

**Public Comment Summary: City of Richland Locally Adopted SMP
Ecology Public Comment Period, December 15 – January 20, 2015**

Prepared by Angela San Filippo, WA Dept. of Ecology, February 11, 2015

| Comment Number | Comment Topic and Section Number (Citation) | Commenter | Comment | Local Government Response and Rationale |
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| | Section 26.20.10 – Shorelines of Statewide Significance | Debbie Berkowitz | In Section 26.20.01 (B)(1)(b) and (B)(1)(c) appear to change the required order of preference that is given in RCW 90.58.020 for shorelines of statewide significance. For example, because recreational use and public access and port uses are listed in 1b, these now have a higher priority than “preserving the natural characters of the shoreline” and activities “resulting in long-term over short-term benefit.” These two sections (B.1.b and B.1.c) should be eliminated and a section 26.20.010(B)(7) added that states “promote water-dependent port uses consistent with other goals of the program.” | |
| | Section 26.20.040 - Shoreline Vegetation Conservation | Shannon Goodwin | City of Richland meetings have led commenter to believe that vegetation removal in one area may be mitigated by vegetation enhancement in an area completely disconnected from the original area. Suggestion for additional verbiage to clarify and strengthen the mitigation requirements. | |
| | Section 26.20.040(A) – Shoreline Vegetation Conservation | Debbie Berkowitz | Native species should be noted as preferred, especially in undeveloped areas of the shoreline. Maybe “compatible” species should be restricted to compatible North American species. This section is vague, there needs to be a more definitive plan that does not result in net loss of ecological function before including it in the SMP. Question regarding whether the vegetation management plan referenced will be based on the shoreline substantial development permit from October 2014 because the commenter believes this would | |

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| | | | result in a net loss of ecological functions along the City's shorelines. | |
| | Section 26.30.012 – Bulk and Dimension Chart | Debbie Berkowitz | In the column labeled “standard” the minimum building setback for a non water dependent use should be measured from the buffer not the OHWM. Also suggest adding the following statement from WAC 173-26-241: “residential development, including appurtenant structures and uses, should be sufficiently set back from steep slopes and shorelines vulnerable to erosion so that structural improvements, including bluff walls and other stabilization structures, are not required to protect such structures and uses.” | |
| | Section 26.50.50(A) – Special Use Permit | Debbie Berkowitz | Question regarding how the purpose of greater flexibility in a special use permit is as protective as required by WAC 173-27-160. | |
| | Section 26.60.20 – Regulated activities in wetlands | Debbie Berkowitz | Recommendation to include the wording “whether or not” so that the statement reads the “the following activities which occur whether or not in conjunction with a development application...” This change would be consistent with Section 26.60.12 that states that the provisions of these regulations apply whether or not a substantial development permit or other type of City approval is being sought. | |
| | Sections 26.60.25(E)(3) – Buffer Modifications and 26.60.42(E)(3) – Fish and wildlife habitat buffer areas | Debbie Berkowitz | In both these provisions the following statement appears: “a species that is particularly sensitive to disturbance (such as threatened or endangered).” Both statements should be changed to read: “listed by the federal government or the state as endangered, threatened, candidate, monitored or documented priority species or habitat or essential or outstanding habitat for those species or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees.” This science based standard should be explicitly incorporated into the SMP wetlands protection. | |
| | Sections 26.60.25(E)(4)(b) – Buffer | Debbie Berkowitz | Per Ecology Wetlands and CAO Guidance when the minimum buffer for a wetland extends into an area with slope of greater than 25 percent the buffer should be | |

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| | Modifications and 26.60.042(E)(4)(b) – Fish and wildlife habitat buffer areas | | increased by 50 percent. | |
| | Section 26.60.028(C)(3) – Mitigation standards, criteria, and plan requirements | Debbie Berkowitz | Question regarding how the credit/debit method impacts the goal to have mitigation on site where at all feasible because of the importance to maintain wetland functions | |
| | Section 26.60.032 - Unauthorized Alterations and Enforcement | Leslie Walker | Question regarding how shorelines will be monitored for unauthorized alterations and whether there is budget set aside for this purpose. | |
| | Table 26.60.42 – Riparian Buffer Width | Debbie Berkowitz | There is a steep slope along the bank of Reach R; question regarding whether this was taken into account and why administrative buffer adjustments do not apply. | |
| | Section 26.60.42(D)(2) – Fish and wildlife habitat buffer areas | Debbie Berkowitz | Wildlife corridors would also be needed to make a smaller buffer function. A standard buffer is based on the assumption that the buffer is well vegetated with native species appropriate to the ecoregion; providing such a buffer shouldn't be used as a reason to reduce the buffer. This section should be modified extensively as was done to the equivalent section in the wetlands section or eliminated entirely. | |
| | Section 26.60.44(B) – Fish and wildlife habitat performance standards and incentives | Debbie Berkowitz | Question regarding the reference to RMC 22.10.310, Richland's old sensitive areas ordinance; should this reference be to reporting requirements within the SMP. | |
| | Sections 26.60.050 - 070 | Debbie Berkowitz | Much of these sections are taken from Richland's old sensitive areas ordinance and only the reporting requirements have been updated. Question regarding whether geologic hazard areas, critical aquifer recharge | |

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| | | | areas, and floodplains portions meet no net loss and other updated requirements. | |
| | Section 26.60.059 - General Exemptions | Leslie Walker | Question regarding the exact meaning of hazardous substance; does it mean hazardous to aquatic life or only hazardous to human health. | |
| | Section 26.60.84 – General procedural provisions | Debbie Berkowitz | There are references in this section to other parts of the RMC; should these be looking at references within the SMP instead; RMC 23.70.70 should be changed to RMC 26.50 and Chapter 19.70 should be changed to RMC 26.50.110. | |
| | Section 26.80 - Definitions | Debbie Berkowitz | Add the following to the definition of “agriculture” or “agricultural activities”: Agricultural activities should not include removing trees, diverting or impounding water, excavation, ditching, draining, culverting, filling, grading, and similar activities that introduce new adverse impacts to wetlands or other aquatic resources. Maintenance of agricultural ditches should be limited to removing sediment in existing ditches to a specified depth at date of last maintenance. Conversion of wetlands that are not currently in agricultural uses to a new agricultural use should be subject to the same regulations that govern new development. | |
| | Section 26.80 - Definitions | Debbie Berkowitz | The definition of “Best management practices” should delete the first sentence and instead add the following: Should not exclude new agricultural and land management activities, especially in sensitive areas and their buffers. Should also encourage ongoing agricultural activities to minimize their effects on water quality, riparian ecology, salmonid populations, and downstream resources. In addition item B in this definition should be modified to read: Minimize where possible and mitigate where necessary adverse impacts to the natural chemical, physical, and biological environment of the city. | |
| | Section 26.80 - Definitions | Debbie Berkowitz | Add a definition for compensatory mitigation which reads: the restoration, creation, enhancement, or in exceptional circumstances, preservation of wetlands and/or other | |

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| | | | aquatic resources for the purpose of compensating for unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved. | |
| | Section 26.80 - Definitions | Debbie Berkowitz | The definition of "Enhancement" (habitats in general) should be changed to read: means the improvement of existing habitat such as by increasing plant density or structural diversity, or by controlling nonindigenous or noxious species by replacing with native species. | |
| | Section 26.80 - Definitions | Debbie Berkowitz | The following statement should be added to the definition of "Enhancement" (wetlands): by replacing with native species. | |
| | Section 26.80 - Definitions | Debbie Berkowitz | Major migratory flyways should be added to the definition for "priority habitat." | |
| | Section 26.80 - Definitions | Debbie Berkowitz | The definition for "priority species" under Criterion 1 the following statement should be included: fish or wildlife species as classified by the Washington Department of Fish and Wildlife as endangered, threatened, sensitive, candidate, or monitor species. | |
| | Public Participation Plan | Laurie Ness | <p>The public participation plan that was crafted was not followed and the City did an inadequate job of showing and obtaining public participation from all stakeholders. Many groups like the Lower Columbia Basin Audubon Society were not contacted.</p> <p>Commenter signed up for notifications but did not receive any notices of meetings by mail or email and relied on word of mouth and searching the city's website for upcoming information. The City of Richland's website had no information on the SMP timeline or progress of the SMP update.</p> | |
| | Shoreline Inventory and Characterization | Laurie Ness | <p>Within this document many species and habitats are misrepresented (see Map 5). The City lacks current existing scientific data that is exhibited in other SMP texts and maps.</p> <p>The public has made comments on the record and offers</p> | |

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| | | | were made publically to the city to supplement species inventories with local scientific data from Audubon and other parties. | |
| | Shoreline Inventory and Characterization | Laurie Ness | The current Priority Habitat Species system compiled by Washington Department of Fish and Wildlife needs to be included in this document. The City of Richland was made aware of this resource by Planning Commissioners and Laurie Ness brought it up in a public open house. The only reference in the bibliography is to Washington Department of Fish and Wildlife's 2011 game harvest reports. | |
| | Shoreline Inventory and Characterization | Laurie Ness | The City cites "Bald Eagle Protection Rules" in the introduction of the Shoreline Inventory and Characterization but this information is not included in the maps. This citation is worded slightly wrong making the names not searchable online. If the City was referring the Bald Eagle Protection Act state it correctly for accountability and transparency. | |
| | Shoreline Inventory and Characterization | Debbie Berkowitz | In general species diversity is greater than indicated in many of the reaches. In Appendix A please reference some of the information provided previously from the Lower Columbia Basin Audubon Society. A more limited listing of large mammals was also supplied earlier. | |
| | Shoreline Inventory and Characterization | Debbie Berkowitz | Maps 10 and 11 should more accurately reflect the comp plan zoning. | |
| | Shoreline Inventory and Characterization | Debbie Berkowitz | Parts of Reach 6c and Reaches 9a, b, and c provide cover, understory, and food sources for songbirds, reptiles, and small mammals. | |
| | Shoreline Inventory and Characterization | Debbie Berkowitz | Question regarding what the low productivity referenced in reaches 3 and 4 is in comparison to. Shrub/steppe habitat does not inherently have low diversity; productivity and diversity are reduced because of the fragmentation of the habitat. Corridors would improve productivity and diversity. | |
| | Shoreline | Debbie | Only a small portion of reach 8 is designated waterfront, | |

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| | Inventory and Characterization | Berkowitz | mainly 8c; much of the adjacent area is BRP (8a, b, and part of c). Most of the shoreline is either NOS or DOS and part has a conservation easement with a specific vegetation management plan. 8d is WSU and 8e is residential. | |
| | Shoreline Inventory and Characterization - Table 3 | Laurie Ness | Table 3 does not pertain to the rest of the document, looks like cut and paste that was never revised. | |
| | Appendix B – Map Folio Section | Laurie Ness; Debbie Berkowitz | Reach 5 is a geological hazard (slumping of steep slope) and should be indicated as such. | |
| | Appendix B – Map Folio Section | Laurie Ness | Legend blocks placed over the area depicted or otherwise placed to block out or hide vital information does not instill confidence of reviewers. | |
| | Appendix B – Map Folio Section | Laurie Ness | Map 2c, Reach 4b shows Acme Concrete ponds where there are historic concentration of waterfowl use. | |
| | Appendix B – Map Folio Section | Laurie Ness | Maps 8d, 8e, and 9b have wetland areas that are not depicted on any maps. Make this a targeted restoration site for the sake of the wildlife and the Yakima River and get baseline data to find out the water quality. | |
| | Appendix B – Map Folio Section | Laurie Ness | Map 6 seems to be missing. Critical Areas Richland Shoreline. The map that follows Map 5 has colors and terms on the legend that do not represent the shapes on the map. The map shows some PHS areas but it is unclear what this map means. | |
| | Appendix B – Map Folio Section | Laurie Ness | Reaches 8b and 8c – highlight ecological function over high intensity use. | |
| | Appendix B – Map Folio Section | Laurie Ness; Debbie Berkowitz | Reach 6b has a tunnel under SR 240 for wildlife and human crossing. | |
| | Appendix B – Map Folio Section | Laurie Ness | There are two bald eagle nests located on Corps land within the Yakima River Delta (Map 2d). This delineation should be added to the maps. This area is heavily pelletized by aerial spray planes which the Bald Eagle Protection Act deems harassment. If the nests are not included on the map applicators won't know there are nests as they are hidden in the tree leaves during the summer. | |

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| | Map of Regulatory Reaches | Leslie Walker | Recommendation that the section designated “P” and determined recreation be split up to reflect the undeveloped areas between the developed parkland. The undeveloped areas should be designated natural areas and protected accordingly. | |
| | Restoration Plan | Laurie Ness | Degraded areas along the shoreline should be highlighted that are good candidates for restoration of native plants. | |
| | Restoration Plan | Leslie Walker; Shannon Goodwin; Laurie Ness; Debbie Berkowitz | <p>The Russian Olive trees and shrubs are foraging habitat for birds, as well as other wildlife. They are not native, but they are the most successful and it would take many years to replace this habitat if the Russian Olives were removed. The area has been drastically altered; the native riparian trees and shrubs were suited to a river that was uncontrolled by dams we should try to encourage a stable environment with the trees that we have.</p> <p>Other invasive species (Himalayan blackberry, baby’s breath, purple loosestrife, reed canary grass, knapweed) are more detrimental to Richland’s shoreline and should be considered a higher priority for removal.</p> <p>City efforts to decrease and/or eliminate Russian Olives in the past have not been an overwhelming success. Recommendation to use a manageable number of demonstration plots where the City can determine the best native plants and shrubs to use and prove on a small scale that it is economically viable to expand their efforts to larger scale activities.</p> <p>Suggest changing the statement “remove Russian olives and other invasive species” to “remove non-native and invasive species.”</p> | |
| | Restoration Plan and Cumulative Impacts Analysis | Laurie Ness; Debbie Berkowitz | Removing invasive/nonnative species without replacing them with native species just results in more invasive species moving in. Site specific restoration needs to include restoration with native plants for shorelines including Bateman Island and Columbia Point South. | |

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| | Cumulative Impacts Analysis | Debbie Berkowitz | Question regarding section 4.1 Critical Area Protection and mitigation; does this section refer to the new sensitive areas ordinances within this update SMP. The sensitive ordinances that are in RMC Chapter 22 have not been updated and shouldn't be referenced. | |
| | Cumulative Impacts Analysis | Debbie Berkowitz | The list in Section 4.3 Restoration Opportunities should include: Washington Native Plant Society, Columbia Basin Chapter. They are involved in several native plant restoration projects, including along the shoreline. | |
| | Cumulative Impacts Analysis | Debbie Berkowitz | In Table 2 items 1 and 2 (Bateman Island and Columbia Point South) should specify "low intensity" recreation rather than just recreation. | |
| | Cumulative Impacts Analysis | Debbie Berkowitz | In Table 2 item 11 would negatively impact the ecological functions (especially cover and connectivity, but also sufficient food sources and nesting sites) presently found in the area. Modify the statement to read: remove Russian Olive and other invasive species, and replace with native riparian and upland vegetation. | |
| | Cumulative Impacts Analysis | Debbie Berkowitz | In Section 4.4 Environment Designations, recreation, the second sentence should be changed to: this environment includes existing and planned parks where native vegetation has been largely, but not entirely, replaced... | |
| | Cumulative Impacts Analysis | Debbie Berkowitz | In Section 5 Assessment of Cumulative Impacts the last sentence makes reference to the Grant County and the Coalition. | |
| | Cumulative Impacts Analysis | Debbie Berkowitz | The information in Table 3 doesn't seem to correspond to the different reaches and doesn't seem compatible with the SEDs. | |
| | General comment | Laurie Ness | Overall there is a lack of quality, clarity, and detail shown in the SMP documents. The City has not made good use of resources available. The City's actions show them listening to the people but not following up on public offers of cooperation to create a better, more accurate SMP update. It seems the City wants to keep things vague and confusing for the ease of development. Comment requests the Inventory and Characterization be | |

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| | | | revised with the public and in coordination with other government agencies. When the foundational document depicts the accurate current status of the shorelines follow with revising the rest of the documents using the new information. In addition, a citizen advisory committee should be participating in the SMP update. | |
| | General Comment | Laurie Ness | It is not evident in the text where the City's baseline is for No Net Loss of Ecological Functions. | |
| | General comment | Laurie Ness | The feral cat, an invasive species affecting ecological function and public and mammal health need to be addressed. There is an exploding population of feral cats along our shorelines; contributing to net loss of ecological function and effecting native species. | |
| | General comment | Laurie Ness | Concern over the degradation of the shoreline as a result of the Parks and Recreation maintenance crews. Maintenance activities result in the river access changing from passive to active human use, increases bare areas and view corridors, and decreases ecological function over time. | |
| | General comment | Laurie Ness | Concern over the balancing of public use and enjoyment with the other SMA goals, including the protection of the resource, because there isn't much text dedicated to protection. Suggestion offered for striking a balance was the installation of high viewing platforms out of the shoreline buffer allowing for public access through passive wildlife/river viewing and ecological functions can be retained or restored. | |
| | General comment | Laurie Ness | Successfully restore Willow Pointe and create an incentive so the residents don't cut down the native vegetation when it gets tall. | |
| | General comment | Laurie Ness | Columbia Point is an important bird area and should be included in this update. Lower Columbia Basin Audubon has information on this area. Columbia Point shoreline and its upland habitat should remain undeveloped, but be a targeted area for restoration with native vegetation. | |

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| | General comment | Laurie Ness | <p>Open house meetings were used primarily for disseminating information and for people to ask very general questions. There were really no other ways to get involved during the update process other than a periodic open house.</p> <p>During planning commission workshops the public that attended did not hear plain speak and repeatedly heard that the SMP update is a planning document, not a document that laypeople are supposed to understand. The lack of detailed definitions and plain talk discourages the public from getting involved.</p> | |
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