

Frequently Asked Questions: Periodic Review of Shoreline Master Programs

What is periodic review of Shoreline Master Programs?

The Shoreline Management Act (SMA) requires a periodic review of comprehensively updated SMPs. Local governments must review amendments to the SMA and Ecology rules that have occurred since the master program was last amended, and determine if local amendments are needed to maintain compliance. Local governments must also review changes to the comprehensive plan and development regulations to determine if the shoreline master program policies and regulations remain consistent with them. Local governments should consider during their periodic review whether to incorporate any amendments needed to reflect changed circumstances, new information or improved data.

The schedule to complete these reviews is established for every community by the Legislature. The first round of periodic reviews is due on or before June 30, 2019 for Snohomish, King and Pierce counties and their cities and towns.

Do we need to review our SMP even though we completed our comprehensive SMP update within the past few years?

Yes. The Legislature created the requirement to conduct reviews of SMPs to make sure they stay current with recent legislation and rules. This requirement and schedule is established in RCW 90.58.080(4). The law does not give Ecology the option to issue a waiver.

The requirement in law is to review the SMP, and revise it, *if necessary*. Ecology's rules recognize that in some cases, the review will conclude that no changes are necessary. If that's the case, local governments may adopt a "Finding of Adequacy." These Findings will then be submitted to Ecology for approval.

How will we know what laws and rules have been adopted since our SMP was amended?

Ecology has prepared a checklist of all laws and rules adopted, organized by year. The checklist is accompanied by a guidance document that explains each item.

Do we need to prepare a new inventory?

No. Ecology's rule clarifies there is no minimum requirement to comprehensively revise shoreline inventory and characterization reports or restoration plans. The periodic review will not entail the amount of time and resources as the comprehensive updates.

How should our community involve the public in the review?

The SMA requires public participation for all amendments. Ecology's rule call for a public participation plan that should include broad dissemination of informative materials, proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, and consideration of and response to public comments. The plan will ensure the public knows when to comment on the scope of the review and proposed changes, and when elected officials are expected to take formal action. The details are left to individual counties and cities.

Can our community complete the review before the deadline in statute?

Yes. The requirement is to conduct a periodic review *at least* once every 8 years, so early adoption is allowed. It will actually be beneficial if local periodic review adoptions are "spread out" in the year or so before the deadline to distribute the review workload, and ensure Ecology can provide adequate help to individual jurisdictions.

We've already started our periodic review update. Once the grant agreement is in place, can we be reimbursed?

Yes, if the work already completed is consistent with the scope of work. You will be able to file for reimbursement retroactive to July 1, 2017.

Where can we find out more about Ecology Administration of Grants and Loans (EAGL) system?

Check out the following:

- All Ecology grants are subject to, and must comply with *Administrative Requirements for Recipients of Ecology Grants and Loans (Yellow Book)* at <https://fortress.wa.gov/ecy/publications/summarypages/1701004.html>.
- Create an account in Secure Access Washington if you don't have one at https://secureaccess.wa.gov/public/saw/pub/displayRegister.do?agency=ecy&app=eagl&umg=DEFAULT_UMG