

**ATTACHMENT A: FINDINGS AND CONCLUSIONS - ADDENDUM
FOR PROPOSED COMPREHENSIVE UPDATE TO THE CITY OF SUMAS
SHORELINE MASTER PROGRAM**

City of Sumas May 18, 2017 response to Ecology's December 13, 2016 decision,
Resolution No.1708, adopted August 14, 2017

Brief Description of Proposed Amendment:

The City of Sumas (City) submitted to the Department of Ecology (Ecology) on September 24, 2014, a comprehensive amendment to their Shoreline Master Program (SMP). On November 29, 2016, Ecology approved the City's SMP, subject to the City's acceptance of 17 required and 24 recommended changes. In response to Ecology's conditional approval, the City provided alternative language to two of Ecology's 17 required changes. These changes were reviewed by Ecology staff and informally accepted in a letter to the City dated June 16, 2017. On August 14, 2017, the City adopted Resolution 1708 accepting 15 of the 17 Ecology required changes, 13 of the 24 recommended changes, and proposing alternative language to two required changes. In accordance with Washington Administrative Code (WAC) 123-26-120 (7)(b)(ii), Ecology reviewed the City's alternatives and finds the amendment to be consistent with the Shoreline Management Act (SMA).

FINDINGS OF FACT

City Acceptance of Required Changes:

As provided within their response to Ecology and noted in Attachment B (revised), the City accepted 15 of the 17 changes required by Ecology and included alternative language to two required changes as follows:

Wetlands Buffer Reductions – maximum reduction through averaging (Item 09, Attachment B – Revised). The City requests that Ecology provide flexibility in reviewing wetland buffer averaging between 25% and 40% through review of a shoreline conditional use permit.

Wetlands Buffer Reductions – buffer reduction based on mitigation (Item 19, Attachment B – Revised). The City identified a technical error referencing the old wetland rating system and requests correction.

CONCLUSIONS OF LAW

The City and Ecology are in agreement on required and recommended changes, including alternative language proposed by the City for two of the required changes as listed in Attachment B – Revised.

Based on the preceding, Ecology concludes that the City's proposed alternative language to items:9 and 19, as identified in Attachment B – Revised, are consistent with the Shoreline Management Act and the purpose and intent of Ecology's original change provided to the City in Ecology's December 13, 2016 conditional approval.

Therefore, the City of Sumas SMP can be approved by Ecology.

DECISION AND EFFECTIVE DATE

Ecology's approval of the City's proposed comprehensive SMP amendment together with acceptance of their alternative language is effective 14-days from the date of the Ecology Director's letter, notifying the City of the final SMP approval.

Attachments:

SMP Review Router

City of Sumas response letter dated August 17, 2017

City of Sumas Resolution No. 1708 dated August 14, 2017

Attachment B – Revised

Attachment C - Revised