

Policy statement regarding SMP Periodic Review deadlines

Purpose

To clarify Shoreline Management Act (SMA) periodic review deadlines

Application

This policy applies to jurisdictions with statutory deadlines for periodic reviews under RCW 90.58.080(4)(b).

This Policy Statement adopted under RCW 34.05.230 is intended to clarify the Shoreline Master Program (SMP) periodic review timelines for local jurisdictions with SMA statutory deadlines of June 30, 2020. The SMA at RCW 90.58.080(4) requires jurisdictions to conduct a review and, if necessary, revise their master programs on or before June 30 of a specific date listed in statute. Ecology is offering SMP grant funds in the 2019-21 biennium to 108 jurisdictions with periodic review deadlines for 2020 and 2021.

The jurisdictions include the following counties, and the cities and towns within those counties:

RCW 90.58.080(4)(b): 2020 -- Clallam, Clark, Island, Jefferson, Kitsap, Mason, San Juan, Skagit, Thurston, and Whatcom.

RCW 90.58.080(4)(c): 2021 -- Benton, Chelan, Cowlitz, Douglas, Kittitas, Lewis, Skamania, Spokane, and Yakima

Ecology's interpretation is that all jurisdictions that fall within both these groupings will have until June 30, 2021 to complete their periodic review work, consistent with the biennial funding provided by Ecology. Under RCW 90.58.080(6)(a) "grants to local governments for developing and amending master programs pursuant to the schedule established by this section shall be provided at least two years before the adoption dates specified in [the Act]." Ecology interprets this provision to apply to the periodic review deadlines as well as the comprehensive update deadlines.

The one-year extension for jurisdictions with 2020 deadlines is necessary because the 2017-2019 biennial budget included a one-time reduction of 60% in state funds available to local governments for shoreline management. In 2017, Ecology, in collaboration with a local government Sounding Board, decided to allocate this reduced biennial appropriation solely to jurisdictions with 2019 deadlines. The intent was to ensure the very first round of periodic reviews was adequately funded.

As a result, jurisdictions with 2020 deadlines are not eligible for state funds until one year before the deadline listed in statute. If not for the reduction in total available funding in the 2017-2019 biennium, Ecology would have provided a first year of funding to these jurisdictions starting July 2018, two years before the June 2020 deadline. This policy interpretation ensures local governments have adequate time to conduct the periodic review, including meeting all required public involvement steps.