



DEPARTMENT OF COMMUNITY DEVELOPMENT  
Joan Davenport, AICP, Director

Planning Division  
Joseph Calhoun, Manager  
129 North Second Street, 2<sup>nd</sup> Floor, Yakima, WA 98901  
ask.planning@yakimawa.gov · www.yakimawa.gov/services/planning

**NOTICE OF APPLICATION, ENVIRONMENTAL REVIEW, AND PUBLIC HEARING**

**DATE:** May 6, 2021  
**TO:** SEPA Reviewing Agencies, Stakeholders  
**FROM:** Joan Davenport, AICP, Community Development Director  
**APPLICANT:** City of Yakima Planning Division  
**FILE NUMBER:** SEPA#008-20  
**LOCATION:** City-Wide

**PROJECT DESCRIPTION** This is a non-project proposal that updates the City of Yakima Shoreline Master Program (SMP). Proposed changes to the SMP includes the following:

- 1) State-based updates. These changes are mostly technical updates that are already in effect under state law but not included in the Yakima Municipal Code (YMC) Title 17. These changes support better clarity and consistency in the application of the SMP for project applicants and the public because all applicable rules are clearly identified.

**NOTICE OF ENVIRONMENTAL REVIEW** This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Yakima, Planning Division, has been established as the lead agency, under WAC § 197-11-928 for this project. The City of Yakima has reviewed the proposed project and has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.020(2)(C).

**Required Permits:** The following local, state, and federal permits/approvals may or will be needed for this project: WA State DOE adoption

**Required Studies:** N/A

**Existing Environmental Documents:** YMC Title 17, Periodic Review Checklist, 2017 SEIS

**Development Regulations for Project Mitigation and Consistency Include:** N/A non-project

**REQUEST FOR WRITTEN COMMENTS:** Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 30-day comment period for this review. This may be your only opportunity to comment. All written comments received by 5:00 p.m. on **June 7, 2021**, will be considered as part of the record. Please reference file numbers (SEPA#008-20) and applicant's name (City of Yakima Planning) in any correspondence you submit. You can mail your comments to:

**Joan Davenport, AICP, Community Development Director  
City of Yakima, Department of Community Development  
129 N. 2nd St., Yakima, WA 98901**

**NOTICE OF PUBLIC HEARING** This request requires that the Yakima Planning Commission hold an open record public hearing, which is scheduled for **May 26, 2021 at 3:00 p.m.** Due to the COVID-19 pandemic, the hearing will be held virtually via Zoom. Any person desiring to express their views on the matter is invited to attend the hearing and provide testimony. **IF YOU WOULD LIKE TO ATTEND THIS VIRTUAL MEETING TO LISTEN AND/OR TESTIFY, PLEASE REGISTER IN ADVANCE WITH YOUR NAME AND EMAIL ADDRESS HERE:**

[https://cityofyakima.zoom.us/webinar/register/WN\\_PMzaMiU3R2SvqfpUAC-KXg](https://cityofyakima.zoom.us/webinar/register/WN_PMzaMiU3R2SvqfpUAC-KXg)

The file containing the complete application is available for public review at the City of Yakima Planning Division, City Hall – 2nd Floor, 129 N. 2nd St., Yakima, WA and online at <https://www.yakimawa.gov/services/planning/smp/>. If you have any questions on this proposal, please contact Joseph Calhoun, Planning Manager at (509) 575-6042, or email to: joseph.calhoun@yakimawa.gov.

**Enclosed:** DNS, SEPA Checklist, Periodic Review Checklist. Draft SMP can be viewed at the weblink above.





## DEPARTAMENTO DE DESARROLLO COMUNITARIO

Joan Davenport, AICP, Directora

Division de Planificación

Joseph Calhoun, Gerente

129 Norte Calle 2ª, 2º Piso, Yakima, WA 98901

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### AVISO DE AUDIENCIA PÚBLICA Y REVISIÓN AMBIENTAL

**FECHA OTORGADA:** 6 de mayo, 2021  
**PARA:** Agencias de Revisión Ambiental, Personas Interesadas  
**DE:** Joan Davenport, AICP, Directora de Desarrollo Comunitario  
**SOLICITANTE:** Ciudad de Yakima Division de Planificación  
**No. DE ARCHIVO:** SEPA#008-20  
**UBICACIÓN/ No. DE PARCELA(S):** Toda la Ciudad de Yakima

**DESCRIPCIÓN DEL PROYECTO:** Esta es una propuesta sin-proyecto que actualiza el Plan del Programa Master Shoreline (SMP). Los cambios propuestos al SMP incluyen lo siguiente:

1) Actualizaciones basadas en el estado. Estos cambios son en su mayoría actualizaciones técnicas que ya están en vigor según la ley estatal, pero que no están incluidas en el Título 17 del Código Municipal de Yakima (YMC). Estos cambios respaldan una mayor claridad y coherencia en la aplicación del SMP para solicitantes de proyectos y el público porque todas las reglas aplicables están claramente identificadas.

**AVISO DE REVISIÓN AMBIENTAL:** Esto es para notificar a las agencias con jurisdicción y experiencia ambiental y al público que la Ciudad de Yakima, Division de Planificación, se establece como la agencia principal, conforme a WAC §197-11-928 para la revisión de este proyecto. La Ciudad de Yakima ha revisado esta propuesta y ha determinado que no tiene posibles impactos ambientales adversos. No se requiere una declaración de impacto ambiental (EIS) según el código estatal RCW 43.21C.020(2)(C).

**Permisos Requeridos:** Los siguientes permisos/aprobaciones locales, estatales, y federales pueden o serán necesarios para este proyecto: Adopción del Departamento de Ecología del Estado de Washington

**Estudios Requeridos:** N/A

**Documentos Ambientales Existentes:** YMC Título 17, Lista de Revisión, 2017 SEIS

**Los Reglamentos de Desarrollo para la Mitigación y Consistencia de Proyectos Incluyen:** N/A

**SOLICITUD DE COMENTARIOS ESCRITOS:** Se anima a las agencias, tribus, y el público a revisar y comentar sobre el proyecto y sobre sus probables impactos ambientales. Habrá un periodo de treinta días para esta revisión. Este podría ser su única oportunidad para comentar. Todos los comentarios recibidos por escrito antes de las 5:00 p.m. el **7 de junio, 2021** serán parte del archivo de esta propuesta. Por favor de hacer referencia al número de archivo (SEPA#008-20) y el nombre del solicitante (City of Yakima Planning) en cualquier correspondencia que envíe. Envíe sus comentarios a:

**Joan Davenport, AICP, Community Development Director**  
**City of Yakima, Department of Community Development**  
**129 N. 2nd St., Yakima, WA 98901**

**AVISO DE AUDIENCIA PÚBLICA:** Esta propuesta requiere que la Comisión de Planificación de Yakima conduzca una audiencia pública con registro abierto programada para el **26 de mayo, 2021 a las 3:00 p.m.** Debido a la pandemia de COVID-19, la audiencia pública será programada virtualmente por Zoom. Se le invita a cualquier persona que desee expresar sus opiniones sobre esta propuesta de asistir a la audiencia pública y presentar comentarios. **SI DESEA ASISTIR A ESTA REUNIÓN VIRTUAL PARA ESCUCHAR Y/O TESTIFICAR, REGÍSTRESE POR ADELANTADO CON SU NOMBRE Y CORREO ELECTRÓNICO:** [https://cityofyakima.zoom.us/webinar/register/WN\\_PMzaMiU3R2SvqfpUAC-KXg](https://cityofyakima.zoom.us/webinar/register/WN_PMzaMiU3R2SvqfpUAC-KXg)  
Después de registrarse, recibirá instrucciones por correo electrónico para ingresar en línea con su dispositivo o llamando por teléfono.

El archivo que contiene la aplicación completa está disponible para inspección pública en la Oficina de Planificación de la Ciudad de Yakima en el 129 al Norte la Calle 2da, Yakima, WA o en la página web: <https://www.yakimawa.gov/services/planning/smp/>

Si tiene cualquier pregunta sobre esta propuesta, puede contactar a la Oficina de Planificación al (509) 575-6183 o por correo electrónico al: [ask.planning@yakimawa.gov](mailto:ask.planning@yakimawa.gov)

**Adjuntos:** DNS, Lista SEPA, Lista de Revisión Periódica. El plan SMP está disponible en el enlace arriba.



DEPARTMENT OF COMMUNITY DEVELOPMENT  
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**WASHINGTON STATE ENVIRONMENTAL POLICY ACT  
DETERMINATION OF NONSIGNIFICANCE  
CITY OF YAKIMA, WASHINGTON  
May 6, 2021**

**PROJECT NAME:** City of Yakima Shoreline Master Program Periodic (SMP) Review.

**PROJECT DESCRIPTION:** This is a non-project proposal that updates the City of Yakima Shoreline Master Program (SMP). Proposed changes to the SMP includes the following: State-based updates. These changes are mostly technical updates that are already in effect under state law but not included in the Yakima Municipal Code (YMC) Title 17. These changes support better clarity and consistency in the application of the SMP for project applicants and the public because all applicable rules are clearly identified.

**LOCATION:** Policies and regulations in the SMP affect areas in the City of Yakima within shoreline jurisdiction, as defined in RCW 90.58. This includes the Yakima River, Naches River, Cowiche Creek, and several lakes.

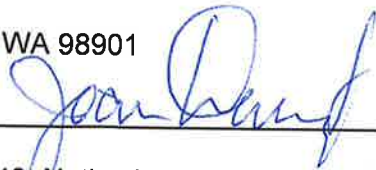
**PROPONENT:** City of Yakima  
**LEAD AGENCY:** City of Yakima  
**FILE NUMBERS:** SEPA#008-20

**DOCUMENTS REVIEWED:** SEPA Checklist, May 4, 2021 SMP Periodic Review Checklist and Critical Areas Checklist, both dated May 3, 2021, City of Yakima Periodic Shoreline Master Program Update Analysis, Yakima Comprehensive Plan, and Yakima Municipal Code. We are Yakima Comprehensive Plan 2040 Draft Supplemental Environmental Impact Statement and the We are Yakima Comprehensive Plan 2040 Final Supplemental Environmental Impact Statement, The proposed changes and these documents are available for review at:  
<https://www.yakimawa.gov/services/planning/smp>

**DETERMINATION:** The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Responsible Official: Joan Davenport  
Position/Title: SEPA Responsible Official  
Phone: (509) 575-6183  
Address: 129 N. 2<sup>nd</sup> Street, Yakima, WA 98901

**Date:** May 6, 2021

**Signature:** 

X This DNS is issued under WAC 197-11-340. Notice is hereby provided for the SEPA action for a non-project action under the Growth Management Act.

**COMMENTS AND NOTICE OF APPEALS:** The comment period is 30 calendar days and ends [June 7, 2021] at 5 p.m. Any notice of appeals must be filed in writing, with the required filing fee received within 14 calendar days of the end of the comment period at Yakima City Hall by [June 22, 2021]. You should be prepared to make specific factual objectives. Contact the City of Yakima Planning Division to read or ask about the procedures for SEPA appeals.



DEPARTMENT OF COMMUNITY DEVELOPMENT  
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**Planning Division**

Joseph Calhoun, Manager

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**CITY OF YAKIMA AND DEPARTMENT OF ECOLOGY  
SHORELINE MASTER PROGRAM PERIODIC REVIEW PUBLIC COMMENT PERIOD AND PUBLIC  
HEARING**

The City of Yakima and Washington Dept. of Ecology are accepting comments on a periodic review of the city's shoreline master program under RCW 90.58.080(4). The city has prepared draft SMP amendments to keep the SMP current with changes in state law, changes in other city plans and regulations, and other changed local circumstances.

Public comment will be accepted from May 6, 2021 to June 7, 2021 at 5:00 p.m. The city will hold a Planning Commission Hearing on May 26, 2021 via zoom, please use this link to register for the meeting: [https://cityofyakima.zoom.us/webinar/register/WN\\_PMzaMiU3R2SvqfpUAC-KXg](https://cityofyakima.zoom.us/webinar/register/WN_PMzaMiU3R2SvqfpUAC-KXg)

Send comments to city staff: Joseph Calhoun at 129 N 2<sup>nd</sup> St, Yakima WA, 98901 or [joseph.calhoun@yakimawa.gov](mailto:joseph.calhoun@yakimawa.gov). Comments sent to the city of Yakima will be forwarded to the Dept. of Ecology.

Proposed amendments to the city of Yakima shoreline master program are available for review at <https://www.yakimawa.gov/services/planning/smp/> and the city Planning Department at 129 N 2<sup>nd</sup> St – Second Floor, Yakima, WA, 98901.



# ENVIRONMENTAL CHECKLIST

STATE ENVIRONMENTAL POLICY ACT (SEPA)

(AS TAKEN FROM WAC 197-11-960)

YAKIMA MUNICIPAL CODE CHAPTER 6.88

## PURPOSE OF CHECKLIST

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project", "applicant", and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

### A. BACKGROUND INFORMATION (To be completed by the applicant.)

1. **Name of Proposed Project (If Applicable):** City of Yakima Shoreline Master Program Periodic Review
2. **Applicant's Name & Phone:** City of Yakima RECEIVED
3. **Applicant's Address:** 129 North 2nd Street - 2nd Floor, Yakima, WA 98901 MAY 04 2021
4. **Contact Person & Phone:** Joseph Calhoun, Planning Manager, (509) 575-6183 CITY OF YAKIMA
5. **Agency Requesting Checklist:** City of Yakima COMMUNITY DEVELOPMENT
6. **Proposed Timing or Schedule (Including Phasing, If Applicable):**  
The State requires a review and update to the City's Shoreline Master Program by June 30, 2021.
7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:**  
The City will review and approve, condition, or deny future development proposals submitted to the City consistent with the proposed regulations.
8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:**  
Shannon & Wilson and BERK completed a review of the existing Shoreline Master Program regulations (Yakima Municipal Code Title 17) and relevant portions of the Comprehensive Plan for consistency with state law, state guidance, and best available science. The review and recommendations were documented in a letter dated October 21, 2020.  
That letter also included completed versions of the following two state agency checklists:
  - Washington Department of Ecology's (Ecology) SMP Periodic Review Checklist

**A. BACKGROUND INFORMATION (To be completed by the applicant.)**

- Washington Department of Commerce's Critical Areas Checklist

SMP Amendments proposed by the City of Yakima in 2017, approved by Council, but never formally approved by the Washington State Department of Ecology, were included in the *We are Yakima Comprehensive Plan 2040 Draft Supplemental Environmental Impact Statement* and the *We are Yakima Comprehensive Plan 2040 Final Supplemental Environmental Impact Statement*.

**9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:**

The City of Yakima locally approved amendments to the SMP in 2017 that were not forwarded to Ecology for final approval. These amendments will be considered as a package with this periodic review. Other legislative actions are not pending related to the Shoreline Master Program update. Private and public development, including building and construction permits, will continue to be reviewed and approved, conditioned or denied consistent with current plans and regulations until the Shoreline Master Program update is adopted by the City and then approved by Ecology, at which time development would be consistent with new regulations.

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**10. List any government approvals or permits that will be needed for your proposal, if known:**

- Planning Commission recommendation and City Council adoption.
- Washington Department of Ecology review and approval before the updated SMP goes into effect.

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**11. Give a brief, but complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.):**

Part of the periodic review includes updates to align the Yakima SMP with state regulations. The Washington State Department of Ecology maintains a checklist of changes to state law that affect SMPs. These changes are mostly technical updates that have been in effect under state law since they were adopted, but do not appear in the YMC. Including these changes in the YMC better aligns the SMP with state regulations. It also supports clarity and consistency in the application of the SMP for project applicants and the public as a whole because all applicable rules and regulations are clearly identified. Recommended changes include:

- Clarify that the definition of "development" does not include dismantling or removing structures if there is no other associated action.
- Include a list of activities that do not require local shoreline review, which were adopted in the Washington State Administrative Code (WAC 173-27-040).
- Update the definition of "date of filing" to match the Washington State Administrative Code (WAC 173-27-130(6)) and use "date of filing" to identify the start of the appeal period to the Shoreline Hearings Board for permits.
- Reference the provisions in the Washington State Administrative Code (WAC 173026-090) that refer to the processes for conducting periodic reviews.
- Correct the definition of "Shoreline Hearings Board" to reflect that this body does not adjudicate appeals of SMPs.
- Add a reference to the Washington State Administrative Code (WAC 173-27-215) that offers relief measures for property owners in cases where shoreline restoration project change the area in which shoreline regulation would be applied.

Critical areas regulations apply to environmentally sensitive places such as special fish and wildlife habitats, wetlands, steep slopes and other geologic hazards, areas prone to flooding, and areas that support drinking water supplies. The City elected in 2014 to maintain separate versions of its critical areas regulations – one that applies outside of shoreline jurisdiction (YMC 15.27) and one that applies inside shoreline jurisdiction (YMC 17.09). Chapter 15.27 YMC was last updated in 2017. The City is committed to consistency between the two critical areas regulations to the greatest extent practicable, but there are state-mandated differences in permitting processes between the two, and only the version effective in shoreline jurisdiction is subject to Ecology approval. As part of this update, YMC 17.09 and YMC 15.27 were compared to each other to identify differences or inconsistencies between the codes that should be updated. In addition, the City completed a checklist for evaluating regulations prepared by Washington Department of Commerce. The checklist helped identify additional changes to the SMP's critical areas regulations necessary to be consistent with the most current science-based guidance. In combination, the two reviews result in the following proposed changes.

- Update references to the wetlands rating system to match current Ecology guidance and update wetland buffers and related rules to match Ecology guidance.
- Integrate changes to critical aquifer recharge area regulations for consistency with YMC 15.27 and compliance with the latest science.

**A. BACKGROUND INFORMATION (To be completed by the applicant.)**

- Integrate changes to fish and wildlife habitat conservation area regulations for consistency with YMC 15.27 to require discussion of federal, state, or local management recommendations for species and habitat in a critical areas report.
- Modify the buffers for salmon-bearing and non-salmon-bearing waters to match YMC 15.27 and be consistent with Yakima County's stream buffers.
- Because the Shoreline Management Act requirements for protection of frequently flooded areas are embodied in the Flood Hazard Reduction regulations (YMC 17.05.060), the flood hazard areas regulations in YMC 17.09.020 have been omitted from this SMP and replaced with a reference to Part Four of YMC 15.27 (Flood Hazard Areas). These referenced regulations are not incorporated into the SMP, but still apply within shoreline jurisdiction. Part Four of YMC 15.27 will be revised based on recent feedback from Department of Ecology during an upcoming update of YMC 15.27.

Locally approved changes from 2017 will be considered with the above proposal as a single package.

**12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:**

The proposed Shoreline Master Program update would apply to shoreline jurisdiction within the entire incorporated City of Yakima. See map on following page.

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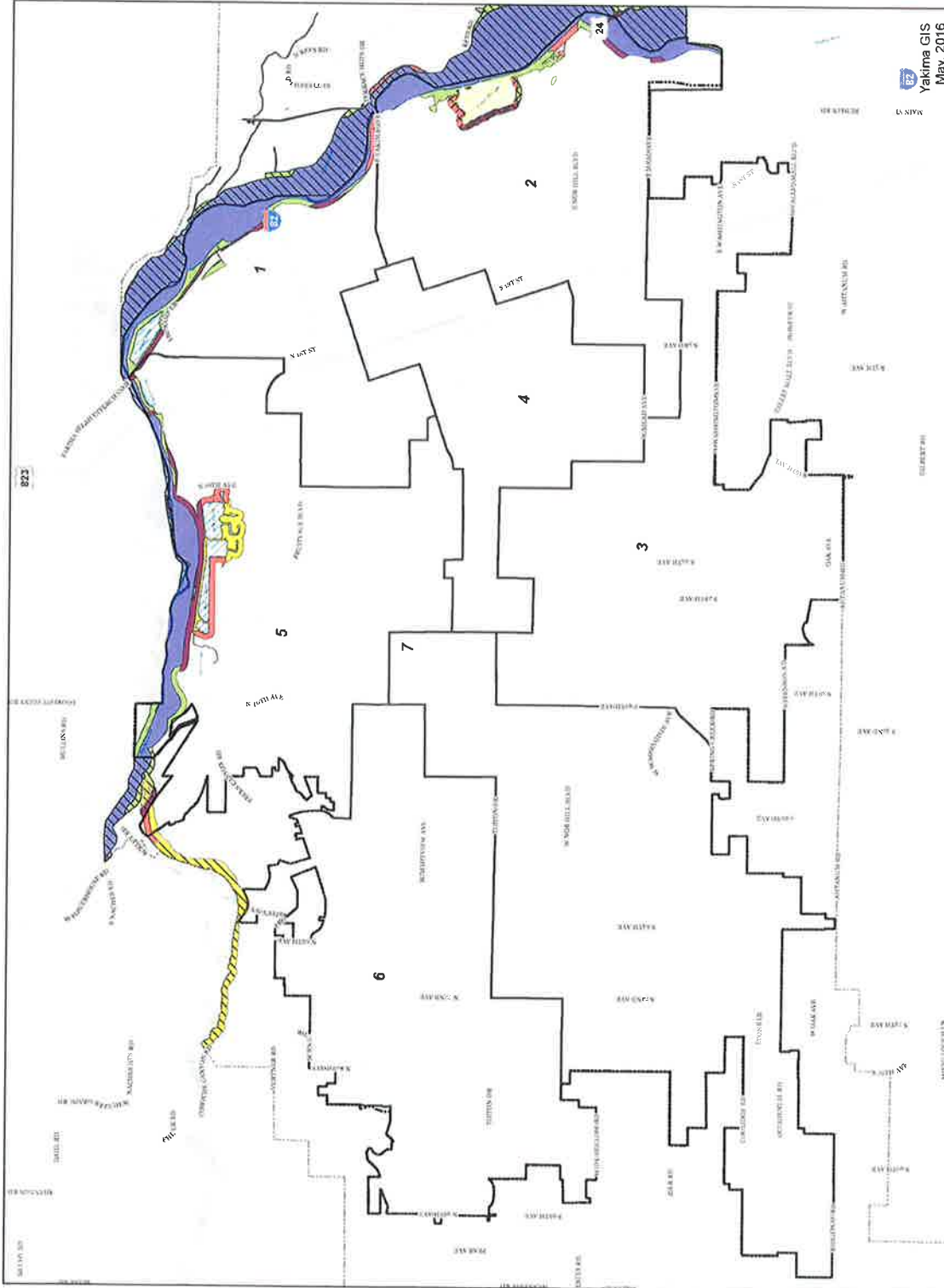
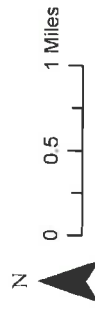
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# YAKIMA 2040 COMPREHENSIVE PLAN UPDATE

## Shorelines

- Shoreline Environment Designation**
- Aquaatic
  - Aquatic - Buchanan Lake
  - Essential Public Facilities
  - Essential Public Facilities - Buchanan Lake
  - Essential Public Facilities - UGA
  - Floodway/CMZ
  - Floodway/CMZ - UGA
  - High Intensity
  - High Intensity - Buchanan Lake
  - High Intensity - UGA
  - Shoreline Residential
  - Shoreline Residential - UGA
  - Urban Conservancy
  - Urban Conservancy - Buchanan Lake
  - Urban Conservancy - UGA
  - Yakima City Limits
  - Yakima Council District
  - Urban Growth Area



Yakima GIS  
May, 2016

This dataset represents shoreline environment designations for shoreline jurisdiction surrounding all regulated streams/rivers, lakes and open waterbodies in City of Yakima, WA. Environment designations were assigned using land use, ownership, functional score, and natural resources, as part of a coordinated and collaborative effort with City of Yakima, WA Department of Ecology, and other regulators.

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**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant) This is a non-project proposal. Limited answers provided in Section B are provided to provide context and understanding of lands within shoreline jurisdiction.**

**EARTH N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. General description of the site (✓ one): There is a variety of terrain in shoreline jurisdiction.

flat  rolling  hilly  steep slopes  mountainous  other: \_\_\_\_\_

2. What is the steepest slope on the site (approximate percent slope)?

There is a variety of terrain in shoreline jurisdiction.

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Soils within SMP jurisdiction vary but mostly include a mix of loams (sandy, stony, silt, gravelly) according to the Natural Resources Conservation Service online Web Soil Survey.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

5. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A

6. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

**AIR N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

3. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

**SURFACE WATER N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Shorelines by definition involve streams with flows greater than 20 cubic feet per second, lakes more than 20 acres in size, and associated wetlands. Within the City of Yakima this includes the Yakima River, Naches River, Cowiche Creek, Willow Lake, Lake Aspen, and Rotary Lake. Buchanan Lake will also be regulated as a shoreline waterbody in the future when the Washington Department of Natural Resources Surface Mine Reclamation Permit lapses or is terminated or when the City receives a permit application for new development on or uses of Buchanan Lake. A map of shorelines is shown on page 7.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

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**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant) This is a non-project proposal. Limited answers provided in Section B are provided to provide context and understanding of lands within shoreline jurisdiction.**

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.  
N/A

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.  
  
Shoreline jurisdiction is applied to areas within the floodway and up to 200 feet of the floodplain for waterbodies subject to the SMP.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.  
N/A

**GROUND WATER N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.  
N/A

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.  
N/A

**WATER RUNOFF (INCLUDING STORM WATER) N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.  
N/A

2. Could waste materials enter ground or surface waters? If so, generally describe.  
N/A

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.  
N/A

4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:  
N/A

**PLANTS N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Check (✓) types of vegetation found on the site: A variety of vegetation is found within shoreline jurisdiction.

Deciduous Trees:	Evergreen Trees:	Wet Soil Plants:	Water Plants:	Other:	
<input type="checkbox"/> Alder	<input type="checkbox"/> Fir	<input type="checkbox"/> Cattail	<input type="checkbox"/> Milfoil	<input type="checkbox"/> Shrubs	<p style="text-align: right; color: blue;">RECEIVED</p> <p style="text-align: right; color: blue; font-size: 1.2em;">MAY 04 2021</p> <p style="text-align: right; color: blue;">CITY OF YAKIMA COMMUNITY DEVELOPMENT</p>
<input type="checkbox"/> Maple	<input type="checkbox"/> Cedar	<input type="checkbox"/> Buttercup	<input type="checkbox"/> Eelgrass	<input type="checkbox"/> Grass	
<input type="checkbox"/> Aspen	<input type="checkbox"/> Pine	<input type="checkbox"/> Bullrush	<input type="checkbox"/> Water Lily	<input type="checkbox"/> Pasture	
<input type="checkbox"/> Other	<input type="checkbox"/> Other	<input type="checkbox"/> Skunk Cabbage	<input type="checkbox"/> Other	<input type="checkbox"/> Crop Or Grain	
		<input type="checkbox"/> Other		<input type="checkbox"/> Orchards, vineyards, or other permanent crops	
				<input type="checkbox"/> Other types of vegetation	

2. What kind and amount of vegetation will be removed or altered?  
N/A

3. List threatened or endangered species known to be on or near the site.  
N/A

4. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:  
  
SMP regulations encourage and, in some cases require, the preservation and/or enhancement of existing and native vegetation at the time of site development.

5. List all noxious weeds and invasive species known to be on or near the site.  
N/A

**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant) This is a non-project proposal. Limited answers provided in Section B are provided to provide context and understanding of lands within shoreline jurisdiction.**

**ANIMALS N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. List any birds or other animals which have been observed on or near the site or are known to be on or near the site.  
*Examples include:*  
*birds: hawk, heron, eagle, songbirds, other:*  
*mammals: deer, bear, elk, beaver, other:*  
*fish: bass, salmon, trout, herring, shellfish, other:*

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A variety of birds, animals, and fish are found within shoreline jurisdiction.

2. List any threatened or endangered species known to be on or near the site.

N/A

3. Is the site part of a migration route? If so, explain.

N/A

4. Proposed measures to preserve or enhance wildlife, if any:

SMP regulations encourage and require the protection of critical fish and wildlife habitats at the time of site development.

5. List any invasive animal species known to be on or near the site.

N/A

**ENERGY AND NATURAL RESOURCES N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

**ENVIRONMENTAL HEALTH N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

N/A

2. Describe any known or possible contamination at the site from present or past uses.

N/A

3. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A

4. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

5. Describe special emergency services that might be required.

N/A

6. Proposed measures to reduce or control environmental health hazards, if any:

N/A

**NOISE N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. What types of noise exist in the area, which may affect your project (for example: traffic, equipment, operation, other)?

N/A

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

3. Proposed measures to reduce or control noise impacts, if any:

N/A

**LAND AND SHORELINE USE N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant) This is a non-project proposal. Limited answers provided in Section B are provided to provide context and understanding of lands within shoreline jurisdiction.**

Land use in the vicinity of shoreline jurisdiction includes residential, industrial, commercial, and parks and open space use.

2. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**  
N/A

3. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how:**  
N/A

4. **Describe any structures on the site.**  
N/A

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5. **Will any structures be demolished? If so, what?**  
N/A

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6. **What is the current zoning classification of the site?**  
Zoning includes: SR Suburban Residential, R-3 Multi-family, M-1 Light Industrial, GC General Commercial.

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7. **What is the current comprehensive plan designation of the site?**  
Future Land Use designations include: Low Density Residential, Community Mixed Use, Industrial, Commercial Mixed Use.

8. **If applicable, what is the current shoreline master program designation of the site?**  
Designations include: Aquatic, Essential Public Facilities, High Intensity, Urban Conservancy, Shoreline Residential, and Floodway/CMZ.

9. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**  
Critical areas designated in areas of shoreline jurisdiction include wetlands, fish and wildlife habitat conservation areas, flood hazard areas, geologically hazardous areas, and critical aquifer recharge areas.

10. **Approximately how many people would reside or work in the completed project?**  
N/A

11. **Approximately how many people would the completed project displace?**  
N/A

12. **Proposed measures to avoid or reduce displacement impacts, if any.**  
N/A

13. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**  
The proposal aims to improve consistency and compatibility between the City's SMP and changes in state rules and processes. It also improves the consistency of the application of critical areas regulations according to best available science. Critical areas updates incorporating best available science were already made in areas of the City not included in shoreline jurisdiction.

14. **Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:**  
N/A

**HOUSING N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**  
N/A

2. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**  
N/A

3. **Proposed measures to reduce or control housing impacts, if any:**  
N/A

**AESTHETICS N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant) This is a non-project proposal. Limited answers provided in Section B are provided to provide context and understanding of lands within shoreline jurisdiction.**

N/A

2. What views in the immediate vicinity would be altered or obstructed?

N/A

3. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

**LIGHT AND GLARE N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

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2. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

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3. What existing off-site sources of light or glare may affect your proposal?

N/A

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4. Proposed measures to reduce or control light and glare impacts, if any:

N/A

**RECREATION N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. What designated and informal recreational opportunities are in the immediate vicinity?

The City's shoreline jurisdiction contains a number of designated parks and trails, including the Yakima Greenway, Sportsman State Park, and the Yakima Arboretum, among others. In addition, other open space within and near SMP jurisdiction provides opportunities for recreation, such as fishing and birdwatching, and access to the shoreline for recreational purposes.

2. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Preserving and enhancing recreation use of the shoreline is encouraged and required in the SMP.

**HISTORIC AND CULTURAL PRESERVATION N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

N/A

2. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

N/A. The Yakama Nation has historic and current cultural and economic ties to shoreline areas as part of their rights to maintain cultural and natural resources.

3. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

The SMP includes provisions to protect cultural resources and the City consults with the Tribe on project and non-project actions that affect their rights and interests in shoreline areas.

**TRANSPORTATION N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N/A

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

N/A

3. How many parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**B. ENVIRONMENTAL ELEMENTS (To be completed by the applicant) This is a non-project proposal. Limited answers provided in Section B are provided to provide context and understanding of lands within shoreline jurisdiction.**

N/A

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

N/A

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe:

N/A

8. Proposed measures to reduce or control transportation impacts, if any:

N/A

**PUBLIC SERVICES N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe:

N/A

2. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

**UTILITIES N/A. THIS IS A NON-PROJECT PROPOSAL. SEE SECTION D.**

1. Check (✓) utilities currently available at the site: A variety of utility services are provided within the shoreline or run through shoreline jurisdiction.

- electricity  natural gas  water  refuse service  telephone
- sanitary sewer  septic system  other

2. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

**C. SIGNATURE (To be completed by the applicant.)**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

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5/4/2021

Property Owner or Agent Signature

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Date Submitted

Joseph Carlson

CITY OF YAKIMA  
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Planning Manager, City of Yakima

**PLEASE COMPLETE SECTION "D" ON THE NEXT PAGES  
IF THERE IS NO PROJECT RELATED TO THIS ENVIRONMENTAL REVIEW**

**D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)**

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities that would likely result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

**D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)**

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The nature of the proposed changes would not result in any differences in the City's review or approval of permit applications that involve discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise relative to the existing SMP regulations. All proposals would continue to be subject to mitigation sequencing and other provisions of YMC 17.05.020 (Environmental Protection), including requirements to compensate for any adverse impacts; YMC 17.05.040 (Water Quality, Stormwater, and Nonpoint Pollution); and many other existing regulations in the SMP and in the City's municipal code that are intended to protect the environment.

**Proposed measures to avoid or reduce such increases are:**

No measures are necessary as the proposal is not likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise.

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

The proposed regulations changes would not directly, adversely affect plants, animals, or fish within the City. The proposed changes to the critical areas regulations within the SMP will increase the consistency of stream and wetland buffers within and outside of shoreline areas and is in alignment with best available science for the protection of these areas.

During the City's 2017 update of its Comprehensive Plan and development regulations, including YMC 15.27 which are the critical areas regulations which apply outside of shoreline jurisdiction, the City prepared a Best Available Science report which addressed stream buffers. That document recommended stream buffer changes based on *Final Draft Semi-arid Riparian Functions and Associated Regulatory Protections to Support Shoreline Master Program Updates* (Anchor QEA, LLC, 2013). Based on subsequent comments from the Yakama Nation during the public review process, the buffer of Type 2 (fish-bearing) streams was increased to 100 feet from the BAS recommendation of 75 feet. As part of this SMP update, the stream buffers adopted into YMC 15.27 are proposed for inclusion in YMC 17.09. The proposed changes will also require applicants to consider federal or state management recommendations in a critical areas report.

The wetland buffers in YMC 17.09 are also proposed to be updated consistent with the most recent Ecology guidance issued in 2018 (July 2018 update to *Wetland Guidance for CAO Updates: Eastern Washington Version*; Ecology, 2016, Publ. No. 16-06-002 <https://fortress.wa.gov/ecy/publications/parts/1606002part1.pdf>). Other provisions of the wetland regulations were also updated based on Ecology's recently adopted update to *Wetland Mitigation in Washington State, Part 1: Agency Policies and Guidance (Version 2)*; Ecology, 2021, Publ. No. 21-06-003.

All proposals would continue to be subject to mitigation sequencing, including requirements to compensate for any adverse impacts; the remainder of the critical areas regulations in YMC 17.09; the shoreline vegetation conservation regulations in YMC 17.05.030; and many other existing regulations in the SMP and in the City's municipal code that are intended to protect the environment.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

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No measures are necessary as the proposal is not likely to adversely affect plants, animals, or fish.

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**3. How would the proposal be likely to deplete energy or natural resources?**

The proposed regulations changes would not directly affect energy or natural resources consumption.

**Proposed measures to protect or conserve energy and natural resources are:**

No measures are necessary as the proposal is not likely to adversely affect energy or natural resources consumption.

**D. SUPPLEMENTAL SECTION FOR NONPROJECT ACTIONS ONLY (to be completed by the applicant)**

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

See response to Question D.2 above regarding critical areas, which includes habitats for threatened or endangered species and floodplains.

The proposed regulations change would have no direct effects on other sensitive resources.

Any direct environmental impacts associated with specific projects submitted to the City for review will be evaluated consistent with YMC 17.09 (Critical Areas in Shoreline Jurisdiction), YMC 17.05.010 (Archaeological and Historic Resources), and many other existing regulations in the SMP and in the City's municipal code (such as Part Four of YMC 15.27 – Flood Hazard Areas) that are intended to protect the environment.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

No measures are necessary as the proposal is not likely to use or adversely affect use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection.

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

None of the proposed regulations include any changes to allowed or prohibited shoreline uses or modifications. The existing SMP is consistent with the City's Comprehensive Plan and has been specifically crafted to allow and encourage only land uses that are compatible with the Comprehensive Plan and the Shoreline Management Act, to the extent allowed by the law and other development regulations.

**Proposed measures to avoid or reduce shoreline and land use impacts are:**

No measures are necessary as the proposed regulations changes will not have adverse effects on land and shoreline use.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposed regulations changes would not affect demand on transportation or public services and utilities.

**Proposed measures to reduce or respond to such demand(s) are:**

No measures are necessary as the proposed regulations changes will not affect demand on transportation or public services and utilities.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed regulations changes will increase consistency with local, state and federal environmental protection policies and regulations.

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## SHORELINE MASTER PROGRAM PERIODIC REVIEW

### Periodic Review Checklist

This document is intended for use by counties, cities and towns subject to the Shoreline Management Act (SMA) to conduct the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the SMA at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2019 that may trigger the need for local SMP amendments during periodic reviews.

#### How to use this checklist

See the associated *Periodic Review Checklist Guidance* for a description of each item, relevant links, review considerations, and example language.

At the **beginning of the periodic review**, use the review column to document review considerations and determine if local amendments are needed to maintain compliance. See WAC 173-26-090(3)(b)(i).

Ecology recommends reviewing all items on the checklist. Some items on the checklist prior to the local SMP adoption may be relevant.

**At the end of your review process**, use the checklist as a final summary identifying your final action, indicating where the SMP addresses applicable amended laws, or indicate where no action is needed. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b).

*Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.*

Prepared By	Jurisdiction	Date
Joseph Calhoun – City of Yakima Amy Summe – Shannon & Wilson Lisa Grueter - BERK	City of Yakima	May 2021

Row	Summary of change	Review	Action
<b>2019</b>			
a.	OFM adjusted the <b>cost threshold for building freshwater docks</b>	YMC 17.13.050 references the exemptions in the WAC without duplication in the SMP.	No change needed.
b.	The Legislature removed the requirement for a shoreline permit for <b>disposal of dredged materials at Dredged Material Management Program sites</b> ( <i>applies to 9 jurisdictions</i> )	Not applicable. There are no approved open water disposal sites in the City.	No change needed.
c.	The Legislature added <b>restoring native kelp, eelgrass beds and native oysters</b> as fish habitat enhancement projects.	YMC 17.13.050 references the exemptions in the WAC without duplication in the SMP.	No change needed.
<b>2017</b>			
a.	OFM adjusted the <b>cost threshold for substantial development</b> to \$7,047.	YMC 17.13.050 references the exemptions in the WAC without duplication in the SMP.	No change needed.
b.	Ecology permit rules clarified the <b>definition of “development”</b> does not include dismantling or removing structures.	YMC 17.01.090 “Development” does not include this optional language. Even if not added to the SMP explicitly, it still applies.	Added “Dismantling or removing structures if there is no other associated development or re-development” to the list of activities in the definition that do not constitute development.
c.	Ecology adopted rules clarifying <b>exceptions to local review under the SMA.</b>	SMP 17.01.020.C states that all uses and development occurring within shoreline jurisdiction must comply with the SMP “[u]nless specifically exempted by statute...” These exemptions are referenced in SMC 17.13.050 and listed in WAC 173-27-040. However, the SMP does not include a section that specifically states	Added a new section 17.01.20.D that identifies activities excepted from local shoreline review and permits.

Row	Summary of change	Review	Action
		that there are activities that are not subject to local review or permits. The statutory exceptions apply whether or not they are stated in the SMP.	
d.	Ecology amended rules clarifying <b>permit filing procedures</b> consistent with a 2011 statute.	The YMC still uses “date of receipt” in 17.13.090.D, 17.13.100A, 17.13.120E, 17.13.130G.1	Changed “date of receipt” to “date of filing” and updated the meaning of “date of filing” in 17.13.100A to reflect the definition in WAC 173-27-130(6).
e.	Ecology amended <b>forestry use regulations</b> to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	There is no forested in the City of Yakima or its UGA.	No action needed.
f.	Ecology clarified the SMA does not apply to lands under <b>exclusive federal jurisdiction</b>	YMC 17.01.020.B addresses application of the SMP to federal lands and appears consistent with the WAC.	Added Ecology’s recommended language: “Area and uses in those areas under exclusive federal jurisdiction as established through federal or state statues are not subject to the jurisdiction of Chapter 90.58 RCW.”
g.	Ecology clarified “default” provisions for <b>nonconforming uses and development</b> .	Chapter 17.11 YMC contains the City’s customized provisions governing existing and nonconforming uses and development.	No change needed.
h.	Ecology adopted rule amendments to clarify the scope and process for conducting <b>periodic reviews</b> .	17.13.140 generally addresses amendments and adopts provisions of the RCW and WAC that relate to amendments and review processes. However, WAC 173-26-090 is not specifically included to address the standard process for periodic reviews.	Added a reference to WAC 173-26-090 to specifically include the review process for periodic reviews.
i.	Ecology adopted a new rule creating an <b>optional SMP amendment process</b> that allows	17.13.140 generally addresses amendments and adopts provisions of the RCW and WAC that relate to	Added a reference to WAC 173-26-090 to specifically include the optional review process for periodic reviews.

Row	Summary of change	Review	Action
	for a shared local/state public comment period.	amendments and review processes. However, WAC 173-26-104 is not specifically included to address the optional process for periodic reviews.	
j.	<b>Submittal</b> to Ecology of proposed SMP amendments.	The YMC does not contain specific provisions enumerating the process for the submittal of proposed SMP amendments to Ecology. Instead it adopts by reference the appropriate sections of the WAC and RCW in YMC 17.13.140.	No action needed.
<b>2016</b>			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the <b>Americans with Disabilities Act</b> .	YMC 17.13.050 references the exemptions in the WAC without duplication in the SMP.	No change needed.
b.	Ecology updated <b>wetlands critical areas guidance</b> including implementation guidance for the 2014 wetlands rating system.	The SMP contains wetland regulations in YMC 17.09.040. Sections -040.D.2 and E.1 require use of Ecology's latest wetlands rating system, although there is still a reference to the old system in YMC 17.09.010.Q.2.a. Subsequent amendments to Ecology's science-based buffer recommendations have been made that are not integrated into this section. Specifically, rather than dividing the potential wetland rating habitat scores into 4 groups which each have an assigned buffer, Ecology has subdivided the habitat scores into three groups and adjusted the corresponding buffer widths accordingly. See <a href="https://fortress.wa.gov/ecy/publications/parts/1606002part1.pdf">https://fortress.wa.gov/ecy/publications/parts/1606002part1.pdf</a> . Other applicable parts	Updated the old references to Ecology's rating system that remains in YMC 17.09.010.Q.2.a and within YMC 17.09.040, including the general descriptions of categories in D.2.  Amended buffer-related text and associated buffer width Tables 27.6-1 (Wetland Buffer Requirements if Table 27.6-2 Is Implemented and Corridor Provided) and 27.6-3 (Wetland Buffer Requirements if Table 27.6-2 Is NOT Implemented and Corridor NOT Provided) in YMC 17.09.040.E. to match Ecology's science-based buffer recommendations in <i>Wetland Guidance for CAO Updates Eastern Washington Version</i> (Bunten and others, 2016).

Row	Summary of change	Review	Action
		of Ecology guidance have already been incorporated into these regulations.	Amended wetland mitigation-related provisions in YMC 17.09.040.F. to match Ecology's recommendations in <i>Wetland Guidance for CAO Updates Eastern Washington Version</i> (Bunten and others, 2016) with some updates related to wetland preservation based on the recent joint guidance update (Washington State Department of Ecology, U.S. Army Corps of Engineers Seattle District, and U.S. Environmental Protection Agency Region 10. October 2020. Draft Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Version 2). Washington State Department of Ecology Publication #20-06-010. Olympia, WA.). Flexibility for out-of-service-area use of banks added based on Ecology comments in another jurisdiction.
2015			
a.	The Legislature adopted a <b>90-day target</b> for local review of Washington State Department of Transportation (WSDOT) projects.	The SMP does not contain this provision.	Ecology recommends inclusion of language regarding WSDOT review. Provision added as a new section YMC 17.13.115 in the Administrative and Enforcement chapter.
2014			
a.	The Legislature created a new definition and policy for <b>floating on-water residences</b> legally established before 7/1/2014.	YMC 17.07.110.D prohibits new floating residences and over-water residential structures. There are no existing structures.	No change needed.
2012			
a.	The Legislature amended the SMA to clarify <b>SMP appeal procedures</b> .	The SMP does not contain SMP appeal procedures. However, the SMP contains a	Omitted reference to appeals of Ecology SMP approval as a duty of the Shorelines

Row	Summary of change	Review	Action
		definition of Shorelines Hearings Board, which includes hearing of SMP appeals as one of the duties of the board.	Hearings Board in the definition (YMC 17.01.090). Jurisdictions fully planning under the GMA would appeal an SMP approval to the Growth Management Hearings Board.
<b>2011</b>			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved <b>federal wetland delineation manual</b> .	YMC 17.09.010.Q.2.a requires wetland delineation using the approved federal wetland delineation manual and application regional supplements.	No change needed.
b.	Ecology adopted rules for new commercial <b>geoduck aquaculture</b> .	Not applicable.	No change needed.
c.	The Legislature created a new definition and policy for <b>floating homes</b> permitted or legally established prior to January 1, 2011.	YMC 17.07.110.D prohibits new floating residences and over-water residential structures. There are no existing structures.	No change needed.
d.	The Legislature authorizing a new <b>option to classify existing structures as conforming</b> .	This option was implemented in YMC 17.11.040.	No change needed.
<b>2010</b>			
a.	The Legislature adopted <b>Growth Management Act – Shoreline Management Act clarifications</b> .	Many of these clarifications are not applicable or relevant anymore or have been integrated into the SMP at the time of the comprehensive update in 2013.	No change needed.
<b>2009</b>			
a.	The Legislature created new “relief” procedures for instances in which a <b>shoreline restoration project within a UGA</b> creates a shift in Ordinary High Water Mark.	YMC 17.07.120.H addresses potential for granting relief when a restoration project shifts the OHWM landward.	Added a reference to WAC 173-27-215 in addition to the existing reference to RCW 90.58.580.
b.	Ecology adopted a rule for certifying <b>wetland mitigation banks</b> .	Mitigation banking is addressed in YMC 17.09.010.P.14, and 17.09.040.G	As noted in the Action column for 2016.b, mitigation banking language updated in YMC 17.09.040.F.4.a and -F.6.

Row	Summary of change	Review	Action
c.	The Legislature added <b>moratoria authority</b> and procedures to the SMA.	The SMP does not include moratoria procedures.	Adding specific moratoria authority is not required – no changes made.
<b>2007</b>			
a.	The Legislature clarified <b>options for defining "floodway"</b> as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	The definition of floodway in YMC 17.01.090 presents both options which allows applicant to use either depending on the availability of FEMA floodway mapping and/or better local information.	No change needed.
b.	Ecology amended rules to clarify that <b>comprehensively updated SMPs shall include a list and map of streams and lakes</b> that are in shoreline jurisdiction.	The list of shoreline waterbodies is in YMC 17.01.100. YMC 17.03.090.A incorporates the official Shoreline Jurisdiction and Environment Designations Map by reference.	No change needed.
c.	Ecology's rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	YMC 17.13.050 references the exemptions in the WAC without duplication in the SMP.	No change needed.

### Additional amendments

Modify this section, as needed, to reflect additional review issues and related amendments. The summary of change could be about Comprehensive Plan and Development regulations, changes to local circumstance, new information, or improved data.

SMP section	Summary of change
17.01.090 Definitions	<ul style="list-style-type: none"> <li>• Added definitions of the following:               <ul style="list-style-type: none"> <li>○ Fish and wildlife cabitat conservation (WAC 365-190-130)</li> <li>○ Fish and wildlife cabitat conservation area (WAC 365-190-030)</li> <li>○ Habitats of local importance (WAC 365-190-130)</li> <li>○ Species of local importance (WAC 365-190-130)</li> <li>○ Waters of the state (RCW 90.48.020)</li> </ul> </li> <li>• Eliminated definition of "hydrologically related critical area" and "stream corridor" – replaced those terms throughout code as appropriate with wetlands and/or fish</li> </ul>

SMP section	Summary of change
	<p>and wildlife habitat conservation area. [each instance not separately reported below]</p> <ul style="list-style-type: none"> <li>Updated definition of OHWM based on WAC 173-22-030 and RCW 90.58.030.</li> </ul>
17.07.090.B Mining	Housekeeping changes to update code references and be more encompassing with respect to critical areas functions and values. [each instance of these type of changes not separately reported below]
17.09 Critical Areas	Minor edits throughout to improve consistency and clarity, update use of terms consistent with the definitions and critical area nomenclature, and correct typographical errors.
YMC 17.09.010.Q General provisions	<ul style="list-style-type: none"> <li>Q.1 - Added a requirement for discussion of federal, state or local management recommendations for species and habitat in FWHCA reports.</li> <li>Q.5 – Added requirements for critical aquifer recharge area reports.</li> </ul>
YMC 17.09.020 Flood hazard areas	Because the Shoreline Management Act requirements for protection of frequently flooded areas are embodied in the Flood Hazard Reduction regulations (YMC 17.05.060), the flood hazard areas regulations in YMC 17.09.020 have been omitted from this SMP and replaced with a reference to Part Four of YMC 15.27 (Flood Hazard Areas). These referenced regulations are not incorporated into the SMP, but still apply within shoreline jurisdiction. Part Four of YMC 15.27 will be revised based on recent feedback from Department of Ecology during an upcoming update of YMC 15.27.
YMC 17.09.030 Fish and wildlife habitat conservation areas	<p>A - This Purpose and Intent section and the regulations that follow targeted only hydrologically related critical areas, which eliminated the potential to provide appropriate levels of protection of upland habitats and species that require those upland habitats to support some part of their life cycle. Accordingly, text amended to address the full range of potential fish and wildlife habitats in the City, and to be consistent with updated definitions of this critical area type that were promulgated by WDFW and included in the WAC. Also, eliminated overlap with wetlands and flood hazard regulations.</p> <p>B - Modified this Protection Approach section for technical accuracy and to provide greater clarity of protection mechanisms.</p> <p>C and D – Changes made based on WAC 365-190-130(2). These code sections were reorganized to provide more consistency with the State’s classification of critical areas, and better balance the emphasis on aquatic <i>and</i> terrestrial species. Although the City’s code currently contains a process for designating species and habitats of local importance, this section of code has not been used. Instead, consistent with WDFW guidance, habitats and species of local importance are specifically named to include PHS minimally, and then the process for nominating additional species or habitats is included.</p> <p>F – Water typing system updated to address all waters, not just streams, and to be more consistent with WAC 222-16-031.</p> <p>G – Omitted wetland rating system as it is addressed in the wetland section, YMC 17.09.040.</p> <p>O – Updated the water type buffers to match the 2017 critical areas regulations update of YMC 15.27.510. The Type 2 buffer was increased from 75’ to 100’ at the time of the critical areas update based on Yakama Nation comment and to match</p>



SMP section	Summary of change
	<p>Yakima County's Type 2 buffer (also updated in 2017). The Type 3 and Type 4 buffers were modified to match Yakima County's buffers.</p> <p>P – Changed “reclamation” to “restoration” as the reclamation term is more commonly associated with post-mining site upgrades.</p>
17.09.060	<p>Updated the entire critical aquifer recharge areas section for consistency with YMC 15.27.800 - .820. That section was updated in 2017 based on “Critical Aquifer Recharge Areas Guidance Document” (Morgan, 2005).</p>