>	<p><b>2.c</b> - This provision is internally inconsistent with SMP 2.5.1 Minor Project Authorizations (MPA) that specifically notes:</p> <ul style="list-style-type: none"> <li>• “the project is not exempt from compliance with this SMP” and</li> <li>• “5. An exemption from the state’s SSDP process is not an exemption from compliance with the SMA (RCW 90.58), this SMP, or any other regulatory requirements. To be authorized, all uses and developments must be consistent with the policies and provisions of this SMP and the SMA. Exemptions must still comply with no net loss of ecological functions, which may require mitigation even though the review activity is exempt from the state process.</li> </ul> <p><b>3</b> - Revision suggested by City staff for improved grammar/phrasing.</p> <p>Ecology supports this edit.</p>
30.	<b>7. Definitions</b>	<p>As used in this SMP, the words below have the meaning given here unless the context clearly dictates otherwise. <u>The definitions and concepts set forth under RCW 90.58.030, WAC 173-26-020, WAC 173-20, WAC 173-22, and WAC 173-27-030 also apply, and in the event of conflict the established definitions of statute and rule shall prevail.</u></p>	<p>Ecology recommends revision to reference those terms defined by statute and rule as applicable even if not defined in the SMP, consistent with WAC 173-27-030(19).</p> <p>As related to this overall clarifying statement, City staff suggested a global change to add the specific RCW/WAC citation to each term listed that is defined by RCW 90.58.030, WAC</p>

ITEM	SMP PROVISION	BILL FORMAT CHANGES [underline = additions; strikethrough = deletions]	ECOLOGY DISCUSSION/RATIONALE
		[See also <i>Exhibit 1</i> , attached]	173-26-020, WAC 173-20, WAC 173-22, and WAC 173-27-030 as a cross reference within Chapter 7. City staff also suggested additional minor adjustments, revisions & deletions to many Chapter 7 definitions for improved grammar/phrasing, accuracy and clarity, and the addition of a few terms used in the SMP but unintentionally omitted.  Ecology supports these non-substantive revisions, presented separately in the attached <b>Exhibit 1</b> .
31.	<b>7. Definitions</b>	<b>Upland Finfish Rearing Facilities</b> – Those private facilities not located within waters of the state where finfish are hatched, fed, nurtured, held, maintained, or reared to reach the size of commercial market sale. This definition shall include fish hatcheries, rearing ponds, spawning channels, and other similarly constructed or fabricated facilities. (Upland finfish-rearing facilities are included in the SMA definition of agricultural <u>equipment and agricultural facilities activities</u> , not aquaculture [RCW 90.58.065]). Upland finfish and upland finfish rearing facilities are not defined in the SMA or implementing WAC.	As written this definition is inconsistent with RCW 90.58.065(2):  <i>(c) "Agricultural equipment" and "agricultural facilities" includes, but is not limited to: (i) The following used in agricultural operations: Equipment; machinery; constructed shelters, buildings, and ponds; fences; upland finfish rearing facilities; water diversion, withdrawal, conveyance, and use equipment and facilities including but not limited to pumps, pipes, tapes, canals, ditches, and drains; (ii) corridors and facilities for transporting personnel, livestock, and equipment to, from, and within agricultural lands; (iii) farm residences and associated equipment, lands, and facilities; and (iv) roadside stands and on-farm markets for marketing fruit or vegetables; and ...</i>  Ecology recommends revision for accuracy and consistency with RCW 90.58.065.
32.	<b>Appendix A – Shoreline Environment Designation Map</b>	<b>A.5 Boundary Interpretation</b> 4. ... of not more than 50 feet beyond the <del>district</del> <u>SED</u> boundary line.	Revision suggested by City staff for improved grammar/phrasing.  Ecology supports this edit.
33.	<b>Appendix B – Amendment Log &amp; Ecology Approval Letters</b>	<b>B.1 Record of Changes</b> Changes made to the Stevenson Shoreline Master Program since its original adoption <del>in</del> <u>2018</u> are recorded in Table A.1 – SMP Amendment Log.	Revision suggested by City staff for accuracy.  Ecology supports this edit.