

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist

Introduction

This document is intended for use by counties, cities and towns conducting the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the Shoreline Management Act (SMA) at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2017 that may trigger the need for local SMP amendments during periodic reviews.

How to use this checklist

See Section 2 of Ecology’s *Periodic Review Checklist Guidance* document for a description of each item, relevant links, review considerations, and example language.

At the beginning: 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)(i).

At the end: Use the checklist as a final summary identifying your final action, indicating where the SMP addresses applicable amended laws, or indicate where no action is needed. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b).

Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Row	Summary of change	Review	Action
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.		SMC 14.250.030 definition for “Substantial development”
b.	Ecology amended rules to clarify that the definition of “development” does not include dismantling or removing structures.		SMC 14.250.030 definition for “development”
c.	Ecology adopted rules that clarify exceptions to local review under the SMA.		-
d.	Ecology amended rules that clarify permit filing procedures consistent with a 2011 statute.		SMC 14.250.060(A-C)
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.	n.a.	none
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction		SMC 14.250.040K
g.	Ecology clarified “default” provisions for nonconforming uses and development.		SMC 14.250.070
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews.		-
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.		none
j.	Submittal to Ecology of proposed SMP amendments.		SMC 14.250.090B
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to		-

Row	Summary of change	Review	Action
	comply with the Americans with Disabilities Act .		
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.		SMC 14.250.330D
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	n.a.	none
2014			
a.	The Legislature raised the cost threshold for requiring a Substantial Development Permit (SDP) for replacement docks on lakes and rivers to \$20,000 (from \$10,000).		SMC 14.250.320
b.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	n.a.	none
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .		SMC 14.250.050
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .		SMC 14.250.330D
b.	Ecology adopted rules for new commercial geoduck aquaculture .	n.a.	none
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	n.a.	none
d.	The Legislature authorized a new option to classify existing structures as conforming .		SMC 14.250.070

Row	Summary of change	Review	Action
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications.		-
2009			
a.	The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.	n.a.	none
b.	Ecology adopted a rule for certifying wetland mitigation banks.	n.a.	none
c.	The Legislature added moratoria authority and procedures to the SMA.	n.a.	none
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.		SMC 14.250.030 definition for “floodway”
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.		SMC 14.250.030 definition for “Shoreline jurisdiction”
c.	Ecology’s rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.		SMC 14.250.060(C)(1)