

OVERVIEW OF DRAFT SHORELINE MASTER PROGRAM

Shoreline Management Act and Guidelines

Washington's Shoreline Management Act (SMA) was passed by the State Legislature in 1971 and was intended "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." While protecting shoreline resources by regulating development, the SMA is also intended to provide for appropriate shoreline use by encouraging land uses that enhance and conserve shoreline functions and values.

The SMA has three broad policies:

1. Encourage water-dependent and water-oriented uses: "uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines...."
2. Promote public access: "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally."
3. Protect shoreline natural resources, including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life...."

The primary responsibility for administering the SMA is assigned to local governments through local shoreline master programs, adopted under guidelines established by Ecology. The guidelines ([WAC 173-26](#)) establish goals and policies that provide a framework for development standards and use regulations in the shoreline. The State legislature established new guidelines in 2003 requiring all cities and counties to update shoreline policies and regulations. The new shoreline guidelines set a higher level of environmental protection for shorelines in the state and a goal of "no net loss" of shoreline function. Local SMPs are to be based on these State guidelines and tailored to the specific conditions and needs of individual communities. The SMP is also meant to be a comprehensive vision of how the shoreline area will be managed over time.

Drafting a New Shoreline Master Program for the City of Snohomish

The original City of Snohomish Shoreline Master Program (SMP) was adopted in 1976. To meet State guidelines, the City began an update process in 2009. Between 2009 and 2012, the City created a Citizens Advisory Committee (CAC) and contracted with Environmental Science Associates (ESA) to support the comprehensive SMP update. Draft SMP update documents were developed during this time, including a Shoreline Inventory and Characterization report and map folio, a Shoreline Restoration Plan, a Cumulative Impacts Analysis memorandum, a Shoreline Element of the Comprehensive Plan, and proposed SMP development regulations and administrative standards.

Due to City staff changes and competing priorities, SMP update efforts were put on hold in December 2012. In August 2016, the City reinitiated efforts to finalize and locally adopt the updated SMP. The City Planning & Development Services Department (PDS) coordinated with the Washington State Department of Ecology (Ecology) to identify key areas of earlier draft SMP update materials that required adjustments based on new SMA guidelines, changed shoreline conditions in Snohomish and policy updates within the City. The updates and proposed revisions to the earlier draft SMP materials reflect completion of a new

public boat launch, recently implemented restoration actions within shoreline jurisdiction, and a new approach for integrated protection of critical areas within shoreline jurisdiction and parks.

In 2012, all elements of the draft SMP were presented to the Snohomish Planning Commission and a CAC for consideration. During the anticipated public review period in the months ahead (May and June 2017), the City will provide opportunity for Planning Commission review of the PDS recommended SMP update. After any review comments and/or recommended revisions are addressed, the Planning Commission will then recommend local adoption of the SMP update to the City Council. Formal public review will occur during City Council's review. PDS will update this Overview and implement any other necessary revisions based on public and City Council review. The City anticipates local adoption of the updated SMP by September 2017.

The components of the updated SMP are detailed below, starting with the key policy and code update components and followed by the supporting technical analysis and documentation necessary to ensure consistency with the SMA and Ecology guidelines:

Shoreline Element of the Comprehensive Plan (Shoreline Management Policies)

Per State's 2003 guidelines ([WAC 173-26](#)), shoreline master programs are to provide clear, consistent policies that translate broad statewide policy goals into local directives. Policies are statements of intent directing or authorizing a course of action or specifying criteria for regulatory and non-regulatory actions by a local government. Master program policies provide a comprehensive foundation for more specific shoreline regulations, and are used to evaluate proposed shoreline development. At a minimum, shoreline policies must:

- Be consistent with State shoreline management goals and policies;
- Address all master program elements defined in State law; and
- Be designed and implemented in a manner consistent with constitutional and other legal limitations on the regulation of private property ([WAC 173-26-191](#)).

The draft SMP goals and policies are to be adopted as the Shoreline Element of the City's overall Comprehensive Plan. Goals and policies were developed to maintain consistency with the existing Snohomish Municipal Code and other elements of the Comprehensive Plan. Draft SMP goals and policies include:

Shoreline Management Purpose and Intent – Goal SMP 1 and Goal SMP 2 (and supporting policies) define the overall purpose and intent of Snohomish's SMP and the City's regulatory authority to manage shorelines of the state.

Shorelines of Statewide Significance – These policies guide the management of shorelines of statewide significance, including the Snohomish River.

Shoreline Environment Designations – Goals SMP 3 through SMP 8 (and supporting policies) establish and provide the policy intent of the Shoreline Environment Designation across Blackman's Lake, the Snohomish River, and the Pilchuck River. Shoreline Environment Designations reflect the physical conditions and development settings for the City's shoreline segments, and include the Aquatic, Rural Utility, Shoreline Residential, Historic Riverfront, and Urban Conservancy environments.

Shoreline Management Policies – These policies broadly address specific shoreline uses and resources, listed below, based on [WAC 173-26-221](#) and [WAC 173-26-191](#). These policies are intended to provide general guidance in the management of shorelines.

- Residential Development
- Utilities
- Boating Facilities
- Economic Development
- Recreation
- Vehicular Circulation and Parking
- Historic, Cultural, Archeological, and Scientific Resources
- Conservation
- General Shoreline Use
- Water Quality, Stormwater and Nonpoint Pollution

Shoreline Modification Policies – These policies express the general principles for managing shoreline modifications and address specific types of shoreline modification, including:

- Shoreline stabilization
- Piers and docks
- Fill and dredging
- Breakwaters and weirs
- Dredging
- Restoration and enhancement

Shoreline Use Policies – These policies address general and specific types of shoreline use, including:

- Shoreline Resources
- Agricultural
- Aesthetics
- In Stream Structures
- Flood Protection
- Habitat and Natural Systems

Shoreline Management Code

The City of Snohomish adopted the 1976 Shoreline Management Master Program under Snohomish Municipal Code (SMC) Chapter 14.250, titled SHORELINE MANAGEMENT. The SMP Update will repeal all code of existing SMC Chapter 14.250, and replace it with updated SMP code standards (to be adopted as SMC 14250.010 through SMC 14.250.350). These regulations are intended to carry out draft shoreline policies (above), and incorporate changes such that Snohomish’s program will be consistent with Ecology’s guidelines. Please note that some amendments are required in other sections of the

Snohomish’s Municipal Code to ensure consistency with the updated Shoreline Management Code. The Snohomish Critical Areas Code (Chapters 14.255-14.280) is integrated into the Shoreline Management Code and is applicable to the Shoreline Jurisdiction, with an exception. The Shoreline Management Code is divided into the following sections:

- Shoreline Management Purpose, Definitions and Administrative Provisions (SMC 14.250.010 - 14.250.0070)
- Shoreline Environments (14.250.080 – 14.250.090)
- Shoreline Development Regulations (14.250.100)
- Shoreline Use Regulations (14.250.110 - 14.250.250)
- Shoreline Modification Regulations (14.250.260 – 14.250.315)
- Habitat and Vegetation Management (14.250.320)
- Shoreline Buffers and Allowed Uses (14.250.330 – 14.250.340)
- Shoreland Wetlands (14.250.350)

Shoreline Restoration Plan

This Restoration Plan builds on the Shoreline Inventory and Analysis and provides a framework and guidance for implementing the SMP goals and policies for restoration. The plan also describes how future restoration efforts may be integrated with existing work being done by local agencies, non-governmental organizations and private citizens. The State requirement for restoration planning is entirely new per 2003 Ecology SMA Guidelines. Although the plan would not be used to mandate restoration on shorelines, it would be used to guide City actions and mitigation requirements.

Shoreline Inventory and Analysis

Per the State guidelines ([WAC 173-26-201](#)), a first step in the comprehensive Master Program update process is development of a shoreline inventory and analysis report. The Inventory and Analysis documents current shoreline conditions and provides a basis for updating the City’s Master Program goals, policies, and regulations. The analysis identifies existing ecological and land use conditions, evaluates existing functions and values of shoreline resources, and explores opportunities for the protection and restoration of ecological functions and for increasing shoreline public access. The Shoreline Inventory analysis identified shoreline public access along the Snohomish River, Pilchuck River and Blackmans Lake as redevelopment opportunities for increased public access, while maintaining the economic viability of existing businesses. This supports other planning documents which also identified public access opportunities, such as the *Snohomish Riverfront Master Plan* and the *PROS Long-Range Plan*.

SEPA Checklist and Determination of Non-Significance

A SEPA Checklist that describes the types of environmental impacts that would result from adoption of the new program was prepared on Dec. 13, 2011, based on the Draft SMP. As the lead agency, the City of Snohomish determined the Draft SMP, if implemented, would not have a probable significant adverse impact on the environment. As a result, the City issued a Determination of Non-Significance on Dec. 16, 2011. No appeals of the determination were made so the determination stands as issued.

Cumulative Impacts Analysis and No Net Loss Memorandum

This section describes the potential effects that the program could have over time, taking into consideration minor changes to the environment that are inevitable with development. It includes an analysis of the effects that such changes would have on ecological functions and what the program contains to mitigate those impacts. The purpose of evaluating cumulative impacts is to ensure that, when implemented over time, the proposed SMP goals, policies and regulations will achieve no net loss of shoreline ecological functions from current “baseline” conditions (as summarized in the Memo, and detailed in the Shoreline Inventory and Characterization Report). The CIA and NNL Memo has been prepared based on the May 2017 Draft SMP being considered for local adoption.

SMP Submittal Checklist

This checklist was developed by Ecology and is a required submittal with the SMP. It provides a guide to how the SMP addresses the requirements of the WAC guidelines.

Appendices

The appendices included with the SMP package include excerpts from the RCW and the WAC, as well as sections from the Snohomish Municipal Code that Ecology needs in order to review the SMP (including portions of the codified Critical Areas Ordinance that are incorporated by reference by proposed SMC 14.250.320).