## ATTACHMENT B: Ecology Required Changes

The following changes are required to comply with the SMA (RCW 90.58) and the SMP guidelines (WAC 173-26, Part III):

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| 1    | SMP 4.3.2.A.1, Page 16    | General Environment and Critical Areas Regulations; Marine Shoreline Buffers | **Required:**  
“Because development in the Shoreline Residential environment occurs predominantly on the top of steep coastal bluffs, conformance with the City’s geologically hazardous areas buffers and setbacks as defined in LMC 16.20.015(C)(a) and adopted into this Program per SMP 4.3.2(B) shall provide adequate protection to the Marine shoreline to achieve no net loss of ecological functions.” | Compliance with WAC 173-26-211 & WAC 173-26-221.  
This regulation was taken from another City’s SMP and does not fully apply to the Town of Woodway. To fix this mistake, item 2 in these required SMP changes includes setback standards for both the Urban Conservancy and Point Wells Urban environment designations. |
| 2    | SMP 4.3.2.A.2, page 16    | General Environment and Critical Areas Regulations; Marine Shoreline Buffers | **Required:**  
“Within the Urban environments, Urban Conservancy and Point Wells Urban environment designations, a standard buffer of 150 feet from the OHWM shall be established. The Shoreline buffer shall be maintained in a predominantly natural undisturbed, undeveloped, and well-vegetated condition except for the uses described below.” | Compliance with WAC 173-26-211 & WAC 173-26-221.  
To address the mistake listed above in item 1 and to further clarify setback standards, please include this language. |
| 3    | SMP 4.4.2.1, page 19      | Archeological, Historic and Cultural Resources | **Required:**  
“If any archeological artifacts (including historic cemeteries, burials, or human remains) are uncovered during excavations in the shoreline, work must be stopped and the Town of Woodway, affected Indian Tribes, and the State Department of Archeology and Historic Preservation must be notified.” | Compliance with the Washington State Department of Archeology and Historic Preservation (DAHP).  
The listed addition will provide further clarification of action required when archeological artifacts are uncovered during site development. This addition will address concerns highlighted in the SMP review by DAHP. |
| 4    | SMP 5.1.1.1, page 29      | Shoreline Stabilization Policies and | **Required:**  
“New hard shoreline stabilization structures should be prohibited” | Compliance with WAC 173-26-231(3)(a)(iii)(B). |
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| 5    | SMP 5.1.2.2, page 29     | Regulations | **Required:**  
“New hard shoreline stabilization structures are prohibited in the Point Wells Urban Environment (Point Wells). New hard shoreline stabilization structures may be allowed as a conditional use in the Urban Conservancy Environment (Town of Woodway) in cases where there is a demonstrated threat to an existing primary structure from landslides…” | As listed under WAC 173-26-231(3)(a)(iii)(B), please include the use of “primary” when referencing “existing structures.” |
| 6    | SMP 5.1.2.3, page 29     | Shoreline Stabilization Regulations | Required:  
“The need for new structural shoreline stabilization shall be demonstrated by a geotechnical analysis, which includes, at a minimum, documentation that the primary structure is in danger from shoreline erosion caused by tidal action…” | Compliance with WAC 173-26-231(3)(a)(iii)(B). As listed under WAC 173-26-231(3)(a)(iii)(B), please include the use of “primary” when referencing “existing structures.” |
| 7    | SMP 7.2.1.4, page 41     | Residential Policies | **Required:**  
“House boats, floating homes, or any overwater residential development should be prohibited.” | Compliance with WAC 173-26-241(3)(j). Clarity is important in describing this SMP requirement, for which the provision should be changed to clarify that both houseboats and floating homes are prohibited. |
| 8    | SMP 7.2.2, page 41       | Residential Regulations | **Required:**  
“House boats, floating homes, or any overwater residential development is prohibited.” | Compliance with WAC 173-26-241(3)(j). Include the following regulation to address the previous policy relating to overwater residential development. |
| 9    | SMP 7.3.1.4, page 42     | Commercial Policies | **Required:**  
“Parking, storage, loading and service areas and facilities serving | Clarification and compliance with RCW 90.58.030.
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| 10   | SMP 7.4.1, page 43        | Boating Facility Policies | **Required:**

“Overwater residential uses should not be allowed, with exception of live-aboard vessels.”

The “immediate water’s edge” is not an accurate method of measurement for setback standards.

Compliance with WAC 173-26-241(3)(j) & WAC 173-26-241(3)(c).

Clarity is important in describing the requirements for boating facilities, for which a provision needs to be included that prohibits overwater residential uses, with exception of live-aboard vessels.

In accordance with the boating facility policy listed above, please include the following regulation in this section of the SMP.

| 11   | SMP 7.4.2, page 44        | Boating Facility Regulations | **Required:**

“Overwater residential uses are prohibited pursuant to WAC 173-26-241 (3)(j), however, live-aboard vessels may be considered subject to approval of a marina live-aboard management plan.”

Compliance with WAC 173-26-241(3)(c)(v).

SMPs must specifically address WAC 173-26-241(3)(c)(v).

In accordance with the boating facility policy listed above, please include the following language in Section 8.2 of the SMP:

| 12   | SMP 8.1, page 49          | Federal Projects | **Required:**

“Pursuant to WAC 173-27-060, direct federal agency activities affecting shoreline jurisdiction must be consistent with the SMA, SMP Guidelines, and this SMP.”

Compliance with WAC 173-27-060.

GMA jurisdictions SMP must contain procedures for administrative interpretation of development regulations. Please include the listed provision as item 3 of Section 8.2 of the SMP.

| 13   | SMP 8.2, page 49          | GMA Administrative Interpretation | **Required:**

“Pursuant to WAC 173-26-140, any formal written interpretations of shoreline policies or regulations shall be submitted to the Department of Ecology for review. An interpretation of this SMP will be enforced as if it is part of this code. Formal interpretations shall be kept on file by the Town and shall be available for public review, and shall periodically be incorporated into this SMP during required updates processes.”

Compliance with RCW 36.70B.110(11) & WAC 173-26-140.

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| 14   | SMP 8.5.4.2, page 55      | Permit Exemption Letters | **Required:**
  “Exempt development shall comply with WAC 173-27-050.” | Compliance with WAC 173-27-050. The SMP must include a reference to the provisions listed in the WAC 173-27-050 for permit exemption letters. Please include the listed language as item 1 of Section 8.5.4.2 of this SMP. |
| 15   | SMP 8.5.5.4, page 56      | Shoreline Variance | **Required:**
  “The Town may approve a shoreline variance consistent with WMC 2.56.80, in which the Town Hearing Examiner is authorized to grant a variance from the performance standards of this program only when all of the criteria in WMC 14.50.101 and WAC 173-27-170 are met.” | Compliance with WAC 173-27-170. An additional reference is needed to clarify that the reference “2.56.080” is coming from the Woodway Municipal Code (WMC). The appropriate provisions for Shoreline Variances are listed in WAC 173-27-170, and also needs to be included. |
| 16   | SMP 8.5.5.5, page 56      | Shoreline Variance | **Required:**
  “RCW 90.58.030(2)(bc)” | Clarification of RCW 90.58.030(2)(c). The reference to the definition of OHWM in WAC 173-27-170(2) is incorrect. |