



Walla Walla County Community Development Department

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Date: April 19, 2016
To: Board of County Commissioners
From: Tom Glover, Director
RE: Workshop: Shoreline Master Program (SMP) Update

Background

The Walla Walla Board of County Commissioners initiated the update to the Shoreline Master Program in April 2013, as required by RCW 90.58.080, with signing of the Intergovernmental Agreement for Cooperative Shoreline Master Programs Updates between Walla Walla County and the cities of Prescott, Waitsburg, and Walla Walla. The four jurisdictions combined grant funds from the Washington State Department of Ecology and designated Walla Walla County as Grant Administrator. The process of the SMP Update was a regional plan which would then be divided into individual plans for each jurisdiction.

The intent of Shoreline Management Act (SMA), originally adopted in 1971, is to provide protection of the state's shorelines, encourage public access to the state's shoreline, and protect water dependent uses. Walla Walla County's SMP has not been amended since it was first adopted in 1975. The draft SMP is a document that guides appropriate development of land adjacent to and within shoreline jurisdiction, identifies restoration opportunities throughout Walla Walla County, and addresses public access. Local jurisdictions are required to update their SMPs in accordance with the Guidelines in Washington State Administrative Code (WAC) 173-26, which was revised in 2003 to reflect current knowledge regarding shoreline management and science.

The SMP includes goals and policies, development regulations, and shoreline jurisdiction maps with shoreline environment designations. The SMP will apply to properties adjacent to and within 200 feet of the ordinary high water mark (OHWM), floodways, contiguous 100-year floodplain extending a maximum of 200 feet inland of the floodway; and any associated wetlands of the Snake, Columbia, Touchet and Walla Walla Rivers; Mill Creek; Yellowhawk Creek from Cottonwood Creek to the confluence with the Walla Walla River; and Bennington Lake.

Walla Walla County's approach to updating the SMP is to protect the shoreline environment while recognizing and protecting private property rights, thereby meeting a definable public need and ensuring that the SMP is the long-term interest of the County. The proposed environmental designations take into account ecological functions, existing development patterns, and underlying zoning. The proposed environmental designations, use regulations, and the use and modification table in Chapter 6.0 balance the protection of SMP waters with the varying characteristics of the water bodies and the adjacent lands and uses. The draft SMP protects the County's shorelines through vegetation management and identifies mitigation sequencing for impacts.

Project Management Team

A Project Management Team was formed with representatives of each jurisdiction with responsibility for oversight of the update process. They met 22 times on a monthly basis as needed. All 22 meetings were open to the public and included time at the end of each meeting for public comment from any member of the public in attendance.

The Project Management Team was led by the Project Team Leader Bill Stalzer, a planning consultant. The Watershed Company was hired as the lead technical consultant for the project.

Regional Working Group

As part of the review structure for the SMP Update, a Regional Working Group (RWG) was established by the Project Management Team to review and provide input on technical studies,

related documents, and a regional draft SMP. The Regional Working Group was comprised of the following individuals and groups:

- Property owners (2)
- Citizens for Good Governance
- Gardena Farms Irrigation District #13
- Snake River Salmon Recovery Board
- Tri-State Steelheaders
- Walla Walla County Conservation District
- Port of Walla Walla
- Washington State Department of Ecology
- Washington State Department of Fish and Wildlife
- Walla Walla County Planning Commission
- City of Prescott Planning Commission
- City of Waitsburg Planning Commission
- City of Walla Walla Planning Commission

The RWG discussed and debated the policies, regulations, environmental designations, definitions, and implementation of the SMP for each jurisdiction. The RWG met 13 times and all meetings were open to the public.

Background Documents

The following supporting documents were prepared for the SMP Update; these documents are available online here: http://www.co.walla-walla.wa.us/departments/comms/SMP_docs.shtml.

- **Shoreline Analysis Report**: Inventory and characterization of the shorelines within Walla Walla County. Describes existing conditions and characterizes ecological functions in the shoreline jurisdiction which created a baseline for future development impact measurement.
- **Visioning Summary Report**: Summary and results of the visioning outreach sessions and online survey held around the county at the early stages of the update effort. Provided comments and suggestions that helped inform the goals and policies for the regional SMP.
- **Public Engagement Summary**: Summary of the comments received at public meetings held around the county on the preliminary draft of the regional SMP.
- **Cumulative Impact Analysis**: Over a 20-year planning horizon demonstrates that the SMP update will not result in degradation of shoreline ecological functions. The analysis assesses the policies and regulations in the draft SMP and as future development takes place the implementation of those regulations to make sure no net loss of ecological functions occur.
- **Shoreline Restoration Plan**: Plan for voluntary improvements to shoreline functions and processes. Identifies restoration opportunities for the County's shorelines.
- **No Net Loss Report**: Demonstrates that if the proposed policies and regulations developed in the draft SMP are followed for new development, then no net loss of ecological function can be achieved.

Public Outreach and Participation

Extensive public participation has been a major component of the County's draft SMP update process. All Project Management Team and Regional Working Group meetings were open to the public and included time for public comment. Additionally, community visioning sessions were held in 2014 to gather comments and suggestions for the SMP update and public open houses held in May of 2015 to provide input on the preliminary draft regional SMP and the proposed environmental designations. As the draft SMP transitioned to local adoption, Walla Walla County has held open houses prior to the regular Planning Commission meeting on February 3, 2016, March 9, 2016 and April 6, 2016. The Planning Commission public hearing on April 6 was also an opportunity to provide public testimony on the draft plan; one member of the public spoke at the hearing. There will also be opportunity for public input at the Board of County Commissioners public hearing.

Throughout the process the County maintained a website for the regional process. Meeting information and notes, draft documents, contact information, and background materials were all posted online. This website can be accessed here: <http://www.co.walla-walla.wa.us/departments/comms/ShorelineMasterProgramUpdate.shtml>.

Planning Commission Review and Recommendation (2016)

Periodic updates were provided to the Planning Commission in 2014 and 2015 and then the Planning Commission reviewed the draft SMP and background materials at the following workshop meetings: January 6, February 3, and March 9 (special meeting). The Planning Commission held a public hearing on April 6. One member of the public, Steve Pao, testified at the public hearing. Mr. Pao submitted some comments on the draft plan at the March 9 meeting relating to goal/policy language for public access. Staff and the consultants recommended some revisions in response to Mr. Pao's comments in the draft presented on April 6 and so he spoke in favor of the edits that were made.

After the public hearing on April 6, the Planning Commission voted unanimously, with two members absent, to recommend that the Board approve the version of the draft SMP as presented.

Agricultural Activities

Existing agricultural activities, as of the date of SMP adoption, are not required to comply with SMP policies and regulations. The SMA and implementing rules allow "agricultural activities" occurring on "agricultural lands" to continue as they have. See definitions at: RCW 90.58.065, <http://apps.leg.wa.gov/rcw/default.aspx?cite=90.58.065>. SMP policies and regulations apply to the following: 1) new agricultural activities on land not meeting the definition of agricultural land, 2) conversion of agricultural lands to other uses, and 3) development on agricultural land that does not meet the definition of agricultural activities (e.g. processing plants).

Yellowhawk Creek

As part of a shoreline analysis required in the update process, it was determined that the portion of Yellowhawk Creek from Cottonwood Creek to the confluence with the Walla Walla River met the mean annual flow criteria for inclusion in the County's SMP. This is the only new shoreline added with the draft SMP. Part of the SMP update will establish critical areas regulations for shorelines. Mostly, the County's existing critical areas regulations in Chapter 18.08 are being utilized for the SMP, with minor changes to make them compliant with the SMA. However, it was determined that the minimum buffer (50-feet) currently listed in the County's critical areas regulations for Yellowhawk Creek is not sufficient and new buffer requirements are proposed with the draft SMP. The drafted buffer requirements offer two options:

1. Buffer width of 75-100 feet from ordinary high water mark with a buffer study; or
2. Width of 100 feet from ordinary high water mark without a buffer study; buffer (buffer reduction and buffer averaging allowed).

Notices were mailed to 58 affected property owners and a public informational meeting was held on February 27, 2016 to provide information and answer questions about the SMP buffer for the portion of Yellowhawk Creek subject to the updated county SMP. Notice of the meeting was also placed in the online county calendar and the project website, and information appeared in the Walla Walla Union Bulletin. This meeting was attended by 6 people.

Next Steps

We are requesting a public hearing be scheduled for 1:00 PM on Monday, May 2. Following the public hearing and approval by the Board, the final version will be sent to the Department of Ecology for approval.