



REGULAR COUNCIL AGENDA

Council Chambers – 1300 First Street

June 21, 2023 at 6:00 PM

1. **WORKSHOP - EMS Fee Increase & Contract with Aberdeen for Fire & EMS Services**
2. **FLAG SALUTE - PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER - ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **PRESENTATION - Hoquiam Police Chief Joe Strong**
6. **PUBLIC HEARING**
 - A. Six Year Street Plan
7. **PUBLIC COMMENTS**
8. **CONSENT AGENDA**
 - A. Claims Vouchers
 - B. Meeting Minutes - May 17, 2023 Workshops and Council Meeting
9. **COMMITTEE REPORTS**
10. **CITY OFFICIAL REPORTS**
 - A. City Administrator Report
 - B. Police Chief Report
11. **MAYOR'S REPORT**
12. **EXECUTIVE SESSION - per RCW 42.30.110(1)(c) To consider the minimum price at which real estate will be offered for sale or lease**
13. **NEW BUSINESS**
 - A. Resolution 2023-04 (EMS Fees)
 - B. Flood Authority Interlocal Agreement
 - C. Resolution 2023-05 (SMP 2023 Amendments)
 - D. Equipment Maintenance Agreement with GH County
 - E. RCO Parks Maintenance Grant
 - F. Resolution 2023-06 (Six Year Street Plan)
14. **COUNCIL COMMENTS**
15. **PUBLIC COMMENTS**

Public comments may be made in-person during the meeting. If unable to attend, please submit comments to jpope@cosmopoliswa.gov by noon on meeting day.

Webinar ID: 844 2723 1174
Passcode: 685193
Phone Number: (253) 215-8782



City of Cosmopolis

6 Year Transportation Improvement Plan (TIP)

2024-2029

What is a TIP? Transportation Improvement Plan

What is a STIP? Statewide Transportation Improvement Plan

- [Statewide Transportation Improvement Program \(STIP\) | WSDOT \(wa.gov\)](https://www.wa.gov)
- Local agencies are required to develop and adopt six-year transportation programs. All local agencies are required to hold at least one public hearing during the development of the six-year transportation program. **Local agencies work through their metropolitan planning or regional transportation planning organizations and county lead agency as appropriate to include projects into their Transportation Improvement Programs (TIPs) and the STIP.** Agencies submitting projects to the TIPs for project selection conduct public involvement. In addition, the Governor's Office and the state legislature seek public involvement during all phases of the biennial budget development and approval process.
- The City of Cosmopolis submits our TIP to Grays Harbor Council of Governments, who reviews the document and if approved, submits it to our Southwest Washington RTPO (SWRTPO) who is the Cowlitz-Wahkiakum Council of Governments. Our Cosmopolis TIP is then incorporated into the STIP.

Why do we have to do this?

Projects have to be listed in our TIP to be eligible for State or Federal Funding

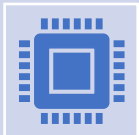
How do we select projects?



Paving projects are selected by Pavement Condition Rating as determined by WSDOT and FHWA standards.



PCR scores are determined by Washington State Transportation Improvement Board Engineers, not City Staff.








PCR determines project eligibility type, see next slide.

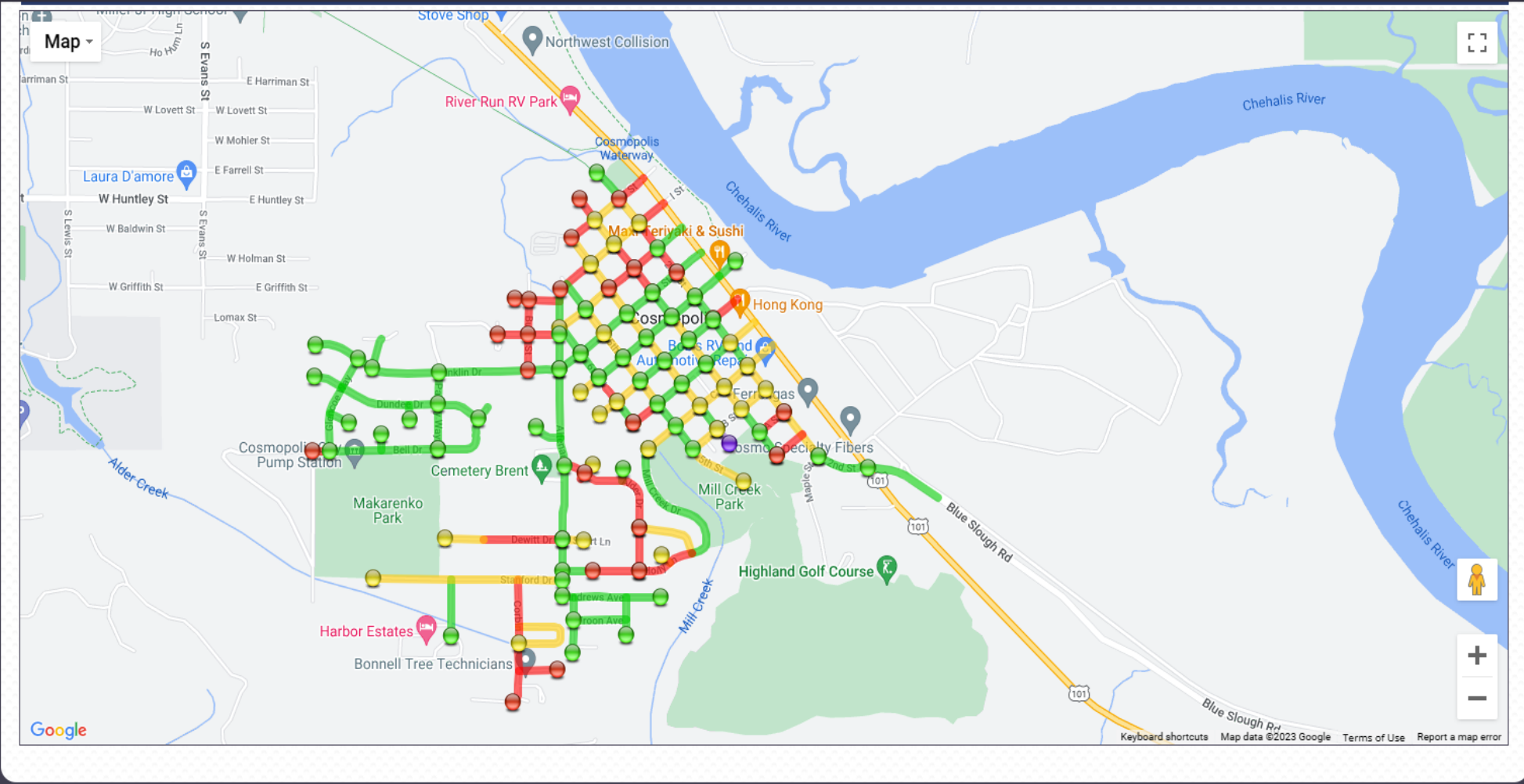
Are Project Listed by Priority or Rank?

- Projects are not listed by priority or rank unless they are funded by State or Federal Funding.
- Any project listed in the TIP could be selected for funding by a competitive grant process.
- **All State or Federal Funded street or sidewalk grants require a local match.**

Pavement Condition Rating

-  PCR greater than 90
-  PCR between 70 and 90
-  PCR between 50 and 70
-  PCR between 25 and 50
-  PCR less than 25
-  Gravel / No PCR

Map Key



J Street Paving- Second Street to Fourth Street

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
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J ST	SECOND ST to THIRD ST	0.057	2	30	ACP	59	Fair	8/16/2022
J ST	THIRD ST to FOURTH ST	0.06	2	30	ACP	45	Poor	8/16/2022

Section 6, ItemA.

Transportation Improvement Board Performance Management Dashboard

- At A Glance
- Planning
- Projects
- Financial
- Performance



Elizabeth Street Paving – Cowper to Altenau

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
BURNS	ALTENAU	0.057	2	30	ACP	36	Poor	8/16/2022
COWPER	BURNS	0.059	2	30	ACP	40	Poor	8/16/2022

Section 6, Item A.

Transportation Improvement Board Performance Management Dashboard

- At A Glance
- Planning
- Projects
- Financial
- Performance

Projects — TIB Initiatives — Small City Street Preservation

Map Key Print

City of Cosmopolis - Street Inventory Map

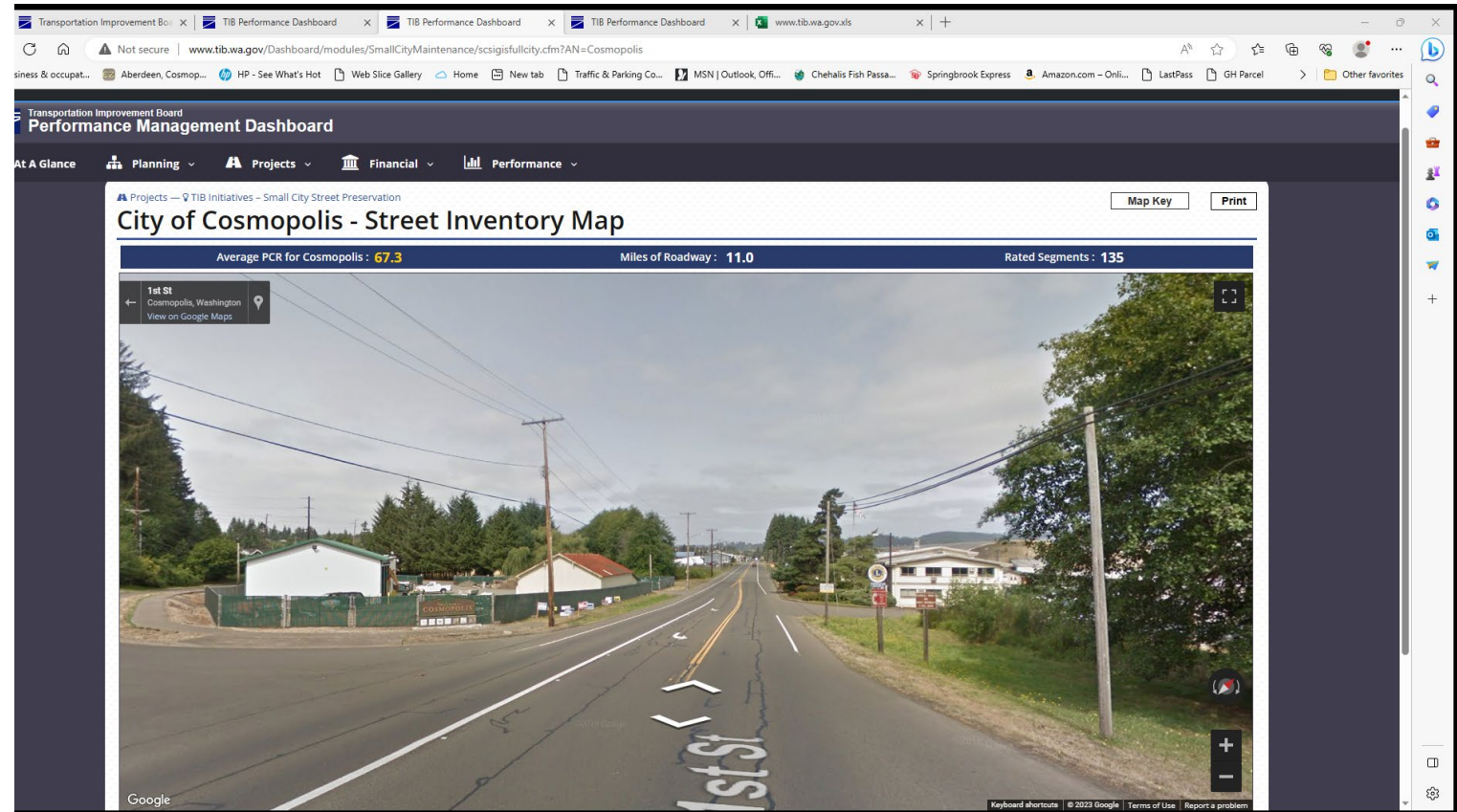
Average PCR for Cosmopolis : **67.3** Miles of Roadway : **11.0** Rated Segments : **135**

← 201 Altenau St
Aberdeen, Washington
[View on Google Maps](#)



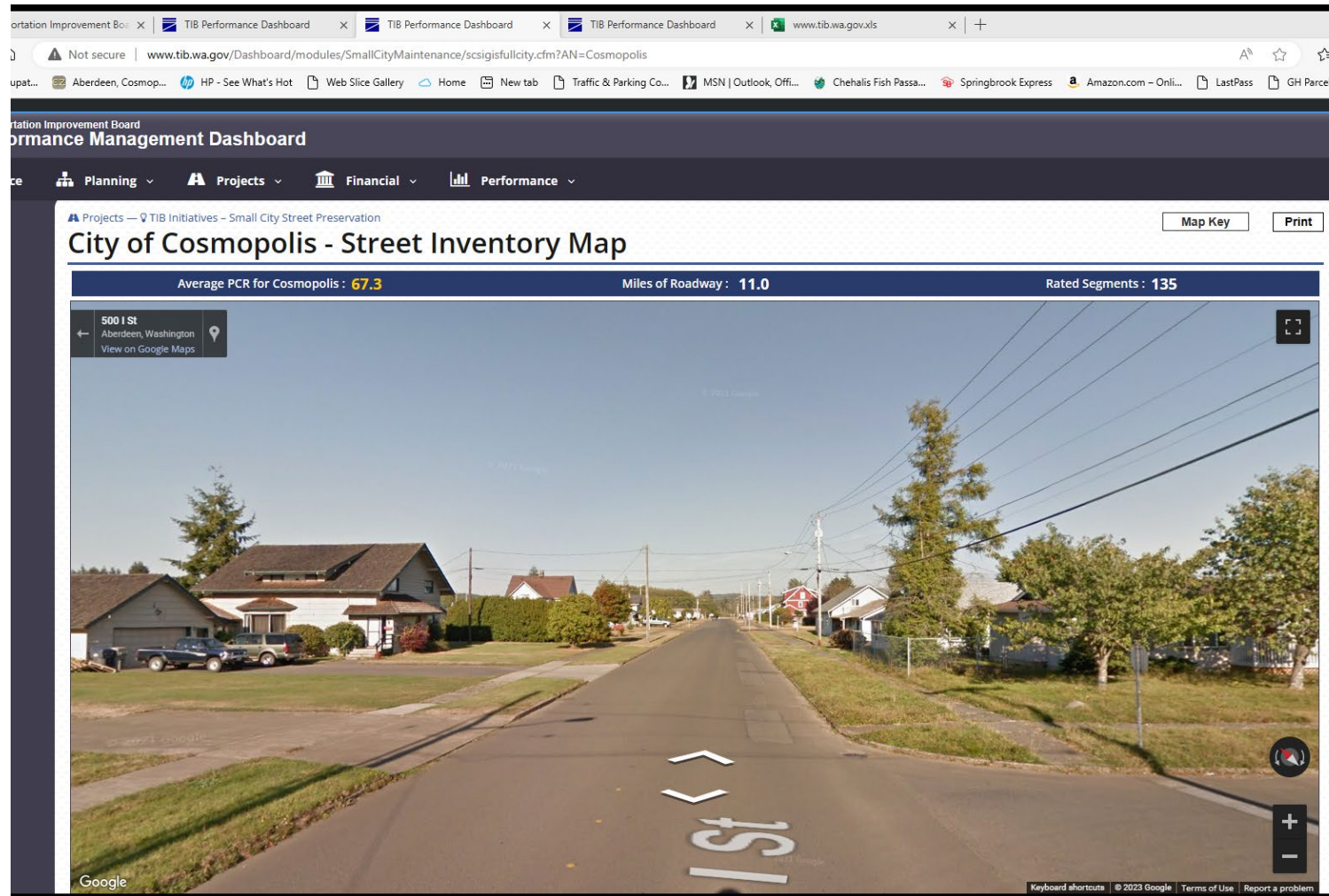
Google

First Street
Sidewalk
Extension
C Street to
Cosmo
Specialty Fibers



I Street Paving – Altenau to First Street (US 101)

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
FIRST (US101)	SECOND	0.06	2	30	ACP	50	Poor	8/16/2022
SECOND	THIRD	0.052	2	30	ACP	59	Fair	8/16/2022
THIRD	FOURTH	0.052	2	30	ACP	54	Fair	8/16/2022
FOURTH	ALTENAU	0.077	2	30	ACP	45	Poor	8/16/2022

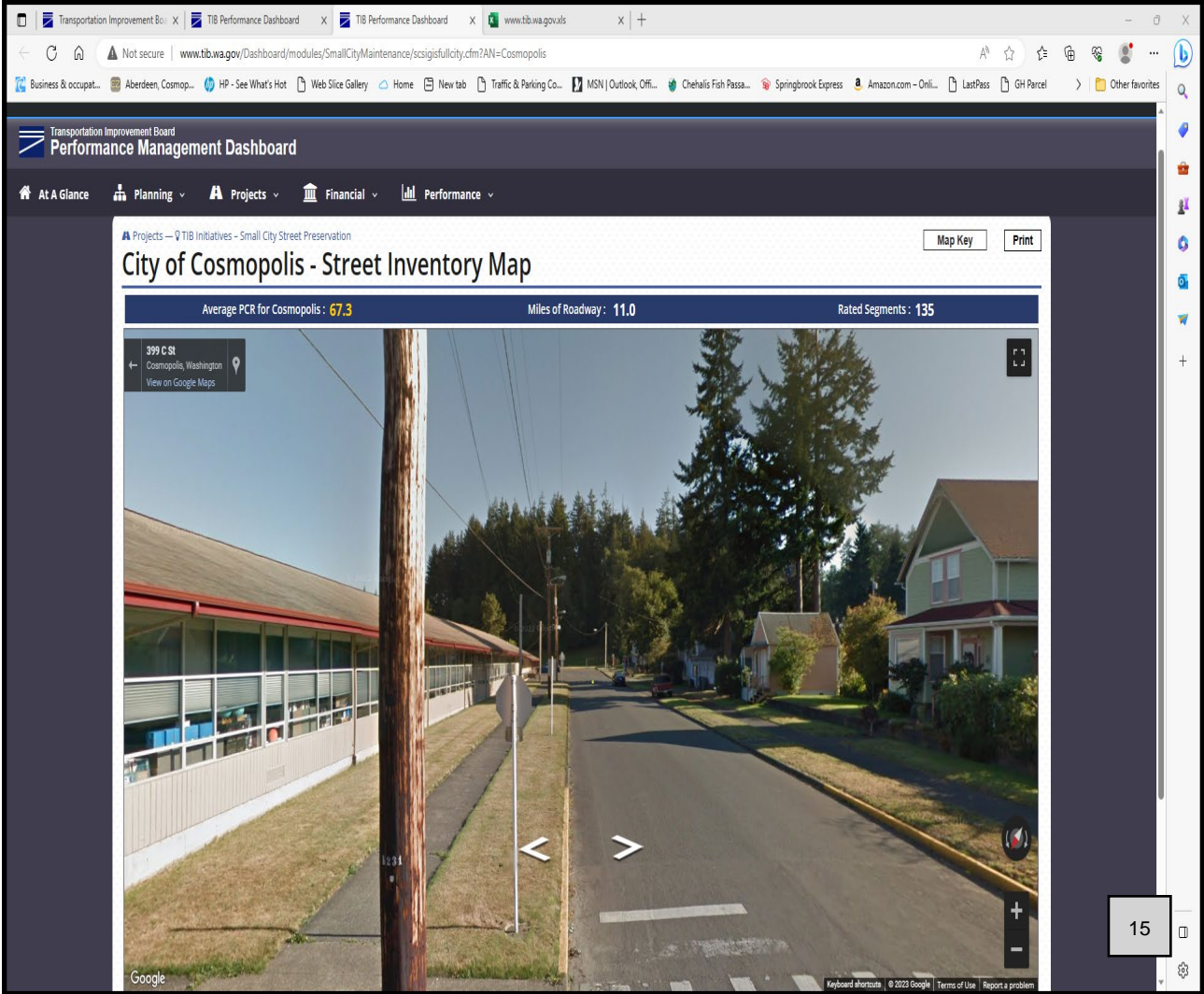
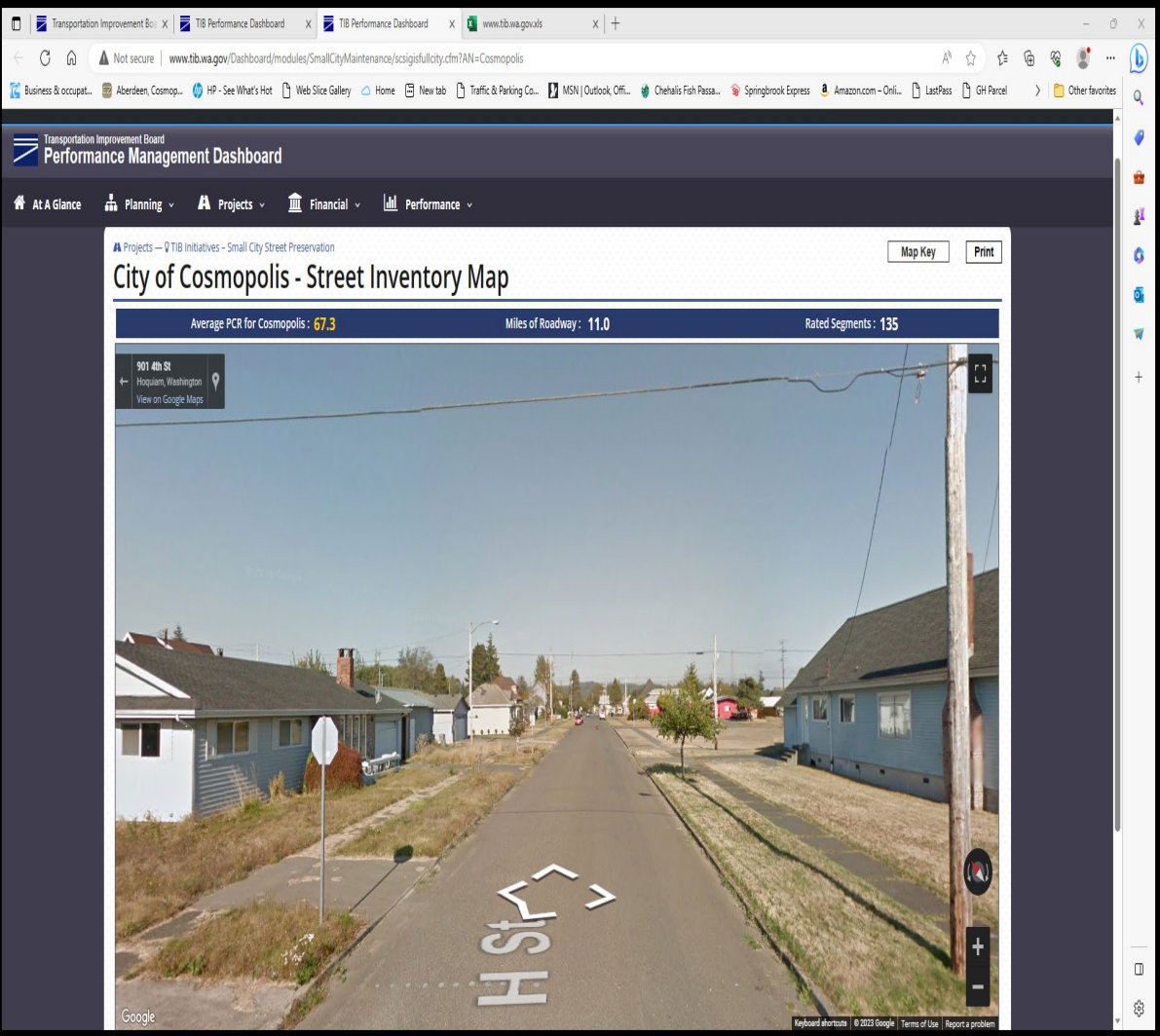


I Street
Paving – First
Street (US
101) to
Altenau

Fourth Street Paving – H Street to I Street B Street to Dead End

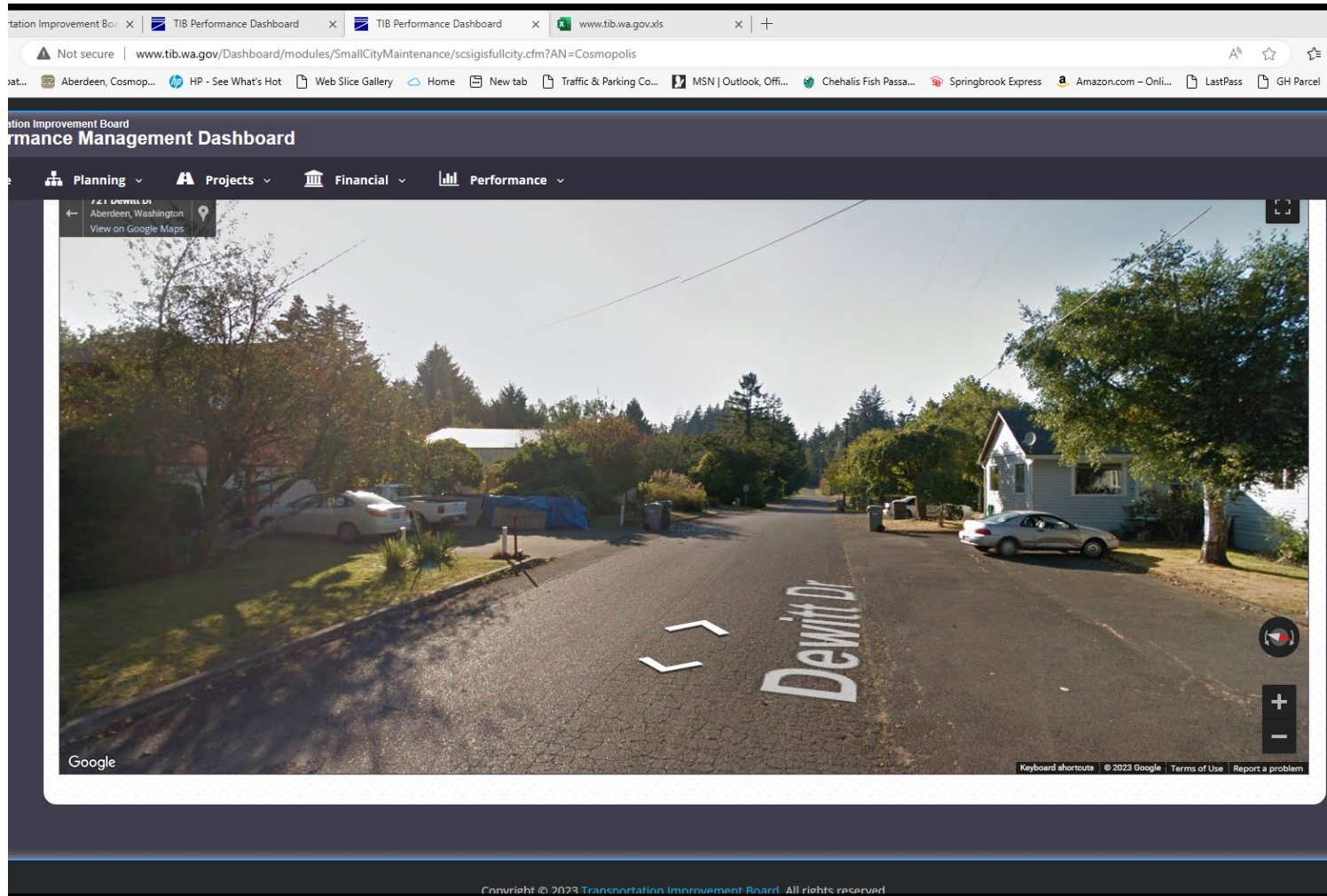
FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
H STREET	I STREET	0.058	2	30	ACP	360	Fair	8/16/2022
B STREET	DEAD END	0.041	2	30	ACP	21	Reconstruction	8/16/2022

Fourth Street Paving – H to I Street B Street to Dead End



Dewitt Drive Paving – Altenau to Dead End

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
ALTENAU	825 DEWITT	0.099	2	20	ACP	45	Poor	8/16/2022
825 DEWITT	DEAD END	0.127	1	10	ACP	54	Fair	8/16/2022

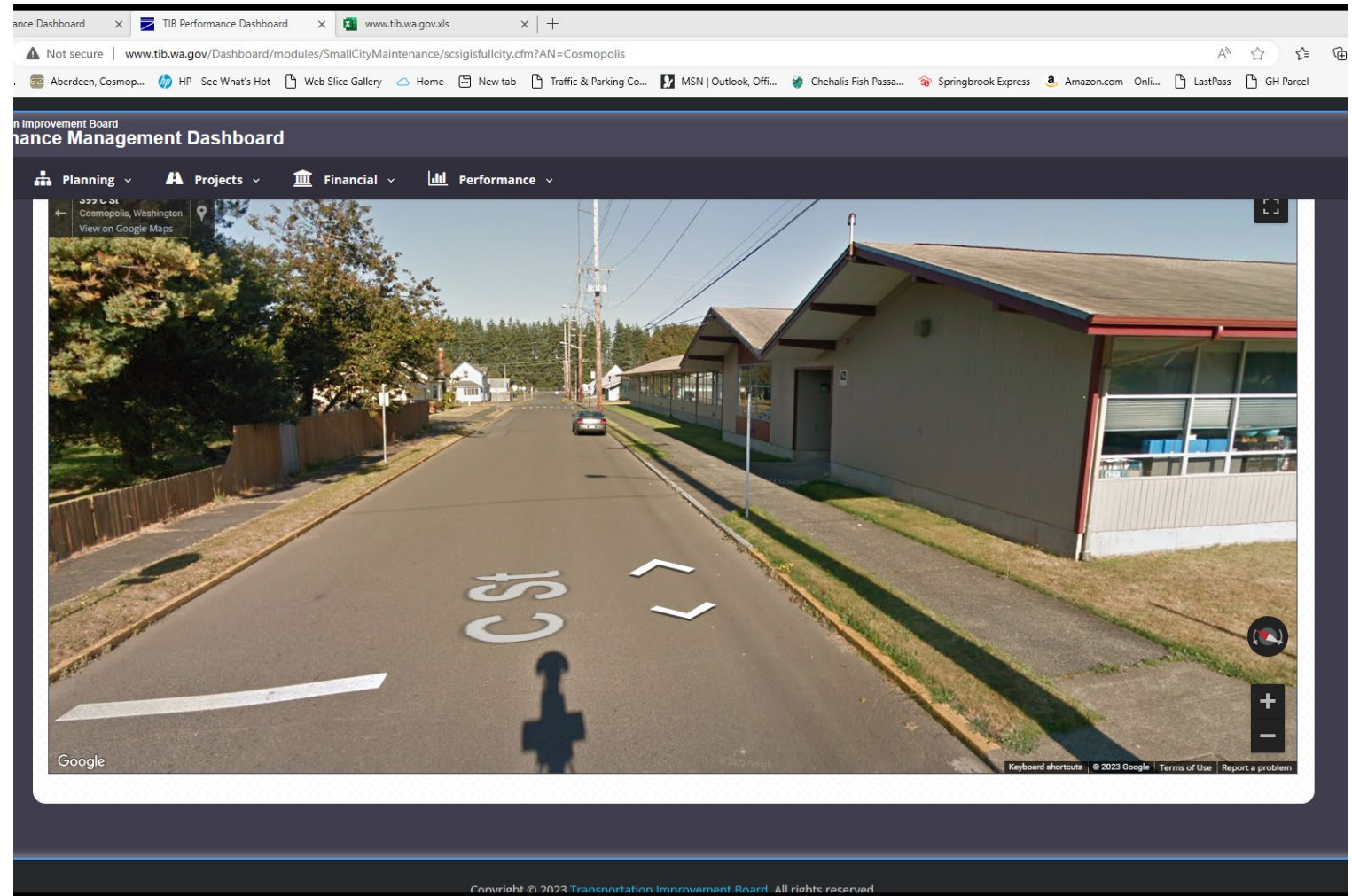


Dewitt Drive
Paving –
Altenau to
Dead End

C Street Paving – First Street to Fourth Street

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
FIRST (US101)	SECOND	0.055	2	36	ACP	63	Fair	8/16/2022
SECOND	THIRD	0.117	2	28	ACP	59	Fair	8/16/2022
THIRD	FOURTH	0.117	2	28	ACP	54	Fair	8/16/2022

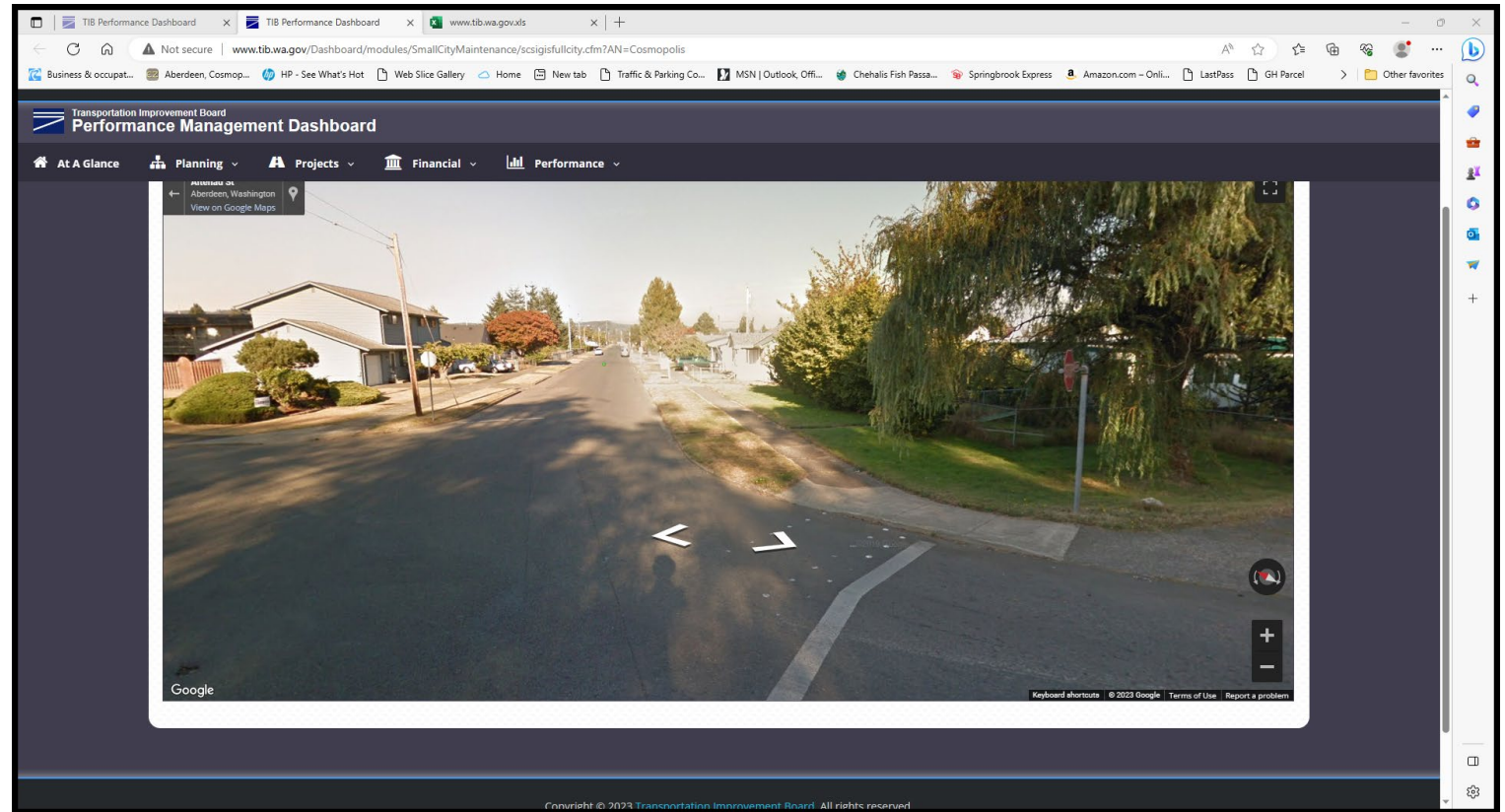
C Street Paving – First Street (US 101) to Fourth Street



G Street Paving – First Street (US 101) to Altenau

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
FIRST (US 101)	SECOND	0.052	2	30	ACP	77	Good	8/16/2022
SECOND	THIRD	0.06	2	30	ACP	77	Good	8/16/2022
THIRD	FOURTH	0.06	2	30	ACP	77	Good	8/16/2022
FOURTH	FIFTH	0.06	2	30	ACP	81	Good	8/16/2022
FIFTH	SIXTH	0.06	2	30	ACP	81	Good	8/16/2022
SIXTH	ALTENAU	0.046	2	30	ACP	81	Good	8/16/2022

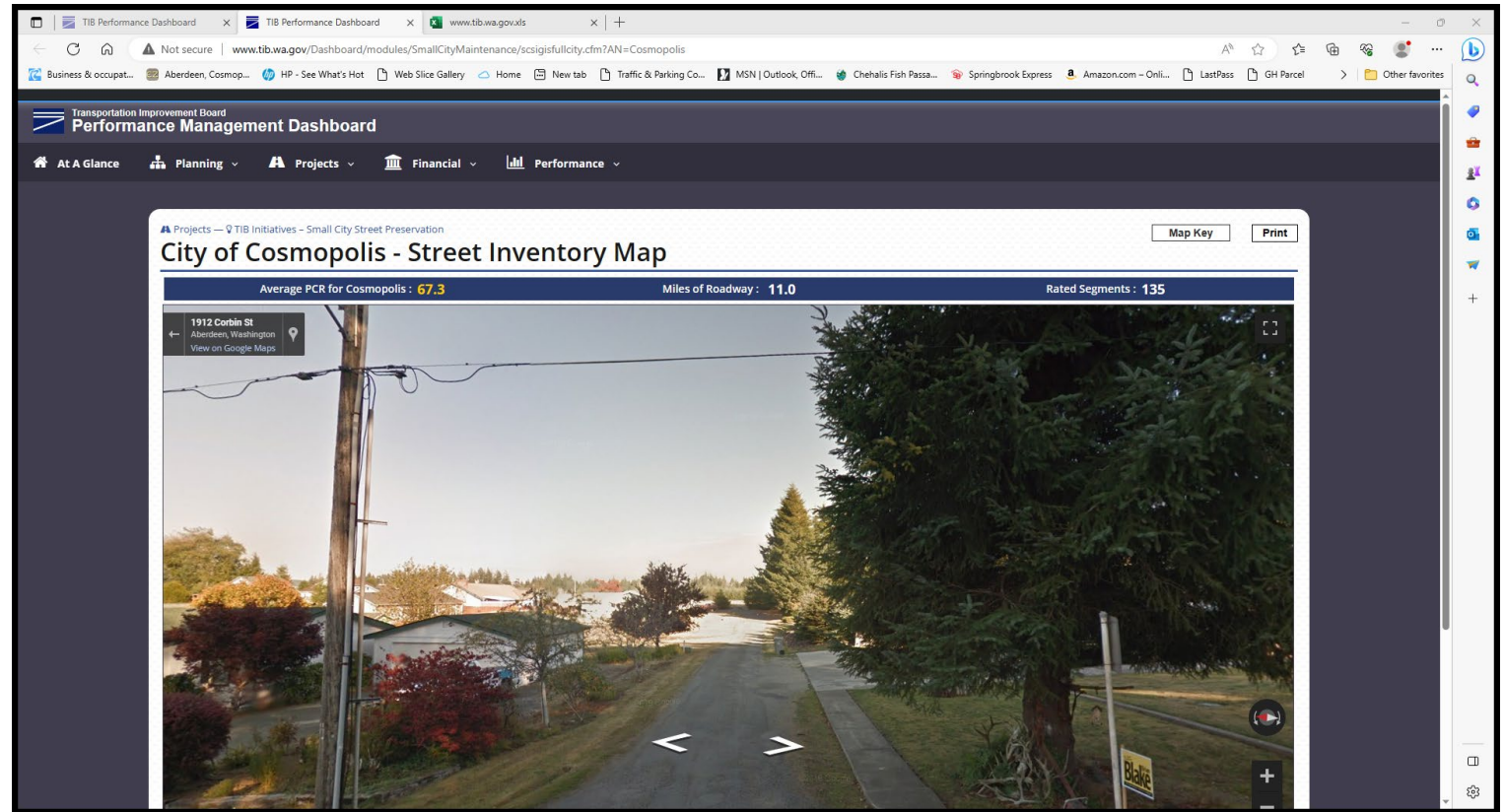
G Street
Paving – First
Street (US
101) to
Altenau



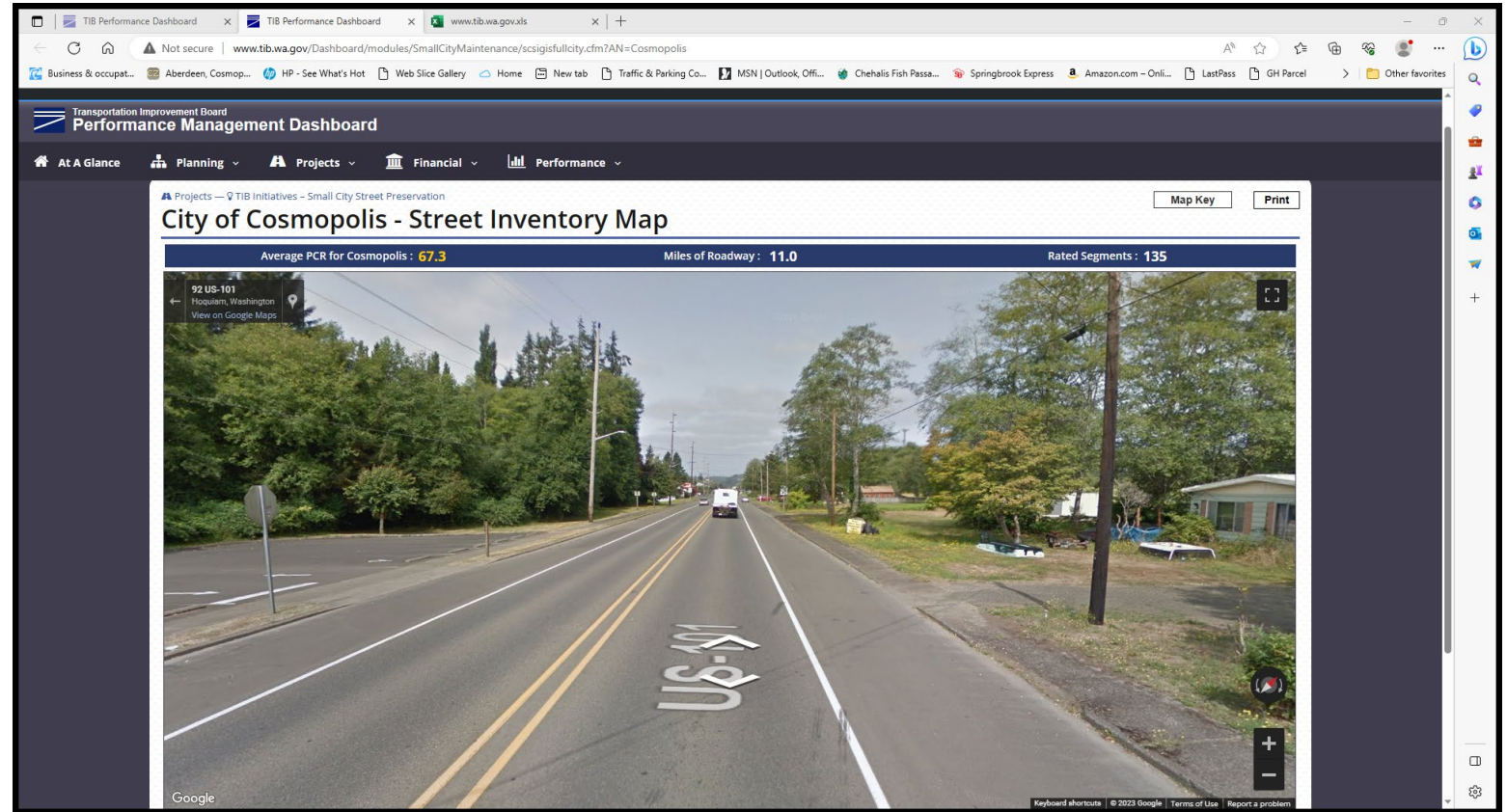
Washington Street Paving – Corbin to Dead End

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
CORBIN	DEAD END	0.075	1	10	Gravel	32	Poor	8/16/2022

Washington
Street Paving
– Corbin to
Dead End

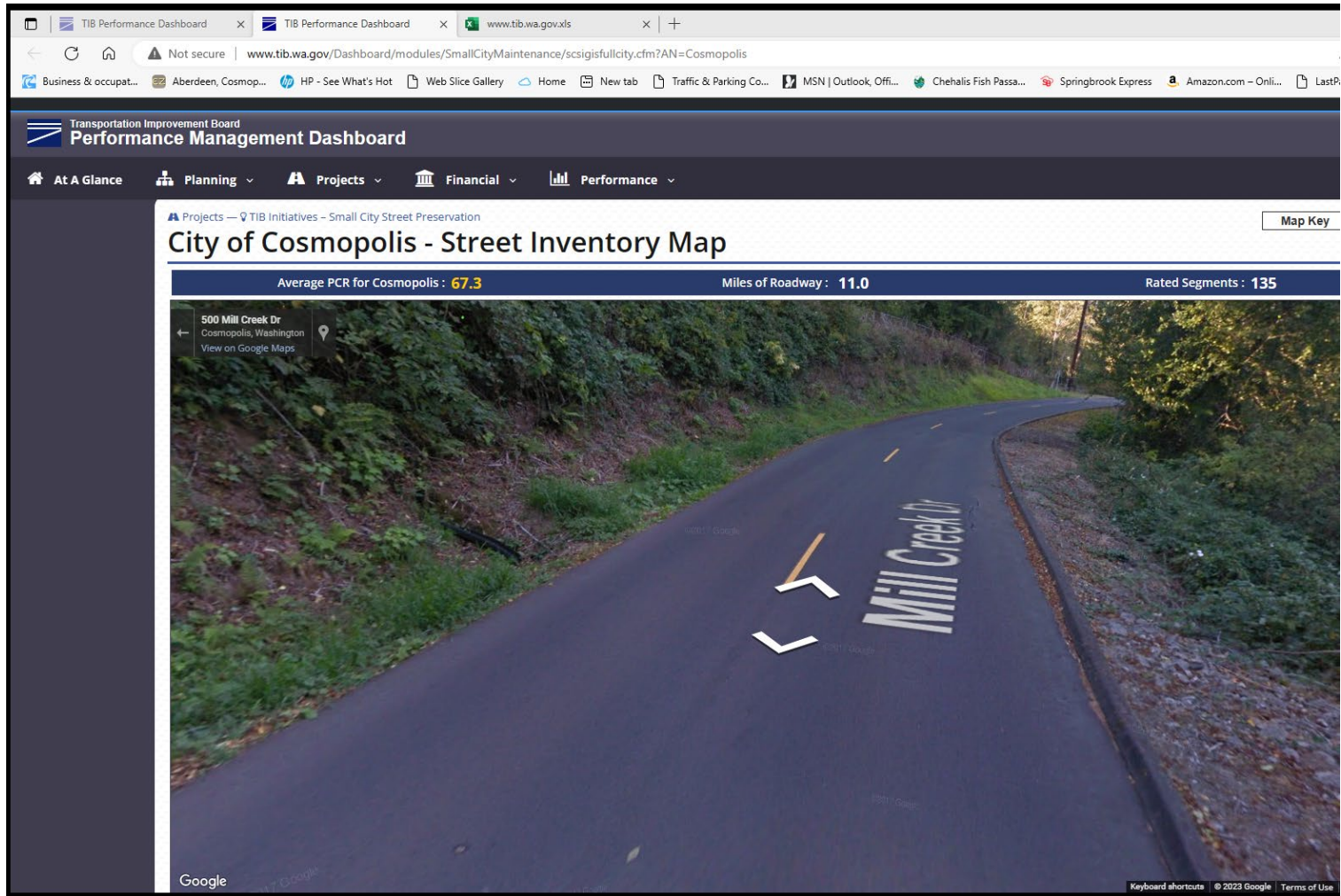


North 101 Sidewalk Extension – First Street Park and Ride to North City Limits



Mill Creek Drive Repair and Paving – C Street to Holly Ln

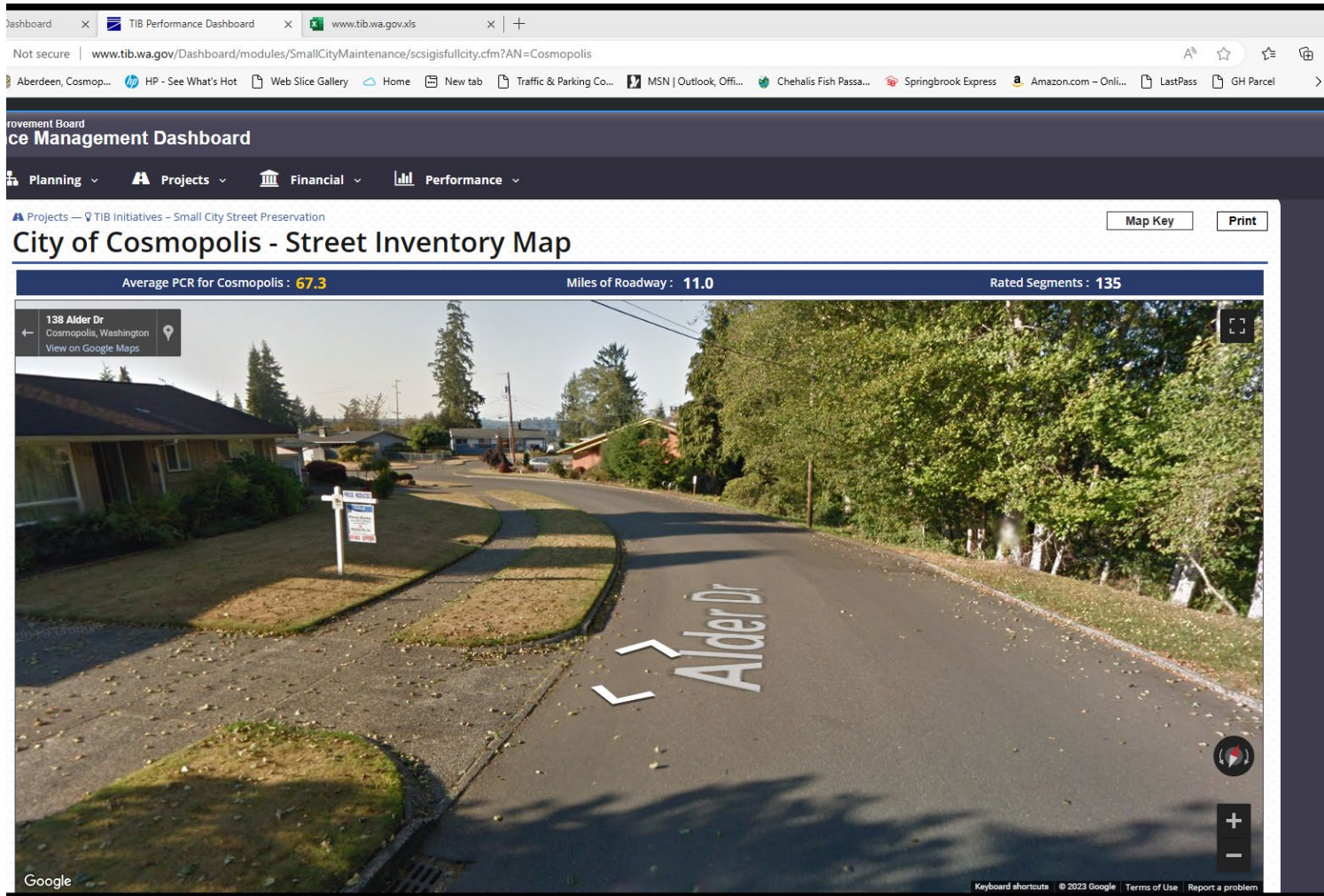
FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
C STREET	HOLLY LN	0.308	2	22	ACP	81	Good	8/16/2022



Mill Creek Drive Repair and Paving – C Street to Holly Ln.

Alder Drive Repair & Paving – Holly Ln to Altenau

FROM	TO	MILES	LANES	WIDTH	ROADWAY SURFACE	PCR SCORE	RATING STATUS	DATE RATED
HOLLY LN	ALTENAU	0.229	2	28	ACP	50	Poor	8/16/2022



Alder Drive
Repair &
Paving –
Holly Lane to
Altenau



WORKSHOP & COUNCIL MEETING MINUTES

Council Chambers – 1300 First Street

May 17, 2023 at 6:00 PM

1. WORKSHOPS

A. Road Restrictions for Mill Creek Drive & Alder Drive

Sue Darcy gave a PowerPoint presentation on the issues from saturation on Mill Creek Drive & Alder Drive. She would like weight restrictions placed on the roads, water diversion, and buses rerouted to prevent further damage.

B. Drug Laws

Police Chief Layman stated this workshop was scheduled to discuss creating an ordinance regarding drug possession and use. As of yesterday, the State Legislature passed legislation and is no longer needed.

C. Ambulance/EMS Fees

Fire Chief Falley and Councilmember Wenzel discussed EMS/Ambulance Fees and next steps for the Fire Department. Next week the City will be meeting with the City of Aberdeen for EMS and Fire coverage.

2. FLAG SALUTE - PLEDGE OF ALLEGIANCE

3. CALL TO ORDER - ROLL CALL

PRESENT

- Councilmember Candice Makos
- Councilmember Stana Carlisle
- Councilmember Jim Ancich
- Councilmember Raymond Robinson
- Councilmember Miles Wenzel

4. APPROVAL OF AGENDA

Motion made by Councilmember Robinson to approve the agenda, Seconded by Councilmember Carlisle.

Voting Yea: Councilmember Makos, Councilmember Carlisle, Councilmember Ancich, Councilmember Robinson, Councilmember Wenzel

5. PUBLIC COMMENTS

Kim Gherna - She stated she has a comment regarding the extension of the RV permit. Since the ordinances are not equally enforced.

6. CONSENT AGENDA

Motion made by Councilmember Wenzel to approve the consent agenda, Seconded by Councilmember Makos.

Voting Yea: Councilmember Makos, Councilmember Carlisle, Councilmember Ancich, Councilmember Robinson, Councilmember Wenzel

7. COMMITTEE REPORTS

Finance Subcommittee - Councilmember Wenzel stated they discussed funding for emergency services and our financial situation.

Public Safety - Councilmember Wenzel stated they discussed the Blake bill and what the next steps are for the Fire Department.

8. CITY OFFICIAL REPORTS

City Administrator - Administrator Raines recognized Chief Layman for rescuing two small children. He discussed potential funding sources for the Street fund. The bid opening for the new municipal building has been moved to next Wednesday. No one is willing to take the old police building. It is too expensive to move. He is asking council permission to solicit bids for the demolition of the old police building.

Motion made by Councilmember Wenzel to get bids to demolish the old police building, Seconded by Councilmember Makos.

Voting Yea: Councilmember Makos, Councilmember Carlisle, Councilmember Ancich, Councilmember Robinson, Councilmember Wenzel

Police Chief - Chief Layman stated we had a high call volume last week. EVOC training is starting next week. We also completed LETS training. This is provided free by our insurance carrier. It also goes towards State mandated training.

Fire Chief - Chief Nick Falley asked for confirmation for a new volunteer. His name is Anthony Churlin.

Motion made by Councilmember Wenzel to confirm Anthony Churlin as a volunteer, Seconded by Councilmember Carlisle.

Voting Yea: Councilmember Makos, Councilmember Carlisle, Councilmember Ancich, Councilmember Robinson, Councilmember Wenzel

Public Works Superintendent - Superintendent Jeff Nations stated the landscaper was good through staffing issues. They finished mowing the cemetery Saturday night. They will be working on 1st Street and 2nd Street planters this next week. By Memorial Day week, the veteran banners will be put up. Across the street from the River Run RV Park is an extension of the park. They are installing the utilities at this time. There is a new swing set at Lions Park. The covered area will go where the old swing set was at.

9. MAYOR'S REPORT

Mayor Pauley gave kudos to Chief Layman. For the VFW banners, there will be a dedication event here at City Hall at 2:00 p.m. on Memorial Day. Grays Harbor County discontinued the agreement with the HOPE project. The City's 2019-2021 audit has been completed and will be released on to the auditor's website tomorrow. As a reminder, it is against State law for campaign signs to be put on the City Hall block. We do allow signs at the entrances to the City without blocking the welcome signs.

10. NEW BUSINESS

A. Resolution (Official Newspaper)

Attorney Johnson read Resolution 2023-03 which designates the official newspaper of the City.

Motion made by Councilmember Robinson to approve resolution 2023-03, Seconded by Councilmember Makos.

Voting Yea: Councilmember Makos, Councilmember Carlisle, Councilmember Ancich, Councilmember Robinson, Councilmember Wenzel

B. 1200 Second St - Extension of RV Permit

Administrator Raines stated the request has been reviewed by himself and Building Official Bill Sidor. It meets all the requirements.

Motion made by Councilmember Wenzel to approve the request, Seconded by Councilmember Carlisle.

Voting Yea: Councilmember Makos, Councilmember Carlisle, Councilmember Ancich, Councilmember Robinson, Councilmember Wenzel

11. COUNCIL COMMENTS

Councilmember Ancich - He would like us to look at our zoning to prevent further issues like we had with the HOPE project.

Councilmember Robinson - He thanked Chief Layman for his work on saving the two small children.

Councilmember Wenzel - He asked Chief Layman and Chief Falley if they had received their purchase cards.

12. PUBLIC COMMENTS

Linda Springer - She asked that the signature pages from the HOPE project and comments to Mayor Pauley be entered into public record. She asked that Mayor Pauley to consult with the whole council on issues within the city.

Nathan Klisiewicz - He thanked the Council for extending the RV permit. It has been used for his elderly, disabled mother. It is getting harder to find a place for her to live.

Ashley Arcangel - She stated that she wants a public workshop to discuss the issues on Ocean Avenue. Councilmember Robinson feels this issue belongs with the City Attorney, not the City Council. Mayor Pauley stated the City Attorney addressed her issues in a letter to her.

Sarah Rhodes - She feels like we have failed her neighbor Ashley Arcangel by allowing the wall on another neighbor's property. She stated that there were two fires that were burning brush. Mayor Pauley stated that we are aware of it and are addressing it. She also stated these people were violating the noise ordinance. Chief Layman gave out the non-emergency dispatch phone numbers so that these types of calls can be reported.

Kim Gherna - She stated we are looking at working on the park across the street from the Cemetery as the renovations for Lions Park are completed.

CITY OF COSMOPOLIS

DARRIN C. RAINES
CITY ADMINISTRATOR

Section 10, ItemA.



PHONE (360) 532-9230
FAX (360) 532-9215
WWW.COSMOPOLISWA.GOV
EMAIL: DRAINES@COSMOPOLISWA.GOV

June 19, 2023

RE: June 21, 2023, City Administrator Council Report

Item 1) *Alder Drive and Mill Creek Drive Repairs*- Jeff Nations, Public Works Superintendent has met with Lakeside Industries to look at both Mill Creek Drive and Alder Drive to get estimates to repair the asphalt in the settling areas. Jeff will report more on this at the meeting as he is still estimating costs for redirecting the storm drainage that will need to be completed before the asphalt repairs are done.

Item 2) *Municipal Building Update*- The bid opening for the new Municipal Building was held on May 17th. We received only one bid, and this was from Rognlins, Inc from Aberdeen. Unfortunately, the bid price was over our budget at \$2,915,000. We are currently looking at Value Engineering with Harbor Architects, and Rognlins to see if we can get the project within budget. If we can accomplish this, we will be bringing a construction contract to the council for consideration.

Item 3) *Police Modular Building*- Jeff has received bids to demolish the Police Department Modular Building, and he will be bringing this forward for consideration at this meeting.

We also found out the building contains asbestos, so we will need to get quotes for asbestos abatement by a licensed contractor before demolishing it. I hope to have this available for this meeting as well.

Item 4) *Six Year Transportation Improvement Plan*- As most of you know, we must submit a six-year Transportation Improvement Plan to Grays Harbor Council of Governments, who then approves our plan, and then passes it on to our Regional Transportation Planning Organization or RTPO. Our RTPO then sends it to WSDOT to be included in Statewide Transportation Improvement Plan, or STIP.

The TIP is a planning document used by WSDOT and USDOT to see what projects are planned for by cities, counties, transit agencies, tribes, and WSDOT. The TIP includes both funded and planned projects, whereas the STIP only includes funded projects from state or federal funding.

To be eligible for state or federal grant funding, a project must be listed in our TIP. Currently none of our projects are funded by state or federal funds, therefore they are listed as planned.

How are projects selected? Paving projects are selected by a Pavement Condition Rating score that is gathered from field surveys of roadway done by Washington State Transportation Improvement Board Engineers. Non paving projects, sidewalk projects, and repair projects are selected by staff. Projects are not listed in priority, as none are funded at this point. If a project becomes funded, then it will be moved up into the secured funding category with a prioritized number.

I have created a PowerPoint Presentation of the projects included in the 2024-2029 Cosmopolis TIP. Below is a list of the projects included in the TIP.

City of Cosmopolis 2024 – 2029 Transportation Improvement Plan

<u>PROJECT</u>	<u>START</u>	<u>END</u>
J Street Paving	Second Street	Fourth Street
Elizabeth Street Paving	Burns Street	Cowper Street
First Street Sidewalk Extension	C Street	Cosmo Specialty Fibers
I Street Paving	Altenau Street	First Street
Fourth Street Paving	H Street	I Street
Dewitt Drive Paving	Altenau Street	Dead End
C Street Paving	First Street	Fourth Street
Washington Street Paving	Corbin Rd.	Dead End
G Street Paving	First Street	Altenau Street
North 101 Sidewalk Extension	First Street Park and Ride	North City Limit
Mill Creek Drive Repair and Paving	C Street	Holly Lane
Alder Drive Repair and Paving	Holy Lane	Altenau

Sincerely,

Darrin C. Raines

Darrin C. Raines
City Administrator



COSMOPOLIS POLICE DEPARTMENT

PO Box 478 / 1312 First Street Cosmopolis, WA. 98537
Heath Layman, *Chief of Police*

Council Report 06/21/2023

We are now set up in a system through WA DOL known as Driver and People Search (DAPS), an online enhanced search of license plates and vehicles service. This is a free service that we weren't aware of that Clerk Grove discovered and facilitated getting for our department. This is a useful tool for investigations that allows us to search for associated vehicles to people and associated people to vehicles, partial plates, and partial name searches etc.

To help reduce the risk of drugs in the home that can potentially harm children, teens, or adults, we now have setup a secure, safe, drop-off location for a drug take-back program in the lobby of the Public Safety Building. The drug take-back disposal is all set and already actively being used. Thank you to Clerk Grove for managing this program at no cost to the city.

Mental Health Services – Lt. Salstrom of the Hoquiam Police Department was successful in a grant funding request to secure Laina's Behavioral Health Navigator position through the end of 2023. We were hoping for funding through 2024. \$48,000 from GHC Public Health was awarded to us for services to Aberdeen, Cosmopolis, and Hoquiam. Other avenues of funding for through 2024 are still being pursued.

We completed and passed an audit with ACCESS, A Central Computerized Enforcement Service System, (see attached certification).

Thank you to Scott and Lori Berken for a donation to our Reserve Police Officer Association in honor of our efforts during the 2023 West County Citizens Academy (see attachment of the press release the Berken's wrote and submitted to the paper.)

We had 158 calls for service between 05/17/23 and 06/19/2023.

Respectfully submitted,

Heath Layman, Chief

"A Community Partnership"

Letter to the Editor, Daily World

Dear Editor,

We recently had the opportunity to participate in the 2023 West County Citizen's Police Academy hosted by the Aberdeen, Hoquiam, and Cosmopolis Police Departments. Over the course of 11 weeks, one night per week - plus an occasional Saturday - 25 citizens from western Grays Harbor County were given a crash course in the inner workings of law enforcement. And what a fascinating, informative, enlightening, and awe-inspiring experience it was!

Each 2-hour class included lessons on various aspects of policing including patrol procedures, Drug Task Force operations, coroner responsibilities, Therapeutic Drug Court success stories, Crime Lab services, firearms, K9s and officer involved deadly force encounters, just to name a few.

For us, the commitment and passion of the men and women serving us, the citizens of Grays Harbor, was the biggest take-away from this experience. Whether it involves tracking down evidence involved in a crime, following the legal limitations of enforcing laws that can be viewed - in some cases - as handing carte blanche to criminals, celebrating the success of an individual who does the hard work to end their cycle of addiction and crime, or rewarding their K9 who just took down a bad guy or sniffed out a drug stash, these officers and their associates in other law enforcement divisions provided participants with valuable lessons in understanding how they perform their jobs.

Throughout the course the officers continuously thanked us for our participation, but it was US who were indebted to THEM. These men and women took time before, during, or after their regular shifts to share their knowledge and experience with a room full of people who simply had to show up.

It can be far too easy to take these guardians of the community for granted. If you've ever wondered why and how cops do things the way they do, we highly encourage you to keep an eye out for the next Citizen's Police Academy opportunity, west or east county, and to apply for it. The program is FREE but does include a background check. We are confident you'll complete it with a deeper appreciation of the men and women in blue, as well as gain a better understanding of the role we all play in assuring we live in a safe community.

Sincerely,

Scott and Lori Berken

Certificate of Completion

This certificate is presented to the

Cosmopolis PD

For completion of the 14th ACCESS WACIC/NCIC Audit Cycle



Originating Agency Identifier
WA0140600

Audit Conducted by: Mary Jo Margeson

Audit Conducted on: November 8th, 2023

Audit Completed on: May 10th, 2023

Cosmopolis Police Department announces convenient drug take-back program for leftover household medications

Cosmopolis, WA 6/7/23— Cosmopolis Police Department announced today it has established a convenient medication take-back program for easy disposal of leftover, unused and out-of-date prescription and over-the counter medications.

In an effort to help reduce the risk of drugs in the home that can potentially harm children, teens or adults, Cosmopolis Police Department has set up a secure, safe drop-off location in its lobby.

Unused medications in the home are a source of drug abuse in millions of homes, with the opioid crisis in the United States fueled in part by that availability: 47%* of misused prescription pain relievers are given by, bought from or taken from a friend or relative. On average, an American dies of a drug overdose every 5 minutes**.

“We want to provide the folks in our community with the safe, secure opportunity to clean out their medicine cabinets and make their homes and communities safer,” said Kasey Grove, Police Clerk, of Cosmopolis Police Department, “We want to remind people that they should not flush drugs down the toilet. Traces of drugs can appear in community drinking water. Our drug disposal unit, which is easily accessible in the department lobby, is a great answer to that problem and it’s simple to do. All they do is just come in, look for the big green receptacle and take it from there. Drugs can be dropped off with no questions asked.”

Grove said there are some things that can’t be taken in the receptacle, such as inhalers and needles, but she is happy to help you determine what to do. The collection receptacle will be available in the lobby from 8am to 4pm M-F (with the exception of holidays or other special closures).

Cosmopolis Police Department partnered with Inmar to manage this drug take-back program. The company has a long history as the industry leader in handling prescription and over-the-counter drug returns safely, securely and discreetly for major and regional chain drug stores as well as independent pharmacies and hospitals across the U.S.

* Source: SAMHSA 2021

** Source: CDC February 2023

Cosmopolis police start up medication take-back box

MICHAEL S. LOCKETT
The Daily World

The Cosmopolis Police Department has started a new program for medication take-backs with a secure box in their station lobby.

The program is meant to help residents who might have leftover or excess medications to get rid of, so they can dispose of them in a safe and efficient way, said police Clerk Kasey Grove.

"We want to remind people that they should not flush drugs down the toilet. Traces of drugs can appear in community drinking water. Our drug disposal unit, which is easily accessible in the department lobby, is a great answer to that problem and it's simple to do," Grove said. "All they do is just come in, look for the big green receptacle and take it from there. Drugs can be dropped off with no questions asked."

The box is not designed for syringes or inhalers, Grove said, but is a free way



MICHAEL S. LOCKETT / THE DAILY WORLD

Cosmopolis police Clerk Kasey Grove poses with the medication take-back box she helped get installed, a first for the city, on June 7.

of disposing of other medications. Clearing surplus medication out of homes is an efficient way of preventing unsafe use of those drugs, Grove said. Nearly half of misused medications are obtained by the user from someone they're prescribed to, according to a Substance Abuse and Mental Health Services Administration study, Grove said.

"This will keep citizens from having potentially

dangerous medications in their homes that could be misused by someone other than themselves. Many times folks are given a prescription that they may not need to finish taking, or that does not work for them and they can't take," Grove said. "When this occurs, that medication is often left in a cabinet or drawer because folks don't know what to do with it. This provides them a safe and easy way to dispose of

those medications so they don't fall into the hands of others that should not be taking them."

The installation and operation was carried out by Inmar, the company providing the disposal service, free for the department, Grove said. The Aberdeen and Hoquiam police departments have had similar programs in their cities for several years, Grove said. Chief Heath Layman is excited for the program, Grove said.

The lobby doors at the Cosmopolis Fire Station where the box is located are open from 8 a.m. to 4 p.m. on weekdays, barring holidays or special closures, Grove said. Staff are happy to help anyone with questions about what can and cannot be put in the box, Grove said.

Contact Senior Reporter Michael S. Lockett at 757-621-1197 or mlockett@thedailyworld.com.

CITY OF COSMOPOLIS

RESOLUTION NO. 2023-04 (EMS Fee)

A RESOLUTION increasing the EMS Fee charged on utility accounts; and creating an effective date.

WHEREAS, the City Council adopted Resolution No. 2022-04, setting sewer rates and charges, water rates and charges, stormwater rates and charges, and utility taxes and fees for utility services, including the EMS fee;

WHEREAS, the City Council has recognized a need to increase the EMS fee charged to utility accounts; NOW THEREFORE,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COSMOPOLIS, WASHINGTON, IN REGULAR MEETING DULY ASSEMBLED, AS FOLLOWS:

SECTION 1. The monthly EMS Fee shall be \$27.96 per account.

SECTION 2. This resolution shall be effective on July 1, 2023.

PASSED AND APPROVED this 21st day of June, 2023.

Mayor

Attest:

Finance Director

CHEHALIS RIVER BASIN FLOOD AUTHORITY
AN INTERLOCAL AGREEMENT AMONG CHEHALIS RIVER BASIN COMMUNITIES FOR STUDY,
ANALYSIS, AND IMPLEMENTATION OF FLOOD HAZARD REDUCTION SOLUTIONS IN THE BASIN

- A. WHEREAS, the Chehalis River Basin in Southwestern Washington has a clear and prolonged history of chronic flooding with major flooding causing catastrophic damage occurring on average once or more per decade from the Chehalis River and its major tributaries; and
- B. WHEREAS, many communities, industries, properties, and human lives are threatened by Chehalis River Basin flood events; and
- C. WHEREAS, Basin communities are interested in finding cost-effective, long-term, sustainable, and environmentally responsible methods to protect themselves and others from the hazards of major Chehalis River Basin flood events; and
- D. WHEREAS, in December 2007, a series of storms caused substantial flood damage in Southwestern Washington with the President declaring on December 8, 2007 a major disaster in the counties of Grays Harbor, Kitsap, Lewis, Mason, Pacific and Thurston and by so doing authorized the release of federal disaster assistance funds; and
- E. WHEREAS, in 2008 and since, the Washington Legislature and the Washington Office of Governor have authorized substantial funding and other measures necessary to advance and implement flood hazard reduction solutions across the Basin, at local and regional scales:
- Chapter 179, Laws of 2008,
<https://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/Session%20Laws/House/3374-S.SL.pdf>;
 - Chapter 180, Laws of 2008,
<http://lawfilesexternal.wa.gov/biennium/2007-08/Pdf/Bills/Session%20Laws/House/3375.SL.pdf>;
 - Chapter 1, Laws of 2012 (Sec. 313),
<http://lawfilesexternal.wa.gov/biennium/2011-12/Pdf/Bills/Session%20Laws/Senate/5127.SL.pdf>;
 - Chapter 19, Laws of 2013 (Sec. 1084),
<http://lawfilesexternal.wa.gov/biennium/2013-14/Pdf/Bills/Session%20Laws/Senate/5035-S.SL.pdf>;
 - Chapter 3, Laws of 2015 (Sec. 1074),
<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/1115.SL.pdf>;
 - Chapter 194, Laws of 2016,
<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/House/2856.SL.pdf>;
 - Chapter 2, Laws of 2018 (Sec. 3023),
<http://leap.wa.gov/leap/budget/lbns/1719Cap6090-S.SL.pdf>;
 - Chapter 413, Laws of 2019 (Sec. 3093),
<http://leap.wa.gov/leap/budget/lbns/1921Cap1102-S.SL.pdf>;
 - Chapter 356, Laws of 2020 (Section 3023)
<http://leap.wa.gov/leap/budget/lbns/2020Cap6248-S.SL.pdf>;

- Chapter 332, Laws of 2021 (Sections 3076 and 3096), <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1080-S.SL.pdf>; and
- Chapter 474, Laws of 2023 (Sections 3003 and 6293), <https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bills/Senate%20Passed%20Legislature/5200-S.PL.pdf>.

- F. WHEREAS, the Chehalis River Basin Flood Authority, pursuant to the authority of RCW 39.34.030, was initially created through Interlocal Agreement, by and between Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, the Town of Pe Ell, the City of Aberdeen, the City of Montesano, and the Town of Bucoda, all political subdivisions of the State of Washington to develop and participate in the development of flood hazard reduction solutions throughout the Basin; and
- G. WHEREAS, that original Interlocal Agreement was amended in 2008 to add the City of Oakville, and then again in 2011 to add the City of Cosmopolis and the City of Napavine; and
- H. WHEREAS, the City of Hoquiam suffers from chronic and catastrophic flooding, is in the Chehalis River Basin, and was added as a member of the Chehalis River Basin Flood Authority in 2017; and
- I. WHEREAS, in 2016, the Washington State Legislature and the Washington State Office of Governor created the Washington State Office of Chehalis Basin ([RCW 43.21A.730](#)), and additionally recognized and validated the continuing role of the Chehalis River Basin Flood Authority ([RCW 43.21A.731](#)) to select Chehalis Basin Board members that will support the State of Washington in implementing a long-term strategy to reduce flood damages and restore aquatic species and habitat in the Basin; and
- J. NOW THEREFORE, the Interlocal Agreement creating the Chehalis River Basin Flood Authority, pursuant to the authority of RCW 39.34.030, is hereby amended this 22nd day of June 2023, by and between Lewis County, Grays Harbor County, Thurston County, the City of Centralia, the City of Chehalis, the City of Napavine, the Town of Pe Ell, the City of Aberdeen, the City of Cosmopolis, the City of Hoquiam, the City of Montesano, the City of Oakville, and the Town of Bucoda, all State of Washington political subdivisions, hereinafter referred to collectively as "Basin governments" and individually as "Basin government," and same parties HEREBY COVENANT AND AGREE:

1.0 PURPOSE

The purpose of this Agreement is to be the "Chehalis Basin Flood Control Authority or other authorized local government group" as identified in Chapter 180, Laws of 2008 and "to develop and participate in the development of flood hazard mitigation measures throughout the basin" through a formal and organized process that ensures:

- 1.1 Local flood hazard reduction projects are researched, identified, developed, and implemented that address known flood problems in the Basin.
- 1.2 State and federal funders are well-informed of Basin government options and needs.
- 1.3 Designs for Basin flood control projects incorporate options, features and betterments

to benefit Basin communities and Basin governments.

2.0 GOALS

Basin governments shall work together pursuant to this Agreement to achieve following specific goals:

- 2.1 Inform state and federal funders of project options and needs of Basin communities.
- 2.2 Work with the State of Washington to support a Basin-wide strategy for reducing flood damage and restoring aquatic species and habitat.
- 2.3 Seek adequate funding for the Basin governments to identify, study, and permit projects for localized problems.
- 2.4 Disseminate information to residents about options and alternatives.
- 2.5 Coordinate flood control activities, actions, and responses.

3.0 LEAD ADMINSTRATIVE AGENT

For purposes of this Agreement, Lewis County shall act as Lead Administrative Agent, and shall be responsible for approved projects and authorized to perform the following tasks:

- 3.1 Negotiate and execute agreements with state agencies and others for grant funds.
- 3.2 Receive and disburse funds from state and federal agencies and Basin governments.
- 3.3 In the event, any work must be performed by or on behalf of the Chehalis River Basin Flood Authority and its Basin governments pursuant to this Agreement, solicit statements of qualifications, negotiate scopes of work, and execute contracts as necessary. [Note: The Lead Administrative Agent shall not obligate any of the Basin governments to any financial responsibilities without prior written approval and agreement from the appropriate Basin governments.]
- 3.4 Prepare and maintain proper records for accounting and administration.
- 3.5 Arrange and facilitate regular meetings of the Chehalis River Basin Flood Authority and its Basin governments.
- 3.6 Provide legal support as necessary.

Lead Administrative Agent shall report regularly to the parties to this Agreement and provide a full accounting on the receipt and expenditure of funds that may be provided, pursuant to this Agreement.

4.0 MEMBERSHIP AND REPRESENTATION

Each of the Basin governments shall designate in writing to the Lead Administrative Agent one official

representative. Regardless of the number of official representatives designated in writing to the Lead Administrative Agent, each Basin government shall be entitled to one vote on all matters requiring group action or direction to the Lead Administrative Agent. In addition, the Counties shall act as the coordinators and representatives of the Basin communities within their respective jurisdictions which are not otherwise represented.

Lead Administrative Agent will arrange and facilitate regular meetings of the Basin governments, not less than once every three months, to discuss the status, progress, funding, and schedule of Basin flood hazard reduction projects and solutions, and to consider and measure progress toward the goals stated herein. Designated representatives of Basin governments shall use best efforts to attend the meetings.

5.0 VOTING

Each Basin government participating in this Agreement, as amended from time to time, shall be represented on the Chehalis River Basin Flood Authority and shall be entitled to one (1) vote. Measures proposed for voting shall seek consensus as a goal. In the event a consensus cannot be reached, then a super majority vote of sixty (60) percent of voting members present shall decide the issue.

6.0 FUNDING

The activities of the Basin governments shall be funded from the following sources:

- 6.1 Funds made available from state appropriated sources.
- 6.2 Funds made available from federal appropriated sources.
- 6.3 Funds made available from any of the Basin governments, but only pursuant to other Agreements, if made.

Funds from the Basin governments may be required, if necessary for matching or providing a local share for other funding sources that become available, or if additional funds are required in excess of state and federal funding. Since the benefits to be derived from flood damage reduction projects may vary among the Basin governments, the Basin governments will contribute to the needs of the project in varying amounts, based upon their respective needs for the project and their ability to pay for the project. Any funds required from the Basin governments to cover funding requirements or to cover costs for projects developed as a result of research and development, pursuant to this Agreement, will be held as the Operating Fund of the Chehalis River Basin Flood Authority and shall be shared as agreed upon by the Basin governments as set forth in future Agreements. Nothing in this Agreement shall obligate, or be construed to obligate, any of the Basin governments to enter into future Agreements.

7.0 TERM OF AGREEMENT

Any Basin government may terminate its participation in this Agreement with 90 days' prior notice by depositing in the mail or providing in person a written notice of termination addressed to the Lewis County Board of County Commissioners and the Commissioner, Mayor, or City Manager of each participating Municipality. This Agreement shall continue as to the remaining until only one party remains.

8.0 MODIFICATION

This Agreement may be amended, altered, or changed from time to time by a written agreement signed by all of the participating Basin governments. The Agreement as amended shall supersede the preceding Agreement and apply to all Basin governments executing the amended Agreement. The preceding Agreement shall terminate as to all parties, including those who have not agreed to the amendment.

9.0 INDEMNIFICATION

It is understood and agreed between the parties hereto that each of the Basin governments agrees to protect, defend, indemnify and hold harmless the Lead Administrative Agent, Lewis County, its commissioners, mayor, councilpersons, officials, agents, attorneys, departments and employees against any and all liabilities, claims, damages, penalties, actions, costs and expenses (including reasonable attorney's fees) which may arise for any reason as a result of the performance of this Agreement by any of the Basin governments, except insofar as any obligation or responsibility is imposed upon the Lead Administrative Agent or Lewis county by statute. Each Basin government, per this Agreement, has negotiated and expressly waives any immunity that may be granted it under the Washington industrial Insurance Act. Each Basin government's obligation to indemnify under this section shall survive the termination of its participation in the Agreement.

10.0 NOTICE

All notices or other communications required or permitted under this Agreement shall be sufficiently given if given by electronic communication, with return receipt verified, promptly confirmed in writing by U.S. Mail, return receipt requested:

- 10.1 If to Lewis County: Chair, Board of County Commissioners
- 10.2 If to City of Centralia: City Manager
- 10.3 If to City of Chehalis: City Manager
- 10.4 If to City of Napavine: Mayor
- 10.5 If to Town of Pe Ell: Mayor
- 10.6 If to Grays Harbor County: Chair, Board of County Commissioners
- 10.7 If to City of Aberdeen: Mayor
- 10.8 If to City of Cosmopolis: Mayor
- 10.9 If to City of Hoquiam: Mayor
- 10.10 If to City of Montesano: Mayor
- 10.11 If to City of Oakville: Mayor

10.12 If to Thurston County: Chair, Board of County Commissioners

10.13 If to Town of Bucoda: Mayor

11.0 ENTIRE AGREEMENT

This document embodies the entire Agreement between and among the parties. There are no agreements, promises, terms, conditions, or obligations other than those contained herein. This Agreement shall supersede all previous communications, representations, agreements, written or oral, among the parties relating to the subject matter contained herein. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington, and venue for any dispute arising hereunder shall be in the Superior Court for the State of Washington in Thurston County. Furthermore, this Agreement shall not be deemed or construed to create a separate legal entity or to create a joint venture or partnership among the parties.

EXECUTED IN DUPLICATE and effective as of the date and year first above written.

Sean Swope, Commission Chair, Lewis County date Jill Warne, Commission Chair, Grays Harbor County date

Rob Hill, City Manager, City of Centralia date Pete Schave, Mayor, City of Aberdeen date

Jill Anderson, City Manager, City of Chehalis date Kyle Pauley, Mayor, City of Cosmopolis date

Shawn O'Neill, Mayor, City of Napavine date Ben Winkelman, Mayor, City of Hoquiam date

Lonnie Willey, Mayor, Town of Pe Ell date Vini Samuel, Mayor, City of Montesano date

Carolina Mejia, Commission Chair, Thurston County date Anthony Smith, Mayor, City of Oakville date

Rob Gordon, Mayor, Town of Bucoda date

**CITY OF COSMOPOLIS
RESOLUTION 2023-05**

A RESOLUTION adopting 2023 amendments to the Shoreline Master Program (SMP) and forwarding the document to the Department of Ecology for state level review and approval:

WHEREAS, the City of Cosmopolis previously passed Resolution 2016-05 to adopt amendments to the city’s Shoreline Master Program, which was reviewed extensively in a Comprehensive update; and

WHEREAS, RCW 90.58.080(4) requires the City to periodically review and, if necessary, revise the master program; and

WHEREAS, the review process is intended to bring the SMP into compliance with requirements of the act or state rules that have been added or changed since the last SMP amendment, ensure the SMP remains consistent with amended comprehensive plans and regulations, and incorporate amendments deemed necessary to reflect changed circumstances, new information, or improved data; and

WHEREAS, the City Council has reviewed proposed amendments to the City of Cosmopolis Shoreline Master Program, updating the document to ensure conformity and compliance with the state Shoreline Management Act (SMA) and related SMP Guidelines (RCW 90.58 and WAC 173-26, respectively); and

WHEREAS, the City of received notice from the Department of Commerce verifying receipt of the documents required pursuant to RCW 36.70A.106 on March 3, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) environmental checklist was prepared and the City of Cosmopolis SEPA responsible official issued and circulated a copy of the checklist and a Determination of Nonsignificance (DNS) on March 20, 2023; and

WHEREAS, the City conducted a formal public comment period in compliance with requirements of WAC 173-26-104; and

WHEREAS, in accordance with the City’s Public Participation Plan the city’s Planning Commission held a duly noticed Public Hearing on April 10, 2023 which was a “joint” hearing with Ecology, and heard testimony on the City of Cosmopolis Shoreline Master Program draft (draft copy - dated March 27, 2023); and

WHEREAS, following the conclusion of the comment period staff submitted materials seeking an “initial determination” from Ecology and on May 11, 2023 Ecology issued a written statement of initial concurrence with the documents submitted, with a list of identified issues (Recommended Changes and Required Changes) listed out for the City to address; and

WHEREAS, the City’s consultant prepared a final document on May 16, 2023 to incorporate recommended and required changes identified by Ecology; and

WHEREAS, the City Council reviewed the record finds the Revised Draft dated May 16, 2023 meets the requirements of the state Shoreline Management Act (SMA) and SMP Guidelines (RCW 90.58 and WAC 173-26, respectively).

NOW THEREFORE, the City Council of the City of Cosmopolis, Washington does hereby resolve:

SECTION 1. Review and Evaluation. The Council hereby finds that the review and evaluation required by RCW 90.58.080(4) have occurred, as described in the recitals above.

SECTION 2. Local Adoption. The attached 2023 Shorelines Master Program amendment dated May 16, 2023 is hereby adopted.

SECTION 3. Transmittal to Ecology. Staff is directed to forward the attached draft of the Shoreline Master Program dated May 16, 2023 to the Washington State Department of Ecology for state level review and approval.

SECTION 4. Effective Date. The amendments to the SMP adopted through this ordinance shall be effective 14 days after Department of Ecology final action as provided by RCW 90.58.090(7).

PASSED AND APPROVED THIS 21ST DAY OF JUNE 2023.

Kyle Pauley, Mayor

Attest:

Julie Pope, Finance Director



PROJECT MEMO

TO:	City of Cosmopolis City Council	DATE:	June 7, 2023
FROM:	Nicole Stickney, AICP and Ali Masterson Tri-Cities - (509) 380-5883	PROJECT NO.:	2211013.30
		PROJECT NAME:	City of Cosmopolis SMP
SUBJECT:	Cosmopolis Shoreline Master Program (SMP) Periodic Update - Adoption		

This memo serves as a staff report to the City Council for the Cosmopolis Shoreline Master Program (SMP) Periodic Review project, for the **June 21, 2023 meeting**.

Attachments:

- **Resolution**
- **[Resolution Attachment]** Draft SMP Amendment Document (Dated May 16, 2023, labeled "SMP Draft for City Council Adoption" and prepared by AHBL for the City Council public hearing; proposed changes are shown in redlines)
- Final Periodic Review Checklist and List of Amendments
- Record of Comments and Responses dated April 20, 2022

List of Supporting Materials on the Record

(Many of these items are available at <https://www.cosmopoliswa.gov/community-resources/economic-development/shorline-master-program.html>)

1. Notice to the Public of Joint Public Hearing, SEPA Environmental Review, and Comment Periods
2. Affidavit of Publication in The Daily World on March 20, 2023
3. SEPA Environmental Review Document and DNS issued March 20, 2023
4. Project Memo from AHBL to the City of Cosmopolis Planning Commission dated April 10, 2023
5. Planning Commission meeting minutes from joint public hearing held on April 10, 2023
6. Ecology Initial Determination of Consistency from Ecology to the City of Cosmopolis dated May 11, 2023

DESCRIPTION OF PROPOSAL

The City of Cosmopolis is nearly finished with the process of conducting a periodic review of the Shoreline Master Program (SMP). The periodic review is a requirement of all jurisdictions in the State of Washington having Shorelines of Statewide Significance to comply with State law and updated regulations (RCW 90.58 and WAC 173-26 and WAC 173-27). The State's Shoreline Management Act (RCW 90.58) requires each SMP to be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. The Washington Department of Ecology (Ecology) has directed Cosmopolis to complete the periodic review by June 30, 2023.

The purpose of the City Council meeting is to review the record regarding the proposed changes to the SMP, which serves to regulate development located in the City's shoreline jurisdiction, and determine if legislative action (adoption) should occur. The Planning Commission has recommended adoption and staff further recommends adoption.

The Department of Ecology (Ecology) has issued an initial determination of consistency. Following adoption by the City council, the SMP will not be in effect unless and until the City receives official notice from Ecology that the changes are accepted.

BACKGROUND

See the Planning Commission memo for further details.

LIST OF PROPOSED EDITS / CHANGES¹

Phase 1 Proposed Changes – Reviewed by the City’s Planning Commission and Prepared Prior to the 30-day Comment Period

Chapter 1. INTRODUCTION

- 1.04 – *Shoreline Master Program Development* – Revised to better reflect and differentiate the previous comprehensive update and this periodic review.
- 1.05 – *Applicability* – Added new section to capture developments not required to obtain shoreline permits or local reviews. (F)
- 1.06.02 – *Shorelines of Statewide Significance*:
 - Revised citation to RCW 90.58.020 (*Policies for Shorelines of Statewide Significance*) (C).
 - Added “environmentally” to qualify sensitive areas of limited development for public access (C.10).
- 1.07 – *Relationship to Other Codes, Ordinances, and Plans*:
 - Added a statement clarifying that the applicant is responsible for complying with all state and federal requirements, in addition to SMP provisions.
- 1.11 – *Effective Date* – Replaced date of adopted SMP with placeholder language.

Chapter 3. SHORELINE ENVIRONMENT DESIGNATIONS

- 3.01 – Revised statement about the purpose of the City’s Comprehensive plan to clarify that it primarily addresses planning elements. Deleted “land use” from list of planning elements (*Shoreline Environment Designation System*) (C).

Chapter 4. GENERAL POLICIES AND REGULATIONS

- 4.02.01 – Rearranged policy language for clarity and to align with steps in notification process (*Archaeological and Historic Resources - Policies*) (D).
- 4.03.01 – *Policy* – Added “ecological” to clarify that no net loss of ecological functions should be met (*Environmental Impacts and Mitigation – Policy*).
- 4.04 *Critical Areas and Shoreline Vegetation Conservation*:
 - 4.04.02 – *Regulations – General Regulations*:
 - Replaced “statement” with “letter” of exemption (A.1).

¹ For reference only; also see the SMP document for redlined changes and the list of “SMP provisions to be changed by the amendment as proposed” which is included in the *Ecology Initial Determination of Consistency* document

- *Added invasive species removal to list of qualifiers for required revegetation area conditions (Revegetation) (E.1).*
- *4.05.02 Flood Hazard Management – Regulations – Revised provision for new structural flood hazard management measures from “no alternative exists” to “no alternative is feasible,” and added floodplain restoration as a condition in which the structure may be placed waterward of associated wetlands and shoreline buffers (E).*

Chapter 5. SPECIFIC SHORELINE USE POLICIES AND REGULATIONS

- *5.03 Allowed Shoreline Uses – Added new rows for ocean uses (Table 5-1: Permitted, Conditional, and Prohibited Uses).*
- *5.06.02 Aquaculture – Regulations: Applicability – Deleted “statement” and replaced with “letter” of exemption (A.3).*
- *5.09.02 Forest Practices – Regulations – Revised regulation to clarify that conversions to non-forestry uses shall be reviewed against the general provisions of the SMP (B).*
- *5.12.02 Parking Regulations – Deleted “applicable” when referring to requirements and regulations (D).*
- *5.18 Ocean Management:*
 - *5.18 – Preamble – Added new section defining ORMA geographical area and protection standards for new ocean use proposals.*
 - *5.18.01 – Policies – Added policy about use of MSP for new ocean use proposals.*
 - *5.18.02 – Regulations – Added new section containing standards for new ocean uses, including ocean mining and energy production standards, and ISU designation and protection standards, from Ecology’s example MSP language.*

Chapter 6. SHORELINE MODIFICATION POLICIES AND REGULATIONS

- *6.04.01 Dredging and Dredge Material Disposal – Policies– Revised to prohibit dredging waterward of the OHWM except as part of a flood hazard management program (E).*
- *6.05.02 In-Water Structures – Regulations – Deleted demolition debris from list of items that do not qualify as in-water structures (K).*
- *6.07.02 Shoreline Stabilization – Regulations – Deleted number of feet. from replacement threshold for considering replacement as a new structure (Repair and Maintenance of Existing Shoreline Stabilization Structures) (B) (1.C).*

Chapter 7. SHORELINE ADMINISTRATION

- *7.03 Application– Notices – Added new provision about WSDOT project review (H).*
- *7.04.05 Shoreline Permits and Approvals – Added new provision to implement ORMA and the Marine Spatial Plan (MSP) requirements.*
- *7.05.03– Notice of Decision – Relocated reference to WAC 173-27-130.*
- *7.06.02 – Revisions of Shoreline Permits–Deleted inaccurate reference to Ecology conditioning for review of variance/conditional use revisions (C).*
- *7.09.03 – Annexation of a Shoreline of the State–Revised provision to reflect amendment process and deleted reference to WAC 173-26-150 (A).*

Chapter 8. DEFINITIONS

- Added terms ‘Marine Spatial Plan for Washington’s Pacific Coast (MSP)’; ‘Ocean Disposal’; ‘Ocean Energy Production’; ‘Ocean Mining’; ‘Ocean Oil and Gas Use and Activities’; ‘Ocean Research’; ‘Ocean Salvage’; ‘Ocean Transportation’; ‘Ocean Use’; ‘Ocean Uses, New’; ‘Species, Listed’ and ‘Species, Proposed’.
- Deleted definitions for ‘In kind compensation’; ‘Off site compensation’; ‘On site compensation’; ‘Priority Species’; ‘Species, Endangered’; ‘Species, Threatened’; ‘Species, Sensitive’; and ‘Wetland Mosaic’.
- Modified definition for ‘Bog’; ‘Compensation’; ‘Development’; ‘Important, Sensitive and Unique Areas (ISUs)’; ‘Isolated Wetlands’; ‘Mature Forested Wetland’, ‘Native Vegetation’; ‘Proposed, Threatened, Sensitive, and Endangered Species’; ‘Recreational Facilities’; ‘Stream’; ‘Species, Priority’; ‘Substantial Development’; ‘Wetland or Wetland Areas’.

SMP Appendix 2 – CRITICAL AREAS REGULATIONS

- 1.11 Mitigation:
 - Deleted redundant statement (B.5).
 - Revised monitoring requirement for consistency with list of mitigation measures (B.6).
- 2.04 Wetland Rating – Corrected point range for Category I wetlands (A.1).
- 2.07 Wetland Buffers
 - Table 2-1: Wetland Buffer Requirements if Table 2-2 is implemented and corridor provided – Revised the habitat score breakdown for Category I, II, and III wetlands and updated score references to reflect the 2014 rating system.
- Table 2-2: Required measures to minimize impacts to wetlands–Added a required measure to minimize stormwater runoff impacts; deleted measures to minimize ‘disruption of corridors or connections’.
- Table 2-3: Wetland buffer requirements if Table 2-2 is NOT implemented or corridor is NOT provided– Added new table defining wetland buffers required in the absence of minimization measures.
- 6.06 – Habitat Management Plan – Deleted reference to bald eagle management plan.

Phase 2 Proposed Changes – Additional Edits or Changes Made following the Comment Period to Respond to Comments and to Make Changes according to Ecology’s Initial Determination correspondence

- SMP Ch. 5.18 Ocean Management – added/revised reference to 7.04 Shoreline Permits and Approvals.
- SMP Sec. 5.18.02 Ocean Management Regulations J – added accidentally omitted Fisheries Protection standards.
- SMP Sec. 6.04.01 Dredging and Dredge Material Disposal Policies E – changed language for clarity.
- SMP Sec. 7.04 Shoreline Permits and Approvals – added ORMA approval criteria.
- SMP Appendix 2. (Critical Areas Regulations) Sec. 2.07 Wetland Buffers B – added language for consistency with tables.

PUBLIC NOTICE/ COMMENTS

Public participation was a very important cornerstone of this periodic update process.

This project was launched with Council’s adoption of a public participation plan, which was followed by a letter mailed to stakeholders / agencies / partners (including persons who own property in the shoreline jurisdiction according to tax records, tribes, etc.) to provide notice and information about the pending update, and gave the opportunity for people to “sign up” to be included on an email notification list. A website was set up with an overview, updates, contacts, events, and a document library at: <https://www.cosmopoliswa.gov/community-resources/economic-development/shorline-master-program.html> . The website has been regularly updated throughout the SMP periodic update process.

Public notice of the joint City/ Ecology public hearing included the following:

- Posting of a notice to the project website
- Posting of a notice on the City’s website
- Email to the SMP update email list and to individuals/ agencies on the SEPA email list (Joint notice for the public hearing and for the SEPA determination)
- Notification completed by Ecology
- Publication in The Daily World

Additionally, a *Request for Review and Notice of Intent to Adopt Amendment*, as required under RCW 36.70A.106, was submitted to the Washington State Department of Commerce on March 6, 2023.

The official comment period for the SMP was held from April 10, 2023 through May 10, 2023. AHBL consultants were responsible for compiling all comments received in writing into response matrix, to document the comments as well as a response for each comment. One written comment was received.

ENVIRONMENTAL REVIEW

The City, acting as the lead agency for the proposal under the State Environmental Policy Act (SEPA), reviewed the proposed non-project action for probable adverse environmental impacts and issued a determination of non-significance (DNS) for the proposal on March 20, 2023 (SEPA register #202301297).

PAST AND PROJECTED TIMELINE

DATE	ITEM
March 13, 2023	City sent a letter to potential interested parties (and individuals/ agencies on record who participated in the last update)
March 20, 2023	Newspaper notice published; Public notice emailed and posted to websites; Issued SEPA Threshold Determination;
March 6, 2023	Transmittal of SMP Amendments (SMP document and maps together with a completed update checklist) to Departments of Commerce and Ecology with 60-day Notice of Intent to Adopt
March 20, 2023	City and Ecology joint public comment period began
April 10, 2023	Joint Planning Commission / Ecology Public Hearing
April 19, 2023	Conclusion of public comment period
April 10, 2023	Planning Commission issued a Recommendation to Approve the amended SMP, as proposed

April 11, 2023	City issued response to the one public comment received
April 20, 2023	Materials submitted to Ecology for Initial determination
May 11, 2023	Ecology issued a written statement of initial concurrence with the documents submitted, with a list of identified issues (Recommended Changes and Required Changes) listed out for the City to address
May 16, 2023	AHBL prepared a final document incorporating required and recommended changes from Ecology
June 21, 2023	City Council Adoption action
June 22, 2023	Submit Application for Final Determination to Ecology
July 2023 (anticipated)	Final Ecology Approval and SMP Adoption

SUGGESTED FINDINGS

Written findings are needed for the City to adopt the SMP amendments under the periodic update. Listed below are the suggested written findings:

Findings:

1. The State of Washington Shoreline Management Act of 1971 (Chapter 90.58 RCW) requires counties and cities to prepare SMPs to prevent the uncoordinated and piecemeal development on shoreline of the state.
2. Under RCW 90.58.050, the City and Ecology share joint authority and responsibility for the administration of the City’s SMP. When the City’s updated SMP is approved by Ecology, it has the authority of state law.
3. In 2003, Ecology adopted new rules based on RCW 90.58.200, that became effective January 17, 2004. These rules gave procedural and substantive direction to local jurisdictions for updating shoreline uses and regulations.
4. Ecology adopted and approved the existing Cosmopolis SMP in 2015.
5. The State’s Shoreline Management Act (RCW 90.58) requires each SMP to be reviewed and revised, if needed, on an eight-year schedule established by the Legislature and the City of Cosmopolis’s periodic update is due no later than June 30, 2023.
6. The SMP Guidelines (Chapter 173-26 WAC) are the standards and guidance that establish minimum standards for updating local SMPs.
7. The City was awarded a grant from Ecology to fund a portion of the update costs.
8. The proposed SMP is compatible with the City’s adopted land use designations, policies, and goals contained with its Comprehensive Plan and its development regulations.
9. The proposed SMP recognizes private property rights and it is consistent with other property regulations and those rights afforded to property owners.
10. The City’s Planning Commission held a public hearing on April 10, 2023 to review and receive public comment on the proposed amendments to update the City’s SMP.
11. The City completed environmental review under SEPA and issued a Threshold Determination of Non-Significance on March 20, 2023 (SEPA register #202301297).
12. The City filed a Growth Management Act 60-day notice of intent to adopt with the State of Washington Department of Commerce on March 6, 2023.
13. The proposed amendments to the City’s SMP were placed on the project website using the EZ View platform on March 20, 2023 prior to the City’s Planning Commission public hearing for public review.

14. The notice of the amendments, SEPA DNS, public hearing, and public comment period were published in the Daily Planet on March 20, 2022.
15. The official comment period for the SMP was open from March 20, 2023 to April 19, 2023.
16. All written comments received prior to and during the official comment period were compiled into a Response Matrix document for the City to consider and document their review and formal responses.
17. Following the public hearing, the City's Planning Commission voted unanimously to recommend approval of the proposed SMP amendments.

ACTION

After the City Council adopts an updated SMP and associated documents, the Washington State Department of Ecology has final review of the SMP. Unlike other local regulations, Ecology has final review and approval authority over the City's SMP, including the ability to require changes.

Suggested motion: "I move to pass Resolution No. _____ adopting 2023 amendments to the City's Shoreline Master Program and Providing for an Effective Date, based on the written findings as contained in the staff report."

Cc: Darrin Raines – City of Cosmopolis

OCEAN MANAGEMENT CHECKLISTS
(ORMA Requirements of WAC 173-26-360 and MSP Requirements)

PERIODIC REVIEW CHECKLIST

&

**TABLE OF DRAFTED AMENDMENTS FOR
COSMOPOLIS SMP PERIODIC REVIEW**

for

**CITY OF COSMOPOLIS
SHORELINE MASTER PROGRAM
2023 Periodic Review**

February 27, 2023

Prepared For:

**Darrin Raines
Public Works/Community Development Director
City of Cosmopolis
PO Box 2007
Cosmopolis, WA 98537**

Prepared By:

**Nicole Stickney, AICP
Senior Planning Project Manager
AHBL, Inc.**

Ocean Management Checklist

Review Considerations for Evaluating Ocean Use Policies, Regulations, and Procedures within Shoreline Jurisdiction

This document is intended to be filled out by local jurisdictions for use by Ecology shoreline planners reviewing local Shoreline Master Programs (SMPs) within Clallam, Jefferson, Grays Harbor, and Pacific Counties. The SMA guidelines (WAC 173-26-360) require that coastal county SMPs include ocean uses policies, regulations, and approval criteria consistent with the Ocean Resource Management Act (ORMA). The marine planning law (RCW 43.372.050(2)) requires that Ecology also review coastal county SMPs for consistency with the state's Marine Spatial Plan (MSP).

These checklists are intended to ensure that the SMP:

1. Implements the ORMA consistent with the specific provisions of [WAC 173-26-360](#).
2. Incorporates information, analyses, recommendations, and policies from the [Washington State Marine Spatial Plan](#).

Local SMPs on Washington's Pacific Coast are responsible for incorporating the Ocean Management Guidelines (WAC 173-26-360), which implement the ORMA (RCW 43.143) into their SMPs. The MSP provides information, analyses, recommendations, and policies that must be incorporated in local plans, regulations, and permit processes, particularly through local SMPs under the Shoreline Management Act. Given the purpose, authority, and intent of the marine planning law, all state and local agencies are required to implement and adhere to the adopted Marine Spatial Plan (MSP) through existing regulatory and decision-making processes at the state and local level. To make decisions consistent with the MSP, local governments on Washington's Pacific Coast will need to:

1. Review and, if necessary, update their local programs and incorporate information, analyses, recommendations, and policies from the MSP.
2. Once incorporated, issue shoreline permits for new ocean uses involving development (as defined in RCW 90.58.030(3)(a)) that are consistent with the updated SMP and, therefore, the MSP.



CHECKLIST 1 ORMA Requirements of WAC 173-26-360

This submittal checklist is designed to help in preparation and review of local Shoreline Master Programs (SMPs). It contains a list of required SMP components and provides a format for demonstrating how the SMP complies with the SMP Guidelines. This checklist will accompany the local government’s Comprehensive Update Checklist or Periodic Review checklist, as applicable per RCW 90.58.080.

This checklist is for use by local governments to satisfy the requirements of WAC 173-26-201(3)(a), relating to submittal of Shoreline Master Programs (SMPs) for review by the Department of Ecology (Ecology) under Chapter 173-26 WAC. The checklist does not create new or additional requirements beyond the provisions of that chapter.

How to use this checklist

This checklist summarizes key Ocean Management issues. See the associated *Guidance for Checklist 1 – ORMA* for a description of each item, relevant links, review considerations, and example language. Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist.

Prepared By		Jurisdiction	Date
AHBL, Inc.		Cosmopolis, WA	February 27, 2023
Item #	Summary of Ocean Management Requirements: <i>Ocean Resource Management Act - ORMA</i>	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.
Geographical Area – consider including a map illustrating these areas for ease of implementation			
1	Clear identification of the geographical area where the Ocean Management provisions apply within the local jurisdiction. See WAC 173-26-360(2).	No, other than a reference to WAC 173-26-360.	The ORMA geographical area is described in general and as it applies to Cosmopolis in new Section 5.18 Ocean Management, paragraph 2 of intro. (See draft SMP dated 2/27/2023)

Item #	Summary of Ocean Management Requirements: <i>Ocean Resource Management Act - ORMA</i>	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.
Definitions – consider including within the definition section of the SMP or integrating into a separate ocean management section.			
2	SMP includes definitions for the following terms consistent with the definitions in WAC 173-26-360: Ocean Use. WAC 173-26-360(3) Oil and gas uses and activities. WAC 173-26-360(8) Ocean mining. WAC 173-26-360(9) Energy production. WAC 173-26-360(10) Ocean disposal. WAC 173-26-360(11) Transportation. WAC 173-26-360(12) Ocean research. WAC 173-26-360(13) Ocean salvage. WAC 173-26-360(14)	No	Yes, Added to Section 8.02 (See draft SMP dated 2/27/2023)
Shoreline Environment Designation – Review the SED designation criteria, management policies, and use matrix to ensure internal consistency with WAC 173-26-360			
3	Appropriate shoreline environment designations (SEDs) are proposed for the ocean management geographical area of WAC 173-26-360.	Yes, Appropriate SEDs are proposed for the ocean management area and are represented in Appendix 1: Shoreline Environment Designation Map	Yes
Administration and Decision Making – consider including within the permit administration and/or a general ocean management section.			
4	Additional approval criteria of RCW 43.143.030 (2) for newly proposed ocean uses and developments. WAC 173-26-360(6)	No, other than Section 1.07 states “Ocean uses and activities conducted within the city’s and the state of Washington’s jurisdiction shall comply with RCW 43.143 (Ocean Resources Management Act) and WAC 173-26-360 (Ocean	Yes, Added a reference in Section 5.18 (See draft SMP dated 2/27/2023)

Item #	Summary of Ocean Management Requirements: <i>Ocean Resource Management Act - ORMA</i>	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.
		Management). Nothing in this paragraph is intended to expand or modify the applicability of RCW 43.143, WAC 173- 26-360, or any subsections thereof, to ocean uses and activities not otherwise governed by those laws, administrative rules, or their subsections.”	
Ocean Management Policies – consider including these with Comprehensive Plan policies and/or a general ocean management section.			
5	General ocean management policies consistent with WAC 173-26-360(7).	No	Yes, added reference to New Section 5.18.01 (See draft SMP dated 2/27/2023)
Ocean Management Regulations – consider including within the Use section or integrating into a separate ocean management section.			
6	SMP includes the following specific use regulations:		
	a. Oil and gas uses and activities. WAC 173-26-360(8)	No	Added to ... 5.18.02(A) and Table 5-1
	b. Ocean Mining. WAC 173-26-360(9)	No	5.18.02(B) and Table 5-1
	c. Energy production. WAC 173-26-360(10)	No	5.18.02 (C) and Table 5-1
	d. Ocean disposal. WAC 173-26-360(11)	No	5.18.02 (D) and Table 5-1
	e. Transportation. WAC 173-26-360(12)	No	5.18.02 (E) and Table 5-1
	f. Ocean Research. WAC 173-26-360(13)	No	5.18.02 (F) and Table 5-1
	g. Ocean Salvage. WAC 173-26-360(14)	No	5.18.02 (G) and Table 5-1

CHECKLIST 2 Marine Spatial Plan (MSP) Requirements

This submittal checklist is designed to help in preparation and review of local Shoreline Master Programs (SMPs). It contains a list of required SMP components and provides a format for demonstrating how the SMP complies with the requirements of the Marine Waters Planning and Management Act found in RCW 43.372. This checklist will accompany the local government’s Comprehensive Update Checklist or Periodic Review checklist, as applicable per RCW 90.58.080.

This checklist is for use by local governments to satisfy the requirements of WAC 173-26-201(3)(a), relating to submittal of Shoreline Master Programs (SMPs) for review by the Department of Ecology (Ecology) under Chapter 173-26 WAC. The checklist does not create new or additional requirements beyond the provisions of that chapter.

How to use this checklist

This checklist summarizes key Ocean Management issues. See the associated *Guidance for Checklist 2 – MSP* for a description of each item, relevant links, review considerations, and example language. Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist.

Prepared By	Jurisdiction	Date	
AHBL, Inc.	Cosmopolis	February 27, 2023	
Item #	Summary of <i>Marine Spatial Plan for Washington’s Pacific Coast (MSP) Requirements</i>	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.
Geographical Area and Applicability – consider including a map illustrating these areas for ease of implementation			
1	The SMP includes the following:		
	a. MSP Applicability Area. Clear identification of the geographical area where the Marine Spatial Plan information, analysis, policies, and regulations apply within the local jurisdiction. Include an applicability statement identifying when and where the MSP should be applied within the local jurisdiction.	No	Yes, The MSP applicability area is described in 5.18 Ocean management, intro paragraph 4. (See draft SMP dated 2/27/2023)
	b. Important, Sensitive and Unique Area (ISU). The current MSP ISU maps from the state along with identification of this	No	ISU mapping introduced as developed using best

Item #	Summary of Marine Spatial Plan for Washington’s Pacific Coast (MSP) Requirements	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.
	information as the best available data. Include an applicability statement referencing the state ISU mapping resource.		available science in Section 5.18 Ocean management, intro paragraph 5. Applicability and mapping resource location further described in 5.18.02(H-I)
Definitions - consider including within the definition section of the SMP or integrating into a separate ocean management section.			
2	SMP includes definitions for the following terms consistent with the definitions in the MSP:		
	a. Important, Sensitive and Unique Areas (ISUs)	No	Yes, Added to Section 8.02 (See draft SMP dated 2/27/2023)
	b. New Ocean Uses	No	“
	c. The Marine Spatial Plan (MSP)	No	“
Administration and Decision Making – consider including within the permit administration and/or a general ocean management section.			
3	Describes how the MSP will be used to inform the evaluation of new ocean use and development proposals. The SMP should include a reference to the MSP as a resource for project review and the process for reviewing new ocean uses proposals as outlined.	No	Yes, added to New Section 7.04.06 (See draft SMP dated 2/27/2023)
Ocean Management Policies – consider including these with Comprehensive Plan policies and/or a general ocean management section.			
4	Use of the Marine Spatial Plan. The SMP should include a policy statement about how the SMP is informed by the MSP and how it will be used in permit review.	No	Yes, Added to New Section 5.18 Ocean management, intro paragraph 4.
Ocean Management Regulations – consider including within the Use section or integrating into a separate ocean management section.			
5	The SMP should contain ocean management regulations addressing the following:		
	a. Important, Sensitive and Unique Areas (ISUs) Designation. The SMP should contain ISU designation types and criteria consistent with the MSP.	No	Added to Subsection 5.18.02(H)

Item #	Summary of Marine Spatial Plan for Washington’s Pacific Coast (MSP) Requirements	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.
			<i>(See draft SMP dated 2/27/2023)</i>
	b. ISU Protection standards. The SMP must apply ISU adverse effects and protection standards to new ocean uses and developments consistent with the MSP.	No	Added to Subsection 5.18.02(I) <i>(See draft SMP dated 2/27/2023)</i>
	c. Fisheries Protection standards. The SMP must apply fisheries protection standards to new ocean uses and developments consistent with the MSP.	No	Added to Subsection 5.18.02(J) <i>(See draft SMP dated 2/27/2023)</i>

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist: 2021 version

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). The review is required under the SMA at [RCW 90.58.080\(4\)](#). Ecology rules that define the procedures for conducting these reviews include a requirement to use this checklist to ensure a successful review ([WAC 173-26-090](#)). By filling out this checklist, the local government is demonstrating compliance with the minimum scope of review requirements of WAC 173-26-090(2)(d)(ii). The checklist is organized into two parts.

Part One is used to identify how the SMP complies with current state laws, rules and guidance. This checklist identifies amendments to state law, rules and applicable updated guidance adopted between 2007 and 2021 that may trigger the need for local SMP amendments.

Part Two is used to document local review to ensure the SMP is consistent with changes to the local comprehensive plans or development regulations, and to consider changes in local circumstances, new information or improved data. As part of this periodic review the local government should include consideration of whether or not the changes warrant an SMP amendment.

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.

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). Ecology recommends reviewing all items on the checklist.

Use the **action column** as a final summary identifying your final action taken to address the identified change in state law, rule or guidance. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b). This will likely include one of the following:

- Amendment proposed (include code citation);
- No amendment needed; or
- Not applicable.

Example

Row	Summary of change	Review	Action
2017a	OFM adjusted the cost threshold for substantial development to \$7,047.	21A.25.290B refers to the statutory thresholds, as amended by OFM.	No amendments needed.

For more information

Coordinate with [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Prepared By	Jurisdiction	Date
AHBL, Inc.	Cosmopolis, WA	2/27/2023

Part One: State laws, rules and guidance review

Part One is used to demonstrate compliance with WAC 173-26-090(2)(d)(i)(A). This checklist identifies amendments to state law, rules and applicable updated guidance adopted between 2007 and 2021 that may trigger the need for local SMP amendments during periodic reviews.*

Row	Summary of change	Review	Action
2021			
a.	The Legislature amended floating on-water residences provisions	Not applicable; floating homes are not allowed in Cosmopolis (Section 5.07.02(B)(8)).	No action needed.
b.	The Legislature clarified the permit exemption for fish passage projects	Section 7.04.04 references WAC 173-27-040 for exemptions. WAC 173-27-040 includes this exception.	No action needed.
2019			
a.	OFM adjusted the cost threshold for building freshwater docks	Section 1.06.02(C) says that the city will review all development proposals within shorelines of statewide significance for consistency with RCW 90.58.030.	No action needed.
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	The cost threshold is outdated. Cost threshold should be updated in SMP Section 8 – Definitions.	Updated threshold to \$8,504 (the value effective July 1, 2022 per OFM filing with the State Register).
b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	The existing definition for “development” does not include this clarification. The definition should be updated according to the language in the checklist guidance.	Updated the definition of “development” according to the language in the checklist guidance.
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	The 2017 SMP does not include these exceptions. Section 1.05 should be updated according to checklist guidance.	Updated Section 1.05 to include item “F”, which outlines the exceptions to local review.
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	The 2017 SMP includes “date of filing” instead of “date of receipt” for shoreline permits sent to Ecology, as required.	No action needed.

Row	Summary of change	Review	Action
		<p>The 2017 SMP includes requirement for simultaneous filing of Substantial Development, Conditional Use Permits, and/or variances in Section 7.02.03(A).</p> <p>The 2017 SMP does not go into detail into permit procedures so no review is needed to ensure consistency with required permit procedures in RCW 90.58.140(6).</p>	
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	Forest practices are prohibited in all shoreline environmental designations in Cosmopolis.	Not applicable.
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction .	There are no lands under exclusive federal jurisdiction.	Not applicable.
g.	Ecology clarified “default” provisions for nonconforming uses and development .	The 2017 SMP does not include separate definitions for nonconforming use, nonconforming development/structure, and nonconforming lot. However, these changes are optional because the 2016 SMP includes provisions to address nonconforming uses.	No action needed.
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .	Section 7.04.04 references WAC 173-27-040 for exemptions. WAC 173-27-040 includes this exception.	No action needed.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	The 2017 SMP Appendix includes the current wetland ratings and buffers guidance.	No action needed.

Row	Summary of change	Review	Action
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	This is not included in the 2017 SMP. Checklist guidance says it is not necessary to include in the SMP and reference is optional.	Added language from the checklist guidance to Section 7.03.
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	The 2017 SMP does not include SMP appeal procedures. Checklist guidance says that no change is necessary if SMP appeal process is not outlined.	No action needed.
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	The 2017 SMP includes the required language, as defined in the checklist guidance.	No action needed.
b.	Ecology adopted rules for new commercial geoduck aquaculture .	Commercial geoduck aquaculture is not possible within the city's shoreline jurisdiction and is prohibited, so no SMP amendments are needed.	No action needed.
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	Floating homes are not allowed in Cosmopolis (Section 5.07.02(B)(8)).	No action needed.
d.	The Legislature authorizing a new option to classify existing structures as conforming .	The 2017 SMP does not include this classification. The checklist guidance says it is optional to include.	No action needed.
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .	The 2017 SMP includes a separate appendix for critical areas and shoreline areas.	No action needed.
2009			
a.	The Legislature created new "relief" procedures for instances in which a shoreline restoration project within a UGA creates a	Section 6.06.02 of the SMP references these procedures.	No action needed.

Row	Summary of change	Review	Action
	shift in Ordinary High Water Mark.		
b.	Ecology adopted a rule for certifying wetland mitigation banks .	Section 2.09.(E)(4)(b) allows credits from a state certified wetland mitigation bank to be used as mitigation.	No action needed.
c.	The Legislature added moratoria authority and procedures to the SMA.	The 2017 SMP does not include the moratoria procedures. The checklist guidance says that adding them is not necessary.	No action needed.
2007			
a.	The Legislature clarified options for defining "floodway" as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	Section 1.06.01 includes floodways as areas established by FEMA. The definition of "floodway" in Section 8 also references areas established in effective FEMA flood insurance rate maps or floodway maps.	No action needed.
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.	The 2017 SMP includes a list of waterbodies subject to the SMP (Section 1.06).	No action needed.

* See additional considerations for Ocean Management within Ecology’s Ocean Management Checklist and associated guidance for using the Ocean Management Checklist. This checklist and guidance summarizes state law, rules and applicable updated information related to Ocean Resources Management Act (ORMA) and the Washington State Marine Spatial Plan (MSP). All jurisdictions with coastal waters must implement ORMA and the MSP applies to all jurisdictions that overlap with the MSP Study Area. Clallam County, Jefferson County, Grays Harbor County, Pacific County, Ilwaco, Long Beach, Raymond, South Bend, Cosmopolis, Ocean Shores, Hoquiam, Aberdeen, Westport need to plan for ocean uses consistent with ORMA and the MSP and should be using the Ocean Management Checklist in addition to this Periodic Review Checklist.

Part Two: Local review amendments

Part Two is used to demonstrate compliance with WAC 173-26-090(2)(d)(ii). This checklist identifies changes to the local comprehensive plans or development regulations, changes in local circumstances, new information or improved data that may warrant an SMP amendment during periodic reviews.

Changes to Comprehensive Plan and Development regulations

Question	Answer		Discussion
Have you had Comprehensive Plan amendments since the SMP comprehensive update that may trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	No Comprehensive Plan amendments were made that may trigger the need for an SMP amendment.
	<input checked="" type="checkbox"/>	No	
Have your had Development Regulations amendments since the SMP comprehensive update that may trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	No Development Regulations amendments were made that may trigger the need for an SMP amendment.
	<input checked="" type="checkbox"/>	No	
Has your Critical Areas Ordinance (CAO) been updated since the SMP comprehensive update? If yes, are there changes that trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	No updates have been made to the CAO that may trigger the need for an SMP amendment. It appears a CAO is not codified.
	<input checked="" type="checkbox"/>	No	
Are CAO provisions incorporated by reference (with ordinance # and date) into your SMP? If yes, is it the current CAO or a previous version?	<input type="checkbox"/>	Yes	None.
	<input checked="" type="checkbox"/>	No	
Has any new shoreline area been annexed into your jurisdiction since your SMP was updated? If yes, were these areas pre-designated?	<input type="checkbox"/>	Yes	No new shoreline area has been annexed.
	<input checked="" type="checkbox"/>	No	
Other	<input type="checkbox"/>	Yes	Cosmopolis has the previous SMP (from 1976) codified as CMC Chapter 15.08 and a Grays Harbor Estuary Management Plan (from 1988) codified as CMC Chapter 15.12 . The new (once revised) SMP should now be codified as CMC 15.08 or instead a reference should be made to the current regulations as adopted. (with <u>repealing language</u> for Ord. 639 and Ord. 882 in either case.) This does not impact the SMP itself however.
	<input type="checkbox"/>	No	

If your review and evaluation resulted in proposed SMP text or map amendments, please create a table that identifies changes to the SMP for consistency with amendments to the Comprehensive Plan and Development regulations. Example format:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules

Changes to local circumstance, new information, or improved data

Question	Answer	Discussion
Has your jurisdiction experienced any significant events, such as channel migration, major floods or landslides that impacted your shoreline and could trigger a need for an SMP amendment?	<input type="checkbox"/> Yes	Cosmopolis experienced flooding in January 2022. Flooding occurred in the usual area along Mill Creek near F, G, H, and I Streets. No landslides or major damage occurred. The event does not trigger an SMP amendment.
	<input checked="" type="checkbox"/> No	
Have FEMA floodplain or floodway maps been recently updated for your jurisdiction? If your SMP extends shoreline jurisdiction to the entire 100-year floodplain, has FEMA updated maps that trigger a need for an SMP amendment?	<input checked="" type="checkbox"/> Yes	FEMA floodplain maps were updated in 2020 for Grays Harbor County. AHBL investigated the changes and found that the FEMA updated maps do not trigger any changes needed for the shoreline jurisdiction / SED mapping.
	<input type="checkbox"/> No	
Have you issued any formal SMP Administrative Interpretations that could lead to improvements in the SMP?	<input type="checkbox"/> Yes	No formal SMP Administrative Interpretations have been issued.
	<input checked="" type="checkbox"/> No	
Are there any Moratoria in place affecting development in the Shoreline?	<input type="checkbox"/> Yes	There are no moratoria in place in Cosmopolis.
	<input checked="" type="checkbox"/> No	
Have staff identified the need for clarification based on implementation or other changes? e.g., modifications to environment designations, mapping errors, inaccurate internal references.	<input type="checkbox"/> Yes	Staff have had not identified a need for clarification.
	<input checked="" type="checkbox"/> No	
Are there other changes to local circumstances, new information, or improved data that need to be addressed in your SMP?	<input type="checkbox"/> Yes	No changes that City Staff is aware of.
	<input checked="" type="checkbox"/> No	

If your review and evaluation resulted in proposed SMP text or map amendments, please create a table that identifies changes to the SMP to address changes to local circumstances, new information, or improved data. Example format:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules

TABLE OF DRAFTED AMENDMENTS FOR COSMOPOLIS SMP PERIODIC REVIEW

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
Various, including Appendix 2	Various grammatical improvements	N/A	N/A - The changes don't change the meaning but increase readability
Section 8 – Definitions	Updated the cost threshold for substantial development in the definitions section.	OFM adjusted the cost threshold for substantial development effective July 1, 2022	The cost threshold was outdated.
Section 8 – Definitions	Updated the definition of “development” to not include dismantling or removing structures.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	The existing definition for “development” does not include this clarification. The definition should be updated according to the language in the checklist guidance.
Section 8 – Definitions	Updated the definition of the following per Ecology’s Guidance document: <ul style="list-style-type: none"> • Bog • Isolated Wetlands • Mature Forested Wetland • Native Vegetation 	N/A	The updated definitions are per Ecology guidance document and therefore should comply with the SMP and Rules.
Section 8 – Definitions	Consolidated definitions for “off site” and “on site” and “in kind” compensation into one definition to more closely match the SMP text	N/A	N/A
Section 8 – Definitions	Removed the definition for Priority Species, Threatened Species, Sensitive Species, and Endangered Species; updated the definition for “Proposed, Threatened, Sensitive and Endangered Species”	WAC 232-12-014, 232-12-011 and 232-12-297 all no longer exist WAC 220-610-010 is now cited	N/A

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
	and for “Species, Priority” and so forth		
Section 8 – Definitions	Removed the definition for Wetland Mosaic because the term is not used in the SMP	N/A	N/A
Section 8 – Definitions	Updated the definition for Wetland or Wetland Areas	RCW 36.70A.030 and WAC 365-190-030	“If permitted by the county or city” added for aligning with WAC 365-190-030
Section 8 - Definitions	Added definitions for all of the following: <ul style="list-style-type: none"> • Ocean Use • Oil and gas uses and activities • Ocean mining • Energy production. • Ocean disposal • Transportation • Ocean research • Ocean salvage 	WAC 173-26-360	Per ORMA
Section 8 - Definitions	Added definitions for all of the following: <ul style="list-style-type: none"> • ISUs • New Ocean Uses • The MSP 	N/A	Per MSP
1.04	Added information about the 2023 periodic review process.	N/A	N/A; this simply describes the process used for the 2023 periodic review.
1.05(F)	Added an outline of the exceptions to local review.	Ecology adopted rules clarifying exceptions to local review under the SMA.	The 2017 SMP did not include these exceptions and should be updated according to checklist guidance.
5.18 – NEW SECTION	Added ORMA geographical area description	WAC 173-26-360(2)	Per ORMA
5.18.01	Added statement that ocean management policies are consistent with WAC 173-26-360(7)	WAC 173-26-360(7)	Per ORMA
5.18.02	Added regulations for Ocean Management	WAC 173-26-360	Per ORMA
Table 5-1	Added Ocean Uses to the Use Table	WAC 173-26-360	Per ORMA

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
5.18	Added MSP applicability language and policy reference, ISU protection standards references and fisheries protection standards	N/A	Per MSP
6.07.02(B)(1)(c)	Edited as follows: <i>Replacement of greater than 50 percent or 35 feet of the linear length of an existing shoreline stabilization structure, whichever is smaller, as measured on a cumulative basis since the structure was established, is not considered repair or maintenance, and is considered a new structure.</i>	WAC 173-26-231(3)(a)(iii)(C)	The edits preserve flexibility for homeowners with existing shoreline stabilization structures consistent with WAC 173-26-231(3)(a)(iii)(C).
7.04.06	Added language about MSP for project review	N/A	Per MSP
7.06.02(C)	Edited as follows: <i>If the revision involves a shoreline variance or conditional use, which was conditioned by Ecology, the revision must be reviewed and approved by Ecology under the SMA.</i>	WAC 173-27-100	The phrase “was conditioned by Ecology” should not be there because anything that was a shoreline variance or condition use that has a revision needs to be reviewed and approved by Ecology.
7.03	Added info about 90-day target for local review of WSDOT projects.	The Legislature adopted a 90-day target for local review of WSDOT projects.	This is not included in the 2017 SMP. Checklist guidance says it is not necessary to include in the SMP and reference is optional.
Appendix 2 Section 1.11(B)(5) and (6)	Edited as follows: <i>5. Compensating for the impact by replacing, enhancing or providing substitute areas and environments and replacing the ecological processes and functions of the resource; and</i>	N/A	The edits will ensure improved conformance to the SMA.

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
	<p>6. <i>Monitoring the required compensation impact and taking appropriate remedial or corrective measures when necessary.</i></p>		
<p>Appendix 2 Section 2.07</p>	<p>Updated Tables 2-1 and 2-3 to say “if Table 2-2 [is / is not] implemented and Corridor Provided” and we updated the buffer widths based on Ecology guidance documents / new scoring schemes</p>	<p>N/A</p>	<p>The edits will ensure improved conformance to the SMA.</p>
<p>Appendix 2 Section 6.06</p>	<p>Edited as follows: <i>Habitat management plans shall be forwarded to WDFW and similar appropriate state and federal agencies for their comments at the discretion of the city.</i> Bald eagle management plans shall comply with Bald eagle protection rules in accordance with WAC 232-12-292.</p>	<p>N/A</p>	<p>Bald Eagle delisted from State Sensitive - February 4, 2017 a. 2011: Downlisted from State Threatened to Sensitive (this ended the requirement to develop Bald Eagle Protection Plans per WAC 220-610-100) b. 2007: Delisted from federal Threatened (but still covered by the federal Bald and Golden Eagle Protection Act)</p>

EQUIPMENT MAINTENANCE AGREEMENT

This Agreement (“Agreement”) is made between Grays Harbor County, a political subdivision of the State of Washington, through its Department of Public Services Equipment Rental & Revolving Division, hereinafter referred to as “County,” and City of Cosmopolis, a public entity, hereinafter referred to as “Agency.”

WHEREAS, the Agency wishes to use the services of the County to furnish maintenance of Agency equipment, including but not limited to radio equipment and vehicles, hereinafter referred to as “equipment,” and

WHEREAS, the County is agreeable to furnishing the services, and in consideration of the mutual covenants and agreements herein contained,

IT IS NOW, THEREFORE, AGREED AS FOLLOWS:

1. The County will provide the maintenance services requested, at a time and in a manner determined by the County.
 - 1.1 “Maintenance services” means the diagnosis, installation, and repair of Agency equipment.
 - 1.2 Maintenance services excludes providing any parts needed for repair or maintenance of agency equipment. The Agency shall be responsible for the purchase of any needed part(s) as identified by the County and said part(s) shall be provided by the Agency to the County in a timely manner.
 - 1.3 It is expressly understood by the parties that the County will not be liable for the Agency’s delay in obtaining necessary parts, whether within or outside Agency’s control.
2. The Agency will request services by written request (including email) to the ER&R manager.
3. The Agency will pay the County the hourly ER&R rate per annual resolution adopted by Board of County Commissioners for providing the above-described services. The County shall provide an invoice within thirty (30) days following completion of the services. The Agency shall remit payment within thirty (30) days following receipt of the invoice.
4. The Agency shall indemnify and hold the County and its agents, employees, and/or officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the County arising out of, or in connection with, or incident to, the execution of this Agreement and /or the Agency’s performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the County, its agents, employees, and/or officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Agency, and provided further, that nothing herein shall require the Agency to hold harmless or defend the County, its agents, employees, and/or officers from any claims arising from the

sole negligence of the County, its agents, employees, and/or officers. The parties agree that the obligations under this clause shall survive the completion, expiration, or termination of this Agreement.

- 5. It is understood and agreed between the parties that this Agreement will not be assigned, transferred, or any portion subcontracted hereunder by the County without the prior written agreement of the Agency. The Agency understands and agrees that at the County’s sole discretion, is not obligated to undertake or to complete work on any equipment for any reason.
- 6. This Agreement shall be in effect for five (5) years (“Initial Term”), commencing on the date last executed by the parties. This Agreement will automatically renew at the end of the Initial Term for an additional five (5) years unless terminated sooner. This Agreement may be terminated at any time and for any reason by either party upon 90 days written notice to the other party.
- 7. Any notification concerning this Agreement shall be in writing and sent via U.S. Mail or electronic mail to:

Grays Harbor County Board of Commissioners 100 W Broadway Ave #1 Montesano, WA 98563 commish@co.grays-harbor.wa.us	City of Cosmopolis PO BOX 2007 Cosmopolis, WA 98537 draines@cosmopoliswa.gov
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IN WITNESS WHEREOF, the parties have executed this Agreement as of the date last executed below.

**GRAYS HARBOR COUNTY
BOARD OF COMMISSIONERS**

CITY OF COSMOPOLIS

Jill Warne, Chair, District 1

Darrin Raines, City Administrator

Date: _____

Kevin Pine, District 2

Vickie Raines, District 3

Attest:

Wendy Chatham, Clerk of the Board

Date: _____



Local Parks Maintenance Grants

The Washington State Legislature provided one-time funding in the operating budget to help local parks departments maintain their working facilities to meet the needs of their residents. This program will focus on helping communities in need address maintenance backlogs for key local parks facilities and capital improvements. Accessed through a simple application process, grants can be used for general maintenance of things such as trails, restrooms, picnic sites, playgrounds, signs, and kiosks.

Grant Application Schedule

Item	Date
Application Webinar	June 30, 2023 <i>Tentative</i>
Applications Open	June 30, 2023 <i>Tentative</i>
Applications Due	July 31, 2023 <i>Tentative</i>
Project Evaluation	August 1, 2023 - August 31, 2023 <i>Tentative</i>
Grants Awarded	September 16, 2023 <i>Tentative</i>

Grant Award History

Most recent grants and evaluation results, listed by the application year.

Typical Projects

Specific policies for eligible costs and activities are in development; however, examples of typical projects that likely could be funded through this program include the following:

- Staff time to complete priority deferred maintenance projects.
- Deferred purchases of maintenance equipment and supplies.
- Upkeep and minor repairs of park infrastructure such as kiosks, picnic shelters, or trails.

Who May Apply?

- Cities, counties, and towns
- Park and recreation districts, port districts
- Native American tribes
- Eligible entities may partner with nonprofit organizations deployed in this maintenance funding provided all work is performed on land owned by the eligible entity.

Eligible entities are not required to have an approved recreation, conservation, or open space plan on file with RCO in order to apply and receive funding for this grant.

Funding

The Legislature provides funding from general tax dollars: \$2.5 million in Fiscal Year 2024 and \$2.5 million in Fiscal Year 2025.

Grant Limits

Minimum grant request: \$50,000

Maximum grant request: \$100,000

RCO will award grants between \$50,000-\$100,000 and will not consider requests outside this range. An organization may submit only one application and may receive no more than \$100,000.

Award Period

Once grant agreements are signed in 2023, successful applicants must spend all grant awarded funds by June 30, 2025. RCO will not allow time extensions.

Match Details

Applicants are not required to provide matching resources.

Eligible Projects

Generally, funding is for deferred maintenance of local parks facilities and infrastructure. More information about specific eligible and ineligible project types and activities will be shared when it is available, so please check back later.

CITY OF COSMOPOLIS
RESOLUTION NO. 2023 - 06

A RESOLUTION adopting the comprehensive street program prepared by the City Administrator pursuant to RCW 35.77.

WHEREAS, RCW 35.77 requires the legislative body of each city to annually review and determine current city street needs and to prepare and adopt a comprehensive arterial street program for the ensuing six years; and

WHEREAS, the Cosmopolis City Council did hold a public hearing on the proposed comprehensive street program at the City Hall, in Cosmopolis, Washington, on the 21st day of June, 2023; and

WHEREAS, there were no written objections to the comprehensive six year street program prepared by the City of Cosmopolis; now therefore,

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COSMOPOLIS, WASHINGTON, IN REGULAR MEETING DULY ASSEMBLED, AS FOLLOWS:

SECTION 1. That, based on the findings of the Mayor and Council and the program prepared by the City Administrator for the City of Cosmopolis, the attached comprehensive arterial street program is hereby adopted.

SECTION 2. That a copy of the comprehensive arterial street program for the ensuing six years, together with a copy of this resolution, be filed with the Secretary of Transportation of the State of Washington.

PASSED AND APPROVED this 21st day of June, 2023.

Mayor

Attest:

Finance Director