

Attachment C:

Ecology Recommended Changes

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

ITEM	SMP Submittal Provision (Cite)	TOPIC	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	RATIONALE
1.	Chapter 1.D	Shoreline Master Program Development	D. Shoreline Master Program Development The City obtained grant number G1200048 from the Washington State Department of Ecology (Ecology) in 2012 to conduct a comprehensive SMP update. The first step of the update process inventoried the City's shoreline jurisdiction as defined by the state's SMA. The Yakima River and its associated wetlands and floodways comprise the SMA shoreline jurisdiction in the City. In addition, WAC 173-18-070—Benton County establishes the Yakima River as a Shoreline of Statewide Significance within the City. <u>As prescribed in RCW 90.58.030(2)(f)(v)(B), the Yakima River is considered a Shoreline of Statewide Significance.</u>	Clarifying a citation. Citing the SMA [RCW 90.58.030(2)(f)(v)(B)] to determine Shorelines of Statewide Significance (SSWS). Benton County did not establish SSWS.
2.	Chapter 4.B.8.e.2.a	Fill	2. Policies a) Allow fill as a conditional use in all shoreline environments-, <u>if fill is part of an approved use or development in the shoreline jurisdiction.</u>	Consistency with Table 1. Fill alone is not allowed as a conditional use, only when associated with an approved use or development.
3.	Chapter 5.D.2.c.3	Agriculture	1. <u>As part of the required setbacks from Table 3, Aa</u> setback of natural or planted permanent native vegetation not less than twenty (20) feet in width, measured perpendicular to ordinary high water mark, shall be maintained between areas of new development for crops, grazing, or other agricultural activity and adjacent waters and associated wetlands. The City's Shoreline Administrator shall determine the extent and composition of the setback based on the requirements of BAS and site-specific criteria for establishing efficacy of the vegetated	Clarify language, additional text provides context to the vegetated setback as a section of the larger required setback.

			setback (slope, rainfall, surface uniformity, etc.) when the applicant applies for a shoreline permit or letter of exemption.	This ensures the proper setbacks are administered.
4.	Chapter 6.K.1.b	Enforcement and Penalties	b. The City’s Shoreline Administrator or a designated representative shall enforce all provisions of the SMP. For such purposes, the City’s Shoreline Administrator or a designated representative shall have the power of a police officer. <u>policing powers.</u>	Clarify language, ‘policing powers’ better reflects the idea of this statement.
5.	Appendix 2.I.3	Wetlands – Analysis report requirements	3. Within 60 days of receipt of the wetland analysis report and other information, the City’s Shoreline Administrator shall determine <u>evaluate submitted materials to determine consistency with the SMP regarding</u> the appropriate wetland category, buffering requirement, and required mitigation. The report shall be accorded substantial weight and the City’s Shoreline Administrator shall approve the report’s findings and approvals, unless specific, written reasons are provided which justify not doing so.	Clarify language, rewording to accurately describe the shoreline administrator’s responsibility.