STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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December 18, 2009

The Honorable Loren Belton, Mayor
City of Toppenish
21 West First Street
Toppenish, WA 98948

Re: Conditional approval of the Yakima County Regional SMP applicable to the City of Toppenish

Dear Mayor Belton:

I would like to take this opportunity to commend the City of Toppenish (City) for your efforts in developing the proposed comprehensive update of the Yakima County (County) Regional Shoreline Master Program (SMP). It is consistent not only with the needs of the County and participating jurisdictions* but also with the policy and procedural requirements of the Shoreline Management Act and the Shoreline Master Program Guidelines. Your current and former staff did an outstanding job working with a broad diversity of stakeholders to address their concerns and suggestions in forging this historic document.

As we have already discussed with your staff, the Department of Ecology (Ecology) approves the proposed amendment, **subject to the City's agreement to the required changes detailed in Attachment B.** The findings and conclusions that support Ecology's decision are enclosed in Attachment A. In addition, Ecology has worked with the City to identify **recommended changes enclosed in Attachment C,** which will provide for easier and clearer administration of the regional SMP. If the City agrees with our recommended changes, a written confirmation is necessary.

Because changes to the submittal are required, the amendment will <u>not</u> become effective until Ecology receives written notice from the City agreeing to the changes[1]. The effective date of the amendment will be the date in which Ecology receives written notice of your agreement.

As a reminder, shoreline procedural rules[2] require the City to publish a notice that Ecology has taken final action on this amendment. Therefore, once Ecology acknowledges receipt of your written agreement, the City should publish a public notice. This will initiate an

[1] WAC 173-26-120(7)(b)(i)
[2] WAC 173-26-120(9)

* Grandview, Granger, Mabton, Naches, Selah, Union Gap, Wapato, and Zillah

appeal period that lasts 60 days for jurisdictions planning under the Growth Management Act. Finally, the City must forward Ecology two hard copies and one digital copy of the final approved SMP with the agreed to changes included.

To summarize, if the City agrees with the required and recommended changes, you must:

1. Notify Ecology in writing.
2. Wait to hear from Ecology that we received your notice of agreement.
3. Publish a notice that Ecology has taken final action. This notice will begin a 60-day appeal period.
4. Forward two hard copies and one digital copy of the final approved SMP to Ecology.

Thank you again for your efforts. If you have any questions, please contact our regional shorelands specialist, Doug Pineo at Doug.Pineo@ecy.wa.gov/ 509-329-3416.

Sincerely,

Ted Sturdevant, Director

Enclosures

By Certified Mail

cc: Jeff Lewis, Central Regional Section Manager, SEA Program
William C. Murphy, Toppenish City Manager
Doug Pineo, Eastern Regional Office
Jeff Ranger, Town Administrator
Bill Rogers, Council Member
Page Scott, YVCOG
Peter Skowlund, Ecology SEA Program
Tom Tebb, Central Regional Director
Gordon White, Ecology SEA Program Director
Interested Parties