ATTACHMENT A: FINDINGS AND CONCLUSIONS - ADDENDUM
FOR THE PROPOSED COMPREHENSIVE UPDATE TO THE TOWN OF STEILACOOM
SHORELINE MASTER PROGRAM

SMP changes accepted as outlined in letter dated May 8, 2013
Prepared by Chrissy Bailey on May 20, 2013

Brief Description of Proposed Amendment: Steilacoom (Town) has submitted a comprehensive update to its Shoreline Master Program (SMP). The Town locally adopted the SMP by Resolution No. 1115 on September 18, 2012. Ecology accepted the submittal as complete on October 15, 2012. On March 27, 2013, Department of Ecology Director Maia Bellon sent a letter to Mayor Ron Lucas, approving the SMP with conditions. The Town responded in a letter dated May 8, 2013 indicating that the Town Council accepted all but a portion of one Required Change and accepted all Recommended Changes (see alternative language for item A on Attachment B - Addendum).

The Town also wished to further clarify two provisions in the locally adopted SMP, contained in Section 16.08.610. These provisions include one policy and one regulation having to do with Vegetation Conservation. The Town Council was concerned the existing language was not focused on vegetation conservation overall and rather targeted specific uses or activities that may conflict with vegetation conservation, and wished to more clearly state its intention:

16.08.610 Vegetation Conservation

A. Policies
6. Development proposals that require extensive vegetation removal to create for purposes including, but not limited to creating views or expansive lawns should not be allowed. The Town should allow selective clearing for views and lawns such purposes only when slope stability and ecological functions are not compromised. Trimming and pruning are preferred over removal of native trees and shrubs. Shoreline landowners may not be guaranteed an unobstructed view of the water.

B. Regulations
1. General
a. The Town shall allow limited and selective clearing for purposes including, but not limited to creating views and lawns when slope stability and ecological functions are not compromised. Techniques shall include pruning, windowing and other measures that preserve plant composition and structure. No more than twenty-five (25) percent of a single tree's leaf bearing crown may be removed and no more than twenty-five (25) percent of the canopy cover of any stand of trees may be removed for view preservation. If additional trimming is requested in subsequent years, the cumulative removal may not exceed 25% within any 4 year period.

FINDINGS OF FACT

The Town Council accepted all but a portion of one Required Change. The Town provided alternative language for the following required change:

- Item A – Table of Contents, Appendices: Ecology required the original change (shown in Attachment B) to ensure that the Town’s Critical Areas Ordinance being adopted into the SMP
by reference was physically attached to and made a part of the SMP. The Town’s proposed alternative language includes the main body of the ordinance in addition to the last amendment made to the CAO (the ordinance number Ecology included in Item A on Attachment B), which more correctly describes the Town’s CAO.

The Town Council accepted all recommended changes.

The Town Council proposed further clarifications to two Vegetation Conservation provisions, one policy and one regulation. In contrast to the original language, the alternative language clarifies that vegetation removal for all purposes (in contrast to vegetation removal only for the purpose of creating views and/or lawns) should be limited and done selectively.

CONCLUSIONS OF LAW

Table of Contents | Appendices: The alternative language remains consistent with WAC 173-26, the Shoreline Management Act, and the scope of the original submittal.

16.08.610 (Vegetation Conservation) | Policy A (6) and Regulation B (1) (a): The alternative language constitutes further clarification and remains consistent with WAC 173-26, the Shoreline Management Act, and the scope of the original submittal.

Ecology concludes that consistent with RCW 90.58.090(2)(e)(ii), Steilacoom’s proposed alternative language provided herein and in the addendum to attachment B is consistent with the Shoreline Management Act, the SMP Guidelines (WAC 173-26) and the purpose and intent of Ecology’s original changes identified in Ecology’s letter, including all attachments, of March 27, 2013.

DECISION AND EFFECTIVE DATE

Ecology approval of Steilacoom’s comprehensively updated SMP is effective fourteen (14) days from the date of the Ecology Director’s letter accepting the Town’s alternative language.