

FRANKLIN COUNTY RESOLUTION 2022-136

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

*In the matter of County Planning - Initiating the Review and Update to the Franklin
County Shoreline Master Program and Adopting a Public Participation Plan for the
Update*

WHEREAS, Franklin County is a “fully planning” county within the context of the State of Washington Growth Management Act (GMA) and the latest “periodic” review and update of the comprehensive plan, covering the years 2018-2038, was adopted on June 1, 2021, via Ordinance 07-2021; and

WHEREAS, as a jurisdiction with shoreline management responsibilities, Franklin County is required to periodically review and update its Shoreline Master Program (SMP) to ensure consistency with the 2018-2038 Comprehensive Plan, compliance with the any State or Federal regulatory changes, and changes to conditions along shoreline areas; and

WHEREAS, the current SMP was approved on October 31, 2016, with the next review and update due by June 30, 2023; and

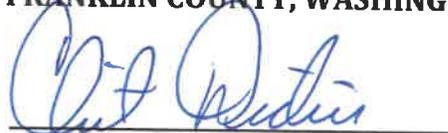
WHEREAS, the County will engage and inform the public throughout the update process using methods consistent with RCW 90.58.130; Franklin County Code Title 14, Development Code Administration; and as shown in Attachment A; and

NOW, THEREFORE, BE IT RESOLVED that the Franklin County Board of Commissioners does hereby provide this official public notice that the process to conduct a Shoreline Master Program Periodic Update is hereby initiated and;

BE IT FURTHER RESOLVED that the Board approves the attached Public Participation Plan, Attachment A, which provides for early and continuous public participation in accordance with RCW 90.58.130.

APPROVED THIS 21st DAY OF JUNE, 2022

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON**



Chair



Chair Pro Tem

Attest:



Clerk of the Board



Member

Franklin County
Shoreline Master Program (SMP) Periodic Update

Public Participation Plan



DRAFT FOR REVIEW BY COUNTY

DATE ##, 2022

INTRODUCTION

Franklin County is undertaking a periodic review of its Shoreline Master Program (SMP), as required by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4). The SMA requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. While the schedule directs Franklin County to complete periodic reviews by June 30, 2022, the deadline has been extended by Department of Ecology to June 30, 2023 to be consistent with the state's biennial funding. The review ensures the SMP stays current with changes in laws and rules; remains consistent with other Franklin County plans and regulations; and is responsive to changed circumstances, new information, and improved data.

The SMA and SMP guidelines require local governments to encourage active and early participation in the SMP review and update by all persons, private groups, public agencies, and tribes that have an interest or responsibility related to shorelines of the state. The County has developed this Public Participation Plan to meet State requirements for public involvement in the update process, and to address the priorities and issues specific to Franklin County. This plan is a working document and will be adjusted as needed to provide for the greatest and broadest public participation.

Project Scope:	The scope of the periodic update will include those items which are required to be updated according to new laws or rules, as identified on Ecology's checklist, as well as the County's Best Available Science (BAS).
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1.0 PUBLIC PARTICIPATION GOALS

The overall goal of the Public Participation Plan is to build support for timely adoption of the SMP periodic update. This plan provides key steps that are intended to effectively support the overall objectives of the SMA. Throughout the process, there are many goals to guide the update, including:

- Provide interested parties with timely information, an understanding of the process, and multiple opportunities to review and comment on proposed amendments to the SMP.
- Solicit information from citizens, property owners and stakeholders about their concerns, questions and priorities for the Periodic Review process.
- Encourage interested parties to informally review and comment on proposed changes to the SMP throughout the process and provide those comments to decision makers.
- Consider viewpoints of all participants, even if views are not reflected in the outcomes.
- Consult and consider recommendations from neighboring jurisdictions, federal and state agencies, and Native American tribes.
- Utilize a transparent process which clearly documents all public input and makes it available for any and all to review.

1.1 PUBLIC PARTICIPATION PLAN THEMES

The following project themes will guide the overall outreach program and be promoted through communication materials and opportunities facilitated by County staff, Planning Commission, County Commissioners, 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).
- **State and Local Partnership:** The SMP is a partnership between local governments and Ecology. The County develops the SMP, but both the local government and Ecology must approve it. The County 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 the County 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. County 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. County 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. The rationale behind decisions will be communicated. Decision-making will be open, transparent, and public.

1.2 GUIDING PRINCIPLES

For any participation process, it is important to adhere to a set of guiding principles. For the SMP update, these principles include:

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, the SMA, and County policies for 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 County's website, mailings, 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 evaluating 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.

2.0 STAKEHOLDERS

The Public Participation Plan establishes a process that is designed to reach all audiences that may have an interest in the update process such as:

- **General public:**
 - Landowners and residents within and adjacent to Franklin County shorelands
 - Businesses and employees
- **Property Owners**
 - Residential property owners
 - Businesses
 - Farmers
- **Non-governmental organizations**
 - Home Builders Association of Tri-Cities
 - Futurewise
 - Lower Columbia Basin Audubon Society
 - Recreation groups (Trails coalition, Divers, kayakers, pleasure boaters, sport fishers etc.)
- **Tribes that own property and/or have rights to usual and accustomed places and natural resources:**
 - Confederated Tribes and Bands of the Yakama Nation

- Confederated Tribes of the Umatilla Indian Reservation
- Nez Perce Tribe
- Colville Tribe
- **Government Agencies:**
 - Department of Ecology
 - Department of Fish and Wildlife (WDFW)
 - Department of Natural Resources
 - Port of Pasco
 - Franklin County Fire Protection Districts
 - Franklin County Conservation District
- **Utilities and Transportation:**
 - Benton-Franklin Council of Governments
 - Franklin PUD
 - Big Bend Electric Coop
 - South Columbia Basin Irrigation District
- **Media:**
 - Tri-City Herald
 - Franklin County Graphic

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 intended 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.

3.0 PUBLIC PARTICIPATION OPPORTUNITIES

The County is committed to providing multiple opportunities for public participation throughout the process. Franklin County will use a variety of communication tools to inform the public and encourage their participation. Due to the ongoing coronavirus pandemic there may be limited in-person public participation opportunities. This will be supplemented with online/virtual participation opportunities that will include the following:

3.1 WEBSITE

The County will use an EZ view website, [INSERT URL](#), to allow 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.

3.2 DIRECT MAILING AND PUBLIC NOTICES

At the beginning of the project, mailings (either letters or postcards) will be sent to all residents owning property within or near shoreline jurisdiction, providing notice of the project's launch and giving instructions on how to sign up for the mailing list that will be used through the update. Additionally, an email will be sent to all email addresses that were included in the "interested parties" list used for the County's last comprehensive plan update with the same information, providing an option to "opt in" to

receive information on the SMP update process. An effort may also be made to reach out to individuals who commented, participated, or requested information for the County's previous SMP update project (if the information is readily available).

Notices of workshops, public hearings, and milestones will be placed on the project website, local jurisdiction websites, and published in the local newspaper (Tri-City Herald). A mailing list (email addresses) of interested parties will be maintained and updated to keep the public informed throughout the SMP update process. Email 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 or email.

3.3 COMMENTS

Interested parties will be encouraged to provide comments to the County. These comments may be provided to the County by letter or email, or by other methods as specified by the County. The Periodic Review webpage will be the central repository for information under consideration. Hard copy documents will be available by request from the Franklin County Planning & Building Department and will be provided at the established copying cost. All public comments received as part of the SMP Periodic Review project will be posted on the SMP Periodic Review webpage.

3.4 PUBLIC MEETINGS

The Planning Commission will hold a public hearing to discuss the draft SMP update document and make a recommendation to the Board of County Commissioners. County staff, as well as Consultant staff, as needed, will attend, and all comments from the public will be documented.

The Board of County Commissioners will hold a joint public hearing with Ecology using the optional joint review process authorized under WAC 173-26-104.

4.0 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 followed during the SMP Update preparation and adoption process.

4.1 COUNTY STAFF

County staff will manage the SMP Update process and review draft policies and regulations developed by the AHBL team. The primary staff contact for the County is:

Derrick Braaten, Director
Franklin County Planning & Building Department
502 W. Boeing St.
Pasco, WA 99301
Tel: (509) 545-3521
Email: dbraaten@franklincountywa.gov

4.2 CONSULTANT

AHBL will develop the SMP according to the Ecology Guidelines and direction provided by County staff. AHBL will assist with communication materials and develop presentations. In addition, AHBL will develop all of the major documents comprising the SMP Update deliverables, including preparing a SEPA checklist.

4.3 PLANNING COMMISSION

The Planning Commission will review proposed SMP policies and regulations and provide feedback. Staff and AHBL will consider this input, and AHBL will revise the SMP as necessary to address identified concerns, where appropriate. Next, and as established in state law and local enabling legislation, the Planning Commission will review the draft SMP, take and consider public input, and make formal recommendations to the Board of County Commissioners. Recommendations are not binding.

4.4 BOARD OF COUNTY COMMISSIONERS

As established in state law, the Board of County Commissioners (BOCC) will review the draft SMP, solicit public input, make changes as desired, consider the recommendation of the Planning Commission, and locally adopt the final SMP. The BOCC is the legislative body with the final local decision-making authority for the local adoption of the SMP.

4.5 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, guidance to local governments in preparing the SMP, and provides written comments on draft SMP components. The 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 can take effect. To ensure respect for private property rights, local and state legal authorities are required to review a shoreline program before formal adoption.

5.0 PROJECT TIMELINE

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

Date	Task
May 25, 2022	Public Participation Plan Sent to Ecology
June 1, 2022	AHBL to complete draft review checklist
By December 5, 2022	County to send a letter to potential interested parties (and individuals/ agencies on record who participated in the last update)

By December 5, 2022	AHBL to provide an Initial Draft SMP Update document to County Staff
By January 3, 2022	County Staff completes review of Initial Draft document and provides comments back to AHBL
February 22, 2022	Transmittal of SMP Amendments (SMP document and maps together with a completed update checklist) to Departments of Commerce and Ecology with 60-day Notice of Intent to Adopt
TBD – January 2023	Q&A open house for property owners
TBD – January 2023	Newspaper notice published; Issue SEPA Threshold Determination; County and Ecology joint public comment period begins
TBD – February 2023	Joint Planning Commission / Ecology Public Hearing*
TBD – February 2023 (30-day comment period)	Conclusion of public comment period
30 days from close of comment period	County issues formal response to public comments
TBD – March 2023	Send initial submittal to Ecology for Initial Determination of Consistency
30 days following submittal	Ecology issues initial determination of consistency (Ecology can request a 15-day extension if needed)
April 25, 2023	BOCC Public Hearing* and Adoption
By April 27, 2023	Submit Application for Final Determination from Ecology
TBD – Anticipated May 2023	Final Ecology Approval and SMP Adoption
TBD – Anticipated May 2023	Effective date.

* Requires noticing

6.0 PUBLIC COMMENT PERIODS AND HEARINGS

A public comment period to solicit input on the Periodic Review and a Board of County Commissioners public hearing will be provided before final adoption.

Franklin County will coordinate with the Department of Ecology on a joint public notice of comment periods and hearings to take advantage of Ecology's optional SMP amendment process that allows for a combined state-local comment period pursuant to WAC 173-26-104. Notice will be provided to the agencies and interest groups on the project distribution list (described in Section 2.0, above) and the Department of Ecology.

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Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: June 14, 2022	PREPARED BY: Derrick Braaten
Meeting Date Requested: June 21, 2022	PRESENTED BY: Derrick Braaten
ITEM: (Select One) Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 10 minutes	
SUBJECT: Resolution to initiate the review and update to the Franklin County Shoreline Master Program and adopting a public participation plan for the update.	
FISCAL IMPACT: \$84,000, reimbursed through a Washington Department of Ecology SMP Grant	
BACKGROUND Franklin County is a "fully planning" county within the context of the State of Washington Growth Management Act (GMA) and the latest "periodic" review and update of the comprehensive plan, covering the years 2018-2038, was adopted on June 1, 2021, via Ordinance 07-2021. As a jurisdiction with shoreline management responsibilities, Franklin County is required to periodically review and update its Shoreline Master Program (SMP) to ensure consistency with the 2018-2038 Comprehensive Plan, compliance with the any State or Federal regulatory changes, and changes to conditions along shoreline areas. The proposed resolution provides an official legislative action to initiate a periodic update of the Franklin County Shoreline Master Program, as required by Shoreline Management Act, RCW 90.58. The Resolution also includes a public participation plan adoption, meeting the requirements of RCW 90.58.130. Per RCW 90.58.080(4)(iv), the periodic update is due by June 30, 2022, but has been extended to June 30, 2023.	
RECOMMENDATION: The Franklin County Planning & Building Department recommends passage of the resolution to declare that Franklin County has initiated the Shoreline Master Program Periodic Update, and adopts the Public Participation Plan, as provided for in Attachment A. <u>Suggested Motion:</u> Pass Resolution #_____, initiating the start of the 2022 Shoreline Master Program Periodic Update, and adopting the Public Participation Plan, as provided for in Attachment A.	
COORDINATION: Craig Erdman, Public Works;	
ATTACHMENTS: (Documents you are submitting to the Board) Draft Resolution, including Attachment A	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) To the Clerk of the Board: 1 Original Resolution To Planning: 1 Copy Resolution	

I certify the above information is accurate and complete.