CITY OF FIFE
SHORELINE MASTER PROGRAM UPDATE

BEST AVAILABLE SCIENCE AND UPDATE RELATED DOCUMENTS FOR APPENDIX B: ENVIRONMENTAL PROTECTION – WETLANDS CHAPTER SMP17.17

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1. Introduction

The City of Fife is currently in the process of updating its Shoreline Master Program (SMP) as required by the Shoreline Management Act, RCW Chapter 90.58 and guided by WAC Chapter 173.26. Pursuant to Legislation adopted in 2010 (EHB 1653), after an SMP update, new SMP, or SMP segment amendment is approved by the Washington State Department of Ecology (Ecology), jurisdictions can no longer utilize separate Critical Area regulations to regulate activities within critical areas within the shoreline jurisdiction. Instead, the SMP must provide protection for the critical areas within shoreline jurisdiction.

To address the regulation of critical areas with the shoreline jurisdiction within the SMP, the City of Fife's initial approach was to incorporate the existing Fife Municipal Code Environmental Protection regulations into the SMP as an appendix. The draft SMP was then submitted to Ecology for preliminary review. Ecology's comments on this draft SMP identified several required changes to the existing Fife Municipal Code Wetland Regulations, Chapter 17.17 that were needed to ensure consistency with the SMA and the associated guidelines. Ecology cannot approve SMP's that are not consistent with the SMA and associated guidelines.

In order to respond to Ecology's comments, the City of Fife drafted new wetland regulations specifically for use within the SMP. Pursuant to the Growth Management Act, RCW Chapter 36.70A.172 (1), cities and counties are required to use "the best available science" when drafting policies and development regulations, including but not limited to critical area regulations. It should be noted that this regulation does not require a jurisdiction to go out and conduct new scientific studies, but rather to utilize the best *available* science. Generally, this requirement is addressed by compiling existing scientific information to locate locally appropriate science. In addition, state offices such as the Washington State Departments of Fish and Wildlife, Ecology, and Natural Resources, often facilitate this process by synthesizing data and scientific research as well.

Chapter 2 of this document identifies documents were utilized by the City of Fife to update the Wetlands Chapter SMP 17.17 to ensure consistency with the SMA and associated guidelines for the purposes of incorporation into the SMP. The documents identified in Chapter 2 include Best Available Science and guidance/synthesis documents from the Washington State Department of Ecology.

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