



# Shoreline Management Act Rulemaking Local Government Sounding Board



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

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# Agenda

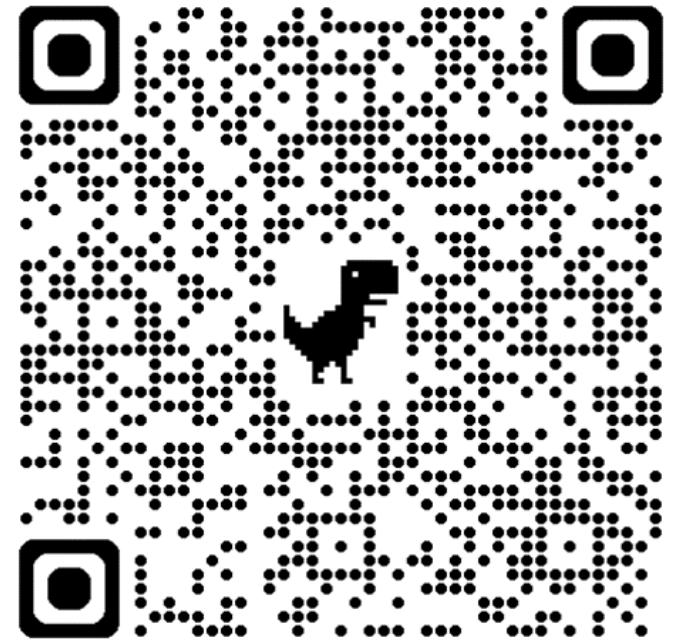
Time	Topic
9:00	Welcome, agenda review, tech logistics
9:05	Overview and early directions for sea level rise provisions
9:50	Frequently flooded areas
<del>10:20</del>	<del>Channel migration zones</del>
10:45	Public input
10:55	Wrap up

# Meeting logistics

- **Sounding board members** can use the chat and raise hand features.
- Please stay muted when not speaking.
- Add questions & comments to the Q&A or chat.
- Re-introduction to Slido

# Non-sounding board attendees

- Please hold comments until the public input portion of the meeting at 10:45.
- You can provide input and feedback for the rule anytime using the online comment form on our web page: <https://ecykenpub/SMARule-input>



# Meeting feedback – responses

Some positive responses related to:

- Interaction, timing, purpose
- Providing topics for discussion prior to meeting

What could be improved:

- Time to talk about Slido responses during the meeting
- Clearer opportunities to follow up
- Time to discuss other/additional topics
- Public input section timing



# Overview and early directions for the sea level rise provisions

# Sea level rise session overview

- 1** Context
- 2** Input so far
- 3** Initial directions
- 4** Upcoming opportunities
- 5** Discussion

# Legislative direction from climate planning law

HB 1181 (RCW 90.58.630) directs Ecology to:

“...update its shoreline master program guidelines to require shoreline master programs to address the impact of sea level rise and increased storm severity on people, property, and shoreline natural resources and the environment.”



# Additional context



Required topic for this rulemaking



Only entirely new component of the rules



Timeline is important



# Input so far

- Tribal listening session and ongoing coordination
- Public listening sessions and submitted comments
- Agency coordination
- Local government sea level rise adaptation status, priorities, and needs survey

# Preliminary survey findings – overview

- Responses received from 55 local governments (81% response rate)
- Majority of local governments currently experiencing challenges with flooding, erosion, or other coastal hazards
- 76% report that sea level rise is a concern

# Preliminary survey findings – status

- About two-thirds of respondents indicated that they have conducted or participated in a sea level rise-focused study or plan
- About half of respondents indicated they have completed or are currently undertaking a sea level rise vulnerability or risk assessment
- About one-third of respondents indicated they are developing adaptation strategies

# Preliminary survey findings – needs

What does your local government need from state agencies to support you in updating your shoreline master program to address the impacts of sea level rise?

1. Agency guidance
2. Funding for adaptation planning activities
3. Specific requirements or standards
4. Data describing sea level rise projections or scenarios
5. Mapping products for viewing and analyzing sea level rise exposure
6. Funding for vulnerability or risk assessment
7. Funding for community engagement
8. Technical assistance
9. Training
10. Other

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# Interpretation and applicability

- Legislation directs Ecology to establish requirements specifically for sea level rise and increased storm severity
- Integration of other climate resilience priorities supported and may be needed for plan consistency
- Ecology will propose which local governments need to meet the new sea level rise requirements in the informal draft

# Rulemaking goal and objectives

**Goal for this rulemaking process:** Shoreline master programs increase the resilience of people, property, and the environment to the impacts of sea level rise and related coastal hazards.

## **Objectives:**

- Environmental protection
- Environmental justice
- Tribal priorities
- Accurate information
- Adaptation planning process
- Public access
- Resilient development
- Coastal hazards





# Process requirements

- New rules will establish required process steps that make up the sea level rise planning exercise
- Following key process steps will guide the creation of new policies and regulations to address sea level rise impacts

# Climate adaptation planning process



# Sea level rise vulnerability assessments

Draft rule will propose a requirement that local governments conduct, update, or use a completed **sea level rise vulnerability assessment** to inform SMP policies and regulations.

Sea level rise vulnerability assessment:

- An analysis of how sea level rise and associated hazards may adversely impact people, infrastructure, and/or ecosystems.
- Typically involves mapping hazard and asset data sets to evaluate exposure, sensitivity, and adaptive capacity, then synthesizing this information to highlight where, when, and why assets are vulnerable.

# Content requirements

- New rules will establish required policies and regulations to address the impact of sea level rise and increased storm severity
- Content requirements will translate sea level rise adaptation strategies into the SMP framework

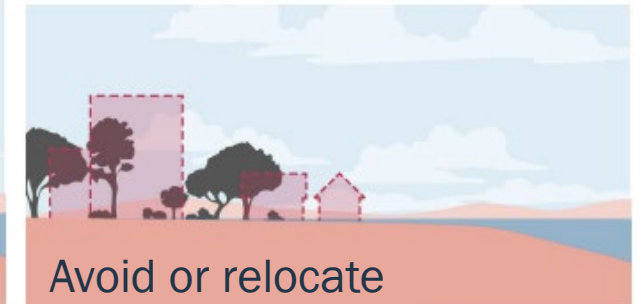


Image credits:  
BCDC Regional Shoreline  
Adaptation Strategy

# Potential organization for sea level rise rules

Amendments to overarching sections  
(e.g., adding a policy goal in 173-26-176)



New section describing sea level rise process and content requirements  
(173-26-xxx)



SMP reviews  
(173-26-090)

General  
provisions  
(173-26-221)

Shoreline  
modifications  
(173-26-231)

Shoreline uses  
(173-26-241)

Shoreline  
permitting  
(173-27)

# Slido questions

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# Sea level rise webinar series

- Weekly lunch-and-learn webinars in February and March
  - 12-1pm
  - 2/18, 2/24, 3/5, 3/11, 3/18
- Expert presentations on sea level rise projections, modeling and mapping, vulnerability assessments and adaptation planning, and related topics
- Public engagement opportunity
- Please attend and bring your questions



# Discussion

# Frequently flooded areas provisions

# Objectives

To discuss:

- 1** The SMA policy direction regarding flooding
- 2** What the SMA rules currently say about frequently flooded areas
- 3** Changes we are considering as part of this rulemaking

# Overarching SMA direction

(2) The master programs shall include, when appropriate, the following:

**(h) An element that gives consideration to the statewide interest in the prevention and minimization of flood damages; and**

# Flood hazard reduction principles

- Give preference to nonstructural measures
- Base provisions on watershed management plans & flood hazard management plans.
- Assure no net loss of ecological functions associated with the rivers and streams.
- Recognize that seasonal flooding is an essential natural process.
- Consider the removal or relocation of structures in flood-prone areas.
- Plan for and facilitate:
  - returning more natural hydrological conditions.
  - removal of artificial restrictions to natural channel migration,
  - restoration of off channel hydrological connections and
  - return river processes to a more natural state where feasible and appropriate.

# Flood hazard reduction principles

Consider integrating SMP flood hazard reduction provisions with:

- Stormwater management plans,
- Flood plain regulations,
- Critical area ordinances, and
- The National Flood Insurance Programs

# Flood hazard reduction standards

**Master programs shall implement the following standards within shoreline jurisdiction:**

The following uses and activities may be appropriate and/or necessary within the channel migration zone or floodway:

- Actions that protect or restore the ecosystem-wide processes or ecological functions.
- Forest practices
- Existing and ongoing agricultural practices
- Mining
- Bridges, utility lines, and other public utility and transportation structures
- Repair and maintenance of an existing legal use
- Development with a primary purpose of protecting or restoring ecological functions and ecosystem-wide processes.
- Modifications or additions to an existing nonagricultural legal use, provided that channel migration is not further limited and that the new development includes appropriate protection of ecological functions.

# Flood hazard reduction standards

Allow new structural flood hazard reduction measures in shoreline jurisdiction only when it can be demonstrated by a scientific and engineering analysis that they are necessary to protect existing development, that nonstructural measures are not feasible, that impacts on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss, and that appropriate vegetation conservation actions are undertaken consistent with WAC 173-26-221(5).



# Important definitions: critical areas

"Critical areas" as defined under chapter 36.70A RCW includes the following areas and ecosystems:

- (a) Wetlands;
- (b) Areas with a critical recharging effect on aquifers used for potable waters;
- (c) Fish and wildlife habitat conservation areas;
- (d) Frequently flooded areas;** and
- (e) Geologically hazardous areas.



# Important concepts

Critical areas must be designated and protected wherever the applicable environmental conditions exist, whether within or outside of urban growth areas. Critical areas may overlap each other, and requirements to protect critical areas apply in addition to the requirements of the underlying zoning.

**In shoreline jurisdiction critical areas protection must also result in no net loss of shoreline ecological functions.**

# Important definitions: frequently flooded areas

"Frequently flooded areas" are lands in the flood plain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and areas where high groundwater forms ponds on the ground surface.

# Important definitions: floodplain

"Flood plain" is synonymous with one hundred-year flood plain and means that land area susceptible to inundation with a one percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps or a reasonable method which meets the objectives of the act.

# Frequently flooded areas in shoreline jurisdiction

Existing rules include principles and standards located in the critical areas and flood hazard reduction provisions.

- The intention is to provide ecological function protection and hazard risk reduction.

# Discussion

# Public input

Public attendees may now raise your Zoom hand if you wish to speak. Please wait for us to call on you.

You can always provide input on the rulemaking using our [online comment form](#). Use the link or the QR code.



# Upcoming Sounding Board Meetings

Date	Meeting topics
2/19/25	<p>Possible focus on riparian management and related topics:</p> <ul style="list-style-type: none"><li>• Riparian Management</li><li>• Opportunities for alignment of SMP guidelines with riparian management guidance<ul style="list-style-type: none"><li>○ Leveraging SMPs to advance restoration and provide ecological lift</li><li>○ Incentive programs</li></ul></li><li>• Connections with no net loss, compliance and enforcement, and stream functional assessment methodology (SFAM)</li></ul>
3/17/25	Topics TBD
4/21/25	Topics TBD
5/19/25	Present the informal draft and get feedback
6/16/25	Present the informal draft and get feedback





Thank you!



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