

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.	Office of Financial Management (OFM) adjusted the cost threshold for building freshwater docks	2012 Ridgefield Shoreline Management Plan (SMP) referenes previous \$10,000 cost threshold	Amend Ridgefield SMP Sec 2.3.2(8) to reflect updated cost threshold of 1) \$22,500 for docks constructed to replace existing docks (and of equal or lesser square footage than existing dock) 2) \$11,200 for all other docks constructed in fresh waters
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>)	2012 SMP references the previous permit requirement for disposal of dredged materials	Not applicable, no changes needed

<i>Row</i>	<i>Summary of change</i>	<i>Review</i>	<i>Action</i>
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.	2012 SMP does not contain Shoreline Management Act (SMA) amendment to correct reference to Washington Department of Fish and Wildlife statute concerning fish habitat enhancement projects to a more, current reference, amendments added with more activities eligible permit review for enhancement.	Not applicable, no changes needed
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	2012 SMP references old cost of \$6,416 for a substantial development permit	Amend Ridgefield SMP Sec 2.3.2 (1) to change the substantial development permit cost threshold from \$6,416 to \$7,047
b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	2012 SMP references previous definition of development in permit rules	Amend Ridgefield SMP Sec 2.3.2 (2) to update how the permit rules define “development”. Clarify that it does not include projects exclusively dealing with dismantling and removing structures that doesn’t contain associated development or re-development.
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	2012 SMP does not have updated exceptions to SMP with clarified requirements , still contains deleted RCW 90.58.390 and change location of reference to 1994 hazardous substance law to WAC	Amend with new section, 2.1.2 clarifying that Developments are not required to obtain shoreline permits or local reviews. Local gov has no role in permitting To section 2.1.1 add (3) Projects authorized through the Energy Facility Site Evaluation Council process,

Row	Summary of change	Review	Action
			pursuant to chapter 80.50 RCW. Delete section 2.3.2(17), no exemption required
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	2012 SMP does not have the updated rules regarding permit filing procedures contained in WAC 173-27-130044.	Amend Ridgefield SMP Sec 7.5 (see also 7.3) to change permit filing details regarding the shoreline hearings board appeal period and local permit decisions, in accord with the 2011 statute. Changes needed: <ol style="list-style-type: none"> 1) "date of filing" replaces "date of receipt" for shoreline permits sent to Ecology 2) Requires concurrent filing of permits if there are separate Substantial Development permits, Conditional Use permits, and variances. 3) Ecology will notify local gov and the applicant what the date of filing is either by phone or electronically, to be followed by written notification Revise section 7.5 (2) to fix grammar issues

Row	Summary of change	Review	Action
			Amend Ridgefield SMP with rewrite of Section 7 for clarity and to consolidate filing provisions
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.	2012 SMP does not contain updated forestry use regulations	No changes needed
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	2012 does not contain distinction that SMA doesn’t apply to land under federal control Provision does not apply to Ridgefield NW Refuge, as state has not ceded interest. No lands fitting this category are under Ridgefield’s jurisdiction	Amend Ridgefield SMP Sec 2.1.1 to clarify that lands ceded to federal jurisdiction are not subject to SMA regulation Provision does not apply to Ridgefield NW Refuge, as state has not ceded interest. No lands fitting this category are under Ridgefield’s jurisdiction
g.	Ecology clarified “default” provisions for nonconforming uses and development	2012 SMP does not contain updated rules for non conforming uses/development	Amend Ridgefield SMP Sec 2.5.2, 2.5.3, 2.5.4, to update provisions regarding non conforming uses. Create separate definitions created for “use”, “structure” and “lots.”

Row	Summary of change	Review	Action
			Add clarifying language for nonconforming structures, uses and lots.
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	2012 SMP does not include rule amendments regarding scope and process for reviews	Amend Ridgefield SMP Sec 7.2.9 (1) to add amendments that discuss scope and process that are required by RCW 90.58.080(4)
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	2012 SMP does not include SMP amendment process that allows for a public comment process	No changes needed
j.	Submittal to Ecology of proposed SMP amendment.	2012 SMP doesn't reference amended WAC that details what local governments must provide to Ecology for final review of amendments	Amend Ridgefield SMP Sec 7.2.9 to include amended WAC on submittal for final review to Ecology. Add that submittal should include: <ul style="list-style-type: none"> 1) a digital form and removed the required 2 paper copies 2) summary of amendments made in response to public comments

Row	Summary of change	Review	Action
			3) final periodic review checklist to be submitted when taking periodic review action
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act.	2012 SMP does not include additional shoreline permit exemption that removes SDP requirement for retrofitting an existing structure for ADA access	Amend Ridgefield SMP Sec 2.3.2 (2) to include an additional shoreline permit exemption which removes SDP requirement for retrofitting existing structure if is project undergone to comply with Americans with Disabilities Act (ADA) and/or provide access
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	2012 SMP references the 2004 handbook's guidance regarding the wetlands critical areas	Amend Ridgefield SMP Sec 5A 18.280.150(A) to replace wetland rating system with updated criteria found in the 2014 publication from DOE Include changes regarding: <ol style="list-style-type: none"> 1. Added buffer table to use if minimizing measures are not 2. Emphasis on wildlife corridor requirement in exchange for buffer reduction 3. Change in language for

Row	Summary of change	Review	Action
			<p>agricultural activities in non-Voluntary Stewardship Program (VSP) jurisdictions</p> <p>4. Additional mitigation documents</p>
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	2012 SMP does not include the 90 day local review target from WSDOT, doesn't include additional clarification that allows WSDOT projects addressing safety risks to begin 21 days after filing if there won't be net loss of ecological function	<p>Amend Ridgefield SMP Chapter 7</p> <ol style="list-style-type: none"> 1. 90 day local review target from WSDOT 2. new law that allows WSDOT projects addressing safety risks to begin 21 days after filing if there will be no net loss of ecological function
2014			
a.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	2012 SMP does not include the new policy & definitions for floating on water residences (FOWRs)	<p>Amend Ridgefield SMP Sec 6.3.11.2 (2) to include:</p> <ol style="list-style-type: none"> 1. new definition of FOWRs from WAC 173-26-030(3)(d)(18) 2. the policy that those legally established before 7/1/2014 is a conforming use and SMP regulations must accommodate without precluding maintenance/re

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			<p>pair/replacement/remodeling</p> <p>3. Ridgefield does have existing FOWRs, SMP needs added reference to statute/policy/regulation that clarifies legal status</p> <p>4. Provide definition in the definition section</p>
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	2012 SMP references both GMHB and the SMHB, unclear if updated process that streamlines to SMHB is in place	No changes needed, already included
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual.	2012 SMP requires delineation in accordance with the Washington State Rating System, doesn't use required	<p>Amend Ridgefield SMP Sec 5A 18.280.150 (1) to clarify that identification and delineation of wetlands should be done according to the standards in the federal wetland delineation manual and any regional supplements that apply</p> <ul style="list-style-type: none"> - Must use language from 2011 WAC due to repeal of state manual
b.	Ecology adopted rules for new	No saltwater shorelines exist in Ridgefield	No change needed

	commercial geoduck aquaculture.		
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	2012 SMP includes language for new policy for homes established prior to January 1, 2011	No change needed
d.	The Legislature authorizing a new option to classify existing structures as conforming.	2012 SMP includes language on existing conforming structures	No change needed
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications	2012 SMP states that amendmendments and revisions do not become effective until approved by ecology	Amend Ridgefield SMP to clarify that approval by Ecology is specifically a written notice acknowledging their approval, to fit more closely with statute language
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.	2012 SMP addresses the relief procedure for UGA	No changes needed.

		OHWB shifts	
b.	Ecology adopted a rule for certifying wetland mitigation banks.	2012 SMP addresses new certification process	No changes needed
c.	The Legislature added moratoria authority and procedures to the SMA.	2012 SMP does not include any language regarding moratoria authority or its procedure	<p>Not a required addition, up to local gov discretion</p> <p>If added, could adopt provisions as outlined in RCW 90.58.590</p> <p>Does RDC address moratoria authority, if so could that be adopted into SMP by reference?</p>
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.	2012 SMP does include the updated definition of a floodway	No changes needed
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	2012 SMP list of lakes and streams subject to the SMP does not include Carty lake and therefore is not the most up	Amend Sec 2.1 (1)(c) (ii) to include Carty lake in the list of waters that SMP provisions apply to

		to date list	
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.	2012 SMP includes provision according to RCW 77.55.181	No changes needed

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	Review	Action
Sec 2.1 (1)(c)(ii)	Clark County Shoreline Master Program amendment adding Carty Lake approved by Ecology in 2016	Ridgefield SMP does not list Carty Lake	Amend Ridgefield SMP to include Carty Lake shoreline With consideration to <ol style="list-style-type: none"> 1. county jurisdiction 2. Accommodating port and corresponding permit requirements Carty Lake is shoreline waterbody and needs to be added to list in 2.1 Applicability, map also needs to be revised accordingly