

Shoreline Master Program Update

Aberdeen | Cosmopolis | Hoquiam

Public Participation Plan

FINAL VERSION

FEBRUARY 26, 2014



I. Introduction

A. Purpose of the Public Participation Plan

The Cities of Aberdeen, Cosmopolis, and Hoquiam have joined efforts to update their respective Shoreline Master Programs (SMPs) to be consistent with the state Shoreline Management Act (SMA) and related SMP Guidelines (RCW 90.58 and WAC 173-26, respectively). These three jurisdictions have formed a Coalition to perform and coordinate the SMP updates, with the City of Hoquiam as the lead agency and administrator of the Department of Ecology (Ecology) grant for this effort. The SMA and SMP guidelines require local governments to encourage active participation in the SMP update by all persons, private groups, public agencies, and tribes that have an interest or responsibility related to shorelines of the state.

The Cities have jointly developed this Public Participation Plan, and it will jointly conduct key elements of the SMP update process to ensure a regional approach to shoreline management. The Public Participation Plan is intended to meet State requirements, and is tailored to address the priorities and issues specific to the three cities. Public involvement efforts will include a combination of shared tools and events, as well as methods that are targeted to specific jurisdictions. Shoreline goals and policies in the SMP will be customized to each jurisdiction, and each local government will conduct its own local adoption process and submit its updated SMP to Ecology for approval.

Effectively involving the public in a regional SMP update presents unique challenges due to unique local priorities and diverse perspectives and viewpoints. The purpose of this document is to address these challenges, to guide the public participation process for the Cities' SMP update, and encourage active involvement by a wide range of interests. It does this by identifying: key objectives of the Public Participation Plan and project themes, guiding principles, key challenges and opportunities, stakeholders to engage, recommended public involvement methods and techniques, and the roles and responsibilities of key parties. Background on the SMA, a tentative schedule of public involvement opportunities, and a summary of applicable public involvement requirements in state law are also included.

The public participation effort is intended to achieve specific desired outcomes, which include:

- A public involvement process that provides clear information to the public on the purpose of the SMP update and how the update process works;
- Public meetings and events designed to provide opportunities for all interested parties to be heard, and for people to listen and learn from one another;
- Public participation events conducted in multiple locations to capture the priorities and issues specific to cities and to make it easier for citizens to contribute to the update process;
- Broad participation of all interested groups and individuals regardless of point of view;
- A transparent process which clearly documents all public input and makes it available for any and all to review; and

- Consideration of all participant viewpoints, even if views are not reflected in the outcomes.

B. Shoreline Management Act (SMA) Background and Guidelines

Shoreline Management Act (SMA) Background

In 1971, the State Legislature passed Washington's SMA, which was adopted by the public in a 1972 referendum. The SMA governs shoreline use and development. The primary goals of the SMA are to balance responsible shoreline development with environmental protection and public access. Under the SMA, each city with "shorelines of the state" must develop and adopt its own SMP to regulate local shoreline use and development. "Shorelines of the state" generally refers to rivers, larger lakes, and marine waterfronts along with their associated shorelands, wetlands, and floodways.

Aberdeen's SMP was adopted in 1974 and was last updated in 1989. Cosmopolis adopted its SMP in 1976 and updated in 1988. Hoquiam adopted its initial SMP in 1974 and amended it in 1988. The SMA requires jurisdictions that contain "shorelines of the state" within their boundaries to update their SMPs periodically. The three cities contain 11 waters of the state, as well as associated wetlands and shorelands within their shoreline management jurisdiction. Ecology adopted updated SMP Guidelines in 2003, as part of the regulations contained in the Washington Administrative Code (WAC). Cities and counties across the state, about 250 in all, must update their local SMPs to meet the new 2003 Guidelines. The Cities are beginning the SMP update process. They are expected to complete the update by June 2016.

Shoreline Master Program (SMP) Guidelines and the Update Process

The SMA and the new SMP Guidelines establish basic policy requirements that all SMPs must address, including:

- Protect ecological function and achieve "no net loss of ecological functions necessary to sustain shoreline natural resources";
- Preserve and enhance public access;
- Plan for and foster "all reasonable and appropriate uses";
- Give preference to uses that are dependent on and related to shoreline locations;
- Plan for restoration of ecological functions where they have been impaired; and
- Include public input in decision-making.

The SMP update process involves a number of steps that must be completed before the SMP is ready for local and state adoption. These steps should be completed in sequence and include:

- Inventory, analysis and characterization of shoreline conditions;
- Establishment of shoreline environments and associated policies and regulations;
- General and use/modification specific policies and regulations;
- Development of a restoration plan;
- Assessment of cumulative impacts; and

- Local and state adoption.

One of the key aspects in developing any SMP, as set forth by RCW 90.58.130, is the requirement for public involvement and participation in the process.

- Ecology Guidelines require that public participation begin at the beginning of the initial phase of the SMP update planning process and continue through adoption.
- Local governments are required to “make reasonable efforts to inform the people of the state” and “not only invite but actively encourage participation by all persons and private groups and entities showing an interest in shoreline management programs.”
- Furthermore, local governments are required to invite and encourage participation by all agencies of federal, state, and local government.

II. Public Participation Plan Objective and Project Themes

The overall goal of the Public Participation Plan is to build support for timely adoption of a quality SMP. The objective of the Public Participation Plan is to educate the public about shoreline conditions, the SMA and the SMP adoption process and steps for creating a SMP. By doing so, the Public Participation Plan will support the overall objectives of SMP, which include:

- Complies with state law;
- Nurtures a culture of shoreline stewardship in as many stakeholders as possible;
- Gains the informed consent of as many stakeholders and decision makers as possible;
- Reflect the unique local characteristics of the Cities and their citizens;
- Harness the energies and knowledge of a broad range of stakeholders to ensure issues and concerns are understood, considered and incorporated into the outcomes wherever possible; and
- Builds upon the experiences, observations, and suggestions of a wide range of local, state, federal, and tribal governments and agencies.

The following project themes will guide the overall outreach program and be promoted through communication materials, and outreach opportunities facilitated by City staff, Planning Commissions, City Council members, and AHBL.

- **Required by State Laws and Rules:** The SMA requires the SMP update. It is subject to the SMA and Ecology Administrative Rules (SMP Guidelines WAC 173-26). The Cities must undertake this effort or the State will do it for us.
- **State and Local Partnership:** The SMP is a partnership between local governments and Ecology. SMPs are developed by the Cities, but must be approved by both the local governments and Ecology. The Cities received state grant funding to do this work and it must adhere to the requirements of the grant agreement.
- **Promoting the Local Vision:** State law and rules dictate what shoreline elements are required, provide direction for local policies and regulations, and the minimum standards for most areas. However, there are varying degrees of latitude in several elements that allows particular attention to be paid to the vision each community has for its shorelines.

- **The Benefits of the SMP:** The SMP emphasizes not only the protection of shoreline functions, but also the development of public access and water-oriented uses. As such, the SMP must promote both human needs and environmental conservation. By requiring no net loss of current function and promoting restoration through non-regulatory means, the SMP will ensure future generations can also benefit from shoreline resources.
- **Balanced Plan, Honest Broker:** The goal of the SMP Update is to create a balanced plan for shoreline utilization and protection. City staff and AHBL will inform the community what is required under the SMA and SMP Guidelines, identify those areas where the community has greater latitude for promoting the local vision, clarify erroneous information, and create collaborative solutions that respond to community needs, and balance the interests of stakeholders.
- **Convenient Access and Participation by All:** Easy, convenient, and equal access to information for all interested parties is essential to the process. City staff and AHBL will ensure that information, both background and substantive regulatory proposals, is easy to obtain, timely, pertinent, and available in both electronic and paper formats.
- **Transparent Decision Making Process:** Public input on the Draft SMP will be documented and considered. To the maximum extent feasible, the rationale behind decisions will be communicated. Decision-making will be open, transparent, and public.

III. Guiding Principles

The following is a list of guiding principles that will direct the public participation process for updating the SMP:

1. Communicate the purpose, scope, and objectives of the SMP throughout the duration of the update process (i.e.: schedule, decision milestones, progress, and involvement opportunities).
2. Conduct public involvement consistent with the goals and policies of the Comprehensive Plan of each member of the Cities, the SMA, and transparent and open government.
3. Seek out and use input from local stakeholders about opportunities and problems, rather than solely relying on the opinions of technical experts.
4. Define and effectively communicate the roles and interests of all participants.
5. Keep all written communication clear, concise, objective, and free of technical jargon.
6. Use the Cities' websites, mailings and newsletters, and other media to provide and distribute general information to the public.
7. Communicate and distribute information/feedback regularly to participants, and at intervals to interested/affected parties. Follow-up would occur by:
 - Informing affected/ interested parties of outcomes;

- Continuously evaluate the process to identify successes and shortcomings, and communicate results to participants; and
 - Evaluating the public participation process for effectiveness with community relationships and on perceptions of effectiveness of the process.
8. Use community resources and energies effectively and efficiently, and consider the relative cost-effectiveness of alternative techniques to achieve objectives.

IV. Key Challenges and Opportunities

The following is a list of key challenges and opportunities in the public participation process for updating the SMP:

1. Help the public understand the purpose of the SMP, the state law behind the update process, the science behind the regulations, and how these relate to citizens (i.e. promote public access and enjoyment of the water environment, promote water dependent uses, protect shoreline functions, etc.).
2. Recognize the unique needs of and value to the update process of specific shoreline interest groups, including businesses, fisheries conservation, and flood management interest groups. Issue-specific meetings and advisory committee meetings can be used to address the interests of individual groups, while public meetings at Planning Commissions and City Councils are recommended for issues of a wider nature.
3. Recognize that the Cities' shoreline is diverse and contains both developed and semi-natural areas. Public participation events should be designed and located with this context in mind. Case studies should explore impacts of the proposed regulations on urban, rural, and resource environments.
4. Conduct broad outreach efforts as well as targeted efforts to attract specific shoreline stakeholders and groups. The Public Participation Plan should include public meetings open to all, as well as meetings targeted towards stakeholder and technical groups, and specific issues.
5. Sustain the participation of interested parties throughout the extended three-year update process mandated by the Ecology grant funding requirements. Frequent updates to Planning Commissions, City Councils, and the public through a variety of methods (mail, website, public meetings, etc.) are recommended.

V. Stakeholders

The Public Involvement Plan establishes a process that is designed to reach all audiences that may have an interest in the update process. It will also be designed to reach out to other groups and individuals, including those who may not yet have an interest or be compelled to participate, in order to encourage their awareness, understanding, and involvement in the process. The Cities have identified the following broad groups of stakeholders that are important to contact and engage:

- **General public:** Interested citizens across the three cities and the State. These include:
 - Residents from the three cities
 - Local fisherman and boaters
 - Local businesses and employees
 - Park users
 - Other citizens of the State
- **Property owners:** Individuals and other entities that own property in shoreline jurisdiction. These include:
 - Residential property owners
 - Businesses
 - Industrial users
 - Governmental agencies
- **Business organizations, environmental groups, and other non-governmental organizations:** Organizations with expertise and/or interest in shoreline issues. These include:
 - Chehalis Basin Fisheries Task Force
 - Chehalis River Basin Council
 - Olympia Master Builders
 - Public and Private Lumber Companies
 - Port of Grays Harbor
 - Wild Game Fish Conservation International
 - American Whitewater
 - Adopt-A-Stream
 - Grays Harbor County Economic Development Council
 - Aberdeen Chamber of Commerce
 - Cosmopolis Chamber of Commerce
 - Hoquiam Chamber of Commerce
 - Futurewise
- **Tribes:** Those Native American tribes that own property and/or have rights to usual and accustomed places and natural resources. These include:
 - Confederated Tribes of the Chehalis Reservation
 - Quinault Indian Nation
 - Cowlitz Indian Tribe
 - Nisqually Indian Tribe
- **Government Agencies:** Local, regional, state, and federal agencies with jurisdiction, expertise, or potentially affected by the proposal. These include:
 - Aberdeen, Cosmopolis, and Hoquiam
 - Chehalis Basin Partnership
 - Chehalis River Basin Flood Authority
 - Grays Harbor Public Utility District
 - Grays Harbor Conservation District
 - Washington State Department of Fish and Wildlife
 - Washington State Department of Transportation
 - Washington State Department of Natural Resources
 - Washington State Department of Ecology
 - Washington State Parks
 - Army Corps of Engineers

- Federal Emergency Management Agency
- United States Forest Service
- United States Fish and Wildlife Service
- NOAA Fisheries Service
- Neighboring jurisdictions (e.g., Grays Harbor County and Montesano, especially their shoreline planners)
- **Utilities and Transportation:** Power and gas providers, railroad operators and other utilities and transportation interests
 - Puget Sound and Pacific Railroad
 - Cascade Natural Gas
 - Grays Harbor County PUD
- **Media:** Local newspapers, television, radio stations, etc.
 - The Daily World (Grays Harbor County)
 - Local radio stations

Outreach activities are designed to keep these groups informed and updated on key meetings, decision-making milestones, and overall project progress. The public involvement process is designed to prevent last minute surprises and to avoid the misguided perception that specific groups have been discouraged from participating or have not been adequately informed. City staff will contact all of the groups listed above, but will engage certain stakeholder groups to greater or lesser degrees based on their demonstrated level of interest and involvement. The Cities will also use different methods to engage different groups. Please see Section VI (Public Involvement Techniques and Tools) below for a complete description of public involvement methods and target audiences.

VI. Public Involvement Techniques and Tools

The following section describes the various tools and techniques that will be used for public outreach and involvement. Target audiences are noted where applicable.

A. Visioning Workshops and Open Houses

The three cities will conduct an inclusive Visioning Workshop to provide initial public education and solicit input on high-priority issues and concerns regarding the SMP Update. If needed, the visioning workshop may be held in multiple locations and targeted to specific cities, to the extent desired by the Cities and allowed by the budget. The Visioning Workshop will be held prior to development of draft SMP policies and it will offer specific education on the following topics:

- SMA/SMP Requirements and the degree of local control
- Property rights and guidance from the Washington State Attorney General
- Shoreline ecology and human impacts
- Findings from the Shoreline Analysis and Characterization

The Cities will seek representatives from state agencies, including Ecology and the Attorney General's Office, to attend these events. The Cities should also consider collaborating with local institutions (public libraries, churches, and community clubs) and regional organizations to distribute educational materials to local constituents.

In order to bring clarity and understanding to how science is applied in the SMP process, City and Consultant staff will discuss the scientific guidance that has been identified as being the most appropriate for informing the SMP and the findings of the draft Shoreline Analysis and Characterization Report. The format of the Visioning Workshop will likely consist of three key components: an informal open house, a presentation, and time for question and answer.

The workshop will provide a forum for public input on the SMP Update process, and may include stations, breakout discussion groups, participatory exercises, and other techniques to solicit stakeholder feedback. Identification of key regulatory concerns for residents is a primary purpose of these workshops, as this input will be recorded and used to guide formation of policies and regulations for the updated SMPs. Specific public input will be sought on:

- General shoreline problems and opportunities
- Demand for shoreline uses
- Public access opportunities
- Conservation and restoration priorities
- Key regulatory issues of concern

In addition, up to three public open houses are planned to receive input on the Draft SMP. These meetings will be scheduled and located to provide all residents an opportunity to provide their input. In the event that more than one Visioning workshop is held, the number of public open houses later in the process may be reduced, depending on available budget.

Target Audience: All stakeholders, especially the general public and property owners.

B. Advisory Committees

The three cities will convene a temporary ad hoc shoreline Citizen Advisory Committee (CAC) consisting of people representing a cross section of geographies, interests, and values. Committee members will help provide guidance on policy issues and work products, as well as suggest solutions to key regulatory issues. The CAC's focus will be on the review of goals, policies, and regulations. The CAC will meet as needed to discuss the SMP work products as they develop and may have joint meetings with the Technical Advisory Committee (TAC).

Target Audience: All stakeholders, especially the general public, property owners, and representatives of business interests, environmental groups, and shoreline users.

The Cities will convene one temporary ad hoc TAC composed of City, County, Regional, State, Federal, and Tribal staff who will provide technical and scientific advice to the Cities on shoreline

management issues. We anticipate that the TAC will include (but will not necessarily be limited to) representatives from the following agencies and jurisdictions:

- Cites of Aberdeen, Cosmopolis, and Hoquiam
- Washington State Department of Ecology
- Washington State Department of Fish and Wildlife
- Washington State Department of Natural Resources
- Washington State Department of Transportation
- Chehalis Basin Fisheries Task Force
- NOAA Fisheries Service
- Federal Emergency Management Agency
- Cowlitz Indian Tribe
- Confederated Tribes of the Chehalis
- Quinault Indian Nation
- Nisqually Indian Tribe

Target Audience: Government agencies, Tribes, and interested parties with specific scientific or other technical expertise, such as local researchers, institution-related or affiliated academics.

C. Communication Program

In addition to the methods described above, the Cities will communicate with the public continuously throughout the process to ensure that the broader population is informed and has meaningful opportunities to participate. Some key elements of this program include:

Website: A specific page on the Cities' websites (aberdeenwa.gov, cityofhoquiam.com, and cosmopolis.us.com) will be created for interested citizens to access draft documents and maps, view the project schedule, check for meeting notices and materials, see submitted public comments, obtain contact information, and submit comments. The webpage and project calendar will be updated as new information and reports become available.

Direct Mailings and Public Notices: Notices of workshops, public hearings, and other SMP Update events and milestones will be placed on the project website, local jurisdiction websites, and published in the local newspaper (The Daily World). A mailing list of interested parties will be maintained and updated to keep the public informed throughout the SMP update process. Notices will be sent to all parties on the mailing list. State agencies and affected governments will be notified of key milestones in writing via US Mail.

Shoreline Survey: Due to scheduling conflicts, attending meetings may not be possible for a number of residents who would otherwise like to have a voice in the process. The Cities may use a simple, non-scientific survey to obtain input on the SMP Update process from those citizens not able to attend meetings in person. If used, the survey will be made available on each City's website.

Comment Forms: Comment forms will be made available at public facilities, such as City Halls and public libraries, as well as on the websites. All survey responses and comments will be recorded, and responses will be made available to the public in both unedited and summarized form.

Media Releases: Media releases will be issued at key points during the process, e.g. when Draft SMP documents are available for review, to keep the public informed of events and progress.

Meetings with Interest Groups: To the extent feasible, the Cities will make staff available to meet with interest groups to discuss the project.

A log of public involvement activities will be created and updated by AHBL with input from the Cities as communications occur over the course of the SMP update process.

Target Audience: All stakeholders

D. Formal Public Meetings: Planning Commissions, and City Councils

The Planning Commissions for each of the three cities will hold public meetings during critical points in the SMP update process that will be open to the public. Planning Commission meetings will include discussion among Commissioners on key planning-related policy and regulatory decisions that are to be brought forward to their respective City Councils. Such meetings will allow for questions and comments from the public. City Staff, as well as Consultant staff, will attend, and all comments from the public will be recorded.

Target Audience: Planning Commission and All Stakeholders

The City Councils of each of the Cities meet regularly to discuss and make decisions on policies and regulations. All City Council meetings are open to the public. Each City Council is required by law to hold at least one public hearing prior to adoption of their jurisdiction's SMP. Additional public hearings to obtain input from the public are recommended to guide decisions on specific issues, such as SMP policies and regulations.

Target Audience: City Councils and All Stakeholders

VII. Roles and Responsibilities

This section identifies key parties involved in the public participation process, and their roles and responsibilities. It also identifies how public input will be used and the decision making process that will be used during the SMP Update preparation and adoption process.

A. City Staff

City staff will manage the SMP Update process, compile required inventory and analysis information for consultant use, review draft policies, and regulations developed by AHBL team, and

conduct required environmental review. The work of City staff also includes, but is not limited to the following:

- Project management;
- Documenting and keeping records;
- Fulfilling SMP process requirements;
- Coordinating with Ecology;
- Directing the work of consultants;
- Working with the TAC and CACs; and
- Apprising Planning Commissions, City Councils, and interested parties of project progress and key policy and regulatory decisions.

The primary staff contact for the three cities is:

Hoquiam: Josh Beach, City Planner
City of Hoquiam
609 8th Street
Hoquiam WA 98550
(360) 538-3983

In addition, the following are key contacts in each of the remaining jurisdictions:

Aberdeen: Lisa Scott
City of Aberdeen
200 East Market Street
Aberdeen, WA 98520
(360) 537-3238

Cosmopolis: Darrin Rains
City of Cosmopolis
PO Box 2007
Cosmopolis, WA 98537
(360) 533-4280

B. Consultant

AHBL will develop the SMP according to the Ecology Guidelines and direction provided by City Staff. Under the oversight of City Staff, AHBL will design and execute the public involvement program, including facilitating CAC meetings, TAC meetings, public workshops, and open houses. AHBL will assist with communication materials, develop presentations, and lead workshops with the help of City staff. In addition, AHBL will develop all of the major documents comprising the SMP Update deliverables.

C. Citizen Advisory Committee (CAC)

A temporary Citizen Advisory Committee (CAC) will be established. The CAC(s) may be arranged in the following ways: (1) Each city has its own CAC made up of residents from that city; (2) The cities

combine efforts and have one CAC that represents the jurisdictions. The CAC will be comprised of various stakeholders representing a range of interests, including representatives from planning commissions, park boards, general business and real estate, sportsman and recreation, property rights, and environmental conservation interests. The role of the CAC(s) will be to review SMP documents, particularly proposed policies, environment designations and regulations, and provide feedback in a series of meetings. Staff and AHBL will consider this input and AHBL will revise the SMP as necessary to address identified concerns, where appropriate. The CAC(s) do not have a formal role in decision-making, but they will be asked to make a recommendation on the Draft SMP. The intent is for City Staff and AHBL to get detailed input from a range of stakeholders to create a balanced SMP that reflects the community vision and the requirements of state law.

D. Technical Advisory Committee (TAC)

The TAC will play a key advisory role in reviewing draft SMP documents, providing technical and scientific advice to the Cities on shoreline management issues, and recommending how science should be applied in the SMP update process. The TAC does not have a formal role in decision-making, but it may be asked to make a recommendation on the Draft SMP. The intent is for City Staff and AHBL to get focused input from resource agency and other technical experts to create a scientifically sound SMP that will result in no net loss of ecological function.

E. Planning Commissions

Planning Commissions will review proposed SMP policies and regulations and provide a recommendation to their respective City Councils. Staff will take key policy and regulatory decisions to the Planning Commissions in phases, prior to review of and recommendation on the entire document. As established in state law and local enabling legislation, Planning Commissions in each of the jurisdictions will review draft SMPs, take and consider public input, and make formal recommendations to City Councils. Recommendations are not binding.

F. City Councils

City Councils will review proposed SMP policies and regulations, consider the recommendation of their respective Planning Commissions, and make the final decision on SMP adoption for their jurisdictions. As established in state law, City Councils in each of the jurisdictions will review draft SMPs, gather public input, make changes as desired, and locally adopt the final SMP. The City Councils are the legislative authority with the final local decision making authority for the local adoption of the SMP.

G. Department of Ecology and the State of Washington

State law establishes a cooperative program of shoreline management between local government and the state. Ecology provides financial assistance and guidance to local governments in preparing the SMP. The SMA authorizes and directs the Ecology to adopt guidelines for the development of

Local SMPs. In keeping with the relationship between state and local governments prescribed in the Act, the Guidelines have three specific purposes:

- To assist local governments in developing master programs;
- To serve as standards for the regulation of shoreline development in the absence of a master program along with the policy and provisions of the Act, and;
- To be used along with the policy of RCW 90.58.020, as criteria for state review of local master programs under RCW 90.58.090.

Ecology provides written comments on draft SMP components. Each local government approves its program after a public review and comment period. The local government then sends the SMP to Ecology, which reviews it for consistency with the Guidelines. Ecology must approve the locally approved and submitted master program, before it takes effect. To ensure respect for private property rights, local and state legal authorities are required to review a shoreline program before formal adoption. In addition, Ecology approves certain shoreline permit decisions (e.g., conditional uses and variances).

VIII. Public Participation Timeline (Approximate)

All future dates in the following timeline are tentative and subject to change.

Task 3: Public Participation	Key Dates	Public Involvement Technique or Tool
1. <u>Notify state agencies and affected tribes</u> a. AHBL, with assistance from City Staff, will create mailing list that includes agencies, tribes, affected jurisdictions and others that may have technical information relevant to the shoreline inventory and characterization. b. AHBL will create and City Staff will mail a letter requesting all available and relevant information.	<u>January 2014</u>	Communication Program - Direct Mailing
2. <u>Introduce project and Draft Public Participation Plan (PPP) to the City Councils</u> a. Introduce project to the City Councils, define state requirements and the scope of local influence, and present the draft PPP. b. Present a project process and timeline summary. c. Compile comments on draft and revise PPP as needed based on input.	<u>January 2014</u> - Draft PPP provided to Cities for comment <u>February 2014</u> - Draft PPP sent to Ecology and Cities <u>February 2014</u> -	Formal Public Meeting

Task 3: Public Participation	Key Dates	Public Involvement Technique or Tool
	<p>Cities introduce Draft PPP to Commissioners and City Councils for feedback and revision</p> <p><u>March 2014</u> – Submit final PPP to Ecology once shoreline jurisdiction is established</p>	

Task 5: Shoreline Inventory, Analysis, and Characterization	Key Dates	Public Involvement Technique or Tool
<p>1. <u>Notify public about initiation of SMP Update Process</u></p> <ol style="list-style-type: none"> a. City Staff will post project information on City websites, the newspaper, city halls, and potentially in other key locations to inform the general/larger public. b. City Staff, with Consultant input, will identify how we intend to reach property owners and residents (e.g. tax record mailing addresses of properties within 500 feet of the shoreline jurisdiction, advertisements in the local paper, utility billing mailings, etc.). c. City Staff will send an informational mailing to property owners within the shoreline jurisdictional area. d. City Staff will request volunteers for participation on the CAC and TAC. e. Staff will notify other interested parties based on the methods identified in tasks above. 	<p><u>January 2014</u></p>	<p>Communication Program: Direct Mailing, Public Posting, and Website: under development</p>

Task 5: Shoreline Inventory, Analysis, and Characterization	Key Dates	Public Involvement Technique or Tool
<p>2. <u>Project Update</u></p> <ul style="list-style-type: none"> a. Post project update describing key findings of the draft shoreline analysis and characterization at City offices and on City websites. b. Send a letter to agencies, tribes, and interested parties and consider issuing a broader press release. c. Convey schedule for substantive policy and regulatory development. 	<p><u>July 2014</u></p>	<p><u>Communication Program</u></p>
<p>3. <u>Establish Citizen Advisory Committee (CAC)</u></p> <ul style="list-style-type: none"> a. City Staff perform all tasks listed below with input from AHBL. b. Identify and contact interested parties, members of Planning Commissions, Park Boards, shoreline property owners, business groups, environmental groups and other stakeholders that represent the range of interests and expertise found in the City for membership on the Citizen Advisory Committee. c. Include a clear statement of the required commitment, timeline, roles and responsibilities and project process for inclusion in the mailing to prospective CAC members. d. If we encounter difficulty identifying CAC members, work with City Council members to encourage participation or consider using additional Planning Commission, Advisory Committee, and/or Park Board members. 	<p><u>June 2014</u></p>	<p><u>Advisory Committee</u></p>
<p>4. <u>Establish Technical Advisory Committee (TAC)</u></p> <ul style="list-style-type: none"> a. Tasks listed b-d below will be performed by City Staff with input from AHBL. b. Identify and contact interested and 	<p><u>June 2014</u></p>	<p><u>Advisory Committee</u></p>

Task 5: Shoreline Inventory, Analysis, and Characterization	Key Dates	Public Involvement Technique or Tool
<p>qualified parties. Plans currently call for one TAC with 9-11 members.</p> <ul style="list-style-type: none"> c. Include a clear statement of the required commitment, timeline, roles and responsibilities and project process for inclusion in the mailing to prospective members. d. If we encounter difficulty identifying available members, work with Ecology to get needed expertise. 		
<p>5. <u>CAC Meetings #1– Establish common base of knowledge – Shoreline Analysis and Characterization</u></p> <ul style="list-style-type: none"> a. AHBL will lead the CAC meeting with assistance from City Staff. b. Review project objectives, scope, and opportunities for stakeholder influence. c. Share scientific information that has been collected through shoreline analysis and characterization reports and maps. d. Provide an opportunity for committee to provide anecdotal information and first-hand knowledge of habitat features, history, opportunities, and problems. e. Share photos of conditions, educate about related ecological functions, and obtain input on shoreline opportunities. f. Identify shoreline management issues of local concern. g. Incorporate CAC input into final Shoreline Analysis and Characterization Report. 	<p><u>July 2014</u></p>	<p><u>Advisory Committee</u></p>
<p>6. <u>TAC Meetings #1</u></p> <ul style="list-style-type: none"> a. Consultant will lead the TAC meetings with assistance from Staff. b. Review project objectives and scope 	<p><u>July 2014</u></p>	<p><u>Advisory Committee</u></p>

Task 5: Shoreline Inventory, Analysis, and Characterization	Key Dates	Public Involvement Technique or Tool
<p>to ensure participants understand SMP process.</p> <ul style="list-style-type: none"> c. Share scientific information that has been collected through shoreline analysis and characterization reports and maps. d. Provide an opportunity for committee to provide technical input. e. Incorporate TAC input into final Shoreline Analysis and Characterization Report. 		
<ul style="list-style-type: none"> 7. <u>Suggested Update to the City Councils</u> <ul style="list-style-type: none"> a. City Staff will update these entities during their regular meeting(s). b. Consultant will assist by providing updated progress reports via email. 	<u>July 2014</u>	<u>Formal Public Meeting</u>

Task 6: Draft SMP	Key Dates	Public Involvement Technique or Tool
<ul style="list-style-type: none"> 1. <u>Project Update</u> <ul style="list-style-type: none"> a. Post project update describing upcoming Visioning Workshop at City Halls and websites. b. Put ad in the Daily World, consider wider press release. c. Convey schedule for substantive policy and regulatory development. 	<u>August 2014</u>	<u>Communication Program</u>
<ul style="list-style-type: none"> 2. <u>Visioning Workshop</u> <ul style="list-style-type: none"> a. AHBL will lead jurisdiction-wide visioning workshop with assistance from City Staff. b. Cities will advertise workshop and will reserve venue with Consultant input. c. Clearly identify the role of the SMA, scope of state requirements and local influence. 	<u>September 2014</u>	<u>Workshop</u>

Task 6: Draft SMP	Key Dates	Public Involvement Technique or Tool
<ul style="list-style-type: none"> d. Share information from the Draft Shoreline Inventory and Characterization Report, including maps and key findings. e. Provide education on shoreline functions, impacts and preferred uses. f. Seek public input on shoreline conditions, issues, and opportunities. g. Seek input on vision for public access and recreation, resource protection and restoration and demand for water related uses. h. Consultant will prepare shoreline-visioning memo incorporating input received. 		
<p>3. <u>Website Project Update</u></p> <ul style="list-style-type: none"> a. Issue press release and website project update. b. Encourage public input on key regulatory issues. 	<u>July 2014</u>	<u>Communication Program: Website</u>
<p>4. <u>City Council Updates</u></p> <ul style="list-style-type: none"> a. Provide an update to City Council members on community priorities and concerns regarding the SMP update requirements. 	<u>August 2014</u>	<u>Formal Public Meeting</u>
<p>5. <u>TAC Meetings #2 – Review and Discuss proposed changes to Shoreline Environmental Designations and General Goals and Policies</u></p> <ul style="list-style-type: none"> a. AHBL will lead the TAC meeting with assistance from City Staff. b. Review and discuss proposed general SMP policies and regulations. c. Review and discuss proposed environmental designations. d. Explore and document committee views about specific possible changes to the SMP. 	<u>October 2014</u>	<u>Advisory Committee</u>

Task 6: Draft SMP	Key Dates	Public Involvement Technique or Tool
<p>6. <u>CAC Meetings #2 – Review and Discuss proposed changes to Shoreline Environmental Designations and Goals and Policies</u></p> <ul style="list-style-type: none"> a. AHBL will lead the CAC meetings with assistance from City Staff. b. Review and discuss proposed general SMP policies and regulations. c. Review and discuss proposed environmental designations. d. Explore and document stakeholders’ views about specific possible changes to the SMP. 	<u>October 2014</u>	<u>Advisory Committee</u>
<p>7. <u>TAC Meetings #3 – Review and Discuss proposed changes to General Standards and Shoreline Use Standards</u></p> <ul style="list-style-type: none"> a. AHBL will lead the TAC meeting with assistance from City Staff. b. Review and discuss proposed general and use regulations. c. Explore and document committee views about specific possible changes to the SMP. 	<u>November 2014</u>	<u>Advisory Committee</u>
<p>8. <u>CAC Meetings #3 – Review and Discuss proposed changes to General Standards and Shoreline Use Standards.</u></p> <ul style="list-style-type: none"> a. AHBL will lead the CAC meeting with assistance from City Staff. b. Review and discuss proposed general and use regulations. c. Explore and document committee input. 	<u>November 2014</u>	<u>Advisory Committee</u>
<p>9. <u>TAC Meeting #4 – Review and Discuss Shoreline Modification Standards</u></p>	<u>December 2014/ January 2015</u>	<u>Advisory Committee</u>
<p>10. <u>CAC Meetings #4 – Review and Discuss Shoreline Modification Standards</u></p>	<u>December 2014/ January 2015</u>	<u>Advisory Committee</u>
<p>11. <u>CAC Meetings #5 – Review Administrative Standards and comments on complete SMP</u></p>	<u>January 2015</u>	<u>Advisory Committee</u>

Task 6: Draft SMP	Key Dates	Public Involvement Technique or Tool
<ul style="list-style-type: none"> a. Final opportunities for input by CAC. b. Goal is to obtain a recommendation and buy-in by committees on draft SMP before review by Planning Commissions. 		

Task 7: Prepare Cumulative Impacts Analysis, Task 8: Restoration Plan, and Task 9: Develop Final Draft SMP & Supporting Documents	Key Dates	Public Involvement Technique or Tool
<ul style="list-style-type: none"> 1. <u>City Council Updates</u> <ul style="list-style-type: none"> a. Provide an update to City Council members on Draft SMP. 	<u>February 2015</u>	<u>Formal Public Meeting</u>
<ul style="list-style-type: none"> 2. <u>Project Update</u> <ul style="list-style-type: none"> a. Issue press release to the Daily World and post website project update. b. Encourage public input on Draft SMP. 	<u>March 2015</u>	<u>Communication Program</u>
<ul style="list-style-type: none"> 3. <u>Public Open Houses</u> <ul style="list-style-type: none"> a. Consultant with assistance from Cities will produce the public open houses. b. Current plans call for up to three open houses. c. Provide an opportunity for community members to provide additional comments on the Draft SMP before the adoption phase. d. Present key concepts of the Draft Restoration Plan at the meeting. e. Identify areas for refinement of Restoration Plan prior to going to the Planning Commissions. 	<u>July 2015</u>	<u>Workshop</u>
<ul style="list-style-type: none"> 4. <u>Revise Draft SMPs based on public input, and Ecology comments</u> 	<u>November 2015</u>	<u>N/A</u>

Task 7: Prepare Cumulative Impacts Analysis, Task 8: Restoration Plan, and Task 9: Develop Final Draft SMP & Supporting Documents	Key Dates	Public Involvement Technique or Tool
5. <u>Joint briefings to Planning Commissions and City Councils</u>	<u>December 2015</u>	<u>Formal Public Meeting</u>

Task 10: Local SMP Adoption Process	Key Dates	Public Involvement Technique or Tool
1. <u>Project Update</u> a. Issue press release to the Daily World and post website project update describing timeline for Planning Commission and City Council adoption processes.	<u>Winter 2016, Date TBD</u>	<u>Communication Program</u>
2. <u>Review by Planning Commissions</u>	<u>Winter 2016, Date TBD</u>	<u>Formal Public Meeting</u>
3. <u>Review by City Councils</u>	<u>Winter 2016, Date TBD</u>	<u>Formal Public Meetings and Hearings</u>
4. <u>Following City Council actions, distribute responses to input to stakeholders, as well as any final Ecology comments and revisions prior to final adoption</u>	<u>TBD</u>	<u>N/A</u>

Attachment A

**Applicable Sections of the Washington Administrative Code (WAC) and
Revised Code of Washington (RCW)**

State Rule (W.A.C.) Requirements for Public Involvement, Communication, and Coordination

1. Document public involvement throughout SMP development process and comply with local process for approving and amending shoreline master programs.
 - a. WAC 173-26-201(3)(b)(i)
 - b. WAC 173-26-090 and 100
 - c. For Shorelines of Statewide Significance, see WAC 173-26-251(3)(a)
2. Document communication with state agencies and affected Indian tribes throughout SMP development.
 - a. WAC 173-26-201(3)(b)(ii) and (iii)
 - b. WAC 173-26-100(3)
 - c. For SSWS, see WAC 173-26-251(3)(a)
3. Comply with the public participation requirements of the Growth Management Act (see RCW 36.70A.130.140 140 and related WAC).

The text of the WAC sections cited above and the WAC and RCW sections they refer to are included below:

WAC 173-26-201(3)(b)(i)

(b) Participation process.

(i) Participation requirements. Local government shall comply with the provisions of RCW [90.58.130](#) which states [in its entirety]:

"To insure that all persons and entities having an interest in the guidelines and master programs developed under this chapter are provided with a full opportunity for involvement in both their development and implementation, the department and local governments shall:

(1) Make reasonable efforts to inform the people of the state about the shoreline management program of this chapter and in the performance of the responsibilities provided in this chapter, shall not only invite but actively encourage participation by all persons and private groups and entities showing an interest in shoreline management programs of this chapter; and

(2) Invite and encourage participation by all agencies of federal, state, and local government, including municipal and public corporations, having interests or responsibilities relating to the shorelines of the state. State and local agencies are directed to participate fully to insure that their interests are fully considered by the department and local governments."

Additionally, the provisions of WAC [173-26-100](#) apply and include provisions to assure proper

public participation and, for local governments planning under the Growth Management Act, the provisions of RCW [36.70A.140](#) also apply.

At a minimum, all local governments shall be prepared to describe and document their methods to ensure that all interested parties have a meaningful opportunity to participate.

(ii) **Communication with state agencies.** Before undertaking substantial work, local governments shall notify applicable state agencies to identify state interests, relevant regional and statewide efforts, available information, and methods for coordination and input. Contact the department for a list of applicable agencies to be notified.

(iii) **Communication with affected Indian tribes.** Prior to undertaking substantial work, local governments shall notify affected Indian tribes to identify tribal interests, relevant tribal efforts, available information and methods for coordination and input. Contact the individual tribes or coordinating bodies such as the Northwest Indian Fisheries Commission, for a list of affected Indian tribes to be notified.

(c) **Inventory shoreline conditions.** Gather and incorporate all pertinent and available information, existing inventory data and materials from state agencies, affected Indian tribes, watershed management planning, port districts and other appropriate sources. Ensure that, whenever possible, inventory methods and protocols are consistent with those of neighboring jurisdictions and state efforts. The department will provide, to the extent possible, services and resources for inventory work. Contact the department to determine information sources and other relevant efforts. Map inventory information at an appropriate scale.

Local governments shall be prepared to demonstrate how the inventory information was used in preparing their local master program amendments.

Collection of additional inventory information is encouraged and should be coordinated with other watershed, regional, or statewide inventory and planning efforts in order to ensure consistent methods and data protocol as well as effective use of fiscal and human resources. Local governments should be prepared to demonstrate that they have coordinated with applicable interjurisdictional shoreline inventory and planning programs where they exist. Two or more local governments are encouraged to jointly conduct an inventory in order to increase the efficiency of data gathering and comprehensiveness of inventory information. Data from interjurisdictional, watershed, or regional inventories may be substituted for an inventory conducted by an individual jurisdiction, provided it meets the requirements of this section.

WAC 173-26-090 Periodic review -- Public involvement encouraged -- Amendment of comprehensive plans, development regulations and master programs.

Each local government should periodically review a shoreline master program under its jurisdiction and make amendments to the master program deemed necessary to reflect changing local circumstances, new information or improved data. Each local government shall also review any master program under its jurisdiction and make amendments to the master

program necessary to comply with the requirements of RCW [90.58.080](#) and any applicable guidelines issued by the department. When the amendment is consistent with chapter [90.58](#) RCW and its applicable guidelines, it may be approved by local government and the department or adopted by rule when appropriate by the department.

In developing master programs and amendments thereto, the department and local governments, pursuant to RCW [90.58.130](#) shall make all reasonable efforts to inform, fully involve and encourage participation of all interested persons and private entities, and agencies of the federal, state or local government having interests and responsibilities relating to shorelines of the state and the local master program.

Counties and cities planning under chapter [36.70A](#) RCW, shall establish and broadly disseminate to the public a public participation program identifying procedures whereby proposed amendments of the comprehensive plan and development regulations relating to shorelines of the state will be considered by the local governing body consistent with RCW [36.70A.130](#). Such procedures shall provide for early and continuous public participation through broad dissemination of informative materials, proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, and consideration of and response to public comments.

WAC 173-26-100 Local process for approving/amending shoreline master programs.

Prior to submittal of a new or amended master program to the department, local government shall solicit public and agency comment during the drafting of proposed new or amended master programs. The degree of public and agency involvement sought by local government should be gauged according to the level of complexity, anticipated controversy, and range of issues covered in the draft proposal. Recognizing that the department must approve all master programs before they become effective, early and continuous consultation with the department is encouraged during the drafting of new or amended master programs. For local governments planning under chapter [36.70A](#) RCW, local citizen involvement strategies should be implemented that insure early and continuous public participation consistent with WAC [365-195-600](#).

At a minimum, local government shall:

- (1) Conduct at least one public hearing to consider the draft proposal;
- (2) Publish notice of the hearing in one or more newspapers of general circulation in the area in which the hearing is to be held. The notice shall include:
 - (a) Reference to the authority(s) under which the action(s) is proposed;
 - (b) A statement or summary of the proposed changes to the master program;
 - (c) The date, time, and location of the hearing, and the manner in which interested persons may present their views; and
 - (d) Reference to the availability of the draft proposal for public inspection at the local government office or upon request;
- (3) Consult with and solicit the comments of any persons, groups, federal, state, regional, or

local agency, and tribes, having interests or responsibilities relating to the subject shorelines or any special expertise with respect to any environmental impact. The consultation process should include adjacent local governments with jurisdiction over common shorelines of the state;

(4) Where amendments are proposed to a county or regional master program which has been adopted by cities or towns, the county shall coordinate with those jurisdictions and verify concurrence with or denial of the proposal. For concurring jurisdictions, the amendments should be packaged and processed together. The procedural requirements of this section may be consolidated for concurring jurisdictions;

(5) Solicit comments on the draft proposal from the department prior to local approval. For local governments planning under the Growth Management Act, the local government shall notify both the department and the department of community, trade, and economic development of its intent to adopt shoreline policies or regulations, at least sixty days prior to final local approval, pursuant to RCW [36.70A.106](#);

(6) Comply with chapter [43.21C](#) RCW, the State Environmental Policy Act; and

(7) Approve the proposal.

[Statutory Authority: RCW [90.58.140](#)(3) and [\[90.58\].200](#). 96-20-075 (Order 95-17), § 173-26-100, filed 9/30/96, effective 10/31/96.]

WAC 173-26-251 Shorelines of statewide significance.

(1) **Applicability.** The following section applies to local governments preparing master programs that include shorelines of statewide significance as defined in RCW [90.58.030](#).

(2) **Principles.** Chapter [90.58](#) RCW raises the status of shorelines of statewide significance in two ways. First, the Shoreline Management Act sets specific preferences for uses of shorelines of statewide significance. RCW [90.58.020](#) states:

"The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The department, in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which:

(1) Recognize and protect the statewide interest over local interest;

(2) Preserve the natural character of the shoreline;

(3) Result in long term over short term benefit;

(4) Protect the resources and ecology of the shoreline;

(5) Increase public access to publicly owned areas of the shorelines;

(6) Increase recreational opportunities for the public in the shoreline;

(7) Provide for any other element as defined in RCW [90.58.100](#) deemed appropriate or necessary."

Second, the Shoreline Management Act calls for a higher level of effort in implementing its objectives on shorelines of statewide significance. RCW [90.58.090](#)(5) states:

"The department shall approve those segments of the master program relating to shorelines of statewide significance only after determining the program provides the optimum implementation of the policy of this chapter to satisfy the statewide interest."

Optimum implementation involves special emphasis on statewide objectives and consultation with state agencies. The state's interests may vary, depending upon the geographic region, type of shoreline, and local conditions. Optimum implementation may involve ensuring that other comprehensive planning policies and regulations support Shoreline Management Act objectives.

Because shoreline ecological resources are linked to other environments, implementation of ecological objectives requires effective management of whole ecosystems. Optimum implementation places a greater imperative on identifying, understanding, and managing ecosystem-wide processes and ecological functions that sustain resources of statewide importance.

(3) **Master program provisions for shorelines of statewide significance.** Because shorelines of statewide significance are major resources from which all people of the state derive benefit, local governments that are preparing master program provisions for shorelines of statewide significance shall implement the following:

(a) **Statewide interest.** To recognize and protect statewide interest over local interest, consult with applicable state agencies, affected Indian tribes, and statewide interest groups and consider their recommendations in preparing shoreline master program provisions. Recognize and take into account state agencies' policies, programs, and recommendations in developing use regulations. For example, if an anadromous fish species is affected, the Washington state departments of fish and wildlife and ecology and the governor's salmon recovery office, as well as affected Indian tribes, should, at a minimum, be consulted.

(b) **Preserving resources for future generations.** Prepare master program provisions on the basis of preserving the shorelines for future generations. For example, actions that would convert resources into irreversible uses or detrimentally alter natural conditions characteristic of shorelines of statewide significance should be severely limited. Where natural resources of statewide importance are being diminished over time, master programs shall include provisions to contribute to the restoration of those resources.

(c) **Priority uses.** Establish shoreline environment designation policies, boundaries, and use

provisions that give preference to those uses described in RCW [90.58.020](#) (1) through (7). More specifically:

(i) Identify the extent and importance of ecological resources of statewide importance and potential impacts to those resources, both inside and outside the local government's geographic jurisdiction.

(ii) Preserve sufficient shorelands and submerged lands to accommodate current and projected demand for economic resources of statewide importance, such as commercial shellfish beds and navigable harbors. Base projections on statewide or regional analyses, requirements for essential public facilities, and comment from related industry associations, affected Indian tribes, and state agencies.

(iii) Base public access and recreation requirements on demand projections that take into account the activities of state agencies and the interests of the citizens of the state to visit public shorelines with special scenic qualities or cultural or recreational opportunities.

(d) Resources of statewide importance. Establish development standards that:

(i) Ensure the long-term protection of ecological resources of statewide importance, such as anadromous fish habitats, forage fish spawning and rearing areas, shellfish beds, and unique environments. Standards shall consider incremental and cumulative impacts of permitted development and include provisions to insure no net loss of shoreline ecosystems and ecosystem-wide processes.

(ii) Provide for the shoreline needs of water-oriented uses and other shoreline economic resources of statewide importance.

(iii) Provide for the right of the public to use, access, and enjoy public shoreline resources of statewide importance.

(e) Comprehensive plan consistency. Assure that other local comprehensive plan provisions are consistent with and support as a high priority the policies for shorelines of statewide significance. Specifically, shoreline master programs should include policies that incorporate the priorities and optimum implementation directives of chapter [90.58](#) RCW into comprehensive plan provisions and implementing development regulations.

[Statutory Authority: RCW [90.58.060](#) and [90.58.200](#). 04-01-117 (Order 03-02), § 173-26-251, filed 12/17/03, effective 1/17/04.]

RCW 90.58.130 Involvement of all persons and entities having interest, means.

To insure that all persons and entities having an interest in the guidelines and master programs developed under this chapter are provided with a full opportunity for involvement in both their development and implementation, the department and local governments shall:

(1) Make reasonable efforts to inform the people of the state about the shoreline management program of this chapter and in the performance of the responsibilities provided in this chapter, shall not only invite but actively encourage participation by all persons and private groups and entities showing an interest in shoreline management programs of this chapter; and

(2) Invite and encourage participation by all agencies of federal, state, and local government, including municipal and public corporations, having interests or responsibilities relating to the shorelines of the state. State and local agencies are directed to participate fully to insure that their interests are fully considered by the department and local governments. [1971 ex.s. c 286 § 13.]

RCW 36.70A.140 Comprehensive plans -- Ensure public participation.

Each county and city that is required or chooses to plan under RCW [36.70A.040](#) shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. In enacting legislation in response to the board's decision pursuant to RCW [36.70A.300](#) declaring part or all of a comprehensive plan or development regulation invalid, the county or city shall provide for public participation that is appropriate and effective under the circumstances presented by the board's order. Errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed. [1995 c 347 § 107; 1990 1st ex.s. c 17 § 14.]

WAC 365-195-600 Public participation.

(1) **Requirements.** Each county and city planning under the act shall establish procedures for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. Errors in exact compliance with the established procedures shall not render the comprehensive plan or development regulations invalid if the spirit of the procedures is observed.

(2) **Recommendations for meeting requirements.** The recommendations made in this

subsection are intended as a list of possible choices, but it is recognized that meaningful public participation can be accomplished without using all of the suggestions made here or by adopting other methods.

(a) Public involvement in plan and regulation development.

(i) In designing its public participation program, each planning jurisdiction should endeavor to involve the broadest cross-section of the community, so that groups not previously involved in planning become involved. The programs should include efforts to explain that citizen input is an essential part of the planning process and provide a framework for advising citizens about timelines for steps in the process and when citizen input will be sought.

(ii) Visioning. The public should be involved at the earliest possible time in the process of comprehensive planning under the act. This should begin with a visioning process in which the public is invited to participate in a broad definition of the kind of future to be sought for the community. The results of this process should then be incorporated into the plan features, including, but not limited to, locally adopted levels of service and densities selected for commercial, industrial, and residential development.

(iii) Planning commission. In the process of plan development, full use should be made of the planning commission as a liaison with the public.

(iv) Public meetings on draft plan. Once the plan is completed in draft form, or as parts of it are drafted, a series of public meetings or workshops should be held at various locations throughout the jurisdiction to obtain public reaction and suggestions.

(v) Public hearings. When the final draft of the plan has been completed, at least one public hearing should be held prior to the presentation of the final draft to the legislative authority of the jurisdiction adopting it. When the plan is proposed for adoption, the legislative authority should conduct another public hearing prior to voting on adoption.

(vi) Written comment. At each stage of the process when public input is sought, opportunity should be provided to make written comment.

(vii) Communication programs and information services. Each jurisdiction should make every effort to collect and disseminate public information explaining the act and the process involved in complying with it. In addition, locally relevant information packets and brochures should be developed and disseminated. Planners should actively seek to appear before community groups to explain the act and the plan development process.

(viii) Proposals and alternatives. Whenever public input is sought on proposals and alternatives, the relevant drafts should be reproduced and made available to interested persons.

(ix) Notice. Notice of all events at which public input is sought should be broadly disseminated in advance through all available means, including flyers and press releases to print and broadcast media. Notice should be published in a newspaper of general circulation at least one week in advance of any public hearing. When appropriate, notices should announce the availability of relevant draft documents on request.

(x) All meetings and hearings to which the public is invited should be free and open. At hearings all persons desiring to speak should be allowed to do so, consistent with time constraints.

(xi) Consideration of and response to public comments. All comments and recommendations of the public should be reviewed. Adequate time should be provided between the time of any public hearing and the date of adoption of all or any part of the comprehensive plan to evaluate and respond to public comments. The proceedings and all public hearings should be recorded. A summary of public comments and an explanation of what action was taken in response to them should be made in writing and included in the record of adoption of the plan.

(xii) Every effort should be made to incorporate public involvement efforts into the SEPA process.

(xiii) Except for the visioning effort, the same steps should precede the adoption of development regulations as was used for the comprehensive plan.

(b) Continuous public involvement. The planning commission should monitor development of both the plan and the development regulations. After these are adopted, the commission should monitor compliance. The commission should report to the city or county at least annually on possible amendments to the plan or development regulations. In addition at least annually, the commission should convene a public meeting to provide information on how implementation is progressing and to receive public input on changes that may be needed. When any amendments are proposed for adoption, the same public hearing procedure should be followed as attended initial adoption. [Statutory Authority: RCW [36.70A.190](#) (4)(b). 92-23-065, § 365-195-600, filed 11/17/92, effective 12/18/92.]

