

RESOLUTION NO. 2023-003

A RESOLUTION OF THE CITY OF BINGEN EXPRESSING THE INTENT TO ADOPT AN UPDATE OF THE SHORELINE MASTER PROGRAM AND AUTHORIZING THE SUBMITTAL OF THE PROPOSED SHORELINE MASTER PROGRAM TO THE WASHINGTON STATE DEPARTMENT OF ECOLOGY

WHEREAS, the Shoreline Management Act of 1971, codified as Chapter 90.58, requires all cities and counties with “shorelines of the state” to periodically review and update the Shoreline Master Program that is based on state laws and rules, but tailored to the specific jurisdiction; and,

WHEREAS, the City of Bingen is currently operating under a Shoreline Master Program from 2016; and,

WHEREAS, RCW 90.58.80 establishes the periodic review schedule; and,

WHEREAS, the periodic review schedule for municipalities for Klickitat County required a periodic update to the City of Bingen Shoreline Master Program in 2022 and every 8 years thereafter; and,

WHEREAS, the City of Bingen obtained state funding for the Shoreline Master Program update under Grant No. 00174; and

WHEREAS, the City developed a Public Participation Plan to guide community involvement during the Shoreline Master Program update; and

WHEREAS, on September 20, 2022 the City council reviewed and discussed the draft Shoreline Master Program; and

WHEREAS, the City Council held a public hearing on November 15, 2022, to provide further opportunity for members of the public to present testimony and other evidence regarding the proposed Shoreline Master Program update; and

WHEREAS, 60-day notice of intent to adopt the updated Shoreline Master Program was received by the Washington State Department of Ecology on December 21, 2022 and the City did not receive any comments from State agencies; and

WHEREAS, on September 28, 2022, the City issued a Determination of Nonsignificance (“DNS”) pursuant to WAC 197-111-600(4)(a) and the DNS was not appealed; and,

WHEREAS, the City of Bingen has regularly consulted with the Washington State Department of Ecology (“Ecology”) during the Shoreline Master Program Update; and

WHEREAS, the City Council finds that the Shoreline Master Program update is consistent with and implements the Shoreline Management Act, Chapter 90.58 RCW, and the Growth Management Act, Chapter 36.70A RCW, and is in the best interest of the City, balancing the protection of the environment with the protection of private property rights; and

WHEREAS, the City’s updated Shoreline Master Program must be reviewed and approved by Ecology prior to its formal adoption by the City of Bingen; and

WHEREAS, upon final approval by Ecology, the City Council intends to adopt the updated Shoreline Master Program by ordinance; although Ecology’s review and approval process may entail further changes and amendments to the Shoreline Master Program update documents before it is adopted by the City Council.

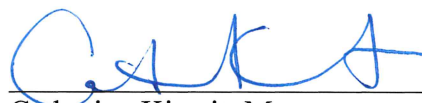
NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BINGEN, do hereby resolve as follows:

Section 1. The Bingen City Council accepts the proposed updated City of Bingen Shoreline Master Program and supporting documents and maps, attached as Exhibit A, as the comprehensive update packaged required by RCW 90.58.080. The City Council expresses its

intent to formally adopt the updated Shoreline Master Program upon final approval from Ecology.

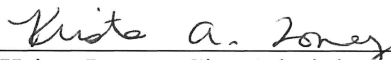
Section 2. The City Administrator, or their designee, is hereby directed to submit the approved Shoreline Master Program update and all supporting documentation required to accompany the Shoreline Master Program update pursuant to WAC 173-26-110 to the Washington Department of Ecology for formal review and approval in accordance with WAC 173-26-120.

ADOPTED by the City Council of the City of Bingen, Washington, and APPROVED by its Mayor, at a regularly scheduled open public meeting thereof this 21st day of February, 2023.



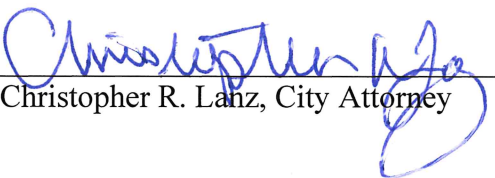
Catherine Kiewit, Mayor

Attest:



Krista Loney, City Administrator

Approved as to Form:



Christopher R. Lanz, City Attorney