2014 440

RESOLUTION

BEFORE THE BOARD OF COMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF THE BENTON COUNTY SHORELINE MASTER PROGRAM UPDATE (SMP) IN ACCORDANCE WITH WASHINGTON STATE SHORELINE MANAGEMENT ACT (SMA) RCW 90.58, PURSUANT TO SMP GRANT AGREEMENT NO. G1200022.

WHEREAS, the people of the State of Washington enacted the Shoreline Management Act (RCW 90.58) by a vote of the people in 1971; and,

WHEREAS, the Growth Management Act (RCW 36.70A.480) adds the goals and policies of the Shoreline Management Act as set forth in RCW 90.58.020 as one of the goals of the Growth Management Act without creating an order of priority; and,

WHEREAS, the County approved a Shoreline Master Program in April 1974; and,

WHEREAS, the Shoreline Management Act (RCW 90.58.080) provides a timetable that requires the County to amend its master program by December 31, 2013, and an extension to June 30, 2014 was granted by the Washington State Department of Ecology and approved in the grant agreement G1200022 authorized by the Benton County Commissioners in Resolution 2012-101; and,

WHEREAS, the County received a grant from the Washington State Department of Ecology to defray the costs of the update process; and,

WHEREAS, the County developed a public participation plan that provided widespread public notice, a project website, public meetings with a Shoreline Advisory Committee, public forums in several venues in the County, a Vision Community Questionnaire, a Public Access Focus Group, and public meetings and hearings before the Planning Commission and Board of County Commissioners between June of 2012 and June of 2014; and,

WHEREAS, the County developed a Shoreline Inventory Map Folio in September 2012 and a Draft Shoreline Analysis Report in November 2012 and distributed them for agency and public review in November 2012 and compiled and responded to comments and issued a final document in April 2013; and,

WHEREAS, the County developed draft Shoreline Master Program goals, policies, regulations and environment designations in conjunction with Shoreline Advisory Committee meetings between January 2013 and October 2013 and issued a Draft Shoreline Master Program in October 2013; and,

WHEREAS, the County coordinated with the State of Washington Department of Ecology in preparing interim products and solicited comments consistent with the Grant Agreement; and,
WHEREAS, the County considered and responded to government agency and public comments and prepared and issued Revised Draft Shoreline Master Programs or elements thereof for Planning Commission and Board of County Commissioner review in December 2013, April 2014, and June 2014; and,

WHEREAS, the County issued a Draft Cumulative Impacts Analysis in November 2013 and considered and responded to government agency and public comments and prepared a revised Cumulative Impacts Analysis in April 2014; and,

WHEREAS, the County issued a Draft Restoration Plan in February 2013 and considered and responded to government agency and public comments and issued a Final Restoration Plan in June 2013 and April 2014; and,

WHEREAS, an Environmental Determination was made by Benton County in File No. EA 2014-15, issued on March 21, 2014; and,

WHEREAS, the 60 day Notice of Proposed Amendment was submitted to Washington State Department of Commerce and acknowledged received on March 21, 2014; and,

WHEREAS, the legal notice for the Planning Commission Open Record Hearing was published on March 27, 2014; and,

WHEREAS, those listed on the Public Participation Plan mailing lists were given notice of the Planning Commission Open Record Hearing by mail on March 26, 2014 and those listed on the Public Participation Plan e-mail lists were given notice of the Planning Commission Open Record Hearing by e-mail on March 25, 2014; and,

WHEREAS, the Planning Commission open record hearing was held on April 8, 2014, in the Planning Annex, 1002 Dudley Avenue, Prosser, WA 99350; and,

WHEREAS, the following Planning Commission members were present at the April 8, 2014 meeting; Yi Qu, James Willard, Toni Harris, and Martin Sheeran; and,

WHEREAS, at the open record hearing on April 8, 2014, the Planning Commission received information and considered all evidence and testimony and, after closing the public testimony portion of the open record hearing, the Planning Commission recommended approval of the Shoreline Master Program; and,

WHEREAS, the legal notice for the Board of County Commissioners Open Record Hearing was published on May 22, 2014; and,

WHEREAS, those listed on the Public Participation Plan mailing lists were given notice of the Board of County Commissioners Open Record Hearing by mail on May 20, 2014 and those listed on the Public Participation Plan mailing e-mail lists were given notice of the Board of County Commissioners Open Record Hearing by e-mail on May 20, 2014; and,

WHEREAS, the Board of County Commissioners conducted an Open Record Hearing on June 3, 2014 at 9:00 a.m. in the Commissioners Meeting Room on the Third Floor of the Courthouse, in Prosser, WA 99350; and,

WHEREAS, the following Board of County Commissioner members were present at the June 3, 2014 meeting; James Beaver, Shon Small, and Jerome Delvin; and,

WHEREAS, the Board of County Commissioners at the Open Record Hearing reviewed all testimony and public hearing exhibits that were entered into evidence; and,

WHEREAS, once the County approves the Shoreline Master Program, it will be sent to the State of

Washington Department of Ecology for review and approval, a process which may entail further changes and amendments to the documents of the Shoreline Master Program; and,

WHEREAS, upon Washington Department of Ecology approval, the County will adopt the Shoreline Master Program by ordinance; and,

WHEREAS, the Board did review the Planning Commission and staff recommendations, the testimony and the proposed ordinance; and adopts by reference the Planning Commission's Recommendation, Findings of Fact, and Conclusions dated April 17 , 2014 and retained in the Planning Office as their own; and,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

1. The Board of County Commissioners adopted the findings and conclusions in Exhibit CCM 1.1.

2. The Board of County Commissioners approves the Shoreline Master Program, subject to Department of Ecology approval. The Shoreline Master Program is comprised of the documents attached as Exhibits CCM 1.3, PCM 1.3, PCM 1.2, CCW 1.4, and CCW 1.5.

3. The Board of County Commissioners directs the Benton County Planning Department to forward the following documents to the State Department of Ecology for review and approval:

Exhibit CCM 1.3: Shoreline Master Program Hearing Document
Exhibit PCM 1.3: SMP Environment Designation Maps
Exhibit PCM 1.2: SMP Channel Migration Zone Maps
Exhibit CCW 1.4: SMP Cumulative Impacts Analysis
Exhibit CCW 1.5: SMP Restoration Plan

Dated this 3rd day of June, 2014.

James P. Beaver
Chairman of the Board

Member

Member

Constituting the Board of County Commissioners of Benton County Washington.

Attest
Clerk of the Board

MES/sw