

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners
Philip Morley, County Administrator

FROM: Al Scalf, Director – Department of Community Development
Stacie Hoskins, Planning Manager/Shoreline Administrator
Michelle McConnell, Associate Planner

DATE: July 11, 2011

SUBJECT: Staff Briefing and Public Hearing on *Draft Jefferson County Response to Ecology on Changes to the Locally Approved Shoreline Master Program (MLA08-475)*

STATEMENT OF ISSUE: On June 20, 2011, the Board of County Commissioners directed staff to release the *DRAFT Jefferson County Response to Ecology on Changes to the Locally Approved SMP* ('Draft County Response') and to publish a legal notice soliciting public review and comment. The comment period was set to open on June 22 and close at 4:30 pm on July 25, 2011, with a public hearing scheduled for 6:00 pm on July 11, 2011 at the Superior Court Room (County Courthouse, 1820 Jefferson St., Port Townsend, WA 98368). Staff will provide a briefing of the project status and support the Board as they receive verbal testimony and written comments.

ANALYSIS/STRATEGIC GOALS/PROS and CONS:

Ecology's approval is regarding the December 7, 2009 *Locally Approved SMP*, submitted to Ecology on March 1, 2010 as Exhibit A of Jefferson County Resolution 77-09 (erroneously referenced in Ecology documents as 'Ordinance Number 77-09') as the proposed amendments to the Jefferson County Comprehensive Plan and Jefferson County Code. This SMP Comprehensive Update (MLA08-475) is required by law and must be completed by December 2011.

In March 2010, the County submitted a *Locally Approved Shoreline Master Program (SMP)* to the Washington Department of Ecology (Ecology) for final review and approval, per RCW 90.58 and WAC 173-26. After a public review process, Ecology reviewed the County's proposed SMP update for consistency with state statutory and rule requirements.

On January 26, 2011 Ecology determined that the County has met the procedural and policy requirements of the Shoreline Management Act and the SMP Guidelines, pending some required changes. A letter from Ecology's director with three attachments outlines their conditioned approval, findings and conclusions, required and recommended changes. The County needs to consider the required changes and respond as to whether to accept or propose alternatives to those changes as part of the process for final adoption by the state and by local ordinance.

Staff reviewed the required and recommended changes and provided guidance to the Board on whether to agree, further study, decline or propose alternative changes, including numerous revisions proposed

for clarification to correct various errors in the document prior to final adoption. The Board discussed the DCD Recommendation on February 22, February 28 and March 7, 2011 providing feedback to staff on each item for the County's response to Ecology. The Board reviewed and discussed the Draft County Response on March 14 and 21. Additional information was gathered and the Board continued discussion on the topic of finfish aquaculture on April 18 but further discussion was needed.

On April 25, the Board took action by sending a letter to alert Ecology about the status of the County's pending response and directed staff to cease further efforts to gather and catalogue more finfish information. The Finfish Aquaculture Bibliography was temporarily capped at 84 items and staff worked with the Board to prepare a revised draft code proposal for finfish aquaculture. The Board provided additional guidance to staff for on final edits to the proposed finfish aquaculture code and mapping issues on June 6 and requested a final review of the Draft County Response prior to publishing the legal notice for the public comment period. The Board reviewed the Draft County Response on June 20 and approved the public comment period and public hearing.

The Board released the Draft County Response and seeks public review and comment to aid them in submitting a formal response to Ecology for the final adoption of the updated SMP.

FISCAL IMPACT/COST-BENEFIT ANALYSIS:

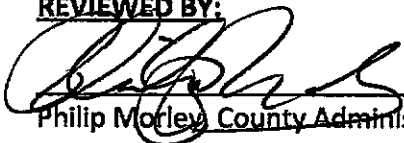
Grant funding for the SMP Update ended in June 2009. Department of Community Development staff work is covered by the department's annual budget.

RECOMMENDATION:

Staff recommends the Board:

1. Invite DCD to provide a briefing on the status of the SMP Update;
2. Conduct the public hearing; and
3. Leave the record open until 4:30 pm on July 25, 2011.

REVIEWED BY:


Philip Morley, County Administrator



Date