

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist: 2021 version

Prepared By	Jurisdiction	Date
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Part One: State laws, rules and guidance review

Part One is used to demonstrate compliance with WAC 173-26-090(2)(d)(i)(A). This checklist identifies amendments to state law, rules and applicable updated guidance adopted between 2007 and 2021 that may trigger the need for local SMP amendments during periodic reviews.

Row	Summary of change	Review	Action
2021			
a.	The Legislature amended floating on-water residences provisions	There currently are no floating on-water residences within shoreline jurisdiction. Section 1.10.3.D prohibits floating home residences.	No amendment needed.
b.	The Legislature clarified the permit exemption for fish passage projects	Exemption not listed.	Exemption included under new Section 6.4.3.U.
2019			
a.	OFM adjusted the cost threshold for building freshwater docks	Section 6.4.3.H cites unadjusted amount.	Adjusted cost thresholds added under Section 6.4.3.H.
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	Current definition of “Substantial development” cites unadjusted amount.	Adjusted cost threshold to \$7,047 added within definition for “Substantial development,” Chapter 8, Definitions (page 67).
b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	Current definition of “Development” does not include dismantling or removing structures.	Added to definition of “Development,” Chapter 8, Definitions.
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	Exceptions currently not included under Shoreline Exemptions, Section 6.4.3.	Exceptions added to Section 6.4.3 as items U-Y (page 46).
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	Replace Section 6.12.3 with guidance language	Amended guidance language added to Section 6.12.3

Row	Summary of change	Review	Action
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.	Current section does not include language	Forestry use regulation amended to include guidance language under Section 4.6.3. B
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	Clarify Section 1.6.5 by adding guidance language	Amend Section 1.6.5 by adding guidance language
g.	Ecology clarified “default” provisions for nonconforming uses and development .	Amend Section 3.4 to fully reflect language from WAC 173-27-080. Add new definitions.	Nonconforming Structures, Uses, and Lots. Regulations 3.4.3 replaced with language from WAC 173-27-080. Definitions added to Chapter 8, Definitions
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .	Section 6.4.3 T includes this exemption	No amendment needed.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	See SBMC Section 14.15.030(2)(b)(i)	No amendment needed
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	This provision was not included in the 2017 plan and will be added to the periodic update for clarity	Added to new Section 6.5.5
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	Section 7.2, Amendments to the Master Program does not address this optional issue	No amendment needed
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	See SBMC Section 14.15.030(2)(a)(iii)	No amendment needed
b.	Ecology adopted rules for new commercial geoduck aquaculture .	The definition of “aquaculture” in Chapter 8 contains the reference to wild	No amendment needed

Row	Summary of change	Review	Action
		geoduck harvest. However, environmental conditions within the city's Aquatic Environment will not support geoduck aquaculture.	
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	There currently are no floating on-water residences within shoreline jurisdiction.	No amendment needed
d.	The Legislature authorizing a new option to classify existing structures as conforming .	This is addressed through the amended Section 3.4.3.	No additional amendment necessary
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .	Covered in Section 1.5	Note: Analysis of CAO amendment currently underway
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.	The city has opted not to include this provision within its SMP	No amendment needed
b.	Ecology adopted a rule for certifying wetland mitigation banks .	The city has opted not to include this provision within its CAO or SMP	No amendment needed
c.	The Legislature added moratoria authority and procedures to the SMA.	The city opts to rely on state statute if moratoria ever prove necessary.	No amendment needed
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.	There are no designated floodways with the city	No amendment 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.	Section 2.1.2 lists water bodies within the city under shoreline jurisdiction. Appendix a contains a map showing shoreline environment designations.	No amendment needed

Part Two: Local review amendments

Part Two is used to demonstrate compliance with WAC 173-26-090(2)(d)(ii). This checklist identifies changes to the local comprehensive plans or development regulations, changes in local circumstances, new information or improved data that may warrant an SMP amendment during periodic reviews.

Changes to Comprehensive Plan and Development regulations

Question	Answer		Discussion
Have you had Comprehensive Plan amendments since the SMP comprehensive update that may trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Have your had Development Regulations amendments since the SMP comprehensive update that may trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Has your Critical Areas Ordinance (CAO) been updated since the SMP comprehensive update? If yes, are there changes that trigger need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Are CAO provisions incorporated by reference (with ordinance # and date) into your SMP? If yes, is it the current CAO or a previous version?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Has any new shoreline area been annexed into your jurisdiction since your SMP was updated? If yes, were these areas pre-designated?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Other	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	

If your review and evaluation resulted in proposed SMP text or map amendments, please create a table that identifies changes to the SMP for consistency with amendments to the Comprehensive Plan and Development regulations. Example format:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules

Changes to local circumstance, new information, or improved data

Question	Answer		Discussion
Has your jurisdiction experienced any significant events, such as channel migration, major floods or landslides that impacted your shoreline and could trigger a need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Have FEMA floodplain or floodway maps been recently updated for your jurisdiction? If your SMP extends shoreline jurisdiction to the entire 100-year floodplain, has FEMA updated maps that trigger a need for an SMP amendment?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Have you issued any formal SMP Administrative Interpretations that could lead to improvements in the SMP?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Are there any Moratoria in place affecting development in the Shoreline?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Have staff identified the need for clarification based on implementation or other changes? e.g., modifications to environment designations, mapping errors, inaccurate internal references.	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Are there other changes to local circumstances, new information, or improved data that need to be addressed in your SMP?	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	

If your review and evaluation resulted in proposed SMP text or map amendments, please create a table that identifies changes to the SMP to address changes to local circumstances, new information, or improved data. Example format:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules