

Ocean Management Checklist

Review Considerations for Evaluating Ocean Use Policies, Regulations, and Procedures within Shoreline Jurisdiction

This document is intended to be filled out by local jurisdictions for use by Ecology shoreline planners reviewing local Shoreline Master Programs (SMPs) within Clallam, Jefferson, Grays Harbor, and Pacific Counties. The SMA guidelines (WAC 173-26-360) require that coastal county SMPs include ocean uses policies, regulations, and approval criteria consistent with the Ocean Resource Management Act (ORMA). The marine planning law (RCW 43.372.050(2)) requires that Ecology also review coastal county SMPs for consistency with the state's Marine Spatial Plan (MSP).

These checklists are intended to ensure that the SMP:

1. Implements the ORMA consistent with the specific provisions of [WAC 173-26-360](#).
2. Incorporates information, analyses, recommendations, and policies from the [Washington State Marine Spatial Plan](#).

Local SMPs on Washington's Pacific Coast are responsible for incorporating the Ocean Management Guidelines (WAC 173-26-360), which implement the ORMA (RCW 43.143) into their SMPs. The MSP provides information, analyses, recommendations, and policies that must be incorporated in local plans, regulations, and permit processes, particularly through local SMPs under the Shoreline Management Act. Given the purpose, authority, and intent of the marine planning law, all state and local agencies are required to implement and adhere to the adopted Marine Spatial Plan (MSP) through existing regulatory and decision-making processes at the state and local level. To make decisions consistent with the MSP, local governments on Washington's Pacific Coast will need to:

1. Review and, if necessary, update their local programs and incorporate information, analyses, recommendations, and policies from the MSP.
2. Once incorporated, issue shoreline permits for new ocean uses involving development (as defined in RCW 90.58.030(3)(a)) that are consistent with the updated SMP and, therefore, the MSP.



CHECKLIST 1 ORMA Requirements of WAC 173-26-360

This submittal checklist is designed to help in preparation and review of local Shoreline Master Programs (SMPs). It contains a list of required SMP components and provides a format for demonstrating how the SMP complies with the SMP Guidelines. This checklist will accompany the local government’s Comprehensive Update Checklist or Periodic Review checklist, as applicable per RCW 90.58.080.

This checklist is for use by local governments to satisfy the requirements of WAC 173-26-201(3)(a), relating to submittal of Shoreline Master Programs (SMPs) for review by the Department of Ecology (Ecology) under Chapter 173-26 WAC. The checklist does not create new or additional requirements beyond the provisions of that chapter.

How to use this checklist

This checklist summarizes key Ocean Management issues. See the associated *Guidance for Checklist 1 – ORMA* for a description of each item, relevant links, review considerations, and example language. Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist.

Prepared By		Jurisdiction		Date
John Kliem, for City of South Bend		City of South Bend		December 14, 2021
Item #	Summary of Ocean Management Requirements: <i>Ocean Resource Management Act - ORMA</i>	<i>Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.</i>	<i>Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.</i>	
	Geographical Area – consider including a map illustrating these areas for ease of implementation			
1	Clear identification of the geographical area where the Ocean Management provisions apply within the local jurisdiction. See WAC 173-26-360(2).	SMP does not include identification of Ocean Mgt. geographical area.	No. Add new Sections 1.7.1.A and 1.7.2 to describe the geographical area.	
	Definitions – consider including within the definition section of the SMP or integrating into a separate ocean management section.			
2	SMP includes definitions for the following terms consistent with the definitions in WAC 173-26-360: Ocean Use. WAC 173-26-360(3) Oil and gas uses and activities. WAC 173-26-360(8) Ocean mining. WAC 173-26-360(9) Energy production. WAC 173-26-360(10)	SMP does not include these definitions.	No. Add new definitions to: §8.5.24 Ocean use § 8.5.20 Oil & gas uses § 8.5.19 Ocean mining § 8.5.18 Ocean energy prod. § 8.5.17 Ocean disposal	

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	Ocean disposal. WAC 173-26-360(11) Transportation. WAC 173-26-360(12) Ocean research. WAC 173-26-360(13) Ocean salvage. WAC 173-26-360(14)		§ 8.5.23 Ocean transportation § 8.5.21 Ocean research § 8.5.22 Ocean salvage
Shoreline Environment Designation – Review the SED designation criteria, management policies, and use matrix to ensure internal consistency with WAC 173-26-360			
3	Appropriate shoreline environment designations (SEDs) are proposed for the ocean management geographical area of WAC 173-26-360.	SMP does not identify separate SEDs for ocean management; ocean management provisions will apply in the existing Aquatic, City Waterfront, and Urban Conservance SEDs.	Add new rows for specific ocean uses at Section 2.6 Table 1
Administration and Decision Making – consider including within the permit administration and/or a general ocean management section.			
4	Additional approval criteria of RCW 43.143.030(2) for newly proposed ocean uses and developments. WAC 173-26-360(6)	SMP does not provide ocean use approval criteria.	Add new Section 6.11.1 regarding Application Review Procedures for Ocean Uses.
Ocean Management Policies – consider including these with Comprehensive Plan policies and/or a general ocean management section.			
5	General ocean management policies consistent with WAC 173-26-360(7).	SMP does not include ocean management policies	Add new Section 3.6.2, Ocean Management Policies, to SMP.
Ocean Management Regulations – consider including within the Use section or integrating into a separate ocean management section.			
6	SMP includes the following specific use regulations:		
	a. Oil and gas uses and activities. WAC 173-26-360(8)	SMP does not include ocean management regulations.	Add new Section 3.6.3, ocean management regulations, that address specific use regulations at A.i through A.vii.
	b. Ocean Mining. WAC 173-26-360(9)		
	c. Energy production. WAC 173-26-360(10)		
	d. Ocean disposal. WAC 173-26-360(11)		
	e. Transportation. WAC 173-26-360(12)		
	f. Ocean Research. WAC 173-26-360(13)		
	g. Ocean Salvage. WAC 173-26-360(14)		

CHECKLIST 2 Marine Spatial Plan (MSP) Requirements

This submittal checklist is designed to help in preparation and review of local Shoreline Master Programs (SMPs). It contains a list of required SMP components and provides a format for demonstrating how the SMP complies with the requirements of the Marine Waters Planning and Management Act found in RCW 43.372. This checklist will accompany the local government’s Comprehensive Update Checklist or Periodic Review checklist, as applicable per RCW 90.58.080.

This checklist is for use by local governments to satisfy the requirements of WAC 173-26-201(3)(a), relating to submittal of Shoreline Master Programs (SMPs) for review by the Department of Ecology (Ecology) under Chapter 173-26 WAC. The checklist does not create new or additional requirements beyond the provisions of that chapter.

How to use this checklist

This checklist summarizes key Ocean Management issues. See the associated *Guidance for Checklist 2 – MSP* for a description of each item, relevant links, review considerations, and example language. Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist.

Prepared By		Jurisdiction		Date
Item #	Summary of Marine Spatial Plan for Washington’s Pacific Coast (MSP) Requirements	Review – Does the SMP contain this requirement. If yes, include reference to SMP section where this requirement is met.	Is the SMP, as proposed, Compliant? If not, describe action needed for compliance.	
Geographical Area and Applicability – consider including a map illustrating these areas for ease of implementation				
1	The SMP includes the following:			
	a. MSP Applicability Area. Clear identification of the geographical area where the Marine Spatial Plan information, analysis, policies, and regulations apply within the local jurisdiction. Include an applicability statement identifying when and where the MSP should be applied within the local jurisdiction.	SMP does not identify applicable MSP geographical area nor an applicability statement.	Add new Section 1.7.2, Marine Spatial Plan (MSP) provisions A and B that identify applicable geographical area	

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	b. Important, Sensitive and Unique Area (ISU). The current MSP ISU maps from the state along with identification of this information as the best available data. Include an applicability statement referencing the state ISU mapping resource.	SMP does not identify applicability of ISU maps and BAS	Add new Section 1.7.2.C for applicability of ISU maps and BAS.
Definitions - consider including within the definition section of the SMP or integrating into a separate ocean management section.			
2	SMP includes definitions for the following terms consistent with the definitions in the MSP:		
	a. Important, Sensitive and Unique Areas (ISUs)	The SMP does not have definitions for items a – c.	Add the following definitions: § 8.3.6 Important, Sensitive and Unique Areas § 8.5.9 New ocean uses § 8.5.1 Marine Spatial Plan
	b. New Ocean Uses		
	c. The Marine Spatial Plan (MSP)		
Administration and Decision Making – consider including within the permit administration and/or a general ocean management section.			
3	Describes how the MSP will be used to inform the evaluation of new ocean use and development proposals. The SMP should include a reference to the MSP as a resource for project review and the process for reviewing new ocean uses proposals as outlined.	The SMP does not provide an evaluation for new ocean uses.	Add new Section 6.11.2 to provide evaluation criteria for new ocean uses.
Ocean Management Policies – consider including these with Comprehensive Plan policies and/or a general ocean management section.			
4	Use of the Marine Spatial Plan. The SMP should include a policy statement about how the SMP is informed by the MSP and how it will be used in permit review.	The SMP does not contain this policy	Add new Section 3.6.2.C that states how MSP informs the SMP on permit review
Ocean Management Regulations – consider including within the Use section or integrating into a separate ocean management section.			
5	The SMP should contain ocean management regulations addressing the following:		
	a. Important, Sensistive and Unique Areas (ISUs) Designation. The SMP should contain ISU designation types and critiera consistent with the MSP.	The SMP does not contain these regulations	Add new Section 3.6.3.B and C for ISU Designations, and ISU Mapping & Location

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	b. ISU Protection standards. The SMP must apply ISU adverse effects and protection standards to new ocean uses and developments consistent with the MSP.	The SMP does not contain this regulation	Add new Section 3.6.3.D for ISU protection standards
	c. Fisheries Protection standards. The SMP must apply fisheries protection standards to new ocean uses and developments consistent with the MSP.	The SMP does not contain these regulations	Add new Section 3.6.2.E and F for fisheries protection standards.