

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
	Rock Island	5/14/2021

Row	Summary of change	Review	Action
2019			
a.	OFM adjusted the cost threshold for building freshwater docks	This threshold amount is located in the exemption list. The exemption section references the WAC.	No Change
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>)	Not Applicable	No Change
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.	Not Applicable	No Change
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	Chapter 6.7 references the list of exemptions in WAC 173-27-040. WAC already includes the current amount.	No change
b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	Chapter 8 #67 (page 117) Definition needs to be updated.	Definition of “development” has been updated.
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	Many of these exception references are located under the exemption section (chp 6.7). Create a new section for “exceptions to local review”.	Exceptions to local review have been added to section 1.7 applicability (pg 7). References to exceptions in the exemptions section 6.7 have been removed.
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	This is an optional amendment. These standards apply whether or not they are outlined in the SMP. Smp uses “date of filing” and Chp7.3.06 reverences WAC 173-27-130 filing with department.	No Change
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA	There is no commercial forestry within city limits. This is not applicable	No Change

Row	Summary of change	Review	Action
	“developments” and do not require SDPs.		
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	This rule is applicable even if not outlined in the SMP. For clarity this could be added under 1.7 applicability	“Areas and uses in those areas that are under exclusive federal jurisdiction as established through federal or state statutes are not subject to the jurisdiction of chapter 90.58 RCW.” Was added to section 1.7
g.	Ecology clarified “default” provisions for nonconforming uses and development .	SMP has adopted WAC 173-27-080 by reference Chp 1.11 Pg 10	No Change
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	The SMP does not include a description of this process and it is not required to be added	No Change
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	This is an optional amendment, the City can still use the joint process if it is not outlined in the SMP	No Change
j.	Submittal to Ecology of proposed SMP amendments.	This is an informational change. And is not required as the SMP does not explain this process.	No Change
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .	Chapter 6.7 adopted by reference the list of exemptions in WAC 173-27-040. No changes needed	No Change
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	Appendix H has been reviewed for consistency	Updated to current guidance standards
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	This provision is not included. Add for consistency	(12) added to 5.16 Transportation

Row	Summary of change	Review	Action
2014			
a.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	Not Applicable, the city does not have any floating residences	No Change
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	SMP does not outline SMP appeal procedures.	No Change
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	Verbage is not included in appendix H	Added to Appendix H 1.04.060 Wetlands section "Identification of wetlands and delineation of their boundaries shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements."
b.	Ecology adopted rules for new commercial geoduck aquaculture .	Not applicable	No Change
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	Not Applicable to the city	No Change
d.	The Legislature authorizing a new option to classify existing structures as conforming .	SMP has adopted WAC 173-27-080 by reference Chp 1.11 Pg 10	No Change
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .	Change effective date. SMP identifies that the CA provisions in Appendix H apply to shoreline jurisdiction.	Effective date updated to match statute. Chp 1.13
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.	This provision can be used even if not included in the SMP	No Change

Row	Summary of change	Review	Action
b.	Ecology adopted a rule for certifying wetland mitigation banks .	N/A	No Change
c.	The Legislature added moratoria authority and procedures to the SMA.	These regulations do not need to be included in and SMP	No Change
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.	Definition for floodway is consistent	No Change
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.	Included in the Comprehensive Update	No Change
c.	Ecology's rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	Chapter 6.7 adopted by reference the list of exemptions in WAC 173-27-040. No changes needed	No Change

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.

SMP Section	Summary of change	Discussion
SMP	Document	Gramatical errors corrected
SMP	Document	Douglas Couty references changed to City of Rock Island
Chapter 7	Removed definitions section	Moved definitions into definition chapter (8)
Chapter 6.7	Removed incorrect references	Removed references that were not associated with shoreline exemptions
Appendix H	1.04.020 Definitions	Definitions in appendix H are repedative with SMP chapter 8. They have been removed.

SMP Section	Summary of change	Discussion
Appendix H	1.04.030 Designation of Critical Areas.	Wetland guidance references have been updated.
Appendix H	1.04.060 Performance Standards, B-Wetland Areas	Updated stormwater manual reference and identification of wetland references.
Appendix H	1.04.060 Performance Standards, B-Wetland Areas	Wetland buffers have been updated to meet Ecology standard guidance
Appendix H	1.04.060 Performance Standards, C.Fish and Wildlife Habitat Conservation Areas (FWHCA)	References to wetlands have been changed to FWHCA
Appendix H	1.04.090 Reasonable Use	Removed reference to process that does not exist in the SMP