

# MEMORANDUM

**TO:** Andie Lorenz, Planning Director – Adams County  
Nicole Stickney, Senior Planning Project Manager - AHBL  
Emily Weimer, Planner – AHBL

**CC:** Jackie Chandler, Shoreline Administrator, WA Department of Ecology

**FROM:** Michelle McConnell, Regional Shoreline Planner, WA Department of Ecology

**DATE:** April 27, 2023

**SUBJECT:** Adams County SMP Periodic Review Amendment - Initial Determination of Consistency

**Sent via email to:** [andiel@co.adams.wa.us](mailto:andiel@co.adams.wa.us); [EWeimer@AHBL.com](mailto:EWeimer@AHBL.com); [NStickney@AHBL.com](mailto:NStickney@AHBL.com); [jcha461@ECY.WA.GOV](mailto:jcha461@ECY.WA.GOV);

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## Use of this Document

Ecology's *Determination of Initial Concurrence* provides Ecology's review of the proposed amendment to the Adams County (County) Shoreline Master Program (SMP). This document is divided into two sections: **Findings of Fact**, which provides findings related to the County's proposed amendment, amendment history, and the review process; and **Initial Determination** of the proposed amendment with next steps.

**Attachment 1** itemizes issues the County needs to and/or can opt to address prior to local approval and Ecology's final approval of the proposed amendment.

## Brief Description of Proposed Amendment

Adams County (County) is conducting a statutorily required periodic review of their Shoreline Master Program (SMP) and has submitted their draft SMP amendment to Ecology for an initial determination as required by the joint review process and consistent with WAC 173-26-104(3). The SMP regulates shoreline uses and activities along approximately 254 miles of river and lake shoreline, including Sprague Lake, the Palouse River, Rock Creek, and Cow Creek, all considered shorelines of statewide significance, as well as Lower Crab Creek, 20 additional lakes, the shorelands within 200 feet of these waterbodies, and all associated wetlands.

## FINDINGS OF FACT

### Need for amendment

The proposed amendments are needed to comply with the statutory deadline for a periodic review of the County Shoreline Master Program pursuant to RCW 90.58.080(4). The County prepared a checklist that documents proposed revisions. The amendment brings the SMP into compliance with requirements of the Shoreline Management Act (Act) or state rules that have been added or changed since the last SMP amendment, ensures the SMP remains consistent with amended comprehensive plans and regulations, and incorporates revisions deemed necessary to reflect changed circumstances, new information, or improved data.

## SMP provisions to be changed by the amendment as proposed

Non-substantive changes are proposed throughout the document for overall improvement, including updated code references, typo corrections, and phrasing for accuracy and clarity (e.g. grammatical qualifiers such as ‘shoreline’, ‘letter of’, and ‘of this chapter’). The overall format of the SMP is changing from a stand-alone document as approved during the 2016 comprehensive update, to rely solely on the codified version at Chapter 8 of Title 18 Adams County Code (ACC 18.08) as hosted online by Code Publishing.

The following provisions of the Adams County SMP are proposed for change, listed by ACC 18.08 section number:

- .030 Applicability** – Add a list of specific development actions not subject to shoreline permitting or local review under the SMA.
- .050 Relationship to other codes, ordinances and plans** – Add a provision to differentiate SMP compliance from compliance with other federal, state, and local requirements, including applicant’s responsibility.
- .200 Definitions** – *Delete* terms not used in the SMP, including: Basement; Building setback; Creeks; Critical facility; Diversity (ecological); Elevated building; Floating home; Nonconforming; Outcrop; Vernal pools; and Wetlands, mosaic; *Revise* terms for consistency with RCW, WAC and Ecology guidance, including: Appeal; Critical areas; Development; Ecological functions; Fill; Fish and wildlife habitat conservation areas; Floodway; Mitigation (sequencing); Native vegetation; Permit; Priority species; Setback; Shorelines Hearings Board; Substantial development; and Wetland or wetlands; and *Add* new terms consistent with RCW, WAC and Ecology guidance, including: Anadromous fish; Bog; Landward; Nonconforming use; Nonconforming development or structure; Nonconforming lot; Shoreline management buffer; and Wetlands, forested.
- . 320 General shoreline use preferences** – Add WAC language to further clarify reserving ecologically intact shoreline areas for protecting and restoring ecological functions.
- .400 Environmental designations** - Add a new introductory provision to reference the SMA and provide background to county’s four environmental designations that follow.
- .460 Official shoreline maps and unmapped or undesignated shorelines** – No text revisions in the SMP, but replace the referenced Official Shoreline Maps adopted as a 5-page map book (dated June 2015) with a reproduced 7-page map book that makes visual improvements, including a countywide index location map, city, township and range boundaries, a new SED color schematic, and updated base imagery and County logo; no changes are proposed to shoreline jurisdiction or the SEDs.
- .520 Environmental protection** – Revise to clarify ‘adverse’ impacts addressed by the mitigation sequence, and that actions are listed in ‘descending order’.
- .610 Critical areas - General provisions** – Replace the outdated WDFW priority habitats and species (PHS) website with the current URL for online PHS mapping.
- .650 Fish and wildlife habitat conservation areas** – Revise the Designation language for more precise consistency with WAC; Add the Columbian Sharp-tailed Grouse as a local T & E species; Correct the name of the Sagebrush Sparrow.
- .765 Residential development** – Revise statement about single-family residences considered a priority use to identify as a preferred use, and to delete the clause about pollution control and damage prevention.
- .940 Procedures applicable to all shoreline permits** – Add the permit filing requirement with both Ecology and Attorney General using return receipt mail; Add a transmittal letter as part of the permit filing materials.
- .960 Revisions to permits** – Correct the outdated reference to ‘date of receipt’ to read ‘date of filing’.
- .970 Amendments to SMP** – Add reference to the optional joint review process for SMP amendments.
- .975 Shoreline activity tracking** – Delete the requirement for preparing a no net loss report every 8 years, including the requirement for SMP amendment and/or revision to the companion Shoreline Restoration Plan when degradation of baseline conditions is identified.

## Amendment History, Review Process

The County prepared a public participation program in accordance with WAC 173-26-090(3)(a) to inform, involve and encourage participation of interested persons and private entities, tribes, and applicable agencies having interests and responsibilities relating to shorelines. Key participation methods include [County SMP webpage](#)<sup>1</sup> link to a project specific [Periodic Review EZ View webpage](#)<sup>2</sup> with multiple tabs for project overview, status updates, events, and document library, as well as direct mailings to shoreline property owners, outreach messages to an email list, notice publication in both the *Ritzville Adams County Journal* and the *Columbia Basin Herald* newspapers, and a public open house during the joint comment period for project introduction and Q&A.

The County used Ecology's checklist of legislative and rule amendments to review amendments to Chapter 90.58 RCW and department guidelines that have occurred since the master program was last amended and to determine if local amendments were needed to maintain compliance in accordance with WAC 173-26-090(3)(b)(i).

The County reviewed changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them in accordance with WAC 173-26-090(3)(b)(ii).

The County considered whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data in accordance with WAC 173-26-090(3)(b)(iii).

The County consulted with Ecology and solicited comments throughout the review process.

The County sent Department of Commerce a 60-day Notice of Intent to Adopt Amendments on February 16, 2023, allowing for state agency comments until April 17, 2023, to provide comment. One (1) comment submittal was received on February 22, 2023 (WDNR).

The County issued notice of their SEPA determination of non-significance (DNS) on February 23, 2023, seeking comments by March 10, 2023; no comments were received.

The County held a joint local-state comment period on the proposed amendment following procedures outlined in WAC 173-26-104. The comment period began on February 23, 2023, and continued through March 27, 2023. A joint public hearing before the Planning Commission was held on March 23, 2023, conducted both in-person and virtually via GoTo Meetings.

The County provided notice to local parties, including a statement that the hearing was intended to address the periodic review in accordance with WAC 173-26-090(3)(c)(ii). Affidavits of publication provided by the County indicate notice of the hearing was published on February 22, 2023, in the *Columbia Basin Herald* newspaper and on February 23, 2023, in the *Ritzville Adams County Journal* newspaper.

Ecology distributed notice of the joint comment period and public hearing to state interested parties on February 21, 2023, including separate notice and invitation to consult to the Confederated Tribes of the Colville Reservation (Colville Tribe) and Spokane Tribe of Indians.

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<sup>1</sup> [https://www.co.adams.wa.us/departments/building\\_and\\_planning/shoreline\\_master\\_program-1.php](https://www.co.adams.wa.us/departments/building_and_planning/shoreline_master_program-1.php)

<sup>2</sup> [https://www.ezview.wa.gov/site/alias\\_1790/35043/overview.aspx](https://www.ezview.wa.gov/site/alias_1790/35043/overview.aspx)

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Two (2) organizations provided comments on the proposed amendments, one in writing (WDFW) and one verbal testimony (Colville Tribe). The County submitted to Ecology its responses to issues raised as part of the proposed SMP amendment package.

Ecology received the County's submittal on March 28, 2023, for initial state review and, upon receipt of missing items, verified the submittal as complete on April 6, 2023. This began Ecology's review and initial determination.

#### *Consistency with Chapter 90.58 RCW*

The proposed amendment has been reviewed for consistency with the policy of RCW 90.58.020 and the approval criteria of RCW 90.58.090(3), (4) and (5). The County has also provided evidence of its compliance with SMA procedural requirements for amending their SMP contained in RCW 90.58.090(1) and (2).

#### *Consistency with applicable guidelines (Chapter 173-26 WAC, Part III)*

The proposed amendment has been reviewed for compliance with the requirements of the applicable Shoreline Master Program Guidelines (WAC 173-26-171 through 251 and 173-26-020 definitions). This includes review for compliance with the SMP amendment criteria found in WAC 173-26-201(1)(c) along with review of the SMP Periodic Review Checklist completed by the County.

#### *Consistency with SEPA Requirements*

The County submitted evidence of SEPA compliance in the form of a SEPA checklist and issued a Determination of Non-Significance (DNS) for the proposed SMP amendments. Ecology did not comment on the DNS.

#### *Other Studies or Analyses supporting the SMP amendment*

Ecology also reviewed supporting documents prepared for the County in support of the SMP amendment. These documents include a public participation plan and a periodic review checklist.

#### *Ecology consideration of comments received*

Ecology has reviewed all the comments received (3) during the GMA and joint review processes along with the County's responses. None of the comments proposed any specific SMP revisions, rather they expressed support, asked clarifying questions and/or highlighted available resources (i.e. WGS Geologic Information Portal and Planning webpages; and WDFW PHS Riparian Ecosystems publications). The project consultant provided verbal response to the Colville Tribal representative's public hearing testimony question after closing the hearing portion of the meeting, as reflected in the Planning Commission meeting minutes.

Ecology finds the County's responses are consistent with the statutory obligations for conducting periodic reviews. Ecology finds the County considered whether to incorporate any amendments to reflect changed circumstances, new information, or improved data, as provided or raised during the comment period. The County determined, and Ecology concurs, that no additional amendments are warranted at this time based upon the significance of this information and the existing SMP provisions.

#### *Summary of Issues Identified by Ecology as Relevant to Its Decision*

Ecology is required to review all SMPs to ensure consistency with the Shoreline Management Act (SMA) and implementing rules including WAC 173-26, State Master Program Approval/Amendment Procedures and Master Program Guidelines. The requirements of WAC 173-26-186(11) specify that Ecology "shall insure that the state's interest in shorelines is protected, including compliance with the policy and provisions of RCW 90.58.020."

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Based on review of the proposed amendments to the SMP for consistency with applicable SMP Guidelines requirements and the Shoreline Management Act, and consideration of supporting materials in the record submitted by the County, the following issues remain relevant to Ecology's pending final decision on the proposed amendments to the Adams County SMP. Findings specific to each issue are identified below and in **Attachment 1**, and both the required and recommended changes identified are consistent with the SMA and applicable guidelines.

Ecology has determined the proposed amendments are largely consistent, but we have identified elements that appear inconsistent with applicable laws and rules. The intent of this initial review is to provide local government an opportunity to consider Ecology's analysis before local adoption. We have attached suggested approaches to address our concerns.

### Definitions

Revisions required at .200 as follows:

- *Floodway* – Choose one of the two options for this statutory definition (see REQ-1).
- *Wetlands, forested* – Incorrect definition from the Western WA Wetland Rating System (see REQ-2).

### Residential

- Floating homes – Revision recommended at .200 to reflect the statutory definition, and for related provisions at .720 Boating facilities and .765 Residential for accuracy and internal consistency (see Rec-3).
- Single-family residences – Revision required at .765 Residential to keep the existing language as a 'priority use' (not 'preferred') per the SMP Guidelines (see REQ-3).

### SED Maps

- .450 Mapping errors – Administrative discretion is allowed for interpreting the maps, but revision is recommended to clarify that changes to the official shoreline maps are processed as an SMP amendment (see Rec-4).
- .460 Map boundaries – Revisions recommended to included required WAC language about boundary descriptions, and disclaimer to better describe map limitations (see Rec-5).
- Map Book – Revision required to add the County's certification statement to all maps (see REQ-4). Also, revision recommended to the map Legend to eliminate reference to UGAs (see Rec-12).

### Additional Recommended Changes

Revisions recommended as follows:

- .200 Definitions; *Appeal* – A shoreline variance is a type of permit not an appeal (see Rec-1); and *Bog* – Definition needs to rely on Wetland Rating System for Eastern WA (see Rec-2).
- .470 Use and modifications – Confirm/remove reference to 'letter of' exemption to avoid internal conflicts (Rec-6).
- .520 Mitigation sequence – Also addressed at .200 Definitions, improve the language at .520 Environmental protection to better reflect WAC and improve internal consistency (see Rec-7).
- .610 Critical Areas; General – Add precise language from the SMP Guidelines (see Rec-8).
- .770 Relief for OHWM shifts – Revision recommended to remove the existing provision that is only allowed within urban growth areas (UGAs) (see Rec-9).
- .970 SMP amendments – Improved phrasing about local process and optional joint review process (see Rec-10).
- .975 Project review tracking – Improved phrasing about tracking all project reviews and specific indicators of changing conditions (see Rec-11).

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- Finalize the Periodic Review Checklist to accurately reflect the changes as proposed in the locally adopted amendment, including the specific items addressed herein and in Attachment 1; we've provided some suggested edits in a redline version.

Ecology has identified four (4) required changes and twelve (12) recommended changes to the SMP amendment for consideration by the County, presented in **Attachment 1** as items REQ-1 through REQ-4, and Rec-1 through Rec-12. The required changes are needed for consistency with RCW 90.58.030, WAC 173-26-241, and the most current technical guidance. The recommended changes would improve implementation and reduce confusion for both applicants and practitioners.

**Findings.** Ecology finds that Attachment 1, items REQ-1 through REQ-4 required changes are needed for consistency with SMA and WAC as identified, and items Rec-1 through Rec-12 recommended changes, if implemented, would be consistent with the policy and standards of RCW 90.58 and the applicable guidelines.

## INITIAL DETERMINATION

**The following constitutes Ecology's written statement of initial concurrence, consistent with WAC 173-26-104(3)(b)(ii):**

After review by Ecology of the complete record submitted and all comments received, Ecology has determined that the County's proposed amendment, subject to the required and recommended changes identified in Attachment 1, is consistent with the policy and standards of RCW 90.58.020 and RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through 251 and .020 definitions).

### Next Steps

As described under WAC 173-26-104(4), the next step in the approval process is for your jurisdiction to consider the required and recommended changes identified by Ecology and formally adopt the amendment through resolution or ordinance, then send the final SMP submittal for formal agency approval as outlined in WAC 173-26-110. We anticipate being able to approve your SMP Periodic Review amendment after formal submittal is provided and found complete, per WAC 173-26-120(1)(a).



Changes shown in **red** are **required** and in **blue** are **recommended**, consistent with SMA policy (RCW 90.58.020) and implementing rules of the SMP Guidelines (WAC 173-26, Part III).

ITEM	SMP SECTION (ACC 18.80.xxx)	PROPOSED CHANGES [underline = additions; strikethrough = deletions]*	ECOLOGY - DISCUSSION/RATIONALE
Rec-1	.200 Definitions	“Appeal” means a request for a review of the interpretation of any provision of this chapter <del>or a request for a shoreline variance.</del>	<i>Periodic Review Checklist #2012.a</i> – Ecology supports the SMP only addressing local appeals and not the SMP appeal procedures of RCW 90.58.190, however this existing definition is inconsistent with WAC 173-27-170 that establishes the shoreline variance as a permit type, as also described at 18.80.955. This appears to be an oversight from the previous comprehensive update. Revision recommended for accuracy and clarity to aid implementation.
Rec-2	.200 Definitions	“Bog” means a low nutrient, acidic wetland with organic soils and characteristic bog plants, as described in Washington State Wetland Rating System for <del>Western</del> <u>Eastern</u> Washington: 2014 Update (Washington State Department of Ecology Publication #14-06- <del>29</del> <u>030</u> , Olympia, WA, October 2014).	<i>Periodic Review Checklist #2016.b</i> – The proposed definition incorrectly references the Wetland Rating System for Western WA. Revision required to correctly reference the Eastern WA version. An alternative is to delete the term for sole reliance on the more detailed Ratings System information, cited at 18.08.610(B)(2)(b)(vi). See also the most current <a href="#">ECY Wetland Guidance for CAO Updates (2022)</a> .
Rec-3	.200 Definitions;  .720 Boating facilities and private moorage structures; and  .765 Residential development	.200 - “Floating home” means a dwelling unit constructed on a float that is moored, anchored, or otherwise secured in the water and is not designed for navigation under its own power. <u>“Floating home” means a single-family dwelling unit constructed on a float, that is moored, anchored, or otherwise secured in waters, and is not a vessel, even though it may be capable of being towed.</u>  .720(B)(5) Floating <u>homes</u> , and other over-water <u>residential structures</u> <del>homes</del> , including and liveaboard <u>vessels</u> , are prohibited <u>in shoreline jurisdiction</u> .  .765(I) New floating <u>homes</u> <del>residences</del> and other over-water residential structures <del>shall be</del> <u>are</u> prohibited in shoreline jurisdiction.	<i>Periodic Review Checklist #2021.a and #2011.c</i> – The SMP appropriately prohibits in/over-water residential and exercises local discretion to prohibit liveaboards. The 18.08.200 Definitions include a version of ‘Floating home’ that differs from the current statutory definition, which specifies ‘ <i>not a vessel</i> ’. The existing term is proposed for deletion as ‘not used in the SMP’ but the term is essentially used in .720(B)(5) phrased as “ <i>Floating and other over-water homes</i> ”. Floating homes are also addressed in .765(I) phrased as the presumably equivalent ‘ <i>floating residences</i> ’. Further, 18.08.200 defines ‘Structure’ to exclude vessels, which are also defined in .200 so that including liveaboards as a type of prohibited floating/overwater home confounds the terms and creates internal conflict between structures and vessels. Revisions recommended for consistency with RCW 90.58.270, and for improved internal consistency, accuracy, and clarity to aid implementation.
REQ-1	.200 Definitions	“Floodway” means the area, as identified in this master program, that either: 1. Has been established in Federal Emergency Management Agency flood insurance rate maps (FIRMs) or floodway maps; <del>or</del> <del>2. Consists of those portions of a river valley lying streamward from the outer limits of a</del>	<i>Periodic Review Checklist #2007.a</i> – Definition includes both options; County needs to choose one and delete the other, consistent with RCW 90.58.030(32)(b). Consultation with County staff/consultant clarified the preference is to rely on FEMA FIRMs.

Changes shown in red are required and in blue are recommended, consistent with SMA policy (RCW 90.58.020) and implementing rules of the SMP Guidelines (WAC 173-26, Part III).

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		<del>watercourse upon which floodwaters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occur with reasonable regularity, although not necessarily annually. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from floodwaters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state. Adams County's shoreline jurisdiction does not contain any mapped floodways as of adoption of this SMP.</del>	
REQ-2	.200 Definitions	<del>"Wetlands, forested" means a wetland having at least 1 contiguous acre of either old growth forest or mature forest, as described in Washington State Wetland Rating System for Western Washington: 2014 Update (Washington State Department of Ecology Publication #14-06-29, Olympia, WA, October 2014).</del>	Periodic Review Checklist #2016.b – The proposed definition incorrectly references the Wetland Rating System for Western WA. The applicable version for Eastern WA addresses multiple types of forested wetlands making it difficult to provide a singular definition and therefore better to rely on the more detailed guidance instead, cited at 18.08.610(B)(2)(b)(vi). Revision required to delete the term as inconsistent with current technical guidance. See also the most current <a href="#">ECY Wetland Guidance for CAO Updates (2022)</a> .
Rec-4	.450 Environment designation interpretation	B. Environment Designation Mapping Errors. 1. In the event of an environment designation mapping error where the SMP update or amendment record, including the public hearing process, is clear in terms of the correct environment designation to apply to a property, the shoreline administrator shall apply the <u>approved</u> environment designation <del>approved through the SMP update or amendment process</del> and correct the map <u>through an SMP amendment</u> .	As related to the revised SED Map Book, existing provisions about boundary interpretation and mapping errors apply. SMP .450 addresses SEDs and .460 addresses both jurisdiction and SEDs. The Shoreline Administrator has authority to interpret and apply the SMP/SEDs to ensure correct implementation, but once the SMP and SED Maps are locally adopted and approved by Ecology, any revisions to such must be made by formal amendment. Revision recommended for consistency with WAC 173-22-055.
Rec-5	.460 Official shoreline maps and unmapped or undesignated shorelines	A. The official shoreline maps at the time of SMP adoption, which illustrate the delineation of shoreline jurisdiction and environment designations in the county, are available for review in the planning department. The official map shall include the following language: "We hereby certify that this map constitutes the Official Shoreline Map as approved by ordinance of the Board of County Commissioners." The official shoreline maps may be updated administratively or through	A - Similar to .450 above, as related to the revised SED Map Book, existing provisions about boundary interpretation and mapping errors apply. First, the mapping error language of (A) correctly reflects the WAC 173-22-055 requirement that conflicts between SMP text and maps be corrected within three years. However, the SMP allows administrative corrections where the WAC specifies such corrections must be by amendment, and there is no

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ITEM	SMP SECTION (ACC 18.80.xxx)	PROPOSED CHANGES <small>[underline = additions; strikethrough = deletions]*</small>	ECOLOGY - DISCUSSION/RATIONALE
		<p>an SMP amendment as indicated in subsections B, C and D of this section. The Department of Ecology will be provided with electronic files of the official shoreline maps when any updates are made. <del>Minor mapping errors corrected administratively shall not be greater than one acre in size. If greater than one acre in size, a SMP amendment shall be completed within three years of finding the mapping error.</del> <u>In the event of a mapping error, the county will rely upon common boundary descriptions and the criteria contained in RCW 90.58.030(2) and WAC 173-22, as amended, for determinations of jurisdictional shorelands rather than an incorrect or outdated map. When the SMP text and maps conflict, the county shall make corrections by amendment to reflect a new designation within three years of the discovery of the discrepancy.</u></p> <p><u>F. Shoreline jurisdiction boundaries depicted in the official shoreline maps are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm or modify the information shown on the maps. Shoreline jurisdiction will be more precisely determined at time of project review using the best available site-specific information.</u></p>	<p>minimum area exception (i.e. 1 acre).</p> <p>Also, the SMP is missing the language required by WAC 173-26-211(2)(b) <i>“in the event of a mapping error, the jurisdiction will rely upon common boundary descriptions and the criteria contained in RCW 90.58.030(2) and chapter 173-22 WAC pertaining to determinations of shorelands, as amended, rather than the incorrect or outdated map.”</i></p> <p>F - Lastly, while the revised map book includes a brief Disclaimer statement, adding a similar more descriptive provision to the SMP provides greater clarity; suggested language is from our <a href="#">SMP Handbook – Chapter 5 Jurisdiction</a>.</p> <p>Revisions recommended for consistency with WAC 173-22-055, for internal consistency, and to improve accuracy and clarity to aid implementation.</p>
Rec-6	<b>.470 Shoreline Use and modifications matrix</b>	<p>1. Uses allowed by shoreline substantial development permit, or <del>by shoreline letter of</del> exemption, are indicated by an “S” <u>on the use matrix in the table.</u></p>	<p>The addition of “<i>shoreline letter of [exemption]</i>” may create internal conflict with 18.08.925(H), though it’s unclear whether the County intends to issue letters of exemption for all exemptions, or only when required by WAC 173-27-050. Revision recommended, as needed, for improved clarity and internal consistency. As related, consider the same for the following sections of 18.08:</p> <ul style="list-style-type: none"><li>• Table 18.08.470-1 in the Key</li><li>• .610(C) and (D)</li><li>• .640(D)</li><li>• .650(C) and (D)</li><li>• .660(B)</li><li>• .935(A)</li></ul>

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			• .975(A)
Rec-7	.520 Environmental protection	D. Mitigation Sequence. In order to ensure that development activities contribute ... the sequence of mitigation as defined below, listed in descending order <u>of preference</u> :	For improved consistency with WAC 173-26-201(2)(e)(i) and (ii) that speak to lower/higher priority measures, and for internal consistency with .200 "Mitigation (sequencing)", revision recommended to add 'of preference'.
Rec-8	.610 Critical Areas - General provisions	A. Purpose. The purpose of this article is to promote the general health, safety, and welfare of county residents by conserving and protecting critical areas in shoreline jurisdiction <u>to assure no net loss of shoreline ecological functions necessary to sustain shoreline natural resources</u> . The Adams County board of commissioners finds that the impact of development in critical areas poses a threat to the public's health, safety, and welfare; to clean water, and to fish and wildlife habitat. This article is enacted to protect critical areas by regulating development within or adjacent to such areas/lands, while providing property owners with reasonable economic use of their land.	<i>Periodic Review Checklist #2010.a</i> – SMP does not include specific language to "Provide a level of protection to critical areas within the shoreline area that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources." per WAC 173-26-221(2)(a)(ii). This appears to be an oversight from the previous comprehensive update. Revision recommended for improved consistency.
REQ-3	.765 Residential development	B. Single-family residences are considered a priority use only <u>residences are considered a priority use only</u> <del>is a preferred use</del> when <u>it is</u> developed in a manner consistent with control of pollution and prevention of damage to the natural environment <u>with control of pollution and prevention of damage to the natural environment</u> <del>SMP provisions</del> .	The proposed revision is inconsistent with WAC 173-26-241(j)(i) "Single-family residences are the most common form of shoreline development and are identified as a priority use when developed in a manner consistent with control of pollution and prevention of damage to the natural environment." Ecology requires deletion of the proposed edits to keep the existing language.
Rec-9	.770 Shoreline habitat & natural systems enhancement projects	<del>F. Relief for OHWM Shifts. Applicants seeking to perform restoration projects are advised to work with the county to assess whether and how the proposed project is allowed relief under RCW 90.58.580, in the event that the project shifts the OHWM landward.</del>	<i>Periodic Review Checklist #2009.a</i> - RCW 90.58.580 limits this relief allowance to only within urban growth areas. Consultation with County staff/consultant confirmed there are no existing UGAs. It seems misleading to mention a relief option that the County cannot allow. Revision recommended to delete this provision as not applicable.
Rec-10	.970 Amendments to SMP	G. Proposals for amendment of this SMP shall be heard by the planning commission in an open record hearing. <u>Amendments to the Program (other than comprehensive updates) may alternatively be processed through a joint review process with Ecology that allows for a shared local/state public comment period and hearing for efficiency and in accordance with WAC 173-26-104. After conducting a hearing and evaluating testimony regarding the application...</u>	<i>Periodic Review Checklist Additional Amendments</i> – Ecology supports adding clarifying language to reference the optional joint review process. However as proposed, the inserted language reads as if joint review is an alternative to Planning Commission process. Revision recommended for improved accuracy and clarity.
Rec-11	.975 Shoreline activity tracking	A. The county will track all shoreline permits and <del>letter of</del> exemption activities to evaluate whether the SMP is achieving no net loss of shoreline ecological functions. Activities <u>and</u>	Ecology supports county discretion to remove (B) that requires a NNL report as exceeding the minimum requirement. Where WAC 173-26-191(2)(a)(iii)(D)

Changes shown in red are required and in blue are recommended, consistent with SMA policy (RCW 90.58.020) and implementing rules of the SMP Guidelines (WAC 173-26, Part III).

ITEM	SMP SECTION (ACC 18.80.xxx)	PROPOSED CHANGES <small>[underline = additions; strikethrough = deletions]*</small>	ECOLOGY - DISCUSSION/RATIONALE
		<u>indicators of changing shoreline conditions</u> to be tracked using the county’s permit system include development, conservation, restoration and mitigation, such as: ...	requires a mechanism for documenting all shoreline project review actions, per the issue noted above at .470 regarding letters of exemption, revision is recommended for internal consistency. Further, the listed items (1) – (7) are not all development activities but also include indicators of shoreline conditions so revision is recommended for clarity.
REQ-4 Rec-12	Shoreline Environment Designation (SED) Map Book	All Maps - <u>We hereby certify that this map constitutes the Official Shoreline Map as approved by ordinance of the Board of County Commissioners.</u>  Page 1 countywide overview map – Legend  City & UGA	<i>Periodic Review Checklist #2007.b</i> – Ecology supports the revised map book for updated imagery and added details to aid implementation, even with no changes proposed to jurisdiction or the SEDs. REQ – For internal consistency with 18.08.460(A), revision required to add the certification statement to the SED maps. Rec - Consultation with County staff/consultant confirmed there are no existing UGAs. Revision to page 1 Legend recommended for accuracy. Lastly, for Maps #1 – 6, the lines depicting highways show as white or bold red in the location inset image but as pink/orange in the maps and are omitted from the Legend. Consider revisions to clarify and/or better sync the color scheme and the Legend.

\*NOTE: SMP language in black text, including single line ~~strikethrough~~/underline, is ‘as proposed’ by the County’s Draft SMP Amendment; Ecology revisions are in red or blue text as double line ~~strikethrough~~/underline.