



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**AMENDMENT NO 1 TO GRANT NO. G1400525**

BETWEEN THE  
**STATE OF WASHINGTON DEPARTMENT OF ECOLOGY**  
AND  
**PACIFIC COUNTY**

**PROJECT TITLE: Comprehensive Update to the Shoreline Master Program**

**PURPOSE:** In accordance with Ecology's Award Letter of February 3, 2014, and the original agreement, Ecology is providing Year 3 funding, the remaining scope of work, and restoring unspent 2013-15 funds to complete the Comprehensive Update to the Shoreline Master Program (SMP). Grant Years 1 & 2 ended June 30, 2015; Year 3 funding is provided as of July 1, 2015 for a seamless period of performance.

**WHEREAS:** SMP Year 3 funding has been provided by the 2015-2017 Washington State Legislative session under §302 for the State Environmental Legacy Account. The Budget is revised accordingly, . see "*Running Budget Summary*" below

**WHEREAS:** Project costs for Years 1 and 2 (2013-15) did not reach the jurisdictional funding level. Therefore, unused funds have reverted to source as of June 30, 2015 and are no longer available; However, 2015-17 funds replace unspent 2013-15 funds to restore the original funding level. The budget is revised accordingly, see "*Running Budget Summary*" below..

**WHEREAS:** The initial paragraph under Task 4: Preliminary Assessment of the Shoreline Jurisdiction in the original agreement is revised to eliminate erroneous text that does not apply.

**THEREFORE, IT IS MUTUALLY AGREED** this grant is amended as follows:

- a. This amendment is effective July 1, 2015; the end date is June 30, 2017.
- b. This project's running budget summary is as follows and further defined in Appendix 1 of this amendment.

<b>Running Budget Summary</b>	
2013-15 - Years 1 and 2 Budget	\$ 365,835.00
June 30, 2015 Biennium end: Reduction*	(\$31,777.12)
2013-2015 Net Budget	\$ 334,057.88
Original Year 3 Award:	\$112,425.00
2015-17 Addition (replace 2013-15 funds)	\$31,777.12
<b>Amendment 1: Year 3 Budget</b>	<b>\$144,202.12</b>
<b>Total Project Budget</b>	<b>\$478,260.00</b>

\* Biennium end reduction: any funds unused by June 30, 2015 revert to source and are no longer available.

- c. The following italicized text from the original agreement's initial paragraph under Task 4 "Preliminary Assessment of the Shoreline Jurisdiction" is hereby deleted as being not applicable to this jurisdiction's SMP:
- "The shoreline jurisdiction area will be refined during later tasks to identify and eliminate shorelines from the local SMP that are under sole jurisdiction of federal and tribal governments and within the National Scenic Area as defined in the Columbia [River] Gorge National Scenic Area Act, P.L. 99-663."*
- d. The Scope of Work is revised as indicated below. Those tasks marked **[Completed]** and shown in red text represents tasks [Completed]. Tasks marked **[the RECIPIENT will]** and shown in blue text represents those tasks to be [Completed].

**Task 1: Project Coordination, [the RECIPIENT will]:**

- A. Coordinate throughout the SMP update process with ECOLOGY and other applicable federal, state and local agencies. [the RECIPIENT will] provide ECOLOGY opportunities to review draft deliverables at appropriate intervals. ECOLOGY will provide ongoing technical assistance on data sources and approaches, and will evaluate consistency of deliverables with the Shoreline Management Act and applicable guidelines throughout the update process.
- B. Coordinate with other applicable federal, state and local agencies, neighboring jurisdictions, and Indian tribes as provided in the Guidelines and SMA procedural rules. In addition, [the RECIPIENT will] consult with all other appropriate entities which may have useful scientific, technical, or cultural information.
- C. Coordinate with adjacent jurisdictions that share areas within shoreline jurisdiction (example: jurisdictions on the same lake or stream) for the purpose of efficiently using grant funds; sharing information and methods of analysis; drafting compatible SMP policies, regulations, environment designations; and coordinating public involvement.
- D. Attend, or may attend, training to assist with the Shoreline Master Program and the public process. These include ECOLOGY-sponsored coordination meetings as well as other relevant training such as on the ordinary high water mark, floodplain or wetland training, etc.

**Task Goal Statement:** To assure that RECIPIENT gathers useful scientific, technical, and cultural information, share information and methods of analysis, consider agency and tribal positions, and consult regularly with ECOLOGY.

**Task Expected Outcome:** Update in each quarterly progress report as to the significant issues, coordination activities and participants.

**Deliverables:**

Task 1	Description	Date Due
1.	Description of all project coordination activities updated in each progress report submitted to ECOLOGY'S Project Manager.	Quarterly (see General Terms and Conditions)

**Task 2: Secure Consultant and/or Interlocal Services: [Completed]**

**Task 3: Public Participation, [the RECIPIENT will]:**

- A. Develop Public Participation Plan: **Task A : [Completed]**
- B. **[The RECIPIENT will]:** Conduct public participation activities; Implement the public participation plan throughout the course of the SMP update process.

**Task Goal Statement:** To inform and involve all stakeholders in the SMP update process.

**Task Expected Outcomes:** Continuous public participation activities throughout the SMP update process.

**Deliverables:**

Task 3	Description	Draft Submittal [completed]	Date of Final Submittal [the RECIPIENT will]
1.	Public Participation Plan.	<b>[Completed]</b>	
2.	Updates in Quarterly Progress Reports with public outreach activities.		Quarterly

**Task 4: Preliminary Assessment of the Shoreline Jurisdiction: [Completed]**

**Task 5: Shoreline Inventory, Analysis, and Characterization: [Completed]**

**Task 6: Draft Shoreline Master Program:**

- A. Conduct Community Visioning Process: **[Completed]**
- B. **[The RECIPIENT will]** develop general SMP goals, policies and regulations for 2nd draft.
- C. Develop environment designations: **[the RECIPIENT will]:**  
 Develop environment designations that are appropriate to current waterfront conditions per the findings of the shoreline inventory and characterization. Shoreline environment designations may be comprised of those

recommended in the guidelines; the existing local SMP; unique, locally developed environments; or any combination of these, so long as they are consistent with WAC 173-26-211 environment designation criteria.

Prepare draft maps illustrating the land and water area contained within mapped shoreline designation boundaries together with justification and rationale for the proposed designations. Boundaries of shoreline environment designations shall be clearly mapped. A map clearly illustrating existing designations compared to proposed designations should be prepared. A narrative rationale describing reasons for maintaining or changing the designations shall be included.

1. Develop environment-specific shoreline use and modification policies, and regulations and standards:
2. Develop SMP administrative provisions:

Prepare draft provisions for SMP administration, including necessary elements and timelines for permit administration, compliance, and enforcement. Statements about the role of ECOLOGY in permit decisions should be included. A definitions section will be prepared. Definitions should be particular to SMP administration, consistent with the SMP's implementing rules. Definitions should be clearly and concisely written.

3. Demonstrate how Task 6 complies with the Guidelines

Fill in SMP Submittal Checklist for the tasks that you have completed under Task 6.

**Task Goal Statement:** To determine the community's vision for the shoreline area within the framework of the SMA and SMP Guidelines and local conditions and carry out that vision through development of a draft comprehensive SMP update.

**Task Expected Outcomes:** A draft comprehensive SMP update and analysis of its potential cumulative impacts.

**Deliverables:**

Task 6	Description	Date of 1 <sup>st</sup> Draft SMP Submittal [completed]	Due Date of 2 <sup>nd</sup> Draft SMP [the RECIPIENT will] submit
<b>A complete Shoreline Master Program including:</b>			
1.	A community visioning report that summarizes visioning activities, comments, recommendations and goals.	<b>[Completed]</b>	-
2.	General goals and policies and optional general regulations.	<b>[Completed]</b>	<b>11/30/2015</b>

3.	<b>Digital &amp; one hard copy:</b> Environment designations and draft environment maps within shoreline jurisdiction.	<b>[Completed]</b>	<b>11/30/2015</b>
4.	Environment-specific shoreline use and modification policies, regulations, and standards.	<b>[Completed]</b>	<b>11/30/2015</b>
5.	Administrative Provisions.	<b>[Completed]</b>	<b>11/30/2015</b>
6.	An updated checklist completed as relevant to Task 6 (adding incrementally to earlier completed tasks).	<b>[Completed]</b>	<b>11/30/2015</b>

**Task 7: Prepare Preliminary Cumulative Impacts Analysis: [the RECIPIENT will]:**

Evaluate and analyze draft SMP policies, regulations, and environment designations to show how they achieve no net loss of shoreline ecological functions during the planning period. The analysis will include incremental and cumulative impacts of future uses and development allowed by the proposed SMP as an ongoing part of the update process. The analysis will identify how proposed SMP regulations and standards, and restoration activities will avoid and offset expected impacts of future permitted and exempt shoreline development. Scenario-based impacts analysis is encouraged. The cumulative impacts analysis may need to be revised if the initial document shows that cumulative impacts would result from the draft SMP.

(**Note:** The preliminary cumulative impacts analysis should be submitted at the same time as the Draft SMP).

**Deliverables:**

<b>Task 7</b>	<b>Description</b>	<b>1<sup>st</sup> Draft Submittal [completed]</b>	<b>Date of 2<sup>nd</sup> draft [the RECIPIENT will] submit</b>
1.	<b>Digital &amp; one hard copy:</b> A draft cumulative impacts analysis of the SMP demonstrating how no net loss of ecological functions will be achieved.	<b>[Completed]</b>	<b>11/30/2015</b>

**Task 8: Restoration Plan: [Completed]**

**Task 9: Develop Final Draft SMP and Supporting Documents: [the RECIPIENT will]:**

- A. Revisit draft SMP and cumulative impacts analysis; finalize SMP jurisdiction maps based on findings in the cumulative impacts analysis, re-evaluate and revise the draft SMP environment designations, policies, and regulations in response to ECOLOGY comments on the preliminary draft materials developed in Task 6 as necessary to assure that they are adequate to achieve no net loss of ecological functions. Revise the cumulative impacts analysis as needed to reflect changes in the draft SMP. Prepare final jurisdiction maps (digital) of Shorelines of the State identified in Task 4 that will be subject to the local SMP.

**(Note:** Please provide ECOLOGY with sufficient time, approximately 45 to 60 days, to review and comment on the revised draft SMP and other documents).

- B. Prepare a report that demonstrates how no net loss will be achieved and how the recommended shoreline management measures in Task 5.5, together with the findings of the cumulative impacts analysis and the restoration plan, are reflected in the proposed SMP and achieve no net loss.
- C. Demonstrate how Task 9 complies with the Guidelines: Fill in SMP Submittal Checklist for the tasks that you have completed under Task 9.

**Task Goal Statement:** To aid in achieving the goal of no net loss of shoreline ecological functions and finalizing a draft SMP.

**Task Expected Outcomes:** A report that demonstrates how the SMP will achieve no net loss and revised draft SMP, cumulative impacts analysis and shoreline jurisdiction maps, as necessary.

**Deliverables:**

Task 9	Description	2015-17 Date Due [the RECIPIENT will] submit
1.	<b>Digital &amp; one hard copy:</b> a) Revised designations, policies, and regulations that address the finding of the cumulative impacts analysis. b) Revised Cumulative Impacts Analysis. c) Final SMP jurisdiction maps and boundary descriptions.	2/29/2016
2.	A report that demonstrates how no net loss will be achieved through SMP implementation.	2/29/2016
3.	Update the submittal Checklist completed as relevant to Task 9 (adding incrementally to earlier completed tasks).	2/29/2016

**Task 10: Local SMP Adoption Process: [the RECIPIENT will]:**

Conduct a local review and adoption process for the proposed SMP as provided in the SMA, WAC 173-26, and the State Environmental Policy Act. The SMP shall contain shoreline policies, regulations, environment designations, definitions, required administrative provisions, and a clear description of final SMP jurisdiction boundaries together with copies of any provisions adopted by reference.

**A. Assemble complete Final Draft SMP**

Assemble a complete draft SMP for review and approval by the local jurisdictional governing body, and formal submittal to ECOLOGY. This draft includes response to ECOLOGY comments on the preliminary draft submitted under Task 6 deliverables.

**B. Complete SEPA review and documentation**

Conduct and document SEPA review pursuant to chapter RCW 43.21C, the State Environmental Policy Act.

**C. (If applicable) Provide GMA 60-day notice of intent to adopt**

Upon conclusion of subtasks 10.1 and 10.2, local governments planning under the Growth Management Act must notify ECOLOGY and the Department of Commerce of its intent to adopt the SMP at least 60 days in advance of final local approval, pursuant to RCW 36.70A.106 and WAC 173-26-100 (5).

**D. Hold public hearing**

Hold at least one public hearing prior to local adoption of the draft SMP, consistent with the requirements of WAC 173-26-100. The names and mailing addresses of all interested parties providing comment shall be compiled.

**E. Prepare a responsiveness summary**

Prior to adoption of the draft SMP by the local elected body, prepare a summary responding to all comments received during the public hearing and the public comment period, discussing how the draft SMP addresses the issues identified in each comment.

**F. Adopt SMP and submit to ECOLOGY**

Complete the adoption process for the SMP update and submit the locally-adopted Draft SMP to ECOLOGY.

**G. Demonstrate how Task 10 complies with the Guidelines**

Fill in the SMP Submittal Checklist for the tasks that you have [Completed] under Task 10.

**Task Goal Statement:** To achieve a locally adopted Shoreline Master Program.

**Task Expected Outcomes:** A locally adopted Shoreline Master Program.

**Deliverables:**

<b>Task 10</b>	<b>Deliverable Description</b>	<b>2015-17 Date Due</b>
1.	A complete, locally adopted SMP including maps, with relevant supporting documentation and the complete SMP submittal checklist. (Tasks 10. A and 10.G)	6/15/2016
2.	SEPA products (checklist, MDNS or EIS; SEPA notice. (Task 10.B)	6/15/2016
3.	Evidence of compliance with GMA notice requirements. (Task 10.C)	N/A (non-GMA community)
4.	Public hearing record. (Task 10.D)	6/15/2016
5.	Response to comments received. (Task 10. E)	6/15/2016

All other terms and conditions of the original grant including any Amendments remain in full force and effect, except as expressly provided by this Amendment.

This Amendment is signed by persons who represent that they have the authority to execute this Amendment and bind their respective organizations to this Amendment.

IN WITNESS WHEREOF: The parties have executed this Amendment.

State of Washington  
 Department of Ecology

Pacific County

By:

By:

\_\_\_\_\_  
 Gordon White, Program Manager  
 Date  
 Shorelands and Environmental  
 Assistance Program

\_\_\_\_\_  
 Signature, Authorized Official  
 Date

\_\_\_\_\_  
 Print Name of Authorized Official

Approved as to form only by the  
 Office of Attorney General

\_\_\_\_\_  
 Title of Authorized Official

**Appendix 1: Budget Matrix**

Task	13-15 Biennium Budget Years 1 & 2	13-15 Biennium Actual Expenditures Years 1 & 2	13-15 Biennium Budget Shift and Reduction of Unspent Funds Years 1 & 2	13-15 Biennium Revised Budget Years 1 & 2	15-17 Biennium Budget Add Year 3	Total Project Years 1-3
1. Project Coordination	\$ 28,983	\$ 51,118.93	\$ 22,135.93	\$ 51,118.93	\$ 9,491.59	\$ 60,610.52
2. Secure Consultant Services	\$ 5,903	\$ 14,647.08	\$ 8,744.08	\$ 14,647.08	\$ -	\$ 14,647.08
3. Public Participation Plan	\$ 58,811	\$ 28,100.95	\$ (30,710.05)	\$ 28,100.95	\$ 2,042.50	\$ 30,143.45
4. Prelim. Assessment of Shoreline Jurisdiction	\$ 7,085	\$ 8,684.99	\$ 1,599.99	\$ 8,684.99	\$ -	\$ 8,684.99
5. Shoreline Inv., Analysis, and Characterization	\$ 127,710	\$ 128,879.56	\$ 1,169.56	\$ 128,879.56	\$ -	\$ 128,879.56
6. Draft Shoreline Master Program	\$ 109,921	\$ 69,576.01	\$ (40,344.99)	\$ 69,576.01	\$ 27,604.38	\$ 97,180.39
7. Preliminary Cumulative Impacts Analysis		\$ 8,431.61	\$ 8,431.61	\$ 8,431.61	\$ 4,085.00	\$ 12,516.61
8. Restoration Plan	\$ 27,422	\$ 24,618.75	\$ (2,803.25)	\$ 24,618.75	\$ -	\$ 24,618.75
9. Final Draft SMP / Supporting Docs	\$ -	\$ -	\$ -	\$ -	\$ 45,387.42	\$ 45,387.42
10. Local SMP Adoption Process		\$ -	\$ -	\$ -	\$ 55,591.23	\$ 55,591.23
<b>Total</b>	<b>\$ 365,835</b>	<b>\$ 334,057.88</b>	<b>\$ (31,777.12)</b>	<b>\$ 334,057.88</b>	<b>\$ 144,202.12</b>	<b>\$ 478,260.00</b>