

Summary of Preliminary Rule Amendments by Topic

Topic	Brief Summary of Preliminary Amendments	Relevant WACs
Compliance and enforcement	Revisions throughout the rules intended to clarify requirements to achieve better compliance with the SMA and local SMPs. Specific revisions include a new subsection explaining permit types and requiring statements of exemption to be transmitted to Ecology, and revisions to WAC 173-27 Part II – Shoreline Management Act Enforcement.	Chapter 173-27 WAC
Critical areas protection	New section detailing requirements for protecting critical areas in shoreline jurisdiction. Incorporates and updates relevant provisions from WAC 173-26-221. Adds subsections for channel migration zones, frequently flooded areas, fish and wildlife habitat conservation areas, and critical aquifer recharge areas. Updates the wetland and geologically hazardous areas sections. Reorganizes standards and refocuses provisions to better address both risk and ecological protection. Removes the option to incorporate GMA-based critical areas ordinance into the SMP by reference to meet the guidelines.	WAC 173-26-226(1) & -191(2)(b)
Federal Coastal Zone Management Act consistency	Revisions clarifying the applicability of the SMA, as an enforceable policy of the Coastal Zone Management (CZM) Program, to federal agency actions. Describes the process of federal consistency requirements.	WAC 173-27-060
Integration with SEPA	New sections added to address the integration with the State Environmental Policy Act (SEPA) during the SMP amendment process and project review.	WAC 173-26-105 WAC 173-27-115
Master program amendments	SMP periodic review requirements and locally initiated amendments are separated from the SMP comprehensive update requirements, creating distinct process and content requirements related to future SMP amendments. Updated to clarify minimum scope, process, content requirements, and approval criteria	WAC 173-26-090, -095 & -201

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Mutual and internal consistency	New provisions outlining requirements for ensuring mutual consistency between SMPs and comprehensive plans and requirements for ensuring internal consistency within SMPs at each periodic review.	WAC 173-26-090
No net loss of shoreline ecological function and riparian management	New subsection describing how SMPs must protect shoreline ecological functions. This subsection consolidates principles and standards that were previously found throughout the rules and adds new provisions around vegetation conservation, water quality, and other key issues. New provisions outlining the required evaluation of changing conditions during the SMP periodic review process.	WAC 173-26-226, -186(8), -191(2)(a)(iii), -090(2)(e) & (3)(c)
Nonconforming development	New subsection establishing guidelines for managing redevelopment and modifications to existing structures. Includes general principles and standards specific to uses, structures, development, and lots.	WAC 173-26-221(2) & WAC 173-27-080
Preservation of archaeological, historical, and cultural resources	Contains provisions that pertain to archaeological and cultural resources and historic structures. Amendments primarily incorporate previously established agency guidance into the rules, but this section is still in progress and will need further revisions.	WAC 173-26-221(1)
Residential development, middle housing, ADUs	Revisions incorporating middle housing and ADU provisions and requiring SMPs to include density, lot size, and impervious surface limitations specific to shoreline jurisdiction.	WAC 173-26-020 & -241(3)
Sea level rise	New section establishing a required process for sea level rise planning. Requires local governments to conduct or use an existing sea level rise vulnerability assessment, establish a hazard area, and manage development to reduce risk and protect the shoreline environment. Additional application requirements and other provisions were added to the SMP implementation chapter.	WAC 173-26-246 WAC 173-27-180, -185, & -160 WAC 173-22-030 & -040
Shoreline modifications and stabilization	Revisions add new standards for additional shoreline modifications, differentiates between modifications to address erosion versus flooding, establishes new requirements for stabilization, and emphasizes nature-based solutions.	WAC 173-26-231

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Shoreline permitting	Revisions to WAC 173-27 to clarify how and when the permitting system is triggered and other changes necessary to align with revised guidelines. Updated permit transmittal form and created new exemption transmittal form. Reorganization and updates to the exemptions in WAC 173-27-040.	Chapter 173-27 WAC
Tribal engagement	New provisions clarifying requirements for notifying and coordinating with Tribes during the periodic review process and shoreline permit process.	WAC 173-26-090 to -120. WAC 173-27-110
Voluntary shoreline restoration	Updates to regulatory relief requests resulting from restoration projects, revised watershed restoration project exemption language, relocated projects to improve fish or wildlife habitat or fish passage pursuant to RCW 77.55.181 to section regarding development not required to obtain permits. Added restoration and enhancement subsection in critical areas section.	WAC 173-27-040(2)(g), -044(6), -215, 226(1)(c) -226(2)(b)(iii), -231(3)(n), -231(3)(r)

Version 1 – June 2025