# ATTACHMENT 5

## Shoreline Master Program

### Public Notice & Comments

9/11/2014 Planning Commission Packet

city of West Richland

3801 W. Van Giesen Street West Richland, WA 99353 www.westrichland.org
**Community Development Department (509) 967-5902**

# Public Notice

The City of West Richland is proposing to update Section 18.08 of the West Richland Municipal Code (Shoreline Master Program).

Environmental Review (SEPA) is being conducted on the proposal, and a Determination of Non-significance (DNS) has been issued.

The Planning Commission will hold an open record public hearing on the proposal and make recommendations to the City Council. The Planning Commission hearing is scheduled for 6:00 p.m., Thurs., September 11, 2014. The Planning Commission's recommendation will be forwarded to the City Council for consideration. The City Council public hearing will be held on a date to be determined, tentatively set for October 7, 2014 (The public hearing will be listed on the City's website at http://www.westrichland.org/PublicHearings.cfm once a date is set). Both hearings will be held in the City Council Chambers (library building) at 3803 W. Van Giesen, West Richland, WA. All interested parties are invited to attend and participate. Please send any written comments to the Community Development Department at 3801 W. Van Giesen, West Richland, WA 99353 by 4:00 p.m., Wednesday, September 3, 2014.

If you have any questions about the proposed amendments or public hearings please contact the Community Development Department. A copy of the staff report will be available by September 4, 2014. The staff contact is Mike Stevens, Senior Planner, at (509) 967-5902. This Public Notice is posted as of July 28, 2014.

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A copy of the updated Shoreline Master Program and associated materials can be found on the City of West Richland's website: http://www.westrichland.org/SMP.cfm .

If you have any questions about the proposed amendments or public hearings please contact the Community Development Department. A copy of the staff report will be available by September 4, 2014. The staff contact is Mike Stevens, Senior Planner, at (509) 967-5902.

Adopt-A-Stream Foundation
600 128th Street SE
Everett, WA 98208

American Whitewater
PO Box 1540
Cullowhee, NC 28723

Benton County
Planning Department
PO Box 910
Prosser, WA 99350

Benton County Farm Bureau
6826 W 13th Ave
Kennewick, WA 99338-1305

Benton Rural Electric Association
P.O. Box 1150
Prosser, WA 99350

Bonneville Power Administration
PO Box 3621
Portland, OR 97208-3621

Cascade Natural Gas
8113 W Grandridge Blvd
Kennewick, WA 99336-7166

City of Benton City
PO Box 70
Benton City, WA 99320

City of Kennewick
Planning & Land Use
P.O. Box 6108
Kennewick, WA 99336-0108

City of Pasco
Planning Department
525 N. Third Ave.
Pasco, WA 99301

City of Prosser
601 Seventh Street
Prosser, WA 99350

City of Richland
Community & Development Services
PO Box 190, MS #19
Richland, WA 99352

City of West Richland
Public Works
3801 West Van Giesen
West Richland, WA 99353

Columbia Irrigation District
10 E. Kennewick Ave
Kennewick, WA 99336

Confederated Tribes of the Umatilla
Indian Reservation
46411 Timine Way
Pendleton, OR 97801

Confederated Tribes of the Yakama Nation
Attn: John Marvin,
Yakama Nation Habitat Biologist
PO Box 151
Toppenish, WA 98948

Donald L & Maxine E Hadley Trustees
1503 Putnam St
Richland, WA 99352

Doug Morton
930 N Raymond
Pasadena, CA 91103

EPA - Region 10
Office of Environmental Assessment
Attn: Joyce Kelly
1200 6th Ave, Suite 900
Seattle, WA 98101

Federal Emergency Management Agency
Federal Regional Center
130 228th Street SW
Bothell, WA 98021-8627

Frank Tiegs
6610 W Court St. #B
Pasco, WA 99301

Futurewise
816 Second Avenue, Suite 200
Seattle, WA 98104

George A & Beverly Fox
133 Boston Mills Rd
Hudson, OH 44236

Grant County PUD
Attn: Debbie Knaub
P.O. Box 878
Ephrata, WA 98823

Grant County PUD
Attn: Kelly Larimer
P.O. Box 878
Ephrata, WA 98823

Hadley Trustees
1503 Putnam St.
Richland, WA 99352

Home Builders Association of Tri-Cities
10001 West Clearwater Avenue
Kennewick, WA 98336

John L. Marvin
760 Pence Rd.
Yakima, WA 98909

Kennewick Irrigation District
P. O. Box 6900
Kennewick, WA 98336

Larry M & Crystal A Seaman
508 E 1st Ave Ste D
Kennewick, WA 99336

League of Women Voters of Washington
4730 University Way NE, Suite 720
Seattle, WA 98105

Mark A & Paule L Rauch
241 Butte Ct
West Richland, WA 99353

Mark S & Robyn L Norland
229 Butte Ct
West Richland, WA 99353

Marv Bohling
211 S. 38th Avenue
West Richland, WA 99353

Matteo M & Joyce M Monopoli
104003 N Harrington Rd
West Richland, WA 99353

Michael B & Margaret R Dickert
402 S 35th Ave
West Richland, WA 99353

Michelle Marcum
4000 Fallon Dr
West Richland, WA 99353

Michelle Marcum
210 Jadwin
Richland, WA 99352

NOAA National Marine Fisheries Service
Northwest Regional Office
Attn. Sean Gross
304 South Water Street #201
Ellensburg, WA 98926

Owner or Occupant
215 Butte Ct.
West Richland, WA 99353

Owner or Occupant
209 Butte Ct.
West Richland, WA 99353

Port of Benton
Administrative Building
3100 George Washington Way
Richland, WA 99352

Port of Kennewick
350 Clover Island Drive, Suite 200
Kennewick, WA 98336

Randall J & Lori A Walli
70712 N 46th Ave
West Richland, WA 99353

Richard D Morton
4128 King Drive
West Richland, WA 99353

Ridges to Rivers Open Space Network
P.O. Box 2232
Richland, WA 99352

Scott Woodard
8121 Quinault Ave., Ste A101
Kennewick, WA 99336

Tapteal Greenway Association
PO Box 3007
Richland, WA 99354

Tri-City Herald Newspaper
333 W. Canal Drive
Kennewick, WA 98336

Trout Unlimited
Attn: Robert Leingang
3322 104th Ave. SW
Olympia, WA 98512

Troy M Dornbusch
265 Butte Ct
West Richland, WA 99353

US Army Corps of Engineers, Portland
333 SW 1st Ave # 200
Portland, OR 97204

US Army Corps of Engineers
Seattle District
4735 E. Marginal Way South
Seattle, WA 98134

US Army Corps of Engineers
Walla Walla District, Attn: Cindy Boen
201 North Third Avenue
Walla Walla, WA 99362-1876

US Bureau of Reclamation
Columbia-Cascades Area Office
Bill Gray, Area Manager
1917 Marsh Road
Yakima, WA 98901-2058

US Department of the Interior
Bureau of Reclamation
Attn. Wendy Christensen
CCA-11OO, 1917 March Road
Yakima, WA 98901-2058

US Forest Service
Mid-Columbia Fisheries Resource Office
Attn: Richard Vissar
1917 Marsh Road
Yakima, WA 98901

WA State Department of Fish and Wildlife
Fish & Wildlife Biologist
Attn: Eric Bartrand
1701 South 24th Avenue
Yakima, WA 98902-5720

WA State Dept. of Archaeology
and Historic Preservation
Attn: Stephenie Kramer
1063 S Capital Way, Suite 106
Olympia, WA 98501

WA State Dept. of Ecology
ECY CRO, Attn: Catherine Reed, Wetlands
15 West Yakima Ave, Suite 200
Yakima, WA 98902-3452

WA State Dept. of Ecology
Attn: Clynda Case, Shorelines Critical Areas - All Non-Wetlands
15 W. Yakima Ave., Suite 200
Yakima, WA 98902

WA State Dept. of Transportation
South Central Region, Attn. Jason Smith, Environmental Manager
PO Box 12560
Yakima, WA 98909-2560

Yakima Basin Clean Water Partnership
1606 Perry, Suite E
Yakima, WA 98902

WA State Dept. of Health
Eastern Regional Drinking Water
16201 East Indiana Avenue, Suite 1500
Spokane Valley, WA 99216

WA State Dept. of Transportation
South Central Region, Attn. Kevin Fleming
PO Box 12560
Yakima, WA 98909-2560

WA State Dept. of Natural Resources
Attn: Shane Early, Aquatic Land Manager
713 Bowers Road
Ellensburg, WA 98926-9301

West Richland Area
Chamber of Commerce
6102 West Van Giesen Street
West Richland, WA 99353

August 12, 2014

KENNEWICK IRRIGATION DISTRICT

Mike Stevens
Senior Planner
**City of West Richland**
Community Development Department
3801 W. Van Giesen Street
West Richland, WA 99353

Subject: Draft Shoreline Master Program (SMP), SEPA Checklist and Determination of Non-Significance for the City of West Richland, WA

Dear Mr. Stevens:

The Kennewick Irrigation District (KID) would like to submit the following comments on the Draft Shoreline Master Program (SMP), SEPA Checklist and Determination of Non-Significance for the City of West Richland, WA issued on July 28, 2014:

DNS – SEPA Checklist

- KID concurs with the issuance of a Determination of Non-significance regarding the potential environmental impacts of the City of West Richland Draft Shoreline Master Program (SMP).

Draft SMP Document

- KID agrees with the definition of "Stream" found on page 118 of the draft SMP document. As noted in the document, this definition is consistent with WAC 173-22-030(8). This definition correctly excludes "artificially created irrigation, return flow, or stock watering channels." However, on page 119, there is an additional definition listed for the plural form "Streams", which gives no citation as to source, and is significantly different in meaning from the definition for the singular "Stream." KID believes that this additional, plural definition of "Streams" is confusing, contrary to state shoreline management rules, and unnecessary, especially considering the singular definition listed that is consistent with Shoreline Management Act administrative code. KID requests that the definition of "Streams" be modified to match the correct definition given for "Stream", or be omitted altogether.

- KID concurs with the definition of "wetlands" found on page 121 of the draft SMP document, which excludes "those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were

*12 W. Kennewick Ave., Kennewick, WA 99336, (509) 586-9111, fax (509) 586-7663, www.kid.org*

unintentionally created as a result of the construction of a road, street, or highway." This definition is consistent with state law regarding the jurisdictional definition of wetlands (see RCW 36.70A.030, RCW 90.58.030, and WAC 173-201A.020).

Draft SMP Maps

- KID agrees with the proposed shoreline jurisdiction as depicted on the maps that are associated with the draft SMP document. The omission of irrigation features from the proposed jurisdiction (canals, laterals, ditches, drains, ponds, and associated wetlands) is consistent with SMP updates in Yakima and Benton counties, as well as the City of Richland.

- KID disagrees with the map symbols that depict irrigation canals and drains as "streams." These features are not streams, as defined in the draft SMP document and in WAC 173-22-030(8). KID requests that different symbols be used on the maps to differentiate these features (McWhorter Irrigation Canal, Badger East Irrigation Drain, etc.) from the Yakima River and other natural features that are not artificial features created by and for irrigation delivery and drainage.

If you have any questions regarding these comments, please contact me at the address/phone number listed below.

Sincerely,

Seth Defoe
Planning Manager

cc: file

*12 W. Kennewick Ave., Kennewick, WA 99336, (509) 586-9111, fax (509) 586-7663, www.kid.org*

STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

July 28, 2014

Mike Stevens
Senior Planner
City of West Richland
3801 W. Van Giesen
West Richland, Washington 99353

Dear Mr. Stevens:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

**City of West Richland - Proposed City of West Richland Shoreline Master Program Update. These materials were received on July 28, 2014 and processed with the Material ID # 20472.**

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services