



CITY OF PUYALLUP

Office of the City Manager

December 14, 2015

Washington State Department of Ecology
 Attn: Director's office, Ms. Maia Bellon
 PO Box 47600
 Olympia, WA 98504

Re: City of Puyallup Shoreline Master Program update – final acceptance letter

Dear Ms. Bellon,

For your review, please find attached to this letter a copy of approved City of Puyallup Ordinance No. 3101, adopting the City of Puyallup Shoreline Master Program (SMP). Various changes to the City's Critical Area Ordinance (CAO), Puyallup Municipal Code (PMC) 21.06, as suggested by Ecology staff, are also included in Ordinance No. 3101.

Ordinance No. 3101 reflects the City's concurrence with all of the *required* changes outlined in Ecology's September 14, 2015 letter to the City; the City also agrees with the *suggested* changes to the Puyallup SMP contained therein, with the exception of one procedural item. Pursuant to RCW 90.58.090 (2)(e)(ii), the City is therefore submitting a modified proposal to the suggested changes document. Specifically, City Ordinance No. 3101 excludes Item no. 39, which appeared as follows in the suggested changes document attached to the September 14, 2015 letter:

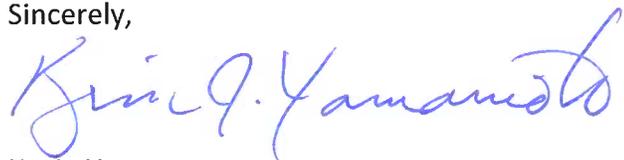
| ITEM | SMP PROVISION | TOPIC | BILL FORMAT CHANGES [UNDERLINE- ADDITIONS; STRIKETHROUGH – DELETIONS] | ECOLOGY – DISCUSSION/RATIONALE |
|------|----------------------------|------------------------|---|--|
| 1 | Chapter 8 D page 8-7 | Statement of Exemption | 1. The City shall prepare a letter of exemption, addressed to the applicant, affected Tribal governments and the Department of Ecology, whenever a development is determined by the Administrator to be exempt from the Substantial Development Permit requirements. | <i>Recommended change in response to comment from Muckleshoot Tribe received during the state public comment period.</i> |

The City also received a similar comment from staff at the Muckleshoot Tribe in October 2014. At that time, City staff informed the Muckleshoot Tribe that, while Puyallup maintains a robust public notice program for various land use actions to a wide range of stakeholders, the addition of affected tribes to the notification list for Shoreline statements of exemption would, in our determination, go above and beyond the procedural requirements and legislative intent for shoreline permit exemptions (see WAC 173-27-110 (1) for notification requirements for substantial development, conditional use and variance permits, which includes affected tribal governments). Under Ordinance No. 3101, the City has respectfully chosen to maintain consistency with our standard notification protocol for statements of exemption from substantial development permit requirements.

Overall, we would like to thank you and your staff at the Department of Ecology in providing in-depth guidance and input throughout Puyallup's SMP Update process. Specifically, Ms. Kim Van Zwalenburg, Mr. Alex Callender and Mr. Tim Gates (Dept. of Commerce) should be commended for their coordination with City staff on our SMP Update.

We look forward to your final review, approval and issuance of your "final action" regarding our locally adopted SMP. If you have any questions, please feel free to contact Senior Planner Chris Beale at (253) 841-5418 or cbeale@ci.puyallup.wa.us.

Sincerely,



Kevin Yamamoto
City Manager

CC: Chris Beale, Senior Planner
Tom Utterback, Development Services Director, Shoreline Administrator
Steve Kirkelie, City Attorney
Kim Van Zwalenburg, ECY Shoreline Planner

Attachments: Puyallup Ordinance No. 3101, signed
Puyallup 2015 Shoreline Master Program (final edited copy with changes integrated)