

SHORELINE MASTER PROGRAM PERIODIC REVIEW CHECKLIST

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	<i>No Amendment Necessary:</i> The Adams County Code does not allow FOWRs.	None needed.
b.	The Legislature clarified the permit exemption for fish passage projects	<i>No Amendment Necessary:</i> ACC 18.08.925 cites the relevant statute (RCW 90.58.147) for exemptions.	None needed.
2019			
a.	OFM adjusted the cost threshold for building freshwater docks	<i>No Amendment Necessary:</i> ACC 18.08.925 cites the relevant statute (WAC 173-20-040 & RCW 90.85.030(3)(e)).	None needed.
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	<i>Amend the SMP:</i> ACC 18.08.200 (Definitions) "Substantial development" Update ACC 18.08.200 (Definitions) "Substantial development" to \$8,504 which is now the current amount (as of Spring 2022).	Updated.
b.	Ecology permit rules clarified the definition of "development"	<i>Amend the SMP:</i>	Updated.

Row	Summary of change	Review	Action
	does not include dismantling or removing structures.	Update ACC 18.08.200 "Development" to specify that it does not include dismantling or removing structures.	
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	<p>Amend the SMP:</p> <p>Add language to ACC 18.08.030(B) Applicability. The new language would include the following three exceptions with example language provided by Ecology in https://fortress.wa.gov/ecy/ezshare/sea/ShorelinePlannerToolbox/2021-2023/Periodic%20Review%20Checklist%20Guidance%202021.docx</p> <ul style="list-style-type: none"> • Remedial actions. • Boatyard improvements to meet NPDES permit requirements. • WSDOT facility maintenance and safety improvements. • Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045. • Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to chapter 80.50 RCW. <p>The County may choose to add other minor actions that do not require local review to this section as well.</p>	Updated.
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	<p>Amend the SMP:</p> <p>Amend ACC 18.08.940 & 18.08.960 to reflect the</p>	Updated.

Row	Summary of change	Review	Action
		changes in state law, including terminology.	
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.	<i>No Amendment Necessary:</i> Adams County does not have significant commercial forestry along shorelines and this amendment is not necessary.	
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	<i>No Amendment Necessary:</i> ACC 18.08.030 (E)(3) includes the Columbia Basin Irrigation project.	None needed.
g.	Ecology clarified “default” provisions for nonconforming uses and development .	Amend the SMP: Amend ACC 18.08..200 definitions to remove “nonconforming” and replace with “nonconforming use,” “nonconforming development or nonconforming structure,” and nonconforming lot.”	Updated.
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .	<i>No Amendment Necessary:</i> ACC 18.08.925(G) lists out the relevant WAC and RCW.	None needed.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	<i>No Amendment Necessary:</i> The SMP cites the updated Wetland Rating System and it does not appear to require any other amendments.	None needed.
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	<i>Optional SMP Amendment:</i> The SMP does not include language regarding permitting of WSDOT projects. Ecology’s guidance says that it is not necessary to include these provisions, but a reference could help ensure SMPs are	None. The County opted to not include the example language.

Row	Summary of change	Review	Action
		<p>implemented consistent with the statute.</p> <p>Should the County decide to add language to the SMP for this purpose, there is suggested language in https://fortress.wa.gov/ecy/ezshare/sea/ShorelinePlannerToolbox/2021-2023/Periodic%20Review%20Checklist%20Guidance%202021.docx</p>	
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	<p><i>No Amendment Necessary:</i></p> <p>The SMP does not outline the SMP appeal process.</p>	None needed.
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	<p><i>No Amendment Necessary:</i></p> <p>ACC 18.08.660(C)(2) uses the Washington State Department of Ecology wetland rating system.</p>	None needed.
b.	Ecology adopted rules for new commercial geoduck aquaculture .	<p><i>No Amendment Necessary:</i></p> <p>There are no saltwater shorelines in Adams County.</p>	None needed.
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	<p><i>No Amendment Necessary:</i></p> <p>There are no floating homes in Adams County.</p>	None needed.
d.	The Legislature authorizing a new option to classify existing structures as conforming .	<p><i>No Amendment Necessary:</i></p> <p>The SMP includes the updated language in ACC 18.18.850.</p>	None needed.
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .	<p><i>No Amendment Necessary:</i></p> <p>The SMP was updated in 2016 and includes the updated language.</p>	None needed.

Row	Summary of change	Review	Action
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.	<i>No Amendment Necessary:</i> The new rule is incorporated into ACC 18.18.770(F).	None needed.
b.	Ecology adopted a rule for certifying wetland mitigation banks .	<i>No Amendment Necessary:</i> The new rule is incorporated into 18.08.660(H)(13).	None needed.
c.	The Legislature added moratoria authority and procedures to the SMA.	<i>Optional SMP Amendment:</i> The SMP does not currently contain information about moratoria authority. Ecology’s guidance is that it is not necessary to include the language because local governments can simply rely on the statute. If Adams County elects to add language regarding moratoria authority, example language is provided by Ecology in the checklist guidance document. <i>AHBL Recommends no changes, since the SMP was updated in 2016, after this legislation was passed.</i>	None. The County opted to not include the example language.
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.	<i>No Amendment Necessary:</i> Floodway is defined in ACC 18.08.200 consistent with the two definitions.	None 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.	<i>No amendment Necessary:</i> The list and map of streams and lakes will not change since the last amendment.	None 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	The Comprehensive Plan was last amended in 2015.
	<input checked="" 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	Chapter 15.16 FLOOD DAMAGE AND PREVENTION was amended in 2021. There are no conflicts.
	<input checked="" 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	The Critical Areas Ordinance, Chapter 18.06 was last updated in 2008. The SMP does not incorporate / rely on Chapter 18.06; instead, the shoreline critical areas are addressed by separate provisions contained in Article VI.
	<input checked="" 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	The regulations are referenced in 18.08.050, however the SMP contains separate provisions for critical areas in the shoreline jurisdiction.
	<input checked="" 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	N/A
	<input checked="" type="checkbox"/>	No	
Other	<input type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	

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	None known.
	<input checked="" type="checkbox"/>	No	
Have FEMA floodplain or floodway maps been recently updated for your jurisdiction? If your SMP extends shoreline jurisdiction to	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	

the entire 100-year floodplain, has FEMA updated maps that trigger a need for an SMP amendment?			
Have you issued any formal SMP Administrative Interpretations that could lead to improvements in the SMP?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Are there any Moratoria in place affecting development in the Shoreline?	<input type="checkbox"/>	Yes	
	<input checked="" 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 checked="" type="checkbox"/>	Yes	We reproduced the maps with new aerial imagery. No change to shoreline jurisdiction nor environmental designations. As a required change in Ecology's Initial Determination, we added the following text to all maps: "We hereby certify that this map constitutes the Official Shoreline Map as approved by ordinance of the Board of County Commissioners."
	<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	None known.
	<input checked="" type="checkbox"/>	No	

Additional Amendments

The County is proposing additional amendments for overall document improvement to address changes to local circumstances, new information, or improved data as follows:

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
Throughout	Updated Adams County Code references as needed and added references	N/A	
18.08.200	Updated definition of "floodway" to include only FEMA's FIRMs and removed the second definition.	RCW 90.58.030(32)(b)	Required change in Ecology's Initial Determination.
18.08.200	Add definitions of <ul style="list-style-type: none"> "anadromous fish"; "bog"; "landward"; "shoreline management buffer" 	<ul style="list-style-type: none"> WAC 365-195-925; Ecology publication #12-06-29; N/A N/A N/A, per Ecology guidance	Update definitions in order to align with WAC or Ecology guidance

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
18.08.200	Removed definitions of “basement,” “building setback,” “creeks,” “critical facility,” “diversity (ecological),” “elevated building,” “outcrop,” “vernal” pools,” “wetlands mosaic.”		Terms not used in the Chapter.
18.08.200	Removed the recommended addition of “wetlands, forested”	N/A	Required change in Ecology’s Initial Determination.
18.08.200	Revised the definition of “Appeal”	WAC 173-27-170	Recommended change in Ecology’s Initial Determination.
18.08.200	Removed extraneous information from the definition of “ecological functions”		Extra information not necessary
18.08.200	Readded the definition for “Floating home” and amended definition.	RCW 90.58.270	Recommended change in Ecology’s Initial Determination.
18.08.200 & 18.08.650	Amended the definition of “fish and wildlife habitat conservation areas” to align with RCW; Amended the definition to align with WAC	RCW 36.70A.030; WAC 365-190-130	Update in order to align with RCW
18.08.200	Amended definition of “native vegetation” per Ecology guidance		Update in order to align with Ecology guidance
18.08.200	Amended definition of “priority species” to remove outdated WAC reference	WAC 220-610-010	Update in order to align with WAC
18.08.200	Amended definition of proposed “bog” definition to cite the correct Eastern Washington manual.	Washington State Department of Ecology Publication #14-06-29 030.	Recommended change in Ecology’s Initial Determination.
18.08.320(B)(1)	Added considerations of ecologically intact areas from WAC	WAC 173-26-201(2)(d)	Update in order to align with WAC

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
18.08.400	Added the 4 environmental designations pursuant to RCW	Chapter 90.58 RCW	Add reference to RCW and provide background to county's four environmental designations
18.08.450	Rephrased that in the event of a mapping error, the administrator shall apply the approved environment designation and correct the map through an SMP amendment.	WAC 173-22-055	Recommended change in Ecology's Initial Determination.
18.08.460	Removed the option for an administrative correction of a minor mapping error, and added that when the County discovers a discrepancy, the SMP must be amended within 3 years of discovery. Added that shoreline mapping is approximate and have not been formally delineated or surveyed.	WAC 173-26-211(2)(b); WAC 173-22-055	Recommended change in Ecology's Initial Determination.
18.08.470 and various	Removed the "letter of" before "exemption"	WAC 173-27-050	Recommended change in Ecology's Initial Determination.
18.08.520	Specified that the descending order of mitigation sequencing is in order of preference.	WAC 173-26-201(2)(e)(i) and (ii)	Recommended change in Ecology's Initial Determination.
18.08.610	Added to the purpose of critical areas to assure no net loss of ecological function.	WAC 173-26-221(2)(a)(ii)	Recommended change in Ecology's Initial Determination.
18.08.650(B)(2)	Added the Columbia Sharp-tailed Grouse to the list of species that may occur in Adams County shoreline	WAC chapter 232-12	Update in order to increase awareness of the State protected species
18.08.720 & 18.08.765	Changed language of floating homes and residential structures	RCW 90.58.270	Recommended change in Ecology's Initial Determination.

SMP Section	Summary of proposed change	Citation to any applicable RCW or WAC	Rationale for how the amendment complies with SMA or Rules
18.08.765	Changed that single-family residences are considered a preiority use only when they are developed in a manner consistent with control of pollution and prevention of damage to the natural environment.	WAC 173-26-241(j)(i)	Required change in Ecology's Initial Determination.
18.08.770	Removed the relief option for OHWM shifts that are only applicable to urban growth areas.	RCW 90.58.580	Recommended change in Ecology's Initial Determination. Adams County does not have urban growth areas.
18.08.970	Added the "hearing" to the optional joint review process with ecology.		Recommended change in Ecology's Initial Determination.
18.08.971	Added that SMP amendment proposals may alternatively be processed through a joint review process with Ecology	WAC 173-26-104	Implement the WAC
18.08.975	Added to the shoreline activity tracking section "indicators of changing shoreline conditions" to be tracked.		Recommended change in Ecology's Initial Determination. Internal consistency.
18.08.975	Removed the requirement that the County prepares a no net loss report every 8 years, and if there is degradation of the baseline condition, changes to the SMP and/or shoreline restoration plan shall be proposed		This is not a requirement and there are other sections of the SMP (18.08.520, 18.08.330) with no net loss of ecological function