

Exhibit 1

Item No.	Page Number(s) in Exhibit 2	Clark County Code Section	Text Amendment Summary	Reason	Reference(s)
1	3, 73, 74	40.460.160 40.460.710(B) 40.460.710(C)	Change all instances of "Board of Clark County Commissioners" and "Board" to "Clark County Council" and "council," respectively.	The county's legislative body changed its name from Board of County Commissioners to Clark County Council.	Clark County home rule charter
2	8, 10, 80	40.460.220(C) 40.460.230(B)(17) 40.460.800	<p>Create new section 40.460.220(C) called "Developments Not Required to Obtain Shoreline Permits or Local Reviews."</p> <p>Add three recommended developments to this section as follows: 1) boatyard improvements meeting NPDES requirements, 2) WSDOT facility maintenance and safety improvements, and 3) move remedial action at a facility pursuant to Chapter 70.105D RCW or 70.105D RCW from "List of Exemptions" 40.460.230(B)(12) to the new section.</p> <p>Also add a definition for "boatyard" to the definitions table in 40.460.800.</p>	<p>The Department of Ecology adopted WAC 173-27-044 in 2017 to consolidate three separate laws that create special exceptions to applicability of local Shoreline Master Programs. The rule clarifies that requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review conducted by a local government to implement the SMA do not apply to remedial hazardous substance cleanup actions, boatyard improvements to meet NPDES requirements, and certain WSDOT maintenance and safety projects and activities.</p> <p>To ensure statutory directives are implemented consistently, Ecology recommends maintaining a section in the SMP that addresses these exceptions.</p> <p>In relationship to the boatyard improvements item, a definition of "boatyard" does not currently exist in the SMP definitions table in 40.460.800 and would be added to provide clarity. The SMA and associated WACs do not include a definition of boatyard. Ecology recommended using language from the state's general boatyard permit.</p>	<p>WAC 173-27-044 RCW 90.58.355 RCW 90.58.356 ESSB 5994 EHB 2469</p>
3	8	40.460.230(B)(1)	Update RCW reference from 90.58.030(2)(c) to 90.58.030(2)(e) to point to the correct part of the RCW.	Incorrect section of RCW referenced.	RCW 90.58.030(2)
4	8 and 89	40.460.230(B)(1) 40.460.800	Revise dollar amount for cost threshold of substantial development to current number in 40.460.230(B)(1) and 40.460.800.	The State Office of Financial Management (OFM) adjusted the cost threshold for substantial development to \$7,047.	RCW 90.58.030(3)(e) State Register announcement: WSR 17-17-007
5	8 and 10	40.460.220(B) 40.460.230(B)(12)	Move EFSEC projects from 40.460.230(B) "List of Exemptions" to 40.460.220(B) "Developments Not Subject to the Act."	Ecology references EFSEC projects in two different rules. One lists these projects as developments not subject to the act, WAC 173-27-045. The other lists these projects as exempt, WAC 173-27-040. Staff conversation with Ecology confirmed that the dual reference is an error and EFSEC projects are not subject to the Shoreline Management Act.	RCW 80.50.120 WAC 173-27-040 WAC 173-27-045
6	10	40.460.230(B)(18)	Revise the reference cited in 40.460.230(B)(18) regarding a forest practices exemption.	Incorrect reference cited in 40.460.230(B)(18).	RCW 90.58 WAC 222-50-020
7	13	40.460.260(D)	Correct the RCW reference from 90.58.030(2)(b) to 90.58.030(2)(c).	Incorrect section of RCW referenced.	RCW 90.58.030(2)

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8	25	40.460.520(A)	Revise "likely to contain" language in the "Archaeological, Cultural, and Historic Resources" portion of the SMP to be more clear and connect to 40.570.080(C)(3)(k) in the Clark County Code.	Clark County Community Development requested code revision to the Archaeological, Cultural, and Historic Resources portion of the SMP, 40.460.520, because the phrase "likely to contain" is unclear.	RCW 90.58.100(1)(g)
9	27	40.460.530(B)	Remove "limited" from code where it says "SMP limited amendment" in 40.460.530(B).	In 2017, the revised version of WAC 173-26 clarifies that the Department of Ecology will stop using the term "limited amendment." Instead, any changes to the SMP are considered "amendments," whether locally-initiated or through a mandatory periodic review.	WAC 173-26-020(26)(c) WAC 173-26-090(1)
10	27	40.460.530(B)(1) 40.460.530(B)(2) 40.460.530(C)(1) 40.460.530(D)(1)	Add references to the 2018-01-03 critical areas ordinance and update the flood hazard maps to the current version.	Alignment of SMP with 2018-01-03 Critical Areas Ordinance and the county's new flood hazard maps. State statute requires an SMP amendment or update in order to incorporate new critical areas ordinances per RCW 36.70A.480.	Ord. 2018-01-03 RCW 36.70A.480
11	53	40.460.630(E)(2)	Add a clarifying statement in 40.460.630(E) that timber harvest conducted under the Forest Practices Act is not considered development as defined in RCW 90.58.	A 12/12/16 Clark County Management Decision sought clarification on the definition of development as it applies to timber harvest. At that time, the decision made was that timber harvest conducted under the Forest Practices Act is not considered development as defined in RCW 90.58. Ecology confirmed the county's decision through an administrative interpretation review on 3/23/17; REVISED 3/24/17. The 2017 revision of WAC 173-26-241 amends Ecology's forestry use regulations to clarify that a forest practice that only involves timber cutting is not considered development under the SMA.	Clark County Management Decision 12/12/16 Ecology Administrative Interpretation Review 3/24/17 RCW 90.58.030 RCW 76.09.240(6) WAC 173-27-030(6) WAC 173-26-241(3)(e) WAC 222-50-020
12	73	40.460.710(A)(2)	Revise "Parks Director" to "Parks and Lands Division Manager" in 40.460.710(A)(2).	The Shoreline Management Review Committee is made up of three members. Due to changes in county organization structure, the title of one member has changed. There is no longer a Parks Director. Instead the county has a Parks and Lands Division Manager.	
13	73	40.460.710(B)(1)	Add a reference to WAC 173-26-104 in 40.460.710(B)(1).	WAC 173-26-104 is a new rule adopted in 2017 that establishes an optional SMP amendment process that allows for a shared local/state public comment period for process efficiency.	WAC 173-26-100 WAC 173-26-104
14	76	40.460.725(I)	Add a statement to the code in 40.460.725(I) that points to the state law for special procedures for local review of WSDOT projects.	In 2015 the Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects. The law also allows WSDOT projects that address safety risks to begin 21 days after the date of filing if the project will achieve no net loss of ecological functions.	WAC 173-27-125 RCW 47.01.485 RCW 90.58.140 ESSB 5994

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15	79	40.460.800	Update the definition of "agricultural land" in 40.460.800 to match the revised definition in WAC 173-26-020.	The 2017 revision of WAC 173-26-020(3)(d) provides an updated definition of agricultural land. The revision is a clean-up item to remove language that is no longer applicable.	WAC 173-26-020
16	81 and 90	40.460.800	Add a definition of "development" and revise the definition of "vessel" in 40.460.800 pursuant to WAC 173-27-030 and RCW 90.58.	The SMP code does not currently included a definition of development. A 12/12/16 Clark County Management Decision confirmed development is defined in RCW 90.58. In 2017, Ecology amended WAC 173-27-030 to revise the definitions of development and vessel.	Clark County Management Decision 12/12/16 RCW 90.58.030 WAC 173-27-030
17	83	40.460.800	Update the definition of "floodway" in 40.460.800 to match the revised definition in RCW 90.58.030.	The legislature clarified options for defining floodway in 2007. The Department of Ecology recommends statute alignment with the legal options. The current SMP matches an approved definition of floodway, in part. By adding additional language to match the state statute exactly, the SMP code becomes more clear and better aligned with the state law.	RCW 90.58.030 HB 1413