ATTACHMENT A: FINDINGS AND CONCLUSIONS
FOR PROPOSED COMPREHENSIVE AMENDMENTS TO THE TOWN OF BUCODA
SHORELINE MASTER PROGRAM

SMP Submittal Accepted February 16 2012, Resolution No. 2011-08 and
Prepared by Tim Gates on May 11, 2012

Brief Description of Proposed Amendments:
The Town of Bucoda (Town) is proposing a comprehensive update of their Shoreline Master
Program (SMP) to meet the 2003 Shoreline Guidelines (WAC 173-26). This update includes
changes to existing shoreline environment designation maps, allowed uses, policies and
regulations. The Town has elected to regulate only the minimum shoreline jurisdiction on the
Skookumchuck River, rather than the entire 100-year floodplain. The Town is adopting its
Critical Areas Ordinance by reference as part of the updated SMP.

FINDINGS OF FACT

Need for Amendment: The Town last updated their SMP in 1990 as part of the Thurston
Regional Shoreline Master Program. The proposed amendment is needed to bring the Town’s
shoreline master program into compliance with the 2003 Shoreline Guidelines and to meet its
statutory deadline.1 This update also addresses the need for updated shoreline policies and
regulations that are consistent with the Town’s Comprehensive Plan, zoning, critical areas and
other applicable ordinances.

SMP Provisions To Be Changed By The Amendment As Proposed:
This is a comprehensive update to the SMP, designed to satisfy SMP Guidelines requirements
and replace the existing SMP in its entirety. The Town has opted to reduce shoreline jurisdiction
from the entire 100-year floodplain to the minimum area, as authorized by RCW 90.58.030.
There are 37 existing homes located within shoreline jurisdiction. The zoning is largely
Residential. Critical Area and floodplain regulations will limit future development within 150
feet from the river. The existing shoreline environment designation west of the river is “Urban”
with a “Conservancy” designation east of the river. To better match existing zoning and
conditions, the proposed shoreline designation west of the river is “Shoreline Residential” and
“Urban Conservancy” East of the river. Public access is provided by two Town parks, with a
number of unused street ends. There are no water-dependent uses within the Town. A total of
eight sites for potential future restoration or public access were identified and evaluated in the
Shoreline Restoration Plan.

Amendment History, Review Process: The Town initiated the proposed SMP amendment in
July 2009 with able technical assistance from Thurston Regional Planning Council (TRPC), and
financial assistance from an Ecology grant. The record shows that planning commission
meetings were held regularly starting November 2009.
The following techniques were used to ensure the community had an opportunity to participate in
the SMP Update: posting on the TRPC website, public notices for public hearings, mailing lists,
and distribution of Draft documents to interested parties. TRPC posted all materials that were

1 RCW 90.58.080
provided to the Bucoda Planning Commission and Town Council. The website solicited individuals to sign up for a mailing list. Copies of draft reports were provided to Ecology and other interested parties for comment and review. A comment letter on the inventory was provided by the WA Department of Fish and Wildlife and staff met with the Heernett Foundation. Input from both organizations was incorporated into the final reports.

A public hearing before the Planning Commission and Town Council was held September 27, 2011. The affidavit of publication provided by the Town indicates notice of the hearing was published on September 7, 2012 in the Tenino Independent. The Town’s record indicates final Town Council action was taken on November 22, 2011. With passage of Resolution No. 2011-08, on November 22, 2011, the Town authorized TRPC staff to forward the proposed amendments to Ecology for approval.

The proposed SMP amendment was received by Ecology for state review and verified as complete on March 7, 2012. Notice of the state comment period was distributed to state task force members, and interested parties identified by the Town, on March 29, 2012 in compliance with the requirements of WAC 173-26-120. The state comment period began on April 9, 2012 and continued through May 10, 2012. No individuals or organizations submitted comments on the proposed amendment.

**Consistency with Chapter 90.58 RCW:** The proposed amendment has been reviewed for consistency with the policy of RCW 90.58.020 and the approval criteria of RCW 90.58.090(3), (4) and (5).

**Consistency with “applicable guidelines” (Chapter 173-26 WAC, Part III):** The proposed amendment has been reviewed for compliance with the requirements of the applicable Shoreline Master Program guidelines (WAC 173-26-171 through 251 and -020 definitions). This included review of a SMP Submittal Checklist, which was completed by the Town.

**Consistency with SEPA Requirements:** The Town submitted evidence of SEPA compliance in the form of a SEPA checklist and issued a Determination of Non-Significance for the proposed SMP amendments on September 7, 2011; notice of the SEPA determination was published in the Tenino Independent newspaper on September 7, 2012. Ecology did not comment on the DNS.

**Other Studies or Analyses supporting the SMP update:** Ecology reviewed the following reports, studies, map portfolios and data prepared for the Town in support of the SMP amendment:
- Public participation plan (April 2010)
- Preliminary jurisdiction Report (April 2010)
- Shoreline inventory and characterization (June 2011)
- Cumulative impacts analysis (August 2011)
- Restoration plan (August 2011)

**Summary of Issues Raised During The Public Review Process:** The Town’s SMP amendment drafting/public review process was not contentious. The SMP significantly
streamlines the regulatory environment, because as opposed to the Regional SMP, this plan is tailored for the Town. Reducing the jurisdiction to the minimum as authorized by statute limits the regulated area from 167.8 acres to 81.9 acres.

Summary of Issues Identified by Ecology as Relevant To Its Decision:
Ecology provided suggested changes prior to local adoption, and all comments have been addressed satisfactorily, as documented in the Town’s Responsiveness Summary (October 2011).

CONCLUSIONS OF LAW
After review by Ecology of the complete record submitted and all comments received, Ecology concludes that the Town’s SMP proposal is consistent with the policy and standards of RCW 90.58.020 and RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through 251 and .020 definitions). This includes a conclusion that the proposed SMP, subject to required changes, contains sufficient policies and regulations to assure that no net loss of shoreline ecological functions will result from implementation of the new master program amendments (WAC 173-26-201(2)(c)).

Ecology concludes that the Town has complied with the requirements of RCW 90.58.100 regarding the SMP amendment process and contents.

Ecology concludes that the Town has complied with the requirements of RCW 90.58.130 and WAC 173-26-090 regarding public and agency involvement in the SMP amendment process.

Ecology concludes that the Town has complied with the purpose and intent of the local amendment process requirements contained in WAC 173-26-100, including conducting open houses and public hearings, notice, consultation with parties of interest and solicitation of comments from tribes, government agencies and Ecology.

Ecology concludes that the Town has complied with requirements of Chapter 43.21C RCW, the State Environmental Policy Act.

Ecology concludes that the Town’s SMP amendment submittal to Ecology was complete pursuant to the requirements of WAC 173-26-110 and WAC 173-26-201(3)(a) and (h) requiring a SMP Submittal Checklist.

Ecology concludes that it has complied with the procedural requirements for state review and approval of shoreline master program amendments as set forth in WAC 173-26-120.

Ecology concludes that the Town has chosen to exercise its option pursuant to RCW 90.58.030(2) to define shoreline jurisdiction as the minimum area authorized.

DECISION AND EFFECTIVE DATE
Based on the preceding, Ecology has determined the proposed comprehensive amendment is consistent with the policy of the Shoreline Management Act, the applicable guidelines and implementing rules. Ecology approval of the proposed amendment is effective fourteen (14) days from the date of the Department of Ecology's written notice of final approval.