

The following changes are recommended to clarify elements of the City's updated SMP.

ITEM	SMP PROVISION	TOPIC	BILL FORMAT CHANGES [<u>underline-additions</u> ; strikerthrough-deletions]	ECOLOGY - DISCUSSION/RATIONALE
A	Chapter 1.6 Page 1-3	Severability	Should any Section, Subsection, paragraph, sentence, clause, or phrase of this Program or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this <u>Program ordinance</u> or its application to any other person or situation.	<i>This change is recommended for clarification.</i>
B	Chapter 2 Page 2-4	Definitions	Bulkhead – A structure of timber, concrete, steel, rock, or similar substance located parallel to the shore <u>at or along the OHWM</u> , which has as its primary purpose to contain and prevent the loss of soil by erosion, wave, or current action.	<i>This change is recommended to clarify that bulkheads are generally located at or along the Ordinary High Water Mark, to separate them from landscape features such as retaining walls that may be located upland of the OHWM.</i>
C	Chapter 2 Page 2-5	Definitions	Compensatory mitigation – Replacing project-induced losses or impacts to a critical area <u>or its buffer</u> .	<i>This change is recommended for clarity and accuracy.</i>
D	Chapter 2 Page 2-9	Definitions	Fish and wildlife habitat conservation areas – Those habitats designated by WAC 365-190- 130 080(5)(a) and include all areas listed in the WAC.	<i>This change is recommended because the cited WAC does not exist. Fish and Wildlife Habitat Conservation Areas classification and designation considerations exist in WAC 365-190-130.</i>
E	Chapter 2 Page 2-7	Definitions	Hazard Tree - Dead or dying trees, dead parts of live trees, or unstable live trees (due to structural defects or other factors) that are within striking distance of people or <u>primary structures</u> . Hazard trees have the potential to cause property damage, personal injury or fatality in the event of a failure.	<i>This change is recommended to correct a typographical error (typo).</i>
F	Chapter 2 Page 2-10	Definitions	Institutional – A use or development whose purpose is to serve or promote a government, educational, charitable, or religious organization or its mission. Examples include, but are not limited to: community centers, educational facilities, government offices, health-care facilities <u>hospitals</u> , and religious facilities.	<i>This change is recommended for clarity; discussions with City staff verified this reference was intended to apply to hospitals versus a doctor's or dentist's office, which would be considered commercial uses.</i>
G	Chapter 2 Page 2-10	Definitions	Marina – Any commercial or club-owned facility consisting of docks or piers serving five or more vessels or a shared moorage serving a subdivision, <u>public park, or quasi-public recreation area</u> serving 10 or more vessels.	<i>This change is recommended for clarity and consistency. The definition of shared moorage on page 2-17 is not limited to residential subdivisions and also includes similar facilities in 'parks and quasi-public recreation areas'.</i>
H	Chapter 2 Page 2-11	Definitions	Mitigation Sequence – Actions designed to replace project induced losses or impacts to shoreline resources, including, but not limited to, restoration, creation, or enhancement. Mitigation in jurisdictional shoreline areas should be sequenced in the following order: 1. Avoiding the impact altogether by not taking a certain action or parts of an action; 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts; 3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment; 4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; 5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or 6. Monitoring the impact and taking appropriate corrective measures.	<i>This change is recommended because the text is mixing mitigation sequencing (see WAC 173-26-201 (2)(e)(ii)) with compensatory mitigation. Compensatory mitigation measures, which may include restoration, creation or enhancement, are one part (step 5) of the mitigation sequence.</i>

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I	Chapter 2 Page 2-11	Definitions	Mitigation plan – A plan that outlines the activities that will be undertaken to alleviate <u>unavoidable</u> project impacts. The plan generally contains: a site and project description; an environmental assessment of the functions and values of the site that will be impacted; a description of the proposed <u>compensatory</u> mitigation; the goals and objectives of the proposed mitigation; the performance standards against which success will be measured; monitoring of and reporting on the success of the mitigation; and a contingency plan in case of failure.	<i>This change is recommended to clarify this plan relates to compensatory mitigation (see also discussion in H above).</i>
J	Chapter 2 Page 2-11	Definitions	Mixed use within an area subject to the jurisdiction of the Shoreline Management Act – A combination of compatible uses within one development, in which <u>both</u> water-oriented and non-water-oriented uses are included.	<i>The first change is recommended for clarity and consistency with the rest of the definitions. The second change is also recommended for clarity.</i>
K	Chapter 2 Page 2-15	Definitions	1. Wetlands. Biologist or wetland ecologist who has a bachelor’s degree in biological science, <u>soil science, ecology, botany, environmental science or an equivalent</u> degree from an accredited college or university, at least two years of experience under the supervision of a practicing wetland professional and has experience delineating wetlands, preparing wetland reports, conducting function assessments and developing and implementing mitigation plans.	<i>This change is recommended by Ecology’s wetlands staff as most wetland professionals don’t have a bachelor’s degree in wetland science, as this specific degree is not offered at many universities. This would expand this statement to include related degrees, such as soil science, biology, ecology, environmental science, botany, etc.</i>
L	Chapter 2 Page 2-17	Definitions	Shorelines Hearings Board (SHB), State – A quasi-judicial body established at the State level by the Act to hear appeals by any aggrieved party on the issuance of an SSDP, conditional uses, variance or, enforcement penalties. See RCW 90.58.170 and RCW 90.58. 190 <u>180</u> .	<i>This change is recommended to correct a typographical error (typo).</i>
M	Chapter 2 Page 2-19	Definitions	Structure – A permanent or temporary edifice or building or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels (WAC 173-27-030(18 <u>15</u>)).	<i>This change is recommended to correct a typographical error (typo).</i>
N	Chapter 3 Page 3-2	3.1 Applicability	H. Applicants that are responding to an emergency <u>related to drought conditions or issuance of a drought order</u> that requires a water withdrawal or facility shall be provided an expedited permit decision from the City, no longer than fifteen (15) calendar days after the date of application in accordance with RCW 90.58.370.	<i>This change is recommended to clarify this only applies under drought conditions/issuance of a drought order (RCW 43.83B.410).</i>
O	Chapter 3 Page 3-4	3.3 Nonconforming Uses and Development	F. If a nonconforming use is discontinued for twelve (12) consecutive months or for twelve (12) months during any two-year period, the nonconforming rights shall expire and any subsequent use shall be conforming. A use authorized pursuant to Subsection <u>D</u> E of this Section shall be considered a conforming use for purposes of this Section.	<i>This change is recommended to correct a typo.</i>
P	Chapter 4 Page 4-1	4.1.2 Policies	F. Provide a mechanism for tracking project review actions and will periodically review the cumulative effect of actions taken within the shoreline to determine if the goal of no net loss of shoreline ecological functions is being met.	<i>This change is recommended to correct a typo.</i>
Q	Chapter 4 Page 4-3	4.3.2 Policies	<u>D. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. When shoreline uses or modifications require a planting plan (i.e., uses or modifications that require a mitigation plan), maintaining native plant communities, replacing noxious weeds and avoiding installation of ornamental plants are preferred. Nonnative vegetation requiring use of fertilizers, herbicides/pesticides, or summer watering is discouraged.</u>	<i>This change is recommended to insert a provision that occurred in the General Shoreline Regulations section of the SMP (Chapter 6) into the policy section, because it was not written as a regulation; see also required change item M.</i>

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R	Chapter 4 Page 4-6	4.7.2 Policies	E. Allow shoreline recreational development in order to provide access, use, and enjoyment of shorelines that does not displace water dependent uses. <u>Renumber remaining provisions.</u>	<i>This change is recommended because this provision repeats provision B in the same section, word for word.</i>
S	Chapter 4 Page 4-9	4.10.2 Policies	I. 1. Mining activities should be prohibited in Residential and Urban Conservancy environment designations. <u>Renumber remaining provisions.</u>	<i>This change (deletion) is recommended because this provision conflicts with Table 7.1, which conditionally allows mining in the Residential and Urban Conservancy designations.</i>
T	Chapter 4 Page 4-11	4.11.2 Policies	<u>A. 6. New structural shoreline modifications should be allowed only where demonstrated to be necessary to support or protect an allowed primary structure or legally existing shoreline use that is in danger of loss or substantial damage or where structural modifications are necessary for mitigation or enhancement purposes.</u>	<i>This change would move this provision from the policy section regarding shoreline stabilization (see recommended change item U below) to the general policy section regarding shoreline modifications as a whole. This change is recommended for consistency with WAC 173-26-231 (2)(a), which outlines that this policy applies to all shoreline modifications, not just shoreline stabilization.</i>
U	Chapter 4 Page 4-11	4.11.2 Policies	B. 1. New structural shoreline stabilization should be allowed only where demonstrated to be necessary to support or protect an allowed primary structure or legally existing shoreline use that is in danger of loss or substantial damage or where structural modifications are necessary for mitigation or enhancement purposes.	<i>See recommended change item T above.</i>
V	Chapter 5 Page 5-1	Authority	Local governments are required under the Act and the Program <u>Guidelines</u> to develop and assign a land use categorization system known as “shoreline environment designations” for shoreline areas as a basis for effective shoreline master programs.	<i>This change is recommended for accuracy and for consistency with WAC 173-26-211 (2)(a).</i>
W	Chapter 5 Page 5-2	Shoreline Environment Designation Interpretation	B. All other areas that were neither not mapped in the shoreline jurisdiction nor not <u>known to</u> meet the applicability criteria in Section 3.1, Applicability, shall be assigned an Urban Conservancy environment designation until the shoreline can be designated through a Program amendment.	<i>This change is recommended for accuracy and for consistency with WAC 173-26-211 (2)(e).</i>
X	Chapter 6 Page 6-5	6.4 Flood Prevention and Flood Damage Minimization	F. 3. Require that n <u>New</u> structural public flood hazard reduction measures, such as dikes and levees, <u>shall</u> dedicate and improve public access pathways consistent with Section 6.5 of the SMP.	<i>This change is recommended so that this provisions clearly reads as a regulation.</i>
Y	Chapter 6 Page 6-6	6.4 Flood Prevention and Flood Damage Minimization	G. Information Required. The City shall require the applicant to provide the following information as part of an application for development within a flood hazard area. The City may also request additional information listed in KMC Chapter 18.12 <u>as incorporated by reference in Appendix C.</u>	<i>This change is recommended to clearly recognize that when the updated SMP is effective, critical areas within shoreline jurisdiction will be regulated under the SMP and Appendix C.</i>
Z	Chapter 6 Page 6-6	6.4 Flood Prevention and Flood Damage Minimization	<u>H. The levees in Kelso are owned and maintained by Cowlitz County Drainage Improvement District No. 1 (North Kelso) and Cowlitz County Consolidated Diking District No 3 (South Kelso). Both Districts are in the process of having their levees certified by the US Army Corps of Engineers and are participating in the FEMA PAL program for provisionally accepted levees. The PAL program requires the same standards of maintenance as fully certified levees. In the event that a levee or section of levee is not certified, the Diking District will continue to require the same standards of maintenance.</u>	<i>This change is recommended to incorporate a statement related to levees that as originally included in table 7-1, related to setbacks. The statement is not relevant to setbacks, so is recommended for inclusion in this section instead. See also recommended change I below.</i>
AA	Chapter 6 Page 6-8 and Page 6-9	6.5 Public Access and Figure 6-1	A. 4. f. More effective public access can be provided off-site by focusing public access improvements at sites within shoreline jurisdiction identified in the adopted Public Access Plan, the Kelso Parks and Recreation Plan, the Cowlitz County Regional Trail Plan, and/or the Kelso Comprehensive Plan, <u>and/or SMP Public Access Plan adopted in the future.</u>	<i>This change is recommended to clarify that there is not currently an adopted SMP Public Access Plan. It is also recommended that a change be made to Figure 6-1 to reflect this reality: note the public access fund is (“future”) and that alternative locations may be included in “approved plans” rather than limiting this to a Public Access Plan.</i>

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		Public Access Applicability																		
BB	Chapter 6 Page 6-10	6.5 Public Access	B. 2. a. When public access is provided off-site, its location, design, and access type shall be consistent with the applicable provisions in section B.1 above and the City's adopted Shoreline Public Access Plan , Parks and Recreation Plan, the Cowlitz County Regional Trail Plan, and/or the Kelso Comprehensive Plan, and/or Shoreline Public Access Plan adopted in the future.	<i>This change is recommended to clarify that there is not currently an adopted SMP Public Access Plan. This change would also clarify that provisions relating to on-site public access need to be considered, as applicable, for off-site or alternative public access.</i>																
CC	Chapter 6 Page 6-11	6.6 Vegetation Conservation	G. Aquatic weed control shall only occur to protect native plant communities and associated habitats or where an existing water-dependent use is restricted by the presence of weeds. Aquatic weed control shall occur in compliance with all other applicable laws and standards and shall be done by a qualified expert. Refer to WDFW publication # APF-1-98, "Aquatic Plants and Fish," available online at http://wdfw.wa.gov/licensing/aquatic_plant_removal/.	<i>This change is recommended at the request of the Washington State Department of Fish and Wildlife (WDFW).</i>																
DD	Chapter 7 Page 7-1	Title	7. Specific Shoreline Use <u>and Modification</u> Regulations	<i>This change is recommended because this chapter also addresses shoreline modifications.</i>																
EE	Chapter 7 Page 7-1	7.1 Shoreline Use, Modification, and Standards Tables	A. Table 7-1 Shoreline Use, Modification, Setbacks, and Heights, shall be used to determine which uses and modifications may be permitted (P), approved with conditions through the issuance of a Shoreline Conditional Use Permit (SCUP), or prohibited (X) in each shoreline environment designation.	<i>This change is recommended because this chapter also addresses shoreline modifications.</i>																
FF	Chapter 7 Page 7-2	Table 7.1	Residential (11) Single-family P+	<i>This change is recommended to correct a typo. Footnote 1 does not apply to this use.</i>																
GG	Chapter 7 Page 7-2	Table 7.1	Building setback from Buffer <u>or Landward Toe of Levee, Where Present, as noted</u> in Table 4, Appendix C, or Landward Toe of Levee, Where Present (22)	<i>This change is recommended for clarity. At least two parties had questions during the State comment period about how this was intended to be implemented. It is also recommended that reference to footnote 22 be removed, because the footnote is not relevant to setbacks. See also recommended change J below.</i>																
HH	Chapter 7 Page 7-2	Table 7.1	<table border="1"> <thead> <tr> <th colspan="4">Shoreline Uses</th> </tr> <tr> <th>Boating Facilities (3)</th> <th>P</th> <th>P</th> <th>P</th> </tr> </thead> <tbody> <tr> <td>Marinas</td> <td>X</td> <td>X</td> <td>X</td> </tr> <tr> <td>Residential Docks, Piers, and Launch Facilities</td> <td><u>P</u></td> <td><u>P</u></td> <td><u>P</u></td> </tr> </tbody> </table>	Shoreline Uses				Boating Facilities (3)	P	P	P	Marinas	X	X	X	Residential Docks, Piers, and Launch Facilities	<u>P</u>	<u>P</u>	<u>P</u>	<i>This change is recommended because these uses are not currently addressed in Table 7-1. The definition of boating facilities on page 2-3 excludes docks, buoys and railways that are accessory to and serve four or fewer single family residences, yet these facilities are addressed in section 7.2.3 (Boating Facilities) of the SMP. Specifically addressing residential moorage facilities in Table 7-1 will ensure the applicable use regulations in section 7.2.3.D are recognized and applied as relevant.</i>
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Boating Facilities (3)	P	P	P																	
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II	Chapter 7 Page 7-3	Table 7.1 Footnotes	(22) The levees in Kelso are owned and maintained by Cowlitz County Drainage Improvement District No. 1 (North Kelso) and Cowlitz County Consolidated Diking District No 3 (South Kelso). Both Districts are in the process of having their levees certified by the US Army Corps of Engineers and are participating in the FEMA PAL program for provisionally accepted levees. The PAL program requires the same standards of maintenance as fully certified levees. In the event that a levee or section of levee is not certified, the Diking District will continue to require the same standards of maintenance. Renummer remaining provision on Table 7-1 and in footnote list.	<i>The change is recommended because this footnote does not relate to building setbacks, which is the dimensional standard it was applied to in Table 7-1. It is recommended this language be moved to section 6.4 of the SMP dealing with flood prevention and flood damage minimization. See also recommended change Z above.</i>																

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JJ	Chapter 7 Page 7-3	Table 7.1 Footnotes	(23) Water-dependent u Uses and developments <u>identified in section 3.K of Appendix C</u> may locate within the buffers shown in Table 4, Appendix C and within the setbacks shown in Table 7-1. These uses must meet mitigation sequencing requirements to avoid, minimize, and mitigate for adverse impacts.	<i>This change is recommended because the named section of Appendix C allows more than just water-dependent uses and developments in buffers.</i>
KK	Chapter 7 Page 7-4	7.2.3 Boating Facilities	A. General Requirements for boating facilities except docks serving four (4) or fewer single family residences (<u>see subsection D</u>):	<i>This change is recommended for clarity.</i>
LL	Chapter 7 Page 7-6	7.2.3 Boating Facilities	C. 2. New dock construction, excluding docks accessory to single-family residences (regulated under Subsection D iof <u>of</u> this Section), shall be permitted only when the applicant has demonstrated that a specific need exists to support the intended primary water-dependent use. The applicant shall demonstrate need by providing a needs analysis or comprehensive master plan projecting future needs for dock or moorage space for approval. If approved by <u>the City staff</u> , the document may serve as the necessary justification for design, size, and construction to the extent that the plans are consistent with this Program.	<i>These changes are recommended to correct a typo and for clarity.</i>
MM	Chapter 7 Page 7-7	7.2.3 Boating Facilities	D. This Section applies to docks, and <u>and</u> buoys, <u>and boat launches</u> that are accessory to four (4) or fewer single-family residences. 2. Prior to approval of ing <u>of</u> a new residential dock, an applicant shall demonstrate that a mooring buoy is not feasible to provide moorage.	<i>The first change is recommended to capture residential launch facilities, which are addressed in subsections 5 and 6 of this Section. The second change is recommended for clarity.</i>
NN	Chapter 7 Page 7-7	7.2.3 Boating Facilities	D. 4. c. Boating <u>Residential moorage</u> facilities shall be constructed of materials that will not adversely affect water quality or aquatic plants and animals over the long term. Materials used for submerged portions, decking, and other components that may come into contact with water shall be approved by applicable state agencies for use in water.	<i>This change is recommended for clarity; the definition of boating facilities on page 2-3 excludes docks, buoys and railways that are accessory to and serve four or fewer single family residences, which is what this subsection applies to.</i>
OO	Chapter 7 Page 7-8	7.2.3 Boating Facilities	D. 4. g. Grating, or clear translucent material, shall cover the surface area of the pier and ramp waterward of the OHWM and all portions of float(s) not underlain by float tubs or other material that provides buoyancy. The open area of grating shall have a minimum of sixty percent (60 percent) open space, or as otherwise required by state or federal agencies during permit review, unless determined to be infeasible due to specific site or project considerations. Clear translucent material shall have greater than ninety percent (90 percent) light transmittance as rated by the manufacturer. <u>For guidance on docks, see:</u> <ul style="list-style-type: none"> • WAC 220-110-060 • http://wdfw.wa.gov/publications/00052/ • <u>Other documents available at</u> http://wdfw.wa.gov/conservation/habitat/planning/ahg/ 	<i>This change is recommended at the request of the Washington State Department of Fish and Wildlife (WDFW).</i>
PP	Chapter 7 Page 7-9	7.2.4 Commercial	C. 1. It is part of a mixed-use project including water-dependent uses and provides a significant public benefit with respect to the Shoreline Management Act's objectives, such as public access and ecological restoration; <u>or</u>	<i>This change is recommended for clarity and consistency with WAC 173-26-241 (3)(d)(1).</i>
QQ	Chapter 7 Page 7-10	7.2.6 Industrial	C. 1. It is part of a mixed-use project including water-dependent uses and provides a significant public benefit with respect to the Shoreline Management Act's objectives, such as public access and ecological restoration; <u>or</u>	<i>This change is recommended for clarity and consistency with WAC 173-26-241 (3)(f)(1).</i>

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RR	Chapter 7 Page 7-12	7.2.9 Mining	A. An applicant for mining and associated activities within the shoreline jurisdiction shall demonstrate that the proposed activities are dependent on a shoreline location consistent with this Program and WAC 173-26-2041(23)(ah). Non-water-dependent mining activities are prohibited within shoreline jurisdiction.	<i>This change is recommended for clarification. The cited WAC applies to development and amendment of SMPs in general and is not directly applicable to mining or relevant in the context of this provision.</i>
SS	Chapter 7 Page 7-13	7.2.10 Recreational Development	D. Only water-dependent or water-enjoyment elements of a recreational proposal <u>as outlined in section 3.K of Appendix C</u> may encroach on required vegetated buffers of this Program.	<i>This change is recommended for clarity and to emphasize that the named section of Appendix C controls allowed uses and developments in buffers.</i>
TT	Chapter 7 Page 7-15	7.2.12 Transportation and Parking	A. 1. New or expanded surface transportation facilities not related to and necessary for the support of shoreline activities <u>consistent with the SMP</u> shall be located outside of the shoreline jurisdiction wherever possible unless location outside of shoreline jurisdiction is infeasible. or	<i>This change is recommended for clarity and specificity, and to correct a typo.</i>
UU	Chapter 7 Page 7-15	7.2.12 Transportation and Parking	A. 6. New transportation crossings over wetlands and the associated buffer shall be avoided and minimized. Where demonstrated that no other route is feasible, bridges that do not obstruct the movement of surface or groundwater <u>are required</u> unless it can be demonstrated that fill and compensatory mitigation will produce equal or greater ecological functions.	<i>This change is recommended to correct a typo.</i>
VV	Chapter 7 Page 7-16	7.2.12 Transportation and Parking	C. 2. Located outside of critical areas and associated buffers where feasible .	<i>This change is recommended for consistency with Chapter 3, section K in Appendix C.</i>
WW	Chapter 7 Page 7-18	7.3.2 Shoreline Stabilization	A. Proposals for new shoreline stabilization shall demonstrate that proposed <u>measures structures</u> are the minimum size necessary, and comply with mitigation sequencing requirements of this program. <u>Proposals for Modified additions to or enlargement of</u> d shoreline stabilization proposals <u>measures</u> shall be treated as new stabilization for all requirements of this Section.	<i>These changes are recommended for clarity. The word 'structural' has specific meaning with regard to shoreline stabilization measures; use of the word 'measure' instead of 'structure' in the first sentence is recommended so this provision is implemented in the broad context of shoreline stabilization and not applied only to structural shoreline stabilization. The change to the second sentence would ensure this provision aligns with provision J in this subsection and with WAC 173-26-231 (3)(a)(iii)(C), and clarifies that 'modifications' will be considered like new measures if they result in additions to or increases in the size of existing measures.</i>
	Chapter 7 Page 7-19	7.3.2 Shoreline Stabilization	E. New structural shoreline stabilization measures to protect an existing primary structure, including residences, are only allowed when there is conclusive evidence, documented by a geotechnical analysis that the structure is in danger from shoreline erosion caused by currents or waves rather than from upland conditions. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need. The geotechnical analysis should evaluate on-site drainage issues and address drainage problems by relocating drainage away from the shoreline edge before considering structural shoreline stabilization. Considerations shall include the feasibility of reconstruction and/or relocation of the structure if it is cost effective in relation to any new or expanded erosion control structures. <u>New structural shoreline stabilization measures</u> shall not result in a net loss of shoreline ecological functions.	<i>This change is recommended to correct a typo.</i>
XX	Chapter 7 Page 7-21	7.3.3 Breakwaters and Groins	7.3.3 Breakwaters, <u>Weirs</u> and Groins	<i>This change is recommended for internal consistency.</i>

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YY	Chapter 8 Page 8-4	8.4 Shoreline Substantial Development Permits	B. An SSDP is a Type II permit and shall be processed in accordance with the provisions of Chapter 18B of the KMC as it now exists or is subsequently amended by the City, <u>except that requests for review shall be made to the Shoreline Hearings Board as outlined in RCW 90.58.180.</u>	<i>This change is recommended for clarity and accuracy.</i>
ZZ	Chapter 8 Page 8-5	8.4 Shoreline Substantial Development Permits	F. 5. The time periods in Subsections F (1a) and (4e), above, do not include the time during which a use or activity was not actually pursued due to the pendency of administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals.	<i>This change is recommended to correct a typo; this language was cut and paste from the WAC and not revised to follow the different numbering scheme used in the SMP.</i>
AAA	Chapter 8 Page 8-5	8.5 Shoreline Conditional Use Permits	C. An SCUP is a Type III permit and shall be processed in accordance with the provisions of Chapter 18B of the KMC as it now exists or as subsequently amended, <u>except that requests for review shall be made to the Shoreline Hearings Board as outlined in RCW 90.58.180.</u>	<i>This change is recommended for clarity and accuracy.</i>
BBB	Chapter 8 Page 8-6	8.5 Shoreline Conditional Use Permits	<u>H. Time requirements for SCUPs are as outlined in WAC 173-27-090. Construction pursuant to a permit may not begin or be authorized until twenty-one days (21) from the date the permit decision was filed as provided in RCW 90.58.140 (6)(b).</u>	<i>This change is recommended for completeness; while these procedural standards apply whether they are in the SMP or not, they were included in the SMP specific to substantial development permits and variances, but not in regard to shoreline conditional use permits.</i>
CCC	Chapter 8 Page 8-7	8.6 Variances	C. Shoreline variances are Type III permits and shall be processed in accordance with the provisions of Chapter 18B of the KMC as it now exists or as subsequently amended, <u>except that requests for review shall be made to the Shoreline Hearings Board as outlined in RCW 90.58.180.</u>	<i>This change is recommended for clarity and accuracy.</i>
DDD	Chapter 8 Page 8-10	8.10 Shoreline Activity Tracking	Using the information collected in Subsection A, a no net loss report shall be prepared every eight years as part of the City's SMP evaluation or Comprehensive Plan Amendment process <u>to evaluate the cumulative effects of authorized development on shoreline conditions.</u> Should the no net loss report show degradation of the baseline condition documented in the Shoreline Analysis Report, changes to the SMP and/or Shoreline Restoration Plan shall be proposed at the time of the eight-year update to prevent further degradation and address the loss in ecological functions.	<i>This change is recommended for clarity (to describe what the purpose of the evaluation actually is) and for consistency with WAC 173-26-191 (2)(a)(iii)(D).</i>