

RESOLUTION 2021 684

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF THE BENTON COUNTY SHORELINE MASTER PROGRAM UPDATE (SMP) IN ACCORDANCE WITH WASHINGTON STATE SHORELINE MANAGEMENT ACT (SMA) RCW 90.58, PURSUANT TO SMP GRANT AGREEMENT NO. SEASMP-1921-BeCOPD-00012.

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

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

WHEREAS, the last update of the Benton County Shoreline Master Program (SMP) was completed and approved by the Washington State Department of Ecology on February 16, 2015. Per RCW, the Benton County SMP is required to be updated by June 2021; and,

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

WHEREAS, the County developed a public participation plan that provided public notice, a project website, public meetings and hearings before the Planning Commission and Board of County Commissioners between June of 2019 and June of 2021; and,

WHEREAS, the County used the Shoreline Master Program Periodic Review Checklist to determine which areas of the plan needed to be reviewed and possibly amended; and,

WHEREAS, the County coordinated with the State of Washington Department of Ecology in preparing interim products and solicited comments consistent with the Grant Agreement No. SEASMP-1921-BeCOPD-00012; and,

WHEREAS, the County considered and responded to government agency and public comments and prepared and issued Revised Draft Shoreline Master Programs or elements thereof for Planning Commission and Board of County Commissioner review; and,

WHEREAS, an Environmental Review was made by Benton County in File No. EA 2021-003, and a determination of Non-Significance was issued on February 24, 2021; and,

WHEREAS, the 60-day Notice of Proposed Amendment was submitted to the Washington State Department of Commerce and acknowledgment was received on February 24, 2021; and,

WHEREAS, a Joint Open Record hearing with the Department of Ecology was held on April 13, 2021 with the legal notice for the Planning Commission Open Record Hearing being published on March 24, 2021; and,

WHEREAS, a joint local/state public comment period was conducted from March 24, 2021 to April 23, 2021 where comments on the proposed Shoreline Master Plan were accepted; and,

WHEREAS, those listed on the listed on the Public Participation Plan e-mail lists were given notice of the Planning Commission Open Record Hearing by e-mail on March 23, 2021, and,

WHEREAS, the Planning Commission open record hearing was held on April 13, 2021, in a virtual format via Web Ex due to COVID 19 restrictions; and,

WHEREAS, the following Planning Commission members were present at the April 13, 2021 meeting; Martin Sheeran, Tammara McKeirnan, Marjorie Kaspar, Lloyd Coughlin, and Brian Skeels; and,

WHEREAS, at the Joint Open Record Hearing on April 13, 2021, the Planning Commission received information and considered all evidence and testimony. After closing the public testimony portion of the open record hearing, the Planning Commission made a motion to continue the public hearing for decision making only to May 11, 2021; and,

WHEREAS at the continued open record hearing on May 11, 2021, the Planning Commission considered all evidence and testimony and made a motion to approve the Shoreline Master Plan as presented and to forward to the Board of County Commissioners a recommendation for approval; and,

WHEREAS, the legal notice for the Board of County Commissioners Open Record Hearing was published on June 9, 2021; and,

WHEREAS, those listed on the Public Participation Plan email lists were given notice of the Board of County Commissioners Open Record Hearing by e-mail on June 10, 2021; and,

WHEREAS, the Open Record Hearing was continued until August 17, 2021 due to the need to obtain Initial Approval by the Dept. of Ecology; and was then further continued until September 14, 2021; and,

WHEREAS, on September 7, 2021, the Washington Department of Ecology approved the Benton County Shoreline Master Program subject to the one recommended change listed in their initial approval letter; and,

WHEREAS, the Board of County Commissioners conducted an Open Record Hearing on September 14, 2021 at 9:00 a.m. via an in person and virtual format in the Commissioners Meeting Room on the Third Floor of the Courthouse, in Prosser, WA 99350; and,

WHEREAS, the following Board of County Commissioner members were present at the September 14, 2021 meeting; Jerome Delvin, Shon Small, and Will McKay; and,

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

WHEREAS, once the County locally approves the Shoreline Master Program, it will be sent to the State of Washington Department of Ecology for final review and approval, a process which may entail further changes and amendments to the documents of the Shoreline Master Program; and,

WHEREAS, upon Washington Department of Ecology's final approval, the County will adopt the

Shoreline Master Program by resolution; and,

WHEREAS, the Board of County Commissioners has reviewed the change proposed by the Washington State Department of Ecology and finds it to be consistent with the goals and policies of the Benton Shoreline Master Program; NOW THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

Section 1. The Board of County Commissioners accepts the Washington State Department of Ecology's change, as outlined in Ecology's letter dated September 7, 2021.

Section 2. The Board of County Commissioners authorizes the Chairman to sign and send a letter to Washington State Department of Ecology accepting Ecology's changes to the Benton County Shoreline Master Program,

Section 3. The Board of County Commissioners directs the Benton County Planning Department to make the changes to Benton County Shoreline Master Program as provided in Ecology's letter dated September 7, 2021.

The Planning Division is authorized to make necessary corrections to Exhibits including, but not limited to, the correction of scrivener's/clerical errors, dates and references, resolution numbering, section/subsection numbers and any references thereto.

Section 4. The Clerk of the Board is authorized to make necessary corrections to the Resolution including, but not limited to, the correction of scrivener's/clerical errors, dates and references, resolution numbering, section/subsection numbers and any references thereto.

Dated this 14th day of September 2021.



Chairman of the Board



Member



Member

Constituting the Board of County
Commissioners of Benton County
Washington.

Attest 

Clerk of the Board