

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist

This document is intended for use by counties, cities and towns subject to the Shoreline Management Act (SMA) to conduct the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the SMA at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2019 that may trigger the need for local SMP amendments during periodic reviews.

How to use this checklist

See the associated *Periodic Review Checklist Guidance* for a description of each item, relevant links, review considerations, and example language.

At the **beginning of the periodic review**, use the review column to document review considerations and determine if local amendments are needed to maintain compliance. See WAC 173-26-090(3)(b)(i).

Ecology recommends reviewing all items on the checklist. Some items on the checklist prior to the local SMP adoption may be relevant.

At the end of your review process, use the checklist as a final summary identifying your final action, indicating where the SMP addresses applicable amended laws, or indicate where no action is needed. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b).

Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Prepared By	Jurisdiction	Date
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Row	Summary of change	Review	Action
2019			
a.	OFM adjusted the cost threshold for building freshwater docks		
b.	The Legislature removed the requirement for a shoreline permit for disposal of dredged materials at Dredged Material Management Program sites (<i>applies to 9 jurisdictions</i>)		
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.		
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.		
b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.		
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.		
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.		
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.		
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction		
g.	Ecology clarified “default” provisions for nonconforming uses and development.		

Row	Summary of change	Review	Action
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .		
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.		
j.	Submittal to Ecology of proposed SMP amendments.		
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .		
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.		
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.		
2014			
a.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.		
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .		
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .		

Row	Summary of change	Review	Action
b.	Ecology adopted rules for new commercial geoduck aquaculture .		
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.		
d.	The Legislature authorizing a new option to classify existing structures as conforming .		
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .		
2009			
a.	The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.		
b.	Ecology adopted a rule for certifying wetland mitigation banks .		
c.	The Legislature added moratoria authority and procedures to the SMA.		
2007			
a.	The Legislature clarified options for defining "floodway" as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.		
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.		
c.	Ecology’s rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that		

Row	Summary of change	Review	Action
	conform to the provisions of RCW 77.55.181.		

Additional amendments

Modify this section, as needed, to reflect additional review issues and related amendments. The summary of change could be about Comprehensive Plan and Development regulations, changes to local circumstance, new information, or improved data.

Two example formats:

SMP section	Summary of change	Review	Action

SMP Section	Summary of change	Discussion