

**ATTACHMENT A: FINDINGS AND CONCLUSIONS  
FOR THE PROPOSED COMPREHENSIVE UPDATE TO THE CITY OF LA CENTER  
SHORELINE MASTER PROGRAM**

SMP Submittal accepted December 13, 2012<sup>1</sup>, Resolution No. 2012-357  
Prepared by Kim Van Zwalenburg on February 19, 2013, Revised April 4, 2013

**Brief Description of Proposed Amendment:** The City of La Center (City) has submitted a comprehensively updated Shoreline Master Program (SMP) for review and approval by the Department of Ecology (Ecology). This submittal is required to comply with the Shoreline Management Act (SMA) and the SMP Guidelines requirements (RCW 90.58 and WAC 173-26 (Part III) respectively). The new master program contains locally tailored shoreline management policies and regulations, a shoreline designation map (Chapter IV), and critical area regulations. Additional reports, supporting information and analyses are included in the submittal and noted below.

**FINDINGS OF FACT**

**Need for amendment:** The SMP is needed to comply with the statutory deadline for development of a comprehensive update of the local Shoreline Master Program pursuant to RCW 90.58.080 and 100. This new SMP is also needed for compliance with the planning and procedural requirements of the SMP Guidelines contained in WAC 173-26 (State master program approval/amendment procedures and master guidelines) and WAC 173-27 (Shoreline management permit and enforcement procedures). The City's SMP was originally approved by Ecology in 1974 and has never been amended.

*Ecology finds that the City has documented the need to adopt an updated shoreline master program.*

**Documentation of current conditions:** Seven cities (Battle Ground, Camas, La Center, Ridgefield, Vancouver, Washougal and Yacolt) and Clark County collaborated as a group (Clark County Coalition) in obtaining grant funding. Because surface waters flow irrespective of political boundaries, this SMP was developed through a coordinated planning effort by all the Clark County jurisdictions. Among the goals identified and agreed to by Coalition members were to:

- develop consistent goals and policies and shoreline designations for shared shoreline resources
- allow the cities to pre-plan for their Urban Growth Areas (UGA)
- use a regional approach to public participation, the Inventory and Characterization and the identification of restoration opportunities

Shared documents include a comprehensive Clark County Shoreline Inventory & Characterization (ESA, 2010). The information was organized around the two major watersheds: Water Resource Inventory Area (WRIA) 27 Lewis and WRIA 28 Salmon-Washougal. This is presented in two volumes, with Volume 1 addressing the county as a whole and Volume 2 containing chapters focused on the urban areas. Vol. 2, Chapter 3 contains information on the shorelines in the City of La Center including those in the City's UGA.

The La Center SMP will regulate activities along one shoreline of the state: East Fork Lewis River which is located in WRIA 27. Approximately 1 linear mile of shoreline is located within the City and/or its UGA (most of it in the UGA).

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<sup>1</sup> Documents were initially received October 19, 2012. Additional documents were received December 11, 2012, by email, in response to Ecology's October 30, 2012 letter.

The East Fork is undammed but has been significantly modified as a result of large-scale fires (such as the 1902 Yacolt Burn) in the upper watershed, and conversion to agricultural and residential uses within the watershed. Historic and ongoing gravel mining has also occurred upstream of La Center which has had an effect on the river. There is a general lack of riparian vegetation and little large woody debris. Much of the lower river has been channelized with banks hardened or leveed and generally cut off from side channels and the floodplain. Temperature and low flows are documented water quality concerns. La Center is located at River mile (RM) 3. According to the Inventory, below RM 11, the river “widens into a well defined floodplain where bedload deposition occurs, forming gravel bars, channel migration zones, and increased flooding susceptibility (ESA Adolfson, 2010).” There are regular backwater effects from the Columbia River and large wetland complexes both up and downstream of the NW La Center Road Bridge. There are a number of threatened or endangered anadromous fish runs.

*Ecology finds that, as required by WAC 173-26-201(3)(c) and (d), the June 2010 Clark County Shoreline Inventory & Characterization, Volume 1 and Volume 2, Chapter 3 adequately inventoried and analyzed the current conditions of the shorelines located in La Center. These documents synthesize existing information and were used to inform the master program update as well as provide a basis for future protection and restoration opportunities in the City’s shoreline jurisdiction.*

**Shoreline Use Analysis:** As part of the Coalition’s development of the Shoreline Inventory and Characterization Report (ESA Adolfson, 2010), data was collected to address the SMP Guideline requirements<sup>2</sup> to project shoreline development trends and identify potential use conflicts to ensure preference is given to uses that are unique to or dependent upon a shoreline location. The County-wide analysis is contained in Volume 1, Chapter 4. Volume 2, Chapter 3 of the Inventory & Characterization more specifically describes existing and potential uses in La Center and identifies opportunities for potential restoration and public access. Sixty percent (60%) of the area within shoreline jurisdiction is publicly owned with the remainder zoned residential.

Two existing (and old) docks were noted on the river but no evidence was presented that indicated a wide range of water-dependent activities outside of recreational uses (fishing, trails etc). Significant water-dependent commercial and industrial uses in Clark County are limited to the Columbia River. There were no documented aquacultural activities. Three major parks or open space properties are located within or directly adjacent to La Center: Sternwheeler Park, La Center Bottoms (also known as the La Center Wetlands Stewardship Park) and the East Fork Lewis River Greenway. The most likely future use will be recreational.

*Ecology finds that La Center has adequately considered SMA preferred uses and the potential for use conflicts consistent with WAC 173-26-201(3)(d)(ii) and WAC 173-26-201(2)(d).*

**SMP provisions to be changed by the amendment as proposed:** This comprehensive SMP update replaces the original SMP in its entirety.

**Shoreline Jurisdiction:** The City proposes to define shoreline jurisdiction as two hundred feet from the Ordinary High Water Mark (OHWM); the floodway plus contiguous floodplain areas two hundred feet

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<sup>2</sup> WAC 173-26-201 (3) (d) (ii) and WAC 173-26-201 (2) (d)

landward from such floodways and all associated wetlands. The City is choosing to include land necessary for buffers for critical areas as allowed per RCW 90.58.030(2)(d)(ii).

*Assuming the City's acceptance of the required changes in Attachment B to clarify the definition of floodway in Chapter VIII, Ecology finds that the La Center SMP has appropriately defined shoreline jurisdictional limits consistent with the Act.*

Shorelines of Statewide Significance (SSWS): RCW 90.58.020 specifically calls out SSWS for special consideration declaring the “the interest of all of the people shall be paramount in the management” of these shorelines. The East Fork Lewis River, including its shorelands, is a SSWS and the LCSMP addresses this in Chapter III.

*Ecology finds that the SMP has identified the shorelines of statewide significance and has included policies for management of these shorelines in Chapter III. The policies are consistent with RCW 90.58.020.*

Shoreline Master Program Goals and Policies: The goals and policies contained in Chapter III of this SMP are consistent with the Coalition SMPs and address the elements outlined in RCW 90.58.100 General policy goals of the act and WAC 173-26-176 Guidelines for shorelines of the state.

*Ecology finds that the City has addressed the requirement to establish policies per RCW 90.58.100(2) and WAC 173-26-201(2)(e).*

Shoreline Designations: Shoreline designations (the Coalition-preferred term in place of shoreline environment designations) were developed and analyzed county-wide. Designations were assigned based on ecological functions, existing and planned development patterns and on the community's vision for the future. The process the Coalition went through is documented in the *Clark County Coalition Shoreline Designation Rationale (ESA, June 2011)*.

Under the 1974 La Center SMP the segment of the East Fork Lewis River within city limits was designated Urban. In the new SMP, there are three proposed designations: Urban Conservancy, Medium Intensity and Aquatic (Chapter IV).

As allowed by WAC 173-26-150, the City is pre-designating shorelines within its adopted Urban Growth Area. These areas will continue to be regulated by the Clark County SMP until annexation by the City. Shoreline designations in the UGAs (formerly Urban, Rural and Conservancy) are proposed to be Urban Conservancy and Aquatic and were developed consistent with those within City limits.

*Ecology finds that the process of evaluation used to assign shoreline designations in the City and in the Urban Growth Areas was appropriately conducted. Ecology also finds that each shoreline designation in the SMP has a clearly stated purpose, designation criteria and policies. The La Center Shoreline Designation Map (an unofficial copy is provided in Appendix A) adequately maps the shoreline designations. The designations and pre-designations provide a suitable framework for implementing shoreline policies and regulatory measures specific to each designation. Designation-specific regulations (see Table 6-1 and Chapter VI) have been developed that account for different shoreline conditions and assure implementation of the purpose of each environment designation and other policy goals of the SMA, and ensure protection of existing shoreline ecological functions.*

General Master Program Provisions: Chapter V of the SMP includes policies and regulations that address critical areas (discussed separately below), archaeological, historic and cultural resources, public access, vegetation conservation and water quality, flood prevention and flood damage minimization and restoration. In addition, policies and regulations focused on site planning and development, and views and aesthetics are included.

*Ecology finds that the City has included all the required general provisions in Chapter V of the proposed SMP consistent with WAC 173-26-221.*

Critical Area Provisions: La Center has chosen to adopt their critical area regulations into the SMP in Appendix C. These provisions address the following critical areas: critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas and wetlands.

Frequently Flooded Areas: The City recently (March 5, 2012) received their final digital Flood Insurance Rate Maps (dFIRMs) from the Federal Emergency Management Agency (FEMA). In anticipation of this effort, the Coalition used the preliminary dFIRMs for planning purposes and the information is reflected in the maps developed in the Inventory and Characterization.

*Provided La Center accepts the required changes on Attachment B limiting administrative buffer modifications to ensure no net loss, Ecology finds that the City has adequately defined and protected critical areas, as defined in WAC 173-26-221(2), and that no net loss of shoreline ecological functions should be assured (RCW 36.70A.480(4)). At the City's request, Ecology has included the updated Flood Ordinance language in Attachment C- Recommended Changes.*

Shoreline Modifications: WAC 173-26-231(1) distinguishes shoreline modifications from shoreline uses by describing them as those actions “undertaken in support of or in preparation for a shoreline use.” As a general principle, WAC 173-26-231(2)(b) states that Master Programs shall “[r]educe the adverse effects of shoreline modifications, and, as much as possible, limit shoreline modifications in number and extent.” (WAC 173-26-231(2)(b)). This principle reinforces the mitigation sequence (WAC 173-26-201(2)(e)) and no net loss (WAC 173-26-186(8)) requirements of the SMP Guidelines.

*Ecology finds that the City has considered and addressed shoreline modifications as required in the WAC 173-26-231. Provisions in the SMP are crafted to reduce the adverse effects of shoreline modifications and as much as possible to limit the number and extent. Shoreline modification policies and standards are appropriate to the environment designation in which they are proposed, and preference is given to modifications that have lesser impacts to ecological function.*

Shoreline Uses: WAC 173-26-241 outlines specific common uses and types of development that can occur within shoreline jurisdiction. SMPs are to establish a system of use regulations and shoreline designation provisions that give preference to water-oriented uses or to uses that are consistent with the control of pollution and prevention of damage to the natural environment (WAC 173-26-201(2)(d) and 173-26-211). SMPs should also ensure provisions implement the policies of the SMA while protecting property rights, reduce use conflicts and assure no net loss of shoreline ecological functions.

*Ecology finds that the La Center SMP adequately identifies uses common along the City's shoreline, establishes a clear preference for water-oriented uses and clearly shows by shoreline designation, where certain uses are allowed, conditionally allowed and prohibited (see Table 6-1). Based on the*

*characteristics of the EF Lewis River in this area, property ownership and development patterns, significant commercial water-dependent uses are highly unlikely.*

Cumulative Impacts Analysis: Listed as a Governing Principle of the SMP Guidelines, WAC 173-26-186 (8)(d) states "Local master programs shall evaluate and consider cumulative impacts of reasonably foreseeable future development on shoreline ecological functions and other shoreline functions fostered by the policy goals of the Act." To ensure this, SMPs shall contain policies, programs and regulations that address adverse cumulative impacts, including those resulting from exempt development, and fairly allocate the burden of addressing cumulative impacts among development opportunities.

In June 2011, a complete draft SMP was issued for La Center. This was accompanied by a Coalition Draft CIA (ESA, June 2011), a La Center-specific Draft CIA (ESA, June 2011) and a No Net Loss Summary memorandum (ESA, June 2011). These documents note revisions made in response to the draft CIA completed on the March 2011 Coalition draft SMP. The June 2011 draft No Net Loss Summary found it likely that there would be no cumulative impacts anticipated under the City's proposed program but also included additional recommendations to ensure this was achieved.

The locally adopted SMP includes the following changes in response to these recommendations:

- Shoreline actions including exemptions will be documented over time (LCSMP 7.B.1)
- the setback for water-related and water-enjoyment recreational uses in the Urban Conservancy were increased from 20' to 50'
- The shoreline designation was altered along the downtown reach from High Intensity to Medium Intensity

*Ecology finds that La Center has evaluated the cumulative impacts of reasonably foreseeable future development over the next 20 years. To assure no net loss, the City has adjusted the policies and regulations of the SMP in response to recommendations in the draft CIA and NNL reports. The locally adopted SMP appears to fairly allocate the burden of addressing cumulative impacts among development opportunities. Ecology finds that the City's SMP and supporting Cumulative Impact Analysis are consistent with the SMP Guidelines governing principle (WAC 173-26-186(8)) as well as the legislative intent of the Shoreline Management Act under RCW 90.58.*

Restoration Plan: Local SMPs are required to include goals, policies and actions for restoration of impaired shoreline ecological functions (WAC 173-26-201(2)(f); WAC 173-26-186(8)(c). La Center, in coordination with the other members of the Clark County Coalition, developed a restoration plan based on the information gathered in the Inventory and Characterization (ESA, 2010). The Final Shoreline Restoration Plan (ESA, June 2011) identifies specific and programmatic restoration opportunities and actions for each watershed and waterbody. The City's SMP includes policies in Chapter III and regulations in both Chapters V and VI that permit and promote restoration efforts along all City shorelines and explicitly link restoration actions to the Clark County Coalition Shoreline Restoration Plan (ESA, June 2011).

*Ecology finds that the Shoreline Restoration Plan is based on appropriate technical information available to the City (and the Coalition) during the SMP update. The Restoration Plan can serve as an effective tool for the City, non-profit organizations and the public to collectively improve shoreline*

*conditions over time. Such restoration efforts are understood to help achieve the no-net-loss standard of the SMP Guidelines (WAC 173-26-186; WAC 173-26-201)).*

#### Amendment History and Review Process:

**Amendment History:** La Center initiated a comprehensive update to their SMP as part of a collective effort with Clark County and the six (6) other municipalities. The eight jurisdictions (Coalition) began coordinating through an Interlocal Agreement signed in May 2009. The County and cities pooled their grant resources (approximately \$1.17 million) and work began in September 2009 consistent with a scope of work described in *SMA Grant No. G1000058*. The grant was managed on behalf of the entire Coalition by the City of Vancouver.

As a group, the Coalition agreed to be as consistent as possible in goals and policies across all updated SMPs, formed a Project Management Team (PMT) to guide the process consisting of representatives of all the jurisdictions, and hired a single consultant (ESA, formerly ESA Adolfson). The Coalition worked closely through June 2011 developing documents and implementing a public outreach effort on a county-wide basis. Two committees were formed: a Shoreline Stakeholders Advisory Committee (SSAC) and a Technical Advisory Committee (TAC). In addition, an Independent Science Review Panel (ISRP) was used to review the application of scientific information throughout the process. A County-wide draft *Shoreline Inventory and Characterization* was issued in April 2010. Ecology provided written comments in a brief memo and via comment matrices in April and May 2010. A revised *Shoreline Inventory and Characterization, Volumes 1 & 2* was issued June 2010.

Other documents produced as a Coalition include: *Shoreline Management Strategy, Public Participation Plan, Clark County Shoreline Restoration Plan* and a *Shoreline Designation Rationale*. The Coalition also produced an early draft master program in March 2011 which received extensive public comment and review including comments from Ecology. Subsequent drafts for each jurisdiction were produced in June 2011 for individual local adoption processes.

**Public Participation:** The Public Participation Plan updated quarterly, documents all public participation efforts proposed and carried out. As a Coalition, the initial three phases of the update process included workshops for all elected officials and planning commissions. These workshops were held in October 2009, April-May 2010 and October-November 2010. The La Center Planning Commission and/or City Council participated in 3 public workshops through May 2011. Coalition open houses were held in October 2009, March 2011 and August 2011. Visioning meetings were held March 2010. All meetings of the SSAC and the TAC were advertized and open to the public.

**Coalition Website:** A website hosted by the City of Vancouver was created that included the project schedule, draft documents and maps, meeting notices, contact information and an e-mail link to submit comments throughout the process.

**City Website:** The City established an SMP webpage on their Planning website.

**Local Review Process:** Beginning July 1, 2011 each jurisdiction began working independently on their local adoption process. The Project Management Team continued to meet on an as-needed basis but most jurisdictions focused on their own internal decision processes.

The record shows that the La Center Planning Commission held public workshops beginning in July 2011 and continuing through September, 2011. Planning Commission held a public hearing on December 13, 2011 continuing to January 10 and February 14, 2012. Notice of this hearing was published in *The Reflector*. The record indicates City Council held a workshop on April 9, 2012 and a joint work session with the Planning Commission on May 8, 2012. The Planning Commission conducted additional work sessions from June through September 2012. City Council held a hearing September 26, 2012. The affidavit of publication provided in the record indicates notice of this hearing was published in the *Reflector* on September 12, 2012.

With passage of Resolution # 2012-357, on September 26, 2012, the City Council authorized staff to forward the locally adopted SMP to Ecology for approval.

*Ecology finds the record submitted adequately documents compliance with WAC 173-26-100 and 110.*

**State Review Process:** The proposed SMP amendments were received by Ecology for state review on October 19, 2012 and verified as complete December 13, 2012. Notice of the state comment period was distributed to state task force members, potentially interested tribes, and interested parties identified by the Coalition and the City on January 3, 2013 by mail and January 10, 2013 by email, in compliance with the requirements of WAC 173-26-120. The state comment period began on January 16, 2013 and continued through February 15, 2013. Notice was posted on the Ecology website for shoreline master programs:

<http://www.ecy.wa.gov/programs/sea/shorelines/smp/mycomments/lacenter.html> and on Ecology's Public Involvement Calendar. Ecology staff determined a public hearing was not necessary.

A total of one state agency (Washington Department of Fish and Wildlife) submitted a comment in support of the proposed SMP during the state comment period. Ecology sent the written comment it received to the City on February 20, 2013 (the City was copied on the original email). No response from the City was necessary.

**Issues Raised during the Ecology Public Review Process:** None.

**Consistency with Chapter 90.58 RCW:** The proposed amendment has been reviewed for consistency with the policy of RCW 90.58.020 and the approval criteria of RCW 90.58.090(3), (4) and (5).

**Consistency with “applicable guidelines” (Chapter 173-26 WAC, Part III):** The proposed amendment has been reviewed for compliance with the requirements of the applicable Shoreline Master Program Guidelines (WAC 173-26-171 through 251 and 173-26-020 definitions). This included review of the SMP Submittal Checklist, which was completed by the City and provided with the submittal of the locally adopted SMP.

**Consistency with SEPA Requirements:** The City submitted evidence of SEPA compliance in the form of a SEPA checklist and issued a Likely Determination of Non-Significance (DNS) for the proposed SMP on September 12, 2012. Notice of the SEPA determination was published in the *Reflector* on September 12, 2012. Comments were accepted until September 26, 2012. Ecology did not comment on the DNS.

**Other Studies or Analyses supporting the SMP update:** Ecology also reviewed the following reports, studies, map portfolios and data prepared for the City and the Coalition in support of the SMP amendment:

These supporting documents include:

- *Clark County Coalition Shoreline Management Strategy, (ESA, June 2010)*
- *Clark County Coalition Public Participation Plan*
- *Clark County Shoreline Inventory and Characterization, Vols. 1 & 2 (ESA, June 2010)*
- *Assessment of Water-dependent Commercial, Industrial, and Recreational Uses, (BST, May 2010)*
- *Clark County Coalition Cumulative Impacts Analysis (draft) June 2011, February 2012*
- *La Center Cumulative Impacts Analysis (draft) June 2011; (Final) December 2012*
- *La Center No Net Loss Summary Memo (draft) June 2011; (Final) December 2012*
- *Clark County Coalition Restoration Plan, (draft) October 2010, (Final) June 2011*
- *Clark County Coalition Shoreline Designation Rationale, June 2011*

### **Summary of Issues identified by Ecology as Relevant to its Decision:**

Shoreline jurisdiction: Shoreline jurisdiction is defined in the statute. The locally adopted SMP is defining shoreline jurisdiction as the floodway plus contiguous floodplain landward 200', all associated wetlands and buffers necessary to protect critical areas. However, the definition for "floodway" in Chapter VIII needs to clarify how the city will determine the floodway.

*Attachment B specifies required changes to the definition for floodway in Chapter VIII to clarify how La Center will apply the FEMA floodway to determine shoreline jurisdiction.*

Critical Area provisions addressing buffer modifications: The science is showing that allowing for buffer modifications that reduce the standard critical area buffer width by more than 25% can result in significant impacts to ecological resources.

*Attachment B requires that administrative allowances to reduce the buffer width be limited to no more than 25% of the standard buffer width. Greater reductions require a shoreline variance permit.*

*Therefore, Ecology finds that the proposed SMP as approved by La Center under Resolution No. 2012-357 is not consistent with the applicable SMP Guideline requirements, as specifically identified in Attachment B (Required Changes). However, Ecology also finds that the SMP can be amended to ensure compliance with the SMP Guidelines through the City's acceptance of Required Changes listed in Attachment B.*

*Pursuant to WAC 173-26-120 Ecology has also identified Recommended Changes (Attachment C) to the SMP for consideration by the City.*

### **CONCLUSIONS OF LAW**

After review by Ecology of the complete record submitted and all comments received, Ecology concludes that the City's proposed comprehensive SMP, subject to and including Ecology's required changes (itemized in Attachment B), is consistent with the policy and standards of RCW 90.58.020 and

RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through 251 and .020 definitions). This includes a conclusion that approval of the proposed SMP, subject to required changes, contains sufficient policies and regulations to assure that no net loss of shoreline ecological functions will result from implementation of the new updated master program (WAC 173-26-201(2)(c)).

Ecology also concludes that a separate set of recommended changes to the submittal (identified during the review process and itemized in Attachment C) would be consistent with SMA policy and the guidelines and would be beneficial to SMP implementation. These changes are not required but can, if accepted by the City, be included in Ecology's approved SMP amendments.

Consistent with RCW 36.70A.480(4), Ecology concludes that those SMP provisions relating to critical areas within Shoreline Management Act jurisdiction assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources.

Ecology concludes that those SMP segments relating to shorelines of statewide significance provide for the optimum implementation of Shoreline Management Act policy (RCW 90.58.090(5)).

Ecology concludes that the City has complied with the requirements of RCW 90.58.100 regarding the SMP amendment process and contents.

Ecology concludes that the City has complied with the requirements of RCW 90.58.130 and WAC 173-26-090 regarding public and agency involvement in the SMP update and amendment process.

Ecology concludes that the City has complied with the purpose and intent of the local amendment process requirements contained in WAC 173-26-100, including conducting open houses and public hearings, notice, consultation with parties of interest and solicitation of comments from tribes, government agencies and Ecology.

Ecology concludes that the City has complied with requirements of Chapter 43.21C RCW, the State Environmental Policy Act.

Ecology concludes that the City's new comprehensive SMP submittal to Ecology was complete pursuant to the requirements of WAC 173-26-110 and WAC 173-26-201(3)(a) and (h) requiring a SMP Submittal Checklist.

Ecology concludes that it has complied with the procedural requirements for state review and approval of shoreline master program amendments as set forth in RCW 90.58.090 and WAC 173-26-120.

Ecology concludes that the City has chosen to exercise its option pursuant to RCW 90.58.030(2)(f)(ii) to extend shoreline jurisdiction to include buffer areas necessary to protect critical areas that occur within shorelines of the state.

## **DECISION AND EFFECTIVE DATE**

Based on the preceding, Ecology has determined the proposed amendments comprehensively updating the La Center shoreline master program are consistent with Shoreline Management Act policy, the applicable guidelines and implementing rules, once required changes set forth in Attachment B are

approved by the City. Ecology approval of the proposed amendments with required changes is effective fourteen (14) days from Ecology’s final action approving the amendment.

As provided in RCW 90.58.090(2)(e)(ii) the City may choose to submit an alternative to the changes required by Ecology. If Ecology determines that the alternative proposal is consistent with the purpose and intent of Ecology’s original changes and with RCW 90.58, then the department shall approve the alternative proposal and that action shall be the final action. Approval of the updated SMP and proposed alternative/s is effective fourteen (14) days from Ecology’s final action approving the alternative/s.