

MINUTES

Shoreline Master Program (SMP) Update Project Management Team Meeting

August 22, 2013 - Walla Walla Public Health and Legislative Building, 314 West Main, Room 203, Walla Walla

(BACKGROUND: Walla Walla County and the cities of Walla Walla, Prescott, and Waitsburg are required by RCW 90.58 to develop or amend their respective shoreline programs by December 1, 2014, and have entered into an interlocal agreement to collaborate on these efforts as the shorelines of various streams cross jurisdictional boundaries, and to avoid duplication of work and provide regulatory uniformity. The WA State Department of Ecology will be providing grant funding to assist with the project. Walla Walla County is the lead agency. Under the terms of the agreement, the parties to the agreement each are represented on a project management team, which team also includes a project team leader. The team leader has been identified as Bill Stalzer of Stalzer & Associates, specialist in planning, land use, and development services, from Seattle.)

The meeting was called to order at 3:00 p.m. by team member County Commissioner Greg Tompkins. Roll call was held as follows. Mr. Stalzer advised that City of Waitsburg alternate team member Randy Hinchliffe would be attending today, and would be a few minutes late due to a previous commitment.

Project Management Team members present:

Representing City of Walla Walla	Brian Walker
Representing City of Waitsburg	Randy Hinchliffe alternate (not present at roll call; arrived at 3:08 p.m.)
Representing City of Prescott	Chuck Kimzey
Representing Walla Walla County	Commissioner Greg Tompkins
Project Team Leader	Bill Stalzer

Team members absent/excused: K. C. Kuykendall, City of Waitsburg

A quorum was established.

Others present/in the audience:

- Tom Glover, Director, Walla Walla Joint Community Development Agency
- Steve Donovan, Senior Planner, Walla Walla Joint Community Development Agency
- Ted Richerzhagen
- Connie Vinti, Clerk of the Board, Board of County Commissioners

There were no conflicts of interest.

There was no public comment.

Approval of agenda

Mr. Stalzer requested two additions to the draft agenda: Discussion of a kick-off meeting or announcement, and ideas on review of shoreline jurisdictions map. It was moved, seconded and passed to approve the agenda as amended.

Discussion and action on draft scope of work and budget for preparation of of an integrated Shoreline Master Program with The Watershed Company and preliminary three-year project schedule

Mr. Stalzer provided background information. The consultant's scope of work is the same as Ecology's and The Watershed Company's proposal. The consultant's RFP proposal was about \$400,000 out of the \$550,000 grant with \$10,000 added as contingency funds. A concern was raised by the team over the low contingency during

the interviews, and now the contingency is proposed at \$25,000 for additional needs in the second year of the process, for studies, Ecology requirements, meetings, etc., - all the unknowns. For the third year \$15,000 in contingency funding is planned for the planning commission meetings, meeting with legislators, public meetings, workshops, joint meetings, etc. This would allow the consultant to attend workshops and public hearings; more is not in the budget. If the team agrees to the additional cost, those costs can be paid out of contingency funds. Discussion ensued. Mr. Tompkins asked if then there were no extra monies for outside costs of the partnering jurisdictions, such as personnel, etc. Mr. Stalzer said there are allowed costs for every task, and no, costs such as he described would not be covered. Then none of the member jurisdictions or say the joint agency (Walla Walla Joint Community Development Agency) could submit a billing at the end of the project, Mr. Tompkins asked? It has to be task by task, Mr. Stalzer said, and \$110,950 isn't obligated; if not used, it goes back to the state. At this point Mr. Tompkins asked for positions, and the consensus of the team members present was that the team has to approve any extra expenses. Mr. Stalzer advised that a budget would have to be developed for the \$110,950, and doesn't see it covered in tasks, it won't be approved. A detailed budget is needed for the balance of the money remaining; if it's not in the budget, it won't be reimbursed. Mr. Tompkins reiterated his position. Mr. Hinchliffe said his understanding was that all the money was being pooled to complete the update. There are some things that the consultant isn't being paid to do, so each jurisdiction will have to come up with a way to complete those things. Mr. Tompkins mentioned that the county has contracted separately with Mr. Stalzer for certain services, but these services do not include those associated with and required for the Ecology grant.

Under the administrative costs section of the contract, page 9, 3.5A, it is provided that the cities and county take the lead in preparation of updated draft provisions for SMP administration, with certain assumptions (1. The county and cities shall prepare draft provisions for review and comment by the consultant, and 2. Consultant shall review and provide comments on the draft administrative provisions.). The allowed cost is \$9,748. The \$110,950 in unobligated funds could be used. There's \$28,850 left for meetings in the four partnering jurisdictions; 15 meetings are anticipated in the last year.

Mr. Stalzer reviewed the August 20, 2013 Memorandum he prepared on Consultant Draft Scope of Work and Budget, a copy of which was made available to all present. Contingency funds for additional meetings have been added to the budget, as the consultant will need to attend public hearings so there are no delays to continue hearings to check with the consultant, etc. He noted that the contingency is about five percent of the total project budget.

The grant hasn't been received yet from Ecology, but letters have been received to authorize expenditures. With the adoption of the budget so delayed at the state legislature level, Ecology is behind in getting the grants out.

There is funding for the first two years. Any funds leftover from those two years cannot be transferred to use for year three of the project. Also, Ecology says we have to use 80% of the funds in the first two years, leaving 20% for the third/last year. Mr. Stalzer has discussed this with Ecology, as Walla Walla County may need a schedule closer to 75%-25%. The grant manager at Ecology will consider this request, and if it appears reasonable and in line, probably will approve it.

(In reviewing some of the documents prepared, it was noted that the font was difficult to read and tables, etc., did not transfer well to the printed page. Mr. Stalzer will use larger font or have a GIS or PowerPoint or other display for presentations, to get away from individual paper handouts now and in the future for large public meetings.)

Mr. Stalzer reviewed the preliminary schedule document (Walla Walla County/Regional Shoreline Master Program Preliminary Schedule), a copy of which was also made available to all present. Adherence to timelines and continued interaction is important to meet overall requirements of the update project. Technical information will be compiled, initial public feedback will be obtained, a draft plan will be prepared for Ecology, then a second round of public meetings for feedback, then the kick-off to the third year of the project.

Mr. Tompkins asked if there was restoration plan funding available. For instance, if a landowner is going to be required to keep cattle out of a creek, who will pay for the fencing? Mr. Stalzer said this is why the Regional Working Group would be gathering information from all perspectives, such as this, and also/then Jaime Short from Ecology needs to hear these types of situations. Group discussion ensued. Mr. Kimzey also asked about funding for recommended changes, and Mr. Tompkins wanted to ensure that the public knew what was in the plan, so as near as possible there are no surprises.

Current information from jurisdictions can be utilized for determining jurisdictional bodies of water. In the next two weeks Mr. Stalzer will get out maps of water bodies to be regulated – lakes, rivers, creeks, etc. Then feedback will be needed from the team and joint agency to look at from a local perspective and advise if the information is correct.

One thing Mr. Tompkins wants to ensure: That the county has a full plan, not have the consultant say they did the best they could with the money available. Mr. Stalzer feels there is a healthy budget for The Watershed Company's services and work with affected agencies. Ecology will provide maps of regulated water bodies and information on lineal feet of the Snake and Columbia Rivers in Walla Walla County that's shoreline, and then other related water bodies, such as the Touchet River, Dry Creek, and Walla Walla River available for regulating. He emphasized that "local eyes" are what is wanted to review the information, but reminded the team that there is no funding available for this portion of the review. However, as it is so important to county landowners, agencies, special interests such as fishermen, etc., hopefully a group of interested persons can be compiled for this. Mr. Tompkins offered to provide some names. Audience member Mr. Richerzhagen mentioned Mike Mahan at Walla Walla Community College and contacting the Tri-State Steelheaders.

Mr. Walker asked then if by June, 2015 we would have a SMP. Mr. Stalzer said by then all the documents that have been prepared will have been through Ecology review and subject to a compliance check list. Then in August and September of 2015 have feedback and more work on restoration planning and starting into the last steps before local adoption. Would revisit the plan and make any changes, then local adoption. The county is supposed to be done by December, 2014; however, a one year extension can be obtained, until December 31, 2015, by statute. In addition, the grant manager has indicated that the county would have a full year June 30, 2015 until June 30, 2016, to conclude the process, no matter what the statute says and without any legislative change required. On this last point, Mr. Tompkins asked for a letter from the grant manager guaranteeing this information on dates, for protection for the county and in the event the plan gets challenged. Mr. Stalzer said that can be done.

Per Mr. Stalzer: Preliminary draft SMP due to Ecology by April 30, 2015, per the current schedule. The sooner the plan is in to Ecology without a lessening in the required public meetings the better. Will have a draft public participation plan by September 30, 2013. Would like to meet with this group again by mid-September to review a draft of the Plan.

Mr. Tompkins made the observation that a farmer is taking Spokane County to court over the restoration, as cattle were not being allowed in the stream on property he purchased. This SMP will not require anyone to move buildings, etc., Mr. Stalzer said. If a house is now too close, it will be grandfathered in, unless there is a code or water quality violation.

#### Discussion of Regional Working Groups

The county will not be doing four separate plans and combining it into one, Mr. Stalzer said; rather, one regional plan will be done, perhaps with special goals or policies or expectations. So there will not be four planning commissions involved. A Regional Working Group would be formed and Mr. Stalzer will want feedback on who should be involved. He (Mr. Stalzer) will help with familiarizing the parties and providing information, not the consultant in this instance. There could be one meeting a month, then moving to a weekly meeting schedule, as there will be a short time to finish up. There will be state agencies involved with the group, and they may have different perspectives. The Regional Working Group will have regional perspectives. Would suggest one member of each jurisdiction's planning commission be on the working group. He will develop the plan and then go to the planning commissions. He envisions a 15-20 member body, although there's no limit on size, it just needs to be manageable. Mr. Kimzey and Mr. Hinchliffe felt that it would be difficult to get a volunteer from their respective planning commissions (Prescott and Waitsburg). Mr. Stalzer acknowledged that it will be a big commitment, although it is understood that not everyone can attend every meeting. Mr. Tompkins suggested approaching members of the Mill Creek Coalition, Whitman College, Farm Bureau, Department of Natural Resources, representatives of the alfalfa seed producers in the Touchet area, Northwest Grain Growers, Walla Walla Wine Alliance, Port of Walla Walla, Chamber of Commerce, etc. – all have an interest in the county. Put the onus on those groups to pick a person to be a member of the working group. Mr. Stalzer asked that recommendations and ideas be sent to him; he will come back in mid-September with a suggested working group. He will contact the Tribes. Mr. Walker mentioned that he had a related list of names and contact information that he will share with Mr. Stalzer.

Mr. Stalzer asked for formal action regarding approval of the scope and budget, and some authority for expenditures to begin.

**Mr. Hinchliffe moved to approve the draft scope of work and budget; Mr. Kimzey seconded; motion passed unanimously.**

**Mr. Hinchliffe moved to authorize the project manager Bill Stalzer to begin project-related expenditures with the consultants; Mr. Kimzey seconded; motion passed unanimously.**

#### Discussion of Regular Monthly Meetings

After review of schedules and jurisdiction meetings, **it was determined that the first Tuesday of each month, from 3:00-5:00 p.m. is best for a regular monthly meeting date.** Location can be in the same place, the training room of the County Public Health and Legislative Building, 314 West Main, Walla Walla.

The Watershed Company will need more time before they can be ready to meet with the team, so Mr. Stalzer will be in contact with TWC and then arrange for a separate, special team meeting in September.

#### Miscellaneous:

Mr. Stalzer was notified by BERK that they are no longer a WBE certified entity. This is an Ecology recommendation, not requirement. Consensus: This won't affect or jeopardize the county's plan.

Discussion of getting information out to the public. Mr. Tompkins made the suggestion of holding an evening informational meeting in October, on the regular meeting night of October 1, and putting out a news release and inviting the respective city councils, Port of Walla Walla, Chamber of Commerce, Northwest Grain Growers, Farm Bureau, etc., and post notices.

Information will be obtained from watershed planners, Ecology, and others. Mr. Stalzer said that every document produced during the update process will go onto the website. Every document to be reviewed by this body except something exempt will be on the website for three years.

Mr. Tompkins would like to see a sign-in sheet for each meeting as well, for a record, and to show participation and what groups are being represented at the planning and production stages. There will be a public comment period for regular meetings, Mr. Stalzer said. He would like to set up separate email address for the SMP, for tracking public participation and for tracking documents and information requests, and this then would be the record. Some discussion here regarding all documents being on the website, so those making inquiries for public documents can be referred to that website, rather than producing the document. More discussion on setting up a separate SMP website, perhaps with a .com address and the project funds could pay a domain fee as part of the public participation record process. It has to be easy for citizens to find. Mr. Richerzhagen asked about a group email list being compiled; Mr. Stalzer said he would need to explore this, as if the information is on the website, that's deemed sufficient, and it is more efficient than individual notices or trying to keep an email list updated. Once an address or website is determined, Mr. Richerzhagen said he could share that information with interested persons.

Regarding comments made on the plan, Mr. Tompkins felt there should be a name submitted with, rather than giving weight to anonymous comments that could be submitted several ways/times and skew the final outcome without proper foundation. Mr. Stalzer will seek advice from Ecology on whether anonymous comments must be accepted or considered.

Some miscellaneous discussion here regarding levees, joint docks in rivers.

Meeting adjourned at 4:40 p.m.