

2005-2007 Shoreline Master Program Grants

Scope of Work: Jefferson County

Project Description: The local government of Jefferson County, Washington (a.k.a., “The Recipient”) will complete an update of the Shoreline Master Program (SMP) that is developed and adopted in a manner consistent with the procedural and substantive requirements of the Shoreline Management Act (SMA) and the Shoreline Master Program Guidelines (Guidelines). The SMP development process will include refinement of an inventory and analysis of shoreline ecological conditions and land use for integration into the shoreline planning process; development of goals, policies, environment designations, and use regulations; and a formal local adoption process. The Recipient will incorporate public participation in all phases of SMP development. The Recipient may use consultant support as appropriate.

Work Program

*The Recipient shall perform the following tasks. The attached **Process Flow Chart** and **Timeline** are considered part of this Work Program.*

Task 1: Coordination and Consultation.

The Recipient will coordinate throughout the SMP development process with Ecology and other applicable state agencies, neighboring jurisdictions, and Indian tribes as provided in the Guidelines. In its commitment to provide technical assistance throughout the SMP development process, Ecology will provide ongoing technical assistance with shoreline characterization, offer suggestions on SMP planning approaches, and evaluate the consistency of work products with the SMA and applicable guidelines. The recipient shall provide Ecology opportunities for review of draft products at appropriate intervals.

In addition, the recipient will consult with all other appropriate entities which may have useful scientific, technical or cultural information, including federal agencies, watershed management planning units, salmon recovery lead entities, universities and other institutions. An email distribution list will be developed to periodically update identified representatives from participating entities. Substantive input will be collected and consulted during the development of SMP work products. Representatives from state agencies, neighboring jurisdictions, and Indian tribes will be invited to participate on SMP update advisory committees.

The Jefferson County Planning Commission (PC) and the Board of County Commissioners (BoCC) will be periodically informed as to the progress of the development of the Preliminary Draft SMP. The briefings will occur at key stages of the process.

Deliverables and Due Dates:

1. Email distribution list and initiating message by October 20, 2005. On-going documentation of contacts and summary of input at appropriate intervals.
2. Semi-annual progress reports identifying progress by task and payment requests reflecting task accomplishments. Due January 20, 2006; July 20, 2006; January 20, 2007; and July 20, 2007.
3. Digital and/or hard-copy drafts of work completed at regular intervals, including: Integration Strategy (Task 4.1), Consistency Report (Task 4.4), Draft and Final Shoreline Restoration Plans (Tasks 4.3 and 5.1), Shoreline Policy Advisory Committee Draft SMP (Task 5.2), Cumulative Impacts Analysis (Task 5.3), Planning Commission Recommendation SMP (Task 6.2), Final Staff Recommendation SMP (Task 6.3), and Board of County Commissioners (BoCC) Adopted SMP (Task 6.3). Refer to individual sub-tasks for due dates.

Task 2: Participation.

Throughout the SMP update effort, the Recipient shall inform and involve the public at large, identified stakeholders, and the local planning advisory body and legislative decision-makers. The public participation process will be orchestrated consistent with the SMA (RCW 90.58.130) and the SMP Guidelines.

2.1 Information and Outreach.

The Recipient will maintain a website for the project to provide a forum for the public to obtain information on the SMP update and provide comments and input related to the project. The website will be consistently updated with project details, including a calendar of events and Portable Document Format (PDF) files of drafts and other work products. The Recipient will arrange for workshops/open houses at key points in the process in order to present information to the public, answer questions, and collect input.

2.2 Shoreline Technical Advisory Committee (STAC).

The Recipient will convene a Shoreline Technical Advisory Committee (STAC) that will advise staff and consultants during Stage I – Preparation (Task 4) in anticipation of the development of a Preliminary Draft SMP during Stage II (Task 5). STAC participation will include a range of individuals with expertise in areas pertinent to the SMA. These individuals may be independent scientists or representatives from agencies and groups that are considered stakeholders in shoreline management. The Recipient will invite biologists and coastal geologists, as well as representatives from restoration organizations, Native American tribes, Hood Canal Coordinating Council (HCCC), Puget Sound Action Team (PSAT), Jefferson County Marine Resources Committee (MRC), Washington Department of Fish and Wildlife (WDFW), Washington Department of Natural Resources (WDNR) and Ecology.

Much of the STAC contribution will be garnered through consultation via written correspondence and oral communication rather than through meetings. However, at least one STAC meeting will be organized, with additional meetings as needed. Individual members will be invited for personal appointments, as well, in order to discuss issues and comments. Input gathered from the STAC will be used to enhance and complete the Shoreline Inventory and Analysis (Task 4.2), prepare a Draft Restoration Plan (Task 4.3), and review the 2000 Draft Jefferson County SMP in order to develop a Consistency Report (Task 4.4). Although the work of Task 5 will be performed principally in concert with the Shoreline Policy Advisory Committee (SPAC), the STAC will be invited to peer review the Preliminary Draft SMP (Task 5.2) and the Cumulative Impacts Analysis (Task 5.3), as well as contribute during the formal review process under Task 6.

2.3 Shoreline Policy Advisory Committee (SPAC).

The Recipient will convene a Shoreline Policy Advisory Committee (SPAC) that will advise staff and consultants in the preparation of an SMP proposal for Planning Commission (PC) consideration under Task 6. SPAC participation will be representative of a range of stakeholder groups. Non-governmental stakeholder groups represented may include, but not be limited to, shoreline landowners, marine trades, shellfish growers, realtors, builders, the environmental community, biologists and other scientists, and the Port Townsend Paper Corporation (a.k.a., “the Paper Mill”). Governmental organizations represented may include tribes, HCCC, PSAT, PC, BoCC, MRC, Port of Port Townsend (Port), WDFW, WDNR, and Ecology. Some of these individuals and organizations may be represented on both the SPAC and the STAC.

Refer to the *timeline* for projected meeting months. The SPAC is expected to hold two sets of meetings with a frequency of two to three meetings per month. The meetings would be open to the public and informal public comment will be accepted. One or more open houses will coincide with SPAC participation. The first set of meetings will be focused on reviewing previously completed work products, finalizing the Draft Restoration Plan Task 5.1), and initiating work on the development of a Preliminary Draft SMP. Staff and consultants will next incorporate SPAC input into a Working Draft SMP. The second set of meetings will be for completing the Preliminary Draft SMP using a consensus approach with the SPAC (Task 5.2). Concerns of participants who object to the group consensus will be documented.

2.4 Formal Public Process.

The Preliminary Draft SMP produced in conjunction with the SPAC, together with Cumulative Impacts Analysis performed by staff and consultants (Task 5.3), will be forwarded to the Planning Commission (PC) for the beginning of Stage III – Formal Review Process (Task 6). The Board of County Commissioners (BoCC) is the body responsible for taking legislative action to adopt an updated SMP. Public participation will include, at a minimum, the ability to provide oral and/or written comments during a public hearing and formal public comment period. All public comments, as well as

minutes from PC and BoCC meetings, will be included in the case record. In its legislative decision, the BoCC will consider all of the advisory work leading to and public comments addressing the SMP proposal under consideration. Refer to Task 6 for details.

Deliverables and Due Dates:

1. Maintained website. On-going.
2. Committee participant lists and associated documentation for STAC (October 20, 2005) and SPAC (April 20, 2006). Periodic meeting schedules, as appropriate.
3. PC and BoCC meeting minutes, when available. Record of public comments provided periodically, with a full case record provided by July 20, 2007.

Task 3: Consultant Services.

The Recipient shall prepare a detailed scope of work for consultant services consistent with grant scope of work, publish a Request for Qualifications, form a review committee to evaluate respondents, and enter into a contract with the selected, qualified consultant(s).

Deliverable and Due Date:

1. Final executed consulting contract or contracts by January 20, 2006.

Task 4: Stage I – Preparation.

The Recipient shall work with consultants and the STAC on the following tasks in anticipation of developing a Preliminary Draft SMP proposal under Task 5.

4.1 Integration Strategy.

The Recipient will conduct a comprehensive review of existing environmental/natural resource management policies and regulations within Jefferson County. The Recipient will identify opportunities to provide for greater consistency and coordination between programs, particularly concerning integration between the Growth Management Act (GMA) and the SMA (pursuant to ESHB 1933, signed into law in 2003). The Recipient will create a matrix of policies and provisions of the County land use and development policies and regulations to facilitate an analysis of conflicting and/or duplicative regulations. The analysis will include identification of gaps, overlaps, inconsistencies, and opportunities to improve clarity and comprehension of code language. The research will include informal interviews with planning staff from the Development Review Division of the Department of Community Development. An Integration Strategy report will be prepared outlining recommended amendments to the existing environmental/natural resource management policies and regulations. The purpose of

amendments would be to better integrate and coordinate environmental policy, eliminate unneeded duplicative regulation, and improve consistency and certainty in implementation. Any recommended amendments would be made in the context of maintaining compliance with applicable federal, state and local policy and law.

4.2 Shoreline Inventory.

Through a 2003 Coastal Zone Management (CZM) Grant extended through June 30, 2005, the Recipient has completed an inventory and analysis of shoreline conditions pursuant to the SMP Guidelines. The Recipient shall present the 2005 Analysis Report and Map Portfolio (a.k.a., "the Inventory") to the STAC as a form of introduction to the SMP update project. The Inventory shall be examined together with the STAC for opportunities to enhance the information in anticipation of its use in the next steps of the shoreline planning process. In particular, concepts from the May 2005 draft of Ecology Publication #05-06-013, *Protecting Aquatic Resources Using Landscape Characterization: A Guide for Puget Sound Planners*, or an updated edition, shall be considered in the context of potentially improving the 2005 Analysis Report and Map Portfolio. Where appropriate and useful, additional maps will be created to supplement the 2005 Map Portfolio. The completed Inventory should be a useful tool for developing the Draft Restoration Plan (Tasks 4.3 and 5.1) and conducting the Cumulative Impact Analysis (Task 5.3). Among other objectives as described in the SMP Guidelines, the Inventory will help address long-term planning for public access to shorelines.

4.3 Draft Restoration Plan.

The Recipient, together with the STAC at this stage, will develop a Draft Restoration Plan associated with the SMP and consistent with WAC 173-26-186(8)(c) and 173-26-201(2)(f). The Draft Restoration Plan will establish overall goals and identify specific priority restoration areas. Current and ongoing programs that contribute to achieving these goals as well as additional projects needed for success will be identified. In addition to the information presented in the 2005 Shoreline Inventory and Analysis (as enhanced through Task 4.2), the Recipient shall survey, document and map existing restoration efforts in the planning area that have been initiated by individual governments, agencies, and organizations, including other parallel planning processes such as watershed planning, salmon recovery, and the work of the MRC. Priority restoration needs/areas will be confirmed with the STAC and other interested parties. Finally, an implementation strategy including possible funding sources, preferred timelines, and benchmarks for successful implementation will be developed. The Draft Restoration Plan will be completed with the SPAC in Task 5 and harmonized with goals and policies in the Preliminary Draft SMP.

4.4 Consistency Report.

The Recipient shall review the Jefferson County 2000 Draft SMP completed on July 12, 2000, prior to Ecology's adoption of the Guidelines for developing SMPs (Part III of Chapter 173-26 WAC), in correlation with the final adopted Guidelines. The 2000 Draft

SMP was developed in the context of preliminary versions of what was later adopted as the first version of the updated Guidelines, adopted by Ecology on November 29, 2000. After an appeal and settlement process, Ecology adopted the final Guidelines on December 17, 2003. A Consistency Report will be produced that documents the level of consistency between the 2000 Draft SMP and the final Guidelines and between the 2000 Draft SMP and the 2005 Shoreline Inventory (as updated through Task 4.2). The Report shall outline specific areas that need to be redrafted and/or reconsidered in light of the final Guidelines. The Consistency Report will be utilized in conjunction with the Integration Strategy to guide the development of the Preliminary Draft SMP in Task 5.

Deliverables and Due Dates:

1. Three hard copies and one digital copy of Integration Strategy by April 20, 2006.
2. Summary of examination of 2005 Analysis Report and Map Portfolio by April 20, 2006.
3. If applicable, three hard copies and one digital copy of an updated Analysis Report and Map Portfolio by July 20, 2006.
4. Three hard copies and one digital copy of STAC Draft Restoration Plan by April 20, 2006.
5. Three hard copies and one digital copy of Consistency Report by April 20, 2006.

Task 5: Stage II – Preliminary Draft Shoreline Master Program (SMP).

The Recipient shall work with consultants and the SPAC on the following tasks in anticipation of the formal public review process of a Preliminary Draft SMP proposal.

5.1 Restoration Plan.

The Recipient, together with the SPAC at this stage, will complete a Restoration Plan associated with the SMP and consistent with WAC 173-26-186(8)(c) and 173-26-201(2)(f). See Task 4.3 for a description of the components of the Restoration Plan. In Task 5.2, the Plan will be harmonized with goals and policies in the Preliminary Draft SMP. SMP goals, policies, and regulations will be crafted to support implementation of the Restoration Plan, which shall be maintained as a separate document, related to the SMP and formally referenced therein. The SMP will include criteria and procedures under which the Restoration Plan is kept and maintained.

5.2 Preliminary Draft SMP Components.

5.2.1 Goals and Policies.

The Recipient shall prepare shoreline goals and policies and regulations that comply with the SMA and the SMP Guidelines.

5.2.2 Regulations.

The Recipient shall prepare shoreline regulations (including elements for administration, compliance and enforcement) that comply with the SMA and the SMP Guidelines.

5.2.3 Environment Designations.

The Recipient shall develop environment designations that provide for compliance with the SMA and the SMP Guidelines. The Recipient shall prepare a map illustrating recommended shoreline designations together with justification and rationale for the recommended designations. A map illustrating existing designations compared to recommended designations shall be included.

5.3 **Cumulative Impacts Analysis.**

The Recipient shall evaluate cumulative impacts as an ongoing part of the development of proposed policies, environment designations and other regulations. This includes evaluating the incremental impacts of proposed policies, designations and regulations on shoreline ecological functions as well as on other functions and uses of the shoreline consistent with the SMA (water-oriented uses, public access, etc). The focus of the analysis will be on those types of shoreline development that are generally considered to have relatively minor impacts as individual development projects, such as single-family residences and appurtenances, but that may cumulatively over time create impacts along ecologically sensitive shorelines. Attention will be paid to information pertaining to water quality issues in Hood Canal and protection and restoration strategies developed by HCCC and partners. A Cumulative Impacts Analysis report will be developed that summarizes results and addresses, in the context of the whole of the proposed SMP, the “no net loss” of habitat standard found in the Guidelines. Pursuant to the results of the analysis, the proposal may be returned to the SPAC for additional consideration prior to being forwarded to the Planning Commission (PC) for the formal review process under Task 6.

Deliverables and Due Dates:

1. Three hard copies and one digital copy of SPAC Restoration Plan by October 20, 2006, with digital Working Drafts at earlier dates, as applicable.
2. Three hard copies and one digital copy of Preliminary Draft SMP Goals and Policies by October 20, 2006, with digital Working Drafts at earlier dates, as applicable.
3. Three hard copies and one digital copy of Preliminary Draft SMP Regulations by January 20, 2006, with digital Working Drafts at earlier dates, as applicable.
4. Three hard copies and one digital copy of recommendations, rationale and draft map illustrating proposed Shoreline Environment Designations by January 20, 2006, with digital Working Drafts at earlier dates, as applicable.
5. Three hard copies and one digital copy of Cumulative Impacts Analysis report, including supporting maps and/or graphics by January 20, 2006, with digital Working Drafts at earlier dates, as applicable.

Task 6: Stage III – Formal Review Process.

The Recipient shall conduct a review and adoption process for the SMP proposal as provided in the SMA and associated rules in Chapter 173-26 WAC (i.e., the Guidelines), the GMA and the State Environmental Policy Act (SEPA). The Recipient will continue coordination with relevant agencies to provide opportunity for input and ensure that project proposals are consistent with the directives of those agencies. The following steps are included in the process.

6.1 Legal Notice.

The Recipient shall arrange for publication in the local newspaper of record a notice or notices indicating the intent to adopt an updated SMP, thereby amending the County's Comprehensive Plan and development regulations; the availability of an environmental document produced under SEPA; and public hearings before the Planning Commission (PC) and BoCC (if applicable). The notice shall also be posted on the County's shoreline planning website and interested parties will be informed through an email distribution list. Notices shall conform to WAC 173-26-100 under the SMA and applicable rules under the GMA.

6.2 Planning Commission (PC).

The Recipient shall arrange for review of a proposed SMP through the public participation process associated with the Jefferson County Planning Commission (PC). The PC may host workshops and/or open houses in addition to the standard approach of holding a public hearing, deliberating, and transmitting a recommendation to the BoCC. State agencies and other interested parties will be encouraged to provide comments to the PC on the Preliminary Draft SMP. Following the PC recommendation and contingent to the nature of that recommendation, the proposal may be routed back to staff and consultants for additional analysis before being forwarded on to the BoCC.

6.3 Board of County Commissioners (BoCC).

The Jefferson County Board of County Commissioners (BoCC) shall consider the PC and staff recommendations, as well as any comments from agencies, groups and individuals. Per BoCC prerogative, the proposal may be returned to staff and/or other advisory bodies for additional analysis and review. Ultimately, the BoCC will adopt an updated SMP through ordinance. An ordinance adoption notice shall be published in the local newspaper of record.

6.4 State Department of Ecology (Ecology).

The Recipient shall forward the locally-adopted SMP to Ecology, along with associated and supporting materials, in compliance with WAC 173-26-110. Ecology will formally review the proposal pursuant to WAC 173-26-120. The Ecology approval process may extend beyond the 2005-2007 biennium (i.e., sometime after June 30, 2007).

Deliverables and Due Dates:

1. Documents associated with the public review process, such as legal notices, evidence of compliance with SEPA, PC and BoCC agendas and minutes, public and agency comments on the proposal, and the ordinance adopting an updated SMP. When available and as part of final submittal by July 20, 2007.
2. Three hard copies and one digital copy (Microsoft Word format) of the adopted SMP including maps and diagrams, and any relevant supporting documentation by July 20, 2007.

NOTE: Some of these tasks will overlap in time and may be completed in a different sequence than presented here. Some of the tasks are iterative (e.g., developing regulations) and may occur at various times throughout the project.