

# Shoreline Master Program Periodic Update 2020 Public Participation Plan

Presentation to Council P&D  
Committee, May 21, 2019



# Project Description

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- Whatcom County completed a comprehensive update to its Shoreline Master Program in 2007.
- Washington state law requires jurisdictions to review and update their SMPs every eight years in accordance with the SMA and its current guidelines and legislative rules to attain state approval.
- This periodic update will focus on:
  - Reviewing relevant legislative updates since 2007 and incorporating any applicable amendments;
  - Ensuring consistency with regulations for critical areas and flood hazard areas; and
  - Improving the overall functionality of the SMP for use by applicants and staff.

# Project Description

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- This periodic update is not required to:
  - Re-evaluate the ecological baseline that was established as part of the 2007 comprehensive update;
  - Extensively assess no net loss criteria other than to ensure that proposed amendments do not result in degradation of the baseline condition; or
  - Change shoreline jurisdiction or environment designations, unless deemed appropriate and necessary by the County.
  - Comprehensively revise shoreline inventory and characterization reports or restoration plans.

# Consultant Scope of Work

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- **Phase 1: Preliminary Shoreline Jurisdiction, Public Participation Plan, and BAS Library**
  - Project Coordination and Outreach
  - Public Participation Plan
  - Consult with relevant agency staff, tribes, and neighboring jurisdictions
  - Review and amend shoreline jurisdiction boundaries, as needed
  - Compile and review applicable best available science that may affect goals, policies, and regulations
  - Review new, pertinent state laws or court cases and prepare SMP Gap Analysis Report
    - Review the SMP for consistency with legislative amendments
    - Review Ecology Guidelines WAC 173-26
    - Evaluate the Comprehensive Plan and Development Code
    - Prepare SMP Gap Analysis Report
  - Demonstrate how Phase 1 complies with the Guidelines

# Consultant Scope of Work

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## ● Phase 2: Shoreline Inventory, Analysis, & Characterization

- Review new and relevant information related to the 2007 shoreline inventory
- Conduct analysis of current shoreline conditions, as necessary
- Prepare addendum to the 2007 shoreline inventory and characterization report as applicable
- Demonstrate how Phase 2 complies with the Guidelines

## ● Phase 3: Scoping

- Public scoping/open houses
- County Council review and approval of scope

# Consultant Scope of Work

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- **Phase 4: Shoreline Environment Designation, Policy & Regulation Development; Cumulative Impacts Analysis**
  - Evaluate past shoreline permits and update the Cumulative Impacts Analysis as needed
  - Provide draft code
  - Demonstrate how Phase 4 complies with the Guidelines
- **Phase 5: Restoration Plan; Revisiting Phase 4 Products as Necessary**
  - Review and amend the Shoreline Restoration Plan as necessary
  - Revisit environment designations, policies, and regulations and finalize maps
  - Demonstrate No Net Loss (NNL) is achieved
  - Demonstrate how Phase 5 complies with the Guidelines
- **Phase 6: Presentation to Public**
  - Public Open Houses

# Consultant Scope of Work

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## ● Phase 7: Local and State Approval

- Assemble the SMP
- Prepare SEPA documentation
- Provide GMA 60-day notice of intent to adopt
- Begin 30-day joint public comment period
- *Attend up to 3 P/C and Co/C Public Meetings*
- Prepare responsiveness summary
- Revise SMP to address public comments
- Submit revised SMP to Ecology for consistency determination
- Revise SMP per Ecology comments
- Adopt the SMP and prepare formal submittal
  - Prepare decision packet including findings & conclusions, transmittal letter, conditions of approval (if any), & responsiveness summary
  - Work with local government to finalize local adoption
- Demonstrate how Phase 7 complies with the Guidelines

# Schedule

<b>May 2019</b>	<b>Email and newspaper notifications of process and upcoming open houses</b> <b>Project website established</b>
<b>June 2019</b>	Open houses to inform the community and gather input <ul style="list-style-type: none"><li>• Birch Bay (June 10th, 7-9pm) at Birch Bay Bible Church</li><li>• Deming (June 19th, 7-9pm) at Mount Baker High School</li><li>• Bellingham (June 25th, 7-9pm) at Civic Building, Garden Room</li></ul>
<b>January 2020</b>	Open houses (up to 3) to share proposed updates and gather input
<b>February-June 2020</b>	Environmental review (SEPA) Public comment period Planning Commission public hearing & review County Council Public Hearing Ecology review County Council review and final action



# Public Participation Plan

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- Will use multiple strategies and tools for engaging the public and other agencies, including
  - the media
  - a project website
  - a new “Notify Me” subscription group, and
  - direct notification and engagement of a number of community groups, government agencies, and the Tribes

# Public Participation Plan

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- Will kick off the process by holding 3 public open houses in Birch Bay, Deming, and Bellingham/Lake Whatcom).
- These open houses will be to announce the project and to seek ideas from the public for issues that may need to be addressed.
- The Planning Commission will be invited to attend as well.
- Their ideas, as well as those from PDS, Parks, and Public Works will be used to develop a scope for the project.

# Public Participation Plan

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- We will take this scope through the Planning Commission and then to Council, to be adopted by resolution.
- Our goal is to “set” the scope early, and address only those issues to which Council has agreed.
- We’re trying this approach after the experience with the Critical Areas Ordinance Update, where many people waited until after Planning Commission (and most of the work) was done to bring issues directly to Council.
- As you’ll recall, this led to having 22 Council workshops.
- Since we are having a consultant do much of the work on this project, we will not have the time or budget to repeat that experience.

# Public Participation Plan

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- After the scope is set, staff and the consultant will do all the necessary background work to develop a draft SMP update.
- We then plan to hold three additional public open houses in January 2020 to explain what's included in the update, get public feedback, and revise as necessary.
- Once the final draft is done, the Planning Commission will hold a joint public hearing with the Department of Ecology.

# Public Participation Plan

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- From this will be developed the final draft SMP for Council to consider. We will plan on at least one public hearing with the Council, and will schedule Council workshops as necessary (but hope the process we've laid out minimizes the number needed).
- We hope to get Council's endorsement of this process this evening by the Council making a motion to approve the Public Participation Plan.

# Public Participation Plan

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- *Note:* I've already had one call about not being on the list of stakeholders listed on page 4.
- This was not intended to be an exhaustive list.
- We can certainly add the following suggestions:
  - BP Refinery & other Cherry Point industries
  - Port of Bellingham
  - City of Blaine
  - City of Sumas
  - Whatcom Business Alliance
  - Western States Petroleum Association