

## SHORELINE MASTER PROGRAM PERIODIC REVIEW

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# Periodic Review Checklist

### Introduction

This document is intended for use by counties, cities and towns conducting 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 Shoreline Management Act (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 2017 that may trigger the need for local SMP amendments during periodic reviews.

### How to use this checklist

See Section 2 of Ecology’s *Periodic Review Checklist Guidance* document for a description of each item, relevant links, review considerations, and example language.

**At the beginning:** 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).

**At the end:** 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.*

Row	Summary of change	Review	Action
2017			
a.	OFM adjusted the <b>cost threshold for substantial development</b> to \$7,047.	Chapter 3 definition still set at \$5,000 Administration Section is still set at \$5,000 p 103	Changed both amounts to comply with new threshold
b.	Ecology amended rules to clarify that the <b>definition of “development”</b> does not include dismantling or removing structures.	Development is defined in Chapter 3 under the Permit Process subheading	Added suggested sentence to end of definition
c.	Ecology adopted rules that clarify <b>exceptions to local review under the SMA.</b>		Added to Administration Chapter under Exemptions
d.	Ecology amended rules that clarify <b>permit filing procedures</b> consistent with a 2011 statute.		Added to Administration chapter prior to Exemptions
e.	Ecology amended <b>forestry use regulations</b> to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	Darrington does not administer Forest Practice permits	
f.	Ecology clarified the SMA does not apply to lands under <b>exclusive federal jurisdiction</b>	Not addressed in SMP	Added to Administration Chapter under Exemptions
g.	Ecology clarified “default” provisions for <b>nonconforming uses and development.</b>	Regulations for Non-conforming uses are addressed under Administration Chapter	No action needed
h.	Ecology adopted rule amendments to clarify the scope and process for conducting <b>periodic reviews.</b>	Language exists in Administration Chapter under Master Program - Review, Amendments and Adoption subheading	Added specific section of WAC 173-26-90 and RCW 90.58.080
i.	Ecology adopted a new rule creating an <b>optional SMP amendment process</b> that allows for a shared local/state public comment period.		Darrington Planning Commission voted on June 6, 2019 to hold Joint Hearing with Ecology
j.	<b>Submittal</b> to Ecology of proposed SMP amendments.	Submittal process not included in SMP	Darrington will submit all draft and final document electronically

Row	Summary of change	Review	Action
<b>2016</b>			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to comply with the <b>Americans with Disabilities Act</b> .		Added suggested language to list of exemptions
b.	Ecology updated <b>wetlands critical areas guidance</b> including implementation guidance for the 2014 wetlands rating system.	SMP guidelines under 2003 regulations and recommendations	Updated SMP language to require 2014 wetlands rating system and implemented recommended 2010 buffers
<b>2015</b>			
a.	The Legislature adopted a <b>90-day target</b> for local review of Washington State Department of Transportation (WSDOT) projects.	SR 530 is not within the jurisdiction of the Darrington Shoreline Management Program	No action taken
<b>2014</b>			
a.	The Legislature raised the cost threshold for requiring a Substantial Development Permit (SDP) for <b>replacement docks on lakes and rivers</b> to \$20,000 (from \$10,000).	Docks are prohibited within the Darrington Shoreline Management area and are restricted by the Sauk River Wild and Scenic Federal Status	No action taken
b.	The Legislature created a new definition and policy for <b>floating on-water residences</b> legally established before 7/1/2014.	Prohibited within the Darrington Shoreline jurisdiction	No action taken
<b>2012</b>			
a.	The Legislature amended the SMA to clarify <b>SMP appeal procedures</b> .	Appeal process is not addressed under the Darrington SMP	No action taken
<b>2011</b>			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved <b>federal wetland delineation manual</b> .	SMP still refers to state manual in Wetland Regulation #1	Deleted references to state manual and added reference to federal manual and regional supplements under Wetland Regulation #1
b.	Ecology adopted rules for new commercial <b>geoduck aquaculture</b> .	Geoduck habitat does not exist in the Darrington Shoreline jurisdiction	No action taken
c.	The Legislature created a new definition and policy for <b>floating homes</b> permitted or legally	Prohibited within Darrington Shoreline jurisdiction and restricted by the Sauk River Wild and Scenic designation	No action taken

Row	Summary of change	Review	Action
	established prior to January 1, 2011.		
d.	The Legislature authorized a new <b>option to classify existing structures as conforming.</b>		Added to Administration Chapter under Non-conforming uses
<b>2010</b>			
a.	The Legislature adopted <b>Growth Management Act – Shoreline Management Act clarifications.</b>		No action taken unless DOE requests clarification
<b>2009</b>			
a.	The Legislature created new “relief” procedures for instances in which a <b>shoreline restoration project within a UGA</b> creates a shift in Ordinary High Water Mark.	Language is not included in Darrington SMP	Added language to Administration Chapter between Exemptions and Unclassified Uses
b.	Ecology adopted a rule for certifying <b>wetland mitigation banks.</b>	Darrington does not allow mitigation banking	No action taken
c.	The Legislature added <b>moratoria authority</b> and procedures to the SMA.	RCW 90.58.090 will be cited and DOE notified of any moratorium action by the Town of Darrington	No action taken
<b>2007</b>			
a.	The Legislature clarified <b>options for defining "floodway"</b> as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	Definition under option 2 exists but needs updating	Updated to include “topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.”
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a <b>list and map of streams and lakes</b> that are in shoreline jurisdiction.	No new streams or lakes within Darrington Shoreline jurisdiction have been discovered since 2007 update	No action taken
c.	Ecology’s rule listing statutory exemptions from the requirement for an SDP was amended to include <b>fish habitat enhancement projects</b> that conform to the provisions of RCW 77.55.181.	Listed as Exemption 10	Specific language referencing consistency with WAC 173-27-040 added