



Shoreline Management Act Rulemaking Local Government Sounding Board Kickoff



DEPARTMENT OF
ECOLOGY
State of Washington

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September 23, 2024



Local Government Sounding Board

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Ben Shumaker
Brian Shay
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Domenique Martinelli
Doug Yormick
Emily Arteche
HB Harper
Jason Dose
Jason Sullivan
Jeff Wilson
Jonathan Lange
Josh Peters
Joshua Engelbrecht
Kevin Bagwell

Kim Mahoney
Kollin Higgins
Lauren Clemens
Margaret Glowacki
Mark Hofman
Meredith Penny
Mike Stevens
Nicole Floyd
Rebecca Mahan
Ryan Harriman
Steve Sundin
Suresh Bhagavan
Tara Leininger
Tirrell Black
Tommy Carroll

Agenda

- Ecology rulemaking presentation
- Review sounding board charter
- Discuss high-level rulemaking topic areas
- Opportunity for observers to provide input

Shoreline Management Act (SMA)

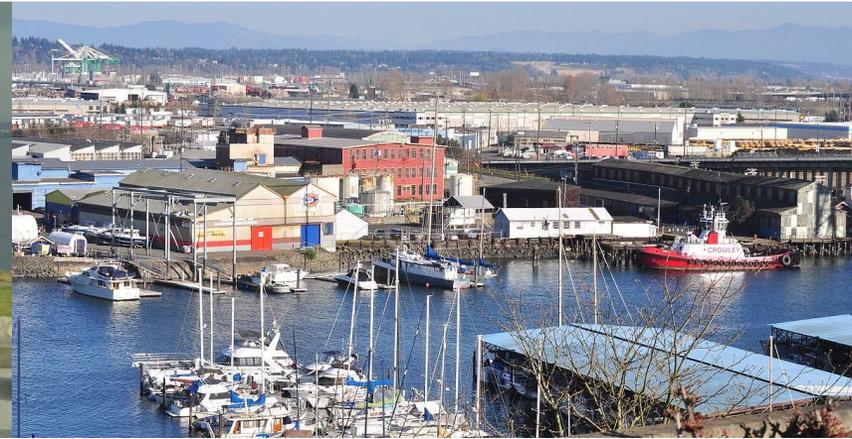
Chapter 90.58 RCW



Protect environment &
public health



Promote public access



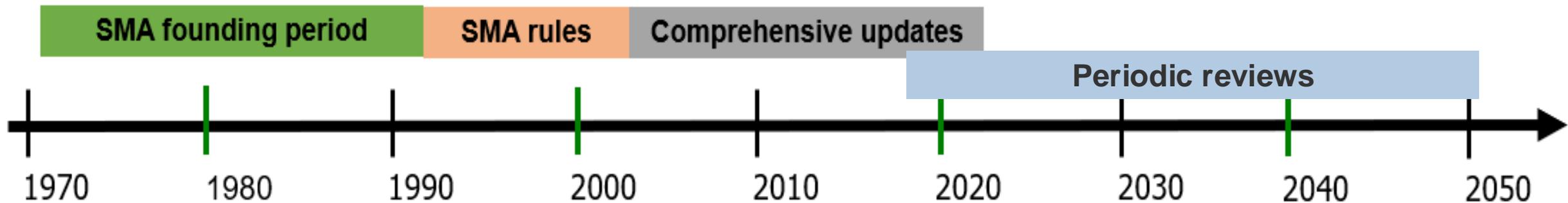
Plan for shoreline uses

What's Next for SMPs?

Ongoing cycles of SMP Periodic Reviews: Every 10 years

Implementation Monitoring & Adaptive Management: develop feedback loops to ensure regulations are efficient and effective

Rulemaking & guidance: Rule making over the next 2-years.



Next SMP Periodic Review Schedule



Due June 30, 2029



Due June 30, 2030



Due June 30, 2031



Due June 30, 2032

What rules are we proposing to revise?

Chapter 173-26 WAC: Requirements for local governments developing and amending shoreline master programs.

Chapter 173-27 WAC: Standards for shoreline master program administration, permitting, and enforcement.

Chapters 173-18 and -20 WAC: Lists streams, rivers, and lakes that are shorelines of the state.

Chapter 173-22 WAC: Designates shorelands associated with streams, lakes, and tidal waters subject to SMA.

Why are we amending these rules?



Address issues we have identified through reviewing, adopting, and implementing shoreline master programs (SMPs).



Provide local governments guidelines so they address sea level rise and increased storm severity impacts in their SMPs.

What topics are we considering?

- Tribal engagement
- Riparian management
- Stream channel migration zones
- Critical area protection
- Preservation of archaeological, historical, and cultural resources
- Federal Coastal Zone Management Act consistency

What topics are we considering?

- Shoreline modifications such as mooring buoys, septic systems, and outfalls
- Shoreline stabilization methods such as hard armoring and soft alternatives
- Voluntary shoreline restoration
- Sea level rise and storm severity
- SMA/SMP compliance and enforcement

Objectives for the sea level rise element



Increase resilience of people, property, shoreline natural resources, and the environment



Shoreline Management Act in the context of shoreline change



Establish process requirements



Establish content requirements

Rulemaking provides opportunities

- To better support SMA implementation
- To clarify requirements, address areas of confusion
- To increase sea level rise resilience



Outreach & Engagement

Local government and agency coordination

Advisory and work groups.

Outreach

Interested parties list via GovDelivery, webpage, social media.

Tribal engagement

Individualized collaboration: listening and work sessions.

Public engagement

Listening sessions, focus groups, surveys, workshops.

Formal public process

Public hearings and comment period on CR-102 draft



Environmental Justice

This rulemaking is a Significant Agency Action.

HEAL Act

Meaningful involvement

- We will be completing an EJ Assessment to inform and support consideration of overburdened communities and vulnerable populations.
- Collaboration with Tribal governments
- Rulemaking could result in additional EJ considerations, outreach & engagement requirements for local governments completing SMP amendments.

Timeline

Date (subject to change)	Activity
May 2, 2024	Announced rulemaking (filed the CR-101 form)
May 2024 – Summer 2025	Hold stakeholder and partner engagement
Fall 2024 – Spring 2025	Develop draft rules
Spring 2025	Informal comment period on draft rules
Summer 2025	Revise draft rules based on comments
Fall 2025	Prepare for rules proposal
January 2026	Propose rules (file the CR-102 form)
February 2026 – March 2026	Hold at least four public hearings and a 60-day formal comment period
Spring 2026	Review and respond to comments; revise draft rules
Summer 2026	Adopt rules (file the CR-103)
Summer 2026	Rules effective (usually 31 days after filing)

- Background
- Sounding board overview
- Meeting logistics
- Member commitment
- Contact
- Members

Charter Review

Sounding Board Overview

Goal: Work together to draft new and revised WAC language that improves clarity and consistency and incorporate new topics, including sea level rise.

- Reflective of the state-local partnership for shoreline management
- Includes planning staff who have volunteered to participate
- Ecology commits to meaningful consideration of input and facilitating a fair process

Sounding Board Meetings Format

- Monthly virtual meetings start in October 2024
- Topic-based discussions, then draft language review
- Consultant facilitation (in progress)
- No quorum requirement, not working toward consensus
- Meeting materials will be sent to members in advance, and advance review expected
- Sounding board meetings will be open to the public

Member Commitment

Sounding board members agree to:

- Active and good-faith participation.
- Demonstrate attentiveness and respect when others are speaking.
- Behave constructively and respectfully toward all participants during and outside of meetings.
- Respect the role of the facilitator to guide the group process.

Do you have any questions or comments about the draft charter?

Detailed discussion of topics

- Tribal engagement
- Riparian management
- Stream channel migration zones
- Critical area protection
- Preservation of archaeological, historical, and cultural resources
- Federal Coastal Zone Management Act consistency
- Shoreline modifications such as mooring buoys, septic systems, and outfalls
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- Voluntary shoreline restoration
- Sea level rise and storm severity
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1. What topics are important to you?

2. Are there any topics you think are missing from our list?

Wrap-up

- Other questions and comments from the sounding board?
- Do you plan to continue attending the sounding board?

Next meeting: October 21, 1-3 pm

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 one of the links or the QR code.





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Thank you!

<https://bit.ly/SMARulemaking>

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