

Yakima County 2021 Shoreline Master Program Periodic Review

Open House
April 13, 2021
6:00 – 7:30 PM

Overview

- ▶ Shoreline Master Program Introduction
- ▶ Proposed Changes
- ▶ How Can You Participate
- ▶ Timelines
- ▶ Questions

Shoreline Master Program Introduction

Shoreline Management Act

- ▶ The Shoreline Management Act (SMA) requires all counties and most towns and cities with shoreline to develop and implement Shoreline Master Programs (SMPs).
- ▶ SMPs are local land-use policies and regulations that guide use of Washington Shorelines.
- ▶ State law and guidelines (RCW 90.58 and WAC 173-26 and 173-27).
- ▶ Requires periodic review of local SMPs every eight years.
- ▶ Ecology must approve changes to local SMPs as well as local government.

Where does the SMA apply?

► Shorelines of the state

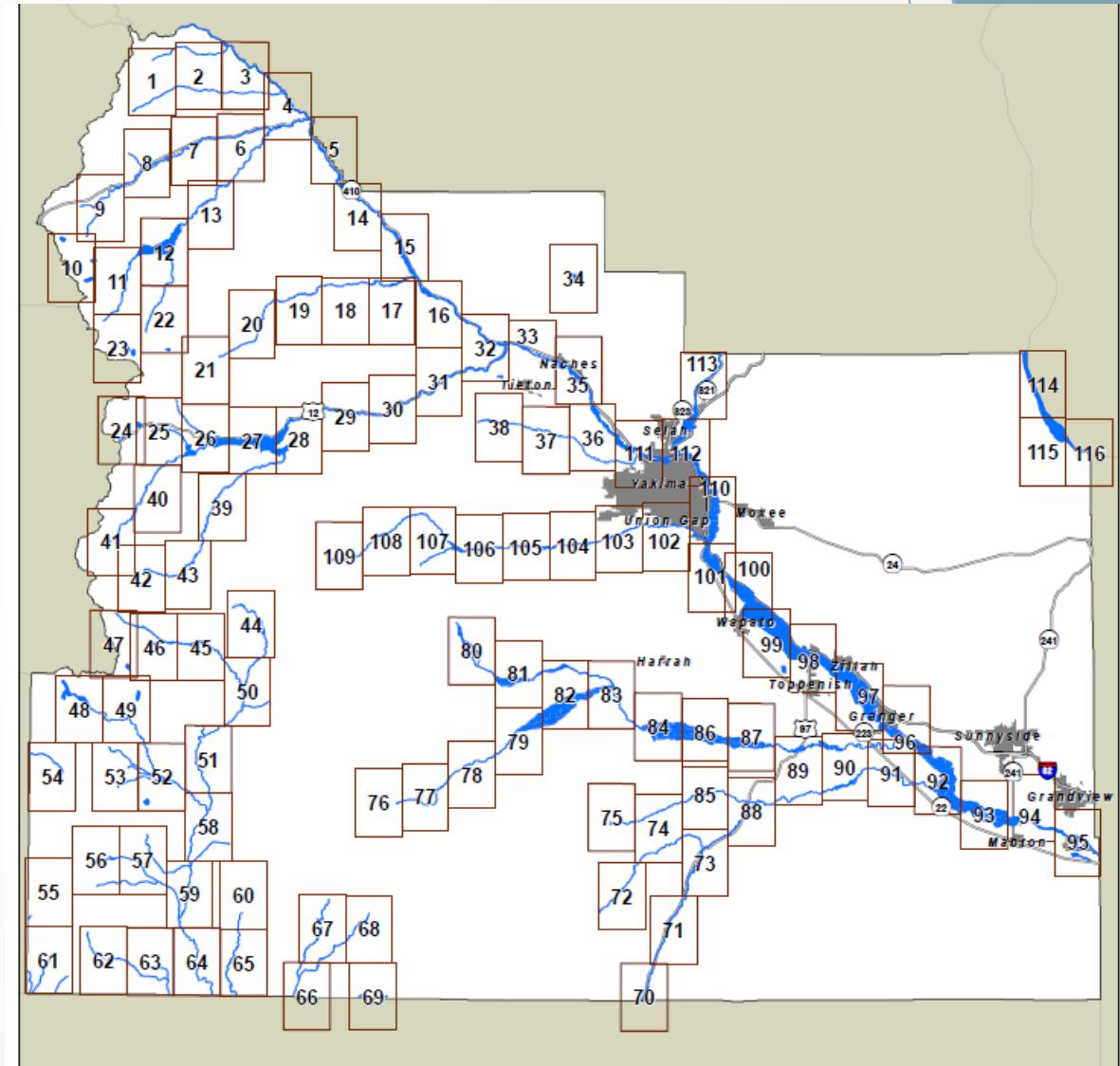
- The SMA applies to all 39 Washington counties and about 250 towns and cities with stream, river, lake or marine shorelines. These shorelines include:
 - All marine waters
 - Streams and rivers with greater than 20 cubic feet per second mean annual flow
 - Lakes 20 acres or larger
 - Upland areas called shorelands that extend 200 feet landward from the edge of these waters
 - Biological wetlands and river deltas connected to these water bodies
 - Some or all of the 100-year floodplain, including all wetlands

► Shorelines of statewide significance

- The SMA states that the interests of all the people "shall be paramount in the management of shorelines of statewide significance." These special shorelines include:
 - Pacific Coast, Hood Canal and certain Puget Sound shorelines
 - All of Puget Sound and Strait of Juan de Fuca
 - Lakes or reservoirs covering at least 1,000 surface acres
 - *Larger rivers: Those flowing 1,000 cubic feet per second or more in Western Washington and 200 cubic feet per second and greater in Eastern Washington*
 - Wetlands associated with all the above

Shoreline Jurisdiction in Yakima

- ▶ How can the public view shoreline jurisdiction in Yakima County?
 - ▶ [Shoreline maps available](#)
 - ▶ [Yakima County Planning Portal](#)
 - ▶ [Yakimap](#)



Yakima's Shoreline Master Program

- ▶ Current SMP version approved by the County December 2007 under Ordinance No. 14-2007 (codified in Yakima County Code Title 16D).
- ▶ Ecology approved the SMP February 2010.
- ▶ SMP was appealed May 2010 to the Eastern Washington Growth Management Hearings Board (EWGMHB).
- ▶ EWGMH appeal was concluded in 2012.

Proposed Changes

Ecology Periodic Review

- ▶ These changes are based on the WA State Department of Ecology's Periodic Review Checklist Guidance.
- ▶ The checklist identifies changes to state law and rules adopted between 2007 and 2019.
- ▶ Updating the SMP with the checklist items will ensure we are consistent with state law and rules.
- ▶ The full [checklist](#) with Yakima County responses is available on the SMP Period Review website.

Periodic Review – Checklist Updates Examples

- ▶ Clarify that the definition of “development” does not include dismantling or removing structures if there is no other associated actions.
- ▶ Updated cost thresholds for substantial development based on OFM adjustments.
- ▶ Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require standard development permits.
- ▶ Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.

Consistency with Critical Areas Ordinance (CAO)

- ▶ Critical areas are addressed in both the Critical Areas Ordinance (Title 16C) and the SMP (Title 16D).
- ▶ The CAO (Title 16C) was updated in 2017.
- ▶ These updates indicate areas where the SMP Critical Areas Chapter needs to be consistent with the language from the Critical Areas Ordinance YCC 16C
 - ▶ Adding and updating required definitions (i.e. Fish and Wildlife Habitat Conservation Areas, Flood Insurance Rate Maps, Forest Practices, etc.)
 - ▶ Wetland delineation manual, supplemental manual, buffer rating forms and links
 - ▶ i.e. Army Corps of Engineers Delineation Manual/Regional Supplement/Eastern WA Wetland Rating System

Other Changes

- ▶ Reorganization – The SMP received a complete reorganization for the ease of use.
 - ▶ Removing Chapter 5 – The flood chapters.
 - ▶ Putting all critical areas in one chapter
- ▶ Shoreline Jurisdiction – The regulation of the shoreline jurisdiction was updated to be consistent with state law.
- ▶ Overall Cleanup – Sections of the SMP that were inconsistent with state law not specified in Ecology's checklist. Additionally, sections were rewritten for ease of use.
 - ▶ The addition of the Public Access requirement
 - ▶ Updating the shoreline environments to meet RCW requirements: Purpose, Designation Criteria, Management Policies

How to review the changes in the draft

Guide to the SMP Periodic Review Changes

All new text is identified by the blue, underlined text. This is text that we have added.

All deleted text is ~~identified by red, strike through text~~. This is text that we have deleted.

Language Change Annotations – You will see annotations in brackets after the code changes. The explanation below will help understand these annotations:

- **[SMP 2021]** – These changes are based on WA State Department of Ecology's Periodic Review Checklist Guidance (consistency with state law).
- **[CAO]** – These updates indicate areas where the SMP needs to be consistent with the language from the Title 16C - Critical Areas Ordinance.
- **[SMP Scrub]** – This annotation reflects change intended to update our code to be consistent with RCWs and WAC, make the language more user friendly, or ensure the language reflects how we are implementing our code.

How Can You Participate

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- ▶ 30-day comment period - TBD
- ▶ Planning Commission – Public Hearing
- ▶ Board of Yakima County Commissioners – Public Hearing

Timelines

Proposed Timelines

Summer - Winter 2020	Winter - Spring 2021	Spring - Summer 2021	Summer 2021	Summer 2021
Develop Public Participation Plan Start draft SMP	Present Draft to PC (Study Sessions) Open House 30-day Joint Comment Period	Planning Commission Public Hearing Continue Joint Review with Ecology	Continue Joint Review with Ecology BOCC - Study Sessions and Hearing	BOCC Adopts Plan Forward to Ecology for their final approval Appeals if necessary

Questions