

DEPARTMENT OF ECOLOGY
State of Washington

# Shoreline Management Act Rulemaking

## Public hearing November 3, 2026

FUNDED BY WASHINGTON'S CLIMATE COMMITMENT ACT



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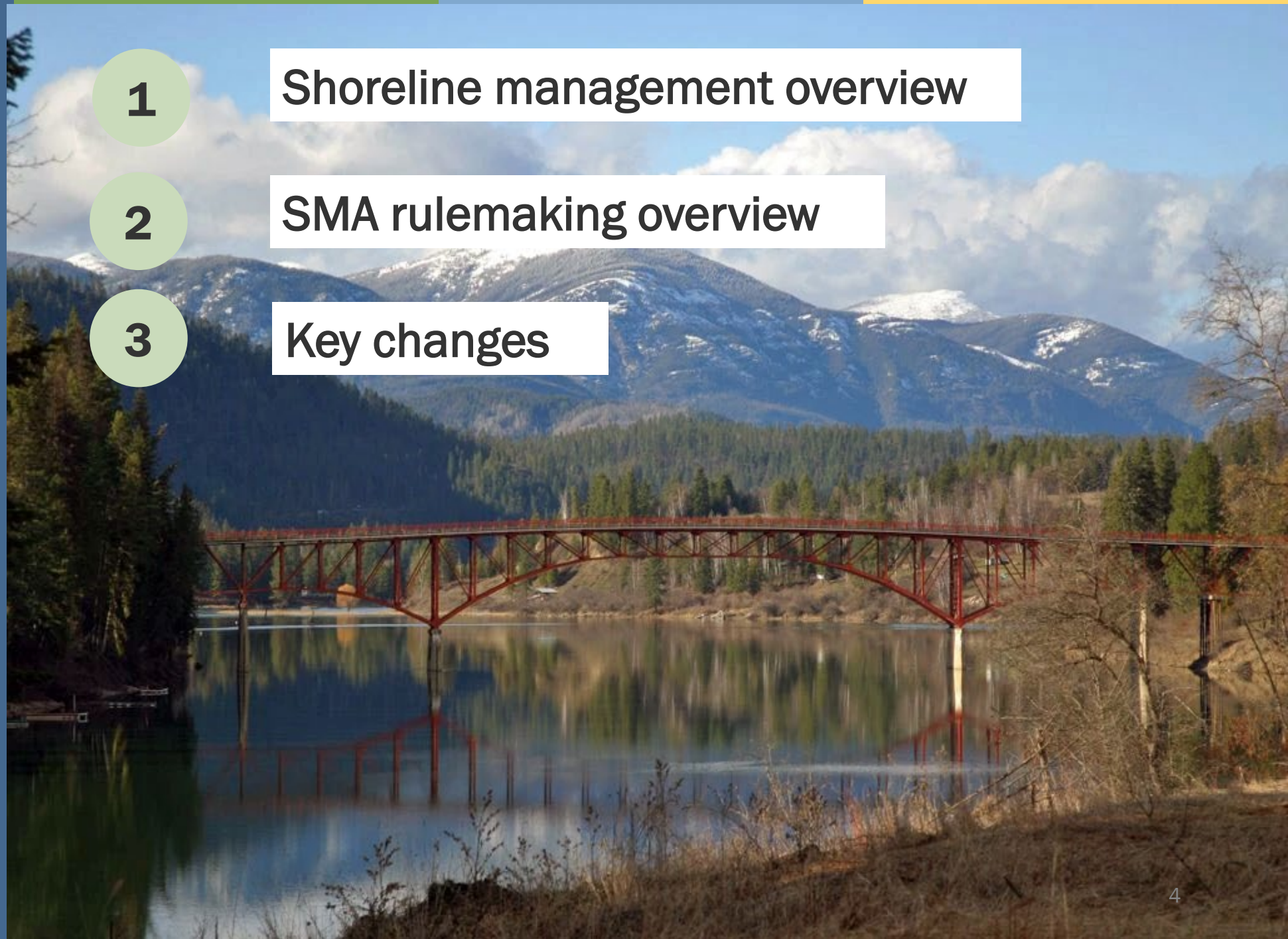
# Agenda

1. Building orientation
2. Presentation
3. Public hearing
4. Next steps

# Building orientation



# Presentation outline



1. Shoreline management overview
2. SMA rulemaking overview
3. Key changes

# Shoreline Management Act (SMA)

## Chapter 90.58 RCW







Protect environment & public health

Promote public access

Plan for shoreline uses

Chapter 173-26 WAC: Local government requirements for developing and amending SMPs.

Chapter 173-27 WAC: Standards for SMP 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 w/ streams, lakes, and tidal waters subject to SMA.



# Shoreline Management Act (SMA)

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# WA Administrative Code (WAC)

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# Shoreline master programs (SMP)

# State and local partnerships




Develop Shoreline Guidelines (chapter 173-26 WAC) and implementation rules (chapter 173-27 WAC)

Develop Shoreline Master Program tailored to local conditions

Review and approve shoreline master program

Administer the day-to-day implementation of the SMP

# What shorelines are subject to the SMA?

Waterbodies:

- All marine waters
- Stream and rivers >20 CFS mean annual flow
- Lakes 20 acres or larger

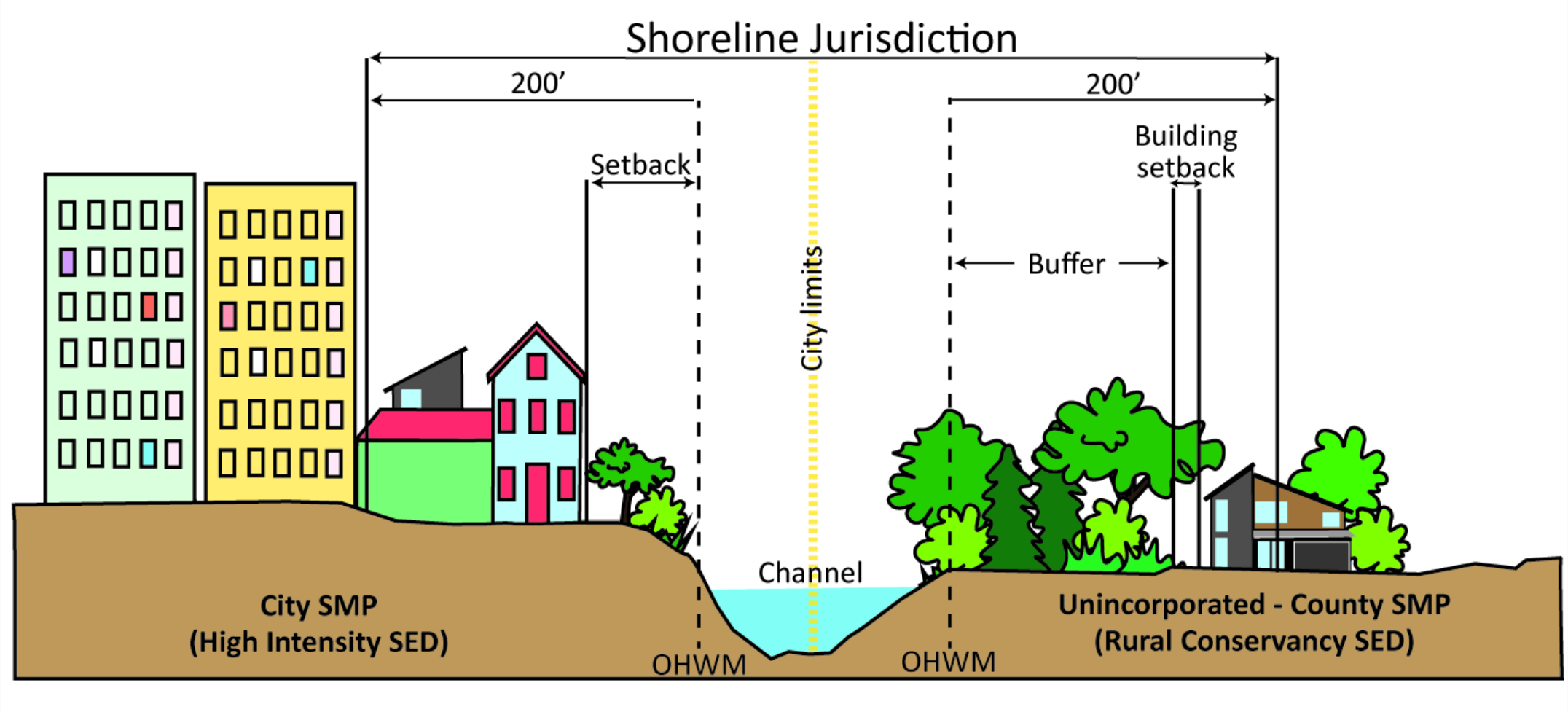
Upland Areas:

- Upland areas at least 200 feet landward from the edge of these waters
- All associated wetlands and river deltas
- Some or all of the 100-year floodplain

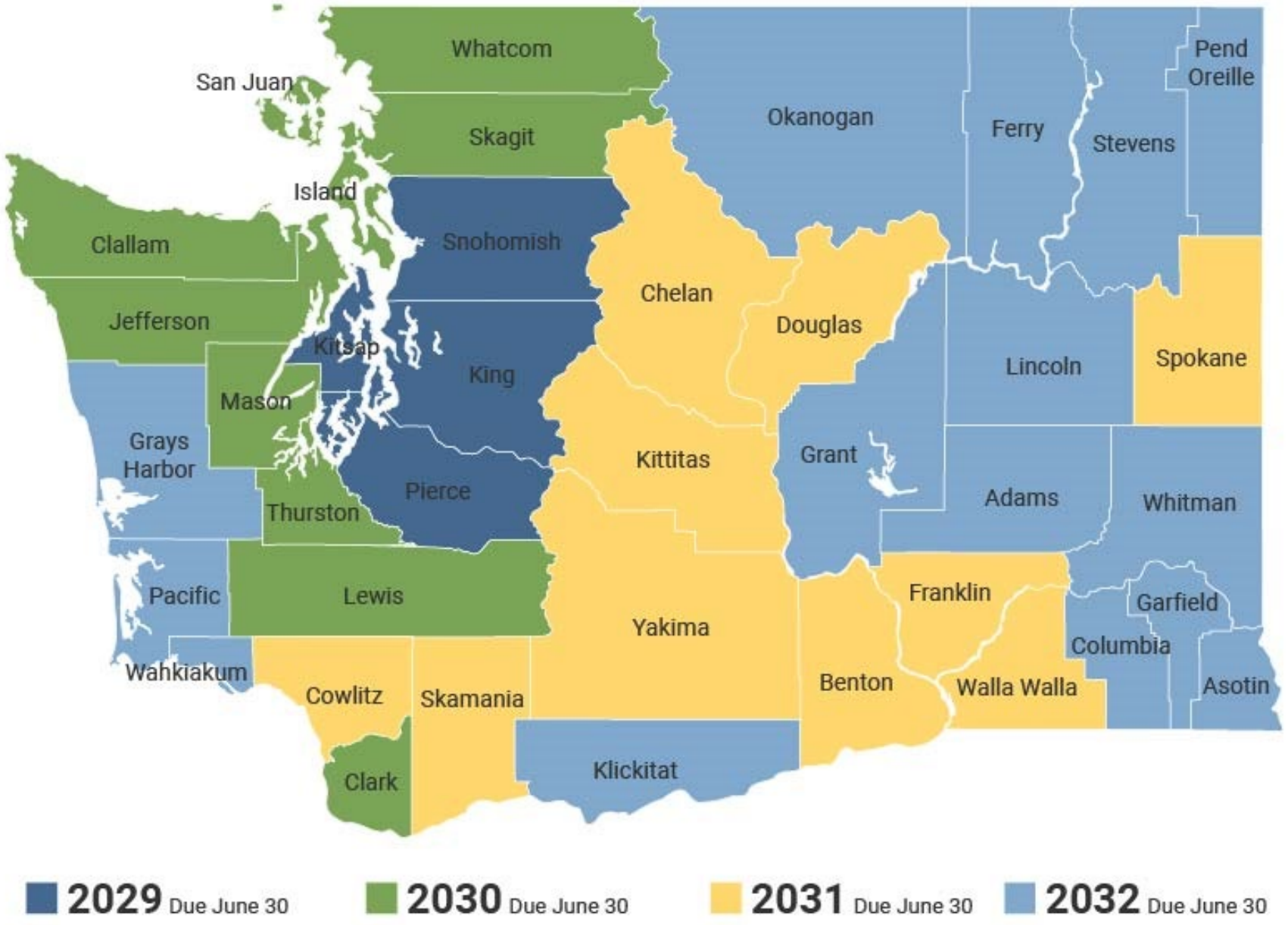


# Shoreline jurisdiction

## The area where the SMA and shoreline master programs apply



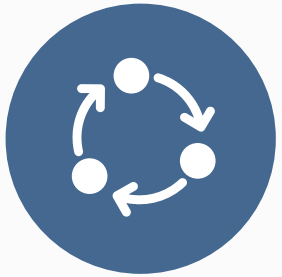
# New rules will change requirements for the next round of SMP periodic reviews.



# SMA rulemaking overview



# Why are we amending these rules?



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



Specify how local governments must address the impact of sea level rise and increased storm severity in SMPs. (RCW 90.58.630/HB 1181)

# SMA rulemaking timeline



# Rulemaking documents

Available for comment

- Proposed rules (Chapter 173-18 WAC, Chapter 173-20 WAC, Chapter 173-22 WAC, Chapter 173-26 WAC, Chapter 173-27 WAC)
- Preliminary Regulatory Analysis
- SEPA documentation

- Supporting documents
  - Overview
  - Summary of Proposed SMA Rule Amendments by revision type

Rulemaking webpage: ecology.wa.gov/sma-rulemaking

# Recognizing proposed changes

## Existing sections with proposed changes:

- Marked as AMENDATORY SECTION at the start of the section.
- New proposed text shown with underline
- Text proposed to be deleted is shown with double parentheses and strikeout.

AMENDATORY SECTION (Amending WSR 17-17-016, filed 8/7/17, effective 9/7/17)

**WAC 173-26-104 Optional joint review process for amending shoreline master programs.** This section establishes ((~~an optional~~)) a joint review process a local government may elect to use for ((~~master program~~)) either periodic review amendments ((~~other than comprehensive updates~~)) or locally initiated amendments. The process combines the

# Recognizing new sections

## New sections:

- Marked as NEW SECTION at the start of the section.
- Text is all new and not shown in underline.

NEW SECTION

**WAC 173-26-246 Addressing the impact of sea level rise and increased storm severity.** (1) **Purpose.** RCW 90.58.630 directs the department to adopt "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

# Key rule changes



# Summary of Proposed SMA Rule Amendments by Revision Type

## Summary of Proposed SMA Rule Amendments by Revision Type

This list highlights the changes in our CR-102 rule proposal by revision type:

- **Changes impacting local governments** – Changes that modify what is required by local governments planning and implementing under the Shoreline Management Act.
- **Change impacting regulated community** – Changes that will modify what is required or allowed for regulated parties that propose new development or use in shoreline jurisdiction under the master programs that will be adopted consistent with the rule.
- **Changes impacting Ecology** – Changes that define what is required for Ecology or impacts internal Ecology processes.
- **Clarification** – Changes that clarify procedures or requirements or statutory interpretation without changing the effect of the rule.
- **Editorial** – Changes that only correct, move, or reorganize language of a rule without changing its effect.

| Revision Type | Brief Summary of Proposed Rule Amendments | Relevant proposed WAC section(s) in CR-102 |
|---|---|---|
| **Changes impacting Local Governments** | | |
| a. | **Exemptions.** Local governments will need to update master program provisions for consistency with new language in WAC 173-27-040 and must now document all exemptions from the shoreline substantial development permit process and transmit them to Ecology. | WAC 173-27-040(1)(b), -050 |
| b. | **Permit Tracking.** Local governments must consistently track shoreline permit and exemption data for use during future rounds of master program periodic reviews. Building off existing tracking and monitoring requirement in WAC 173-26-191(2)(a)(iii)(D), proposed rule will require consistent tracking of data and submittal to Ecology based on revised data sheets, complete submittal requirements, to create a consistency across all local governments. | WAC 173-27-130, -180, -195, -990, and -995 |
| c. | **Administrative Interpretations.** Local governments will follow review, consideration, and process requirements for formal administrative interpretations of master program provisions. Pursuant to RCW 36.70A.110(11), WAC 173-26-140 already requires that each master program include provisions requiring consultation with Ecology for master program administrative interpretations. This new section clarifies that coordination process to ensure administrative interpretations are consistent with the SMA and implementing rules. | WAC 173-27-075 |

# Topics addressed in the proposed rules

## Shoreline stabilization



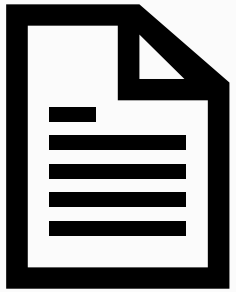
## Critical areas protection



## Vegetation conservation



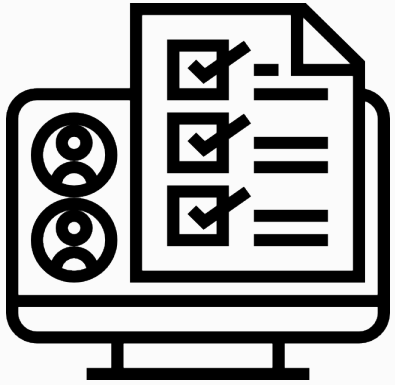
# Rule changes addressing SMP implementation



Permitting and exemptions



Enforcement



Tracking and monitoring SMP implementation

# Sea level rise and increased storm severity

Overarching requirement to identify areas projected to be exposed to hazards and manage development accordingly.

**Process requirements at each SMP periodic review:**

- Inventory hazards and assets
- Assess impacts, characterize vulnerability, analyze future development
- Review/update policies and regulations

**Sea level rise requirements apply to 65 local governments** (15 counties & 50 cities/towns)



# Ecology will provide:

## Sea level rise

Guidance, baseline data, and tools to support shoreline planning.

- Guidance document
- Sea Level Rise Planning Atlas
- Pilot Project

## Other Resources and technical assistance

- Periodic review checklist with guidance
- Model language

# Public hearing



# Ground rules

- Silence your cell phone
- Hold down the noise
- No distracting, disruptive, or intimidating behavior
- Respect the right of others to have an opinion, even if you do not agree.
- Use respectful language when providing comments or asking questions.
- Use silent shows of appreciation or disagreement using thumbs up and thumbs down. Please no cheering or booing.

# Providing testimony

- Wait for us to call on you to provide testimony.
- Stick to the time limit.
- Summarize lengthy or repetitive comments.

# Public hearing



# Commenting in writing

- Three ways:
  - Fill out a comment form here
  - Use our online comment form
  - Send comments by mail

**Written comments are due by 11:59 PM on November 17, 2026**

# Next steps for comments

- Ecology will:
  - Review all the comments
  - Prepare a response to comments and questions
  - Make final edits to the rule proposal



shorelinerulemaking@ecy.wa.gov



# Next steps for the rules

- Rule adoption: March 2027
- Rule in effect 31 days later



# Stay informed

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