

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Learning Objectives

- To cover the role of local governments in shoreline and critical area protection.
- To establish a common understanding of critical areas protection within the shoreline jurisdiction.
- Explore ways to utilize your permit feedback loop to adaptively manage your SMP.

#### Key Questions we hope to answer

- Why you should monitor shoreline development?
- What should be monitored or tracked?
- How does this monitoring information inform an adaptive management feedback loop?
- What changes can be made in response to the information that is gathered?

#### What we will cover

- No Net Loss of shoreline ecological functions
- Documentation requirements for project review actions in the shoreline
- Recommendations for monitoring and tracking shoreline impacts
- Mechanisms for adaptively managing SMPs

## Shoreline Management Act (RCW 90.58)

The following provides a brief history of the Shoreline Management Act (SMA), an overview of the Act's main policies, recent comprehensive updates to comply with the SMP Guidelines, and the next phase of shoreline management (periodic reviews and adaptive management).

The SMA was passed by the State Legislature in 1971 and approved in a statewide Referendum in 1972. The SMA sets policy direction and underlying authority to manage shorelines.

- **Goal** – "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines."
- **Legislative findings** – recognize the value and fragility of shorelines and call for coordinated planning to protect the public interest associated with the shorelines while recognizing and protecting private property rights consistent with the public interest.
- **State/local partnership** – establishes "a cooperative program between local governments and the state." Local Shoreline Master Programs (SMPs) translate the statewide policy into local policies, regulations and environment designations. Local SMPs are reviewed and approved by Ecology, but implemented locally.
- **Shorelines of the State** – defined as all marine waters, streams greater than 20 cubic feet per second, lakes 20 acres and greater, and their associated shorelands.
- **Shorelines of Statewide Significance** – defined as a special category of shorelines where certain preferred uses are prioritized.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Major SMA Policies

Listed in RCW 90.58.020, the SMA identifies goals related to the following three areas:

- **Shoreline Uses** – The policy of the state is to plan for and foster “all reasonable and appropriate uses” to promote and enhance the public interest. The Act establishes “preferred uses” that are “...consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines...”
- **Environmental Protection** - Protect public health and shoreline natural resources including vegetation and wildlife, the waters of the state and their aquatic life.
- **Public Access** - Preserve the public's opportunity to enjoy the physical and aesthetic qualities of shorelines, and protect public rights of navigation. Courts have held the SMA implements the common law Public Trust Doctrine, which protects the waters of the state for the purposes of navigation, conducting commerce, fishing, recreation and similar public uses of the water.

#### Three Major Shoreline Rules

- [WAC 173-22](#): Where the SMA applies
- [WAC 173-26](#): procedural and substantive standards for local Shoreline Master Programs
- [WAC 173-27](#): Permitting and Enforcement procedures

#### Shoreline Master Program Updates

- The original 1972 SMP guidelines were not significantly amended from 1972 – 2003. Ecology updated **SMP Guidelines** in 2003 following an 8-year update process that concluded with an appeal followed by a negotiated settlement agreement.
- The 2003 Legislature established a staggered **schedule for comprehensive updates to SMPs**. The Legislature pledged “reasonable and adequate” funding for SMP updates, and has provided over \$34 million to local governments for plan updates. Ecology has approved 225 comprehensive SMP updates statewide as of late 2020.
- SMP guidelines establish an overarching standard of “no net loss of ecological functions necessary to sustain shoreline resources.” SMP regulations follow a mitigation sequence (Avoid, Minimize, and Compensate). Detailed regulations address shoreline uses, shoreline modifications, critical areas, and environment designations.
- SMP update process requires extensive public participation. The final product is a completely revised local Shoreline Master Program, Restoration Plan, and Cumulative Impacts Analysis.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

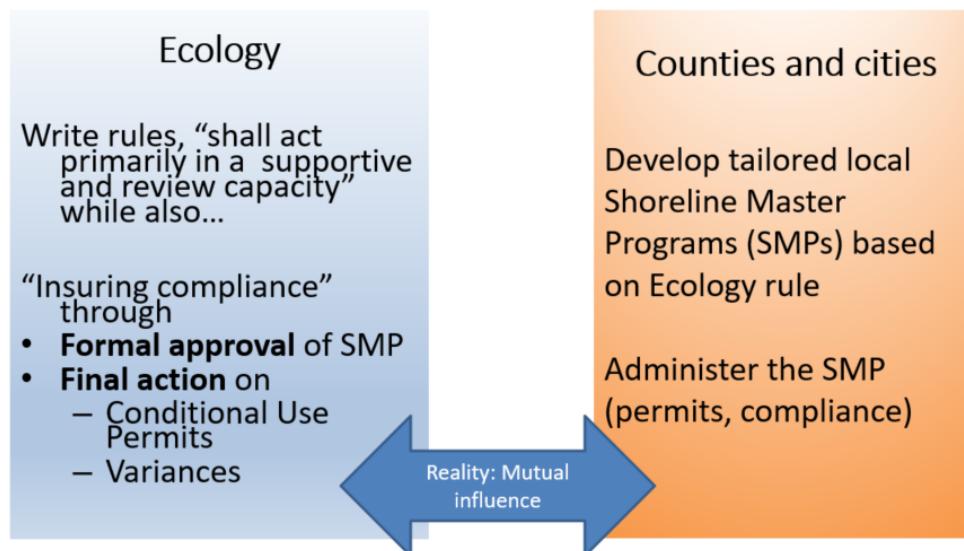
#### The Next Phase of Shoreline Management

- The SMA includes a staggered schedule for **periodic reviews** to ensure the SMPs don't get stale. Ecology rules describe the procedures that local governments must follow.
- Local governments and Ecology are developing measures to monitor implementation to form a basis for **adaptive management** to ensure SMPs are efficient and effective at achieving their purpose.

#### State & Local Government Roles in Shoreline Protection under the SMA

The following provides an overview of the Shoreline Master Program framework and the roles Ecology and local governments play in SMP implementation.

##### State and local roles defined in law



(RCW 90.58.050 and 200)

#### Ecology's Role: Technical Assistance

Ecology helps interpret SMA and SMP requirements, reviews and confirms OHWM determinations, and can participate in pre-application meetings and site visits. This coordination usually occurs:

- At the request of local government or the applicant – Pre-application or in response to technical assistance request or questions
- As part of a formal comment period – SEPA Comments, Public Notice Comments
- During Ecology's final CUP or Variance decision process

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### SMP Framework for Balance

Each comprehensively updated SMP contains the following SMA and Guideline required elements which should be reviewed during permit implementation:

- Shoreline environment designations (SEDs) with customized management policies, regulations, and use allowances/prohibitions
- Policies and regulations for each major shoreline use (commercial, residential, recreational, aquaculture, etc...) and each major shoreline modification type (fill, docks/piers, shoreline stabilization, etc...)
- Vegetation conservation standards
- Public access requirements
- Shoreline buffers and/or setbacks
- Critical areas protection standards



This review process can be thought of as three buckets:

**Use** – Is the proposed use allowed in the SED? Are the applicable Use provisions being met? Is the proposed use water-oriented?

**Development** – Does the proposed action meet the definition of development? Is the proposed development or shoreline modification allowed in this SED? Are any special reports or minimization measures required for this type of development? **Bulk,**

**Dimensional, and Performance Standards** – These can include buffers, setbacks, height restrictions, lot size minimums, impervious surface limitations, vegetation protection, mitigation sequencing, view corridors.

This concept illustrated here is also applicable to the shoreline permit types and review process presented later in the class. Uses can trigger Conditional Use Permits (CUPs), Development informs if the project requires a Substantial Development Permit (SDP) or can be authorized through an exemption from the SDP process, and Bulk, Dimensional, & Performance Standards can only be modified through a Shoreline Variance.

#### Requirement for Documentation of project review actions in Shoreline jurisdiction

[WAC 173-26-191\(2\)\(a\)\(iii\)\(D\)](#) requires local governments to document all project review actions in shoreline areas, and identify a process for periodically evaluating the cumulative effects of authorized development.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Critical Areas Protection

After Ecology approves a local jurisdictions updated SMP, the SMP alone should provide protection for critical areas within shoreline jurisdiction. Critical areas within the shoreline jurisdiction are protected under chapter 90.58 RCW and are not subject to the procedural and substantive requirement of the GMA. You should no longer use the Critical Areas Ordinance (CAO) for critical areas planning or regulatory purposes within shoreline jurisdiction. This was clarified by [legislation adopted in 2010](#) (EHB 1653).

#### “Transfer” of critical area protections to SMPs

##### SMA: RCW 90.58.610

RCW [36.70A.480](#) governs the relationship between shoreline master programs and development regulations to protect critical areas that are adopted under chapter [36.70A](#) RCW.

##### GMA: RCW 36.70A.480 Shorelines of the state.

(3) (d) Upon department of ecology approval of [a comprehensively updated SMP], critical areas within shorelines of the state are protected under chapter [90.58](#) RCW and are **not subject to the procedural and substantive requirements of [GMA]**.

Critical areas within the shoreline jurisdiction are regulated and protected through the SMP via the shoreline permit review and issuance process. I.e. SDP exemptions, SDP, Shoreline Conditional Use Permits and Shoreline Variances.

#### GMA: RCW 36.70A.480 Shorelines of the state

(4) Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state **that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources** as defined by department of ecology guidelines adopted pursuant to RCW [90.58.060](#).

GMA & SMA both: Plan for growth and use of natural resources

*and*

Protect people from Nature

- Frequently flooded areas
- CARA
- Geologically hazardous areas

- Wetlands
- Fish and wildlife habitat conservation areas

- Critical Saltwater Habitat
- Critical Freshwater Habitat

Protect Nature from People

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

Depending on the specific SMP this could be through the incorporation by reference of a specific set of Critical Areas Ordinance (CAO) provisions or the SMP may have its own critical areas regulations.

#### Key Critical Areas principles under the SMA

- The planning objectives: the protection of existing ecological functions and ecosystem-wide processes and restoration of degraded ecological functions and ecosystem-wide processes.
- The regulatory provisions for critical areas shall protect existing ecological functions and ecosystem-wide processes.
- Promote human uses and values that are compatible with the other objectives of this section, such as public access and aesthetic values, provided that impacts to ecological functions are first avoided, and any unavoidable impacts are mitigated.
- Critical areas review and impacts must be addressed through shoreline permits, exemptions from the SDP process, or shoreline administrative review.
- No separate “critical areas permit” in shoreline jurisdiction.
- Review as both shoreline modification (fill, grading, vegetation removal) and the proposed use (residential, commercial, etc.) standards
- Critical area buffers and setbacks are dimensional standards (i.e., reduction below allowable limits = shoreline variance).

#### WAC 173-26-221(2) and (3) provide additional Critical Areas Protections

Provides critical area specific standards for: Critical Saltwater Habitat, Critical Freshwater Habitat, Flood Hazard Reduction, Geologically Hazardous Areas, and Wetlands.

**Critical Saltwater Habitat:** all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sandlance; subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association.

Standards for the protection of critical saltwater habitat: Docks, piers, bulkheads, bridges, fill, floats, jetties, utility crossings, and other human-made structures shall not intrude into or over critical saltwater habitats

**Critical Freshwater Habitats:** management of critical freshwater habitat and other lake, river and stream values should integrate master program provisions, including those for shoreline stabilization, fill, vegetation conservation, water quality, flood hazard reduction, and specific uses, to protect human health and safety and to protect and restore lake and river corridor ecological functions and ecosystem-wide processes.

Standards for the protection of critical freshwater habitat: Integrate protection of critical freshwater, riparian and associated upland habitat, protection with flood hazard reduction and other lake, wetland, river and stream management provisions.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

**Flood Hazard Reduction:** actions taken to reduce flood damage or hazard and to uses, development, and shoreline modifications that may increase flood hazards. Development in flood plains should not significantly or cumulatively increase flood hazard.

Standards for flood hazard reduction: Lists uses and activities that may be appropriate or necessary with the CMZ or floodway that is usually translated into the use matrix, SED regulations, and shoreline modification regulations. Can also be addressed in flood provisions. Allow new structural flood hazard reduction measures in shoreline jurisdiction only when it can be demonstrated by a scientific and engineering analysis that includes all of the following elements:

- they are necessary to protect existing development,
- that nonstructural measures are not feasible,
- that impacts on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss,
- that appropriate vegetation conservation actions are undertaken

**Geologically Hazardous Areas:** Development in designated geologically hazardous areas shall be regulated in accordance with the following:

- Consult designation criteria for geologically hazardous areas, WAC 365-190-120.
- Do not allow new development or the creation of new lots that would cause foreseeable risk from geological conditions to people or improvements during the life of the development.
- Do not allow new development that would require structural shoreline stabilization over the life of the development. Exceptions may be made for the limited instances where stabilization is necessary to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result. The stabilization measures shall conform to WAC 173-26-231.
- Where no alternatives, including relocation or reconstruction of existing structures, are found to be feasible, and less expensive than the proposed stabilization measure, stabilization structures or measures to protect existing primary residential structures may be allowed in strict conformance with WAC 173-26-231 requirements and then only if no net loss of ecological functions will result.

[WAC 173-26-231](#)(3)(a) contains shoreline modification provisions for shoreline stabilization that are applicable to geologically hazardous areas and provide additional ecological considerations and protections for properties subject to shoreline erosions and those properties located on shoreline bluffs. These standards are often not located within the critical areas provisions of the SMP, but they are addresses the nexus between hazard mitigation and ecological protection, so they are part of the SMP critical areas protection framework.

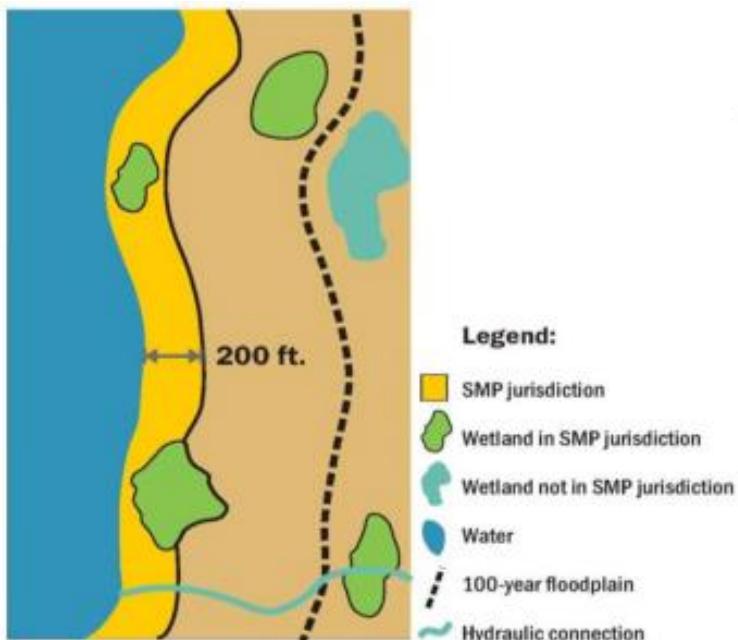
# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

**Wetlands:** Local governments should consult the department's technical guidance documents on wetlands. Regulations shall achieve, at a minimum, no net loss of wetland area and functions, including lost time when the wetland does not perform the function. This section also provides the following principles and standards:

- Establishes the uses, developments, and modifications that are subject to the Wetland protection standards;
- Requires Wetland rating and categorization system;
- Reinforces that wetland alterations must utilize mitigation sequencing and shall be consistent with the no net loss of wetland area and function standard.
- Requires that wetland buffer shall be adequate to ensure long term protection of wetland functions, considering existing wetland functions, the character of the existing buffer area, and adjacent land uses.



## Associated Wetlands

**Wetlands are associated and regulated through the SMP if:**

- The wetland is either fully or partially within 200 feet of the OHWM;
- The wetland is within the floodplain of the shoreline; or
- The wetland is associated through hydraulic continuity.

## More information

Shoreline Management Act, RCW 90.58

- [90.58.610](#) –Relationship between shoreline master programs and development regulations under growth management act governed by [RCW 36.70A.480](#)

Washington Administrative Code

- [WAC 173-26-221](#)(2) – Critical Areas.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### No Net Loss

##### **The 'net' in no net loss.**

WAC 173-26-201(2)(c) states: *The concept of "net" as used herein, recognizes that any development has potential or actual, short-term or long-term impacts and that through application of appropriate development standards and employment of mitigation measures in accordance with the mitigation sequence, those impacts will be addressed in a manner necessary to assure that the end result will not diminish the shoreline resources and values as they currently exist.*

##### **What does no net loss mean?**

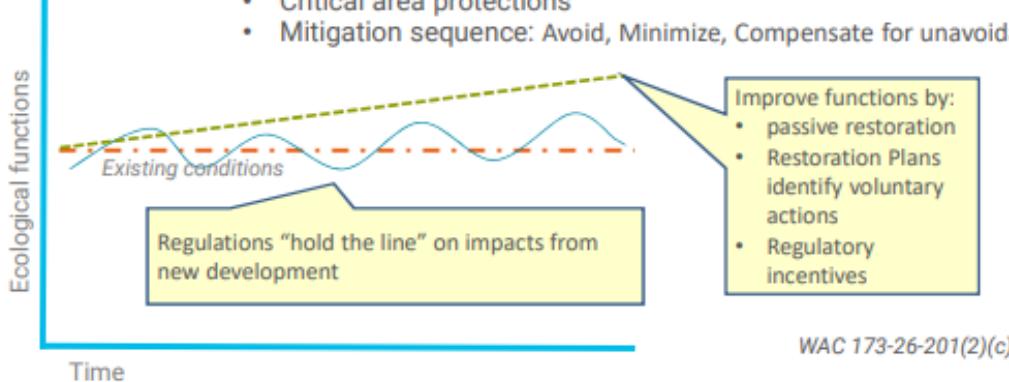
Over time, the existing condition of shoreline ecological functions should remain the same as the SMP is implemented. Simply stated, the no net loss standard is designed to halt the introduction of new impacts to shoreline ecological functions resulting from new development authorized by the SMP.

This standard should be realized **both** in the environmental planning process of updating an SMP and over time by appropriately regulating individual developments as the SMP is implemented.

- Not retroactive (i.e., is based on existing conditions)
- Relies on use of known, effective measures (e.g., buffers, setbacks, mitigation sequencing)

#### **No Net Loss" of ecological functions: a package deal**

- Environment designations
- Use regulations (*Aquaculture, Commercial, Industrial, Recreation, Residential*)
- Modification actions (*Bulkheads, fill, piers and docks*)
- Critical area protections
- Mitigation sequence: Avoid, Minimize, Compensate for unavoidable impacts



# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

**At the SMP Planning Level** – During the SMP planning process, local governments plan for foreseeable future development and its impacts. This means that the resulting impacts of planned-for and appropriate shoreline development should be identified and mitigated so as to maintain shoreline ecological function as it exists at the time of adoption of the updated SMP. This framework is created with the information from the Inventory and Characterization, Reasonable Use analysis and is validated with the Cumulative Impacts Analysis and No Net Loss Determination. Additionally, the Restoration Plan highlights opportunities for functional lift or net gain within the shoreline jurisdiction.

The SMP sets the no net loss framework with the following tools:

- Buffers and setbacks;
- Vegetation management standards;
- Critical areas protection standards;
- Establishes shoreline environment designations (SEDs); •
- Use Matrix – with allowed, CUP, and Prohibited uses for each SED; •
- Establishes policies and regulations for specific SEDs, uses, and shoreline modifications;
- Requirement for mitigation sequencing: avoid, minimize, compensate;
- Performance standards

**At the SMP implementation level** – Through the permit review and authorization process, the NNL standard is met through the careful and complete implementation of SMPs during day-to-day review of individual development proposals. For development projects and uses that may have un-anticipatable or uncommon impacts that cannot be reasonably identified at the time of master program development, the master program policies and regulations should use the permitting or conditional use permitting processes to ensure that all impacts are addressed and that there is no net loss of ecological function of the shoreline after mitigation. Careful and thorough implementation is necessary to achieve no net loss. When implementing the updated SMP, no net loss principles (buffers, setbacks, mitigation sequencing) are applied as individual shoreline project applications are reviewed and approved, conditioned, or denied.

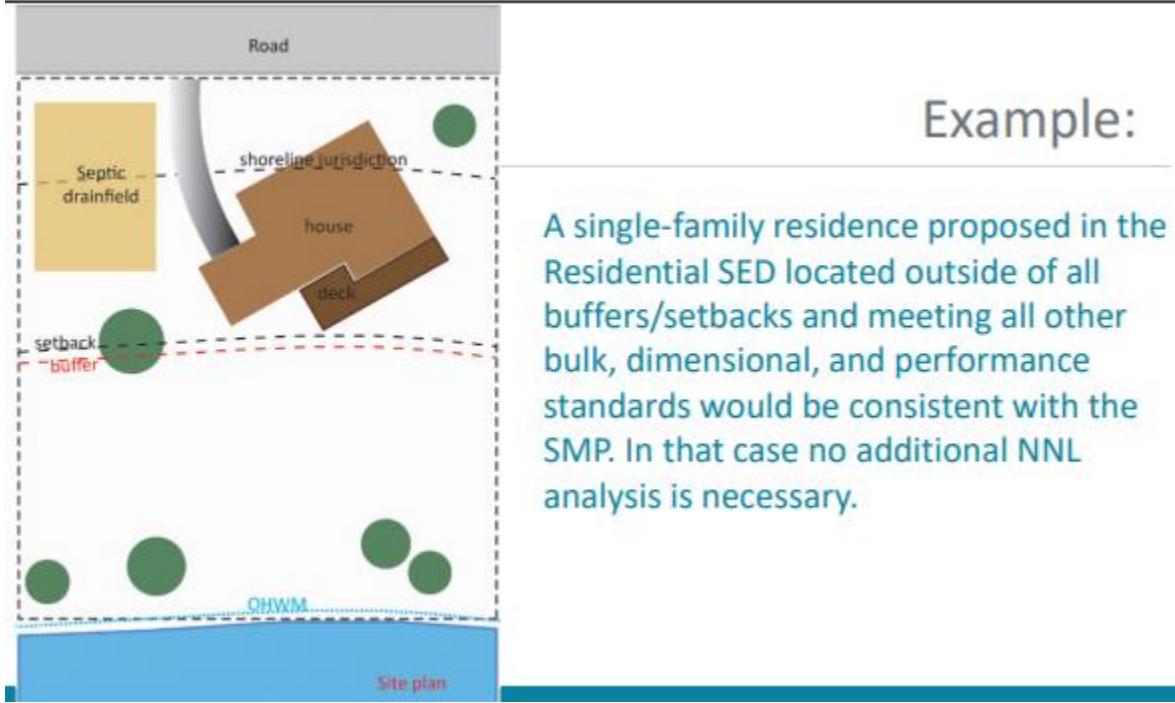
#### Mitigation Sequencing is always required

- **Avoidance** can be achieved, if the proposal is consistent with the SMP bulk, dimensional, performance, buffer, setback, vegetation conservation, use, and development standards of the SMP.
- For most common shoreline developments, NNL will be met when a proposal is consistent with SMP regulations.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021



#### When is additional NNL analysis needed?

Additional analysis is typically required to document NNL when avoidance cannot be fully achieved.

- Development allowed or proposed within a shoreline buffer, setback, critical area, critical area buffer, or waterward of the OHWM;  
or
- Projects that require a shoreline variance or a shoreline conditional use permit, should typically be required to document how a project meets NNL.

As required by WAC 173-26-201(2)(e), SMPs

“...shall include provisions that require proposed individual uses and developments to analyze environmental impacts of the proposal and **include measures to mitigate environmental impacts not otherwise avoided or mitigated by compliance with the master program and other applicable regulations.**”

Development proposed *within* a shoreline buffer, setback, critical area, critical-area buffer, or waterward of the OHWM, as well as for projects that require a shoreline variance or a shoreline conditional use permit, should typically be required to document how a project meets NNL.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

March 3, 2021



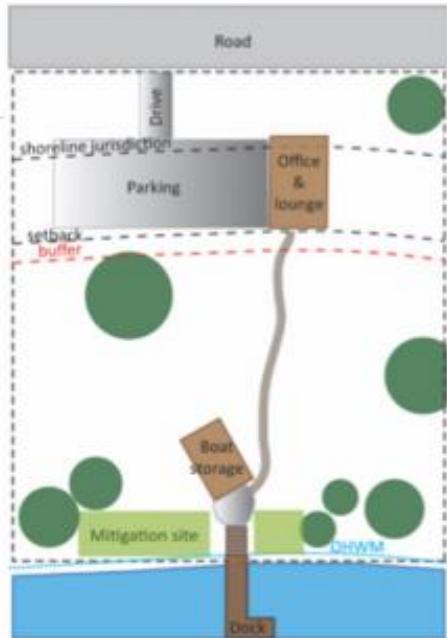
Additional site specific project review NNL analysis may be needed for the following activities:

- **Water-oriented uses.** Your SMP recognizes that some categories and types of water-oriented uses require a location in or near the water and that standard buffers and setbacks will not apply.
- **Shoreline modifications.** Shoreline modifications are those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, break-water, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.
- **Public or private shoreline access.** Shoreline access usually involves a trail, path, promenade, or similar improvement that travels through the shoreline buffer to the water. Some SMPs recognize this fact and include specific standards for these improvements, if that is the case those standards may already meet the NNL requirements.
- **Proposals requiring a shoreline variance.** When an applicant seeks relief from a bulk, dimensional, or performance standard, it's likely they are seeking relief from a regulation put in place to avoid or minimize the loss of shoreline ecological functions.
- **Proposals requiring a shoreline conditional use permit.** The conditional use permitting process is used for proposals that may have unanticipated or uncommon impacts that could not be reasonably identified during SMP development.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

March 3, 2021



Example:

As a second example, consider a proposed kayak and canoe rental business that includes in-water development as well as development within and outside of the shoreline buffer. The use is allowed in the environment designation with a substantial development permit. As part of your review for SMP consistency, you will be looking for documentation of how the NNL standard will be met.

If **avoidance** cannot be fully achieved because the activity is water oriented, public access, or requires a shoreline variance, then **minimization** should be emphasized in the project design.

### Design Techniques for Avoiding and Minimizing Buffer Impacts

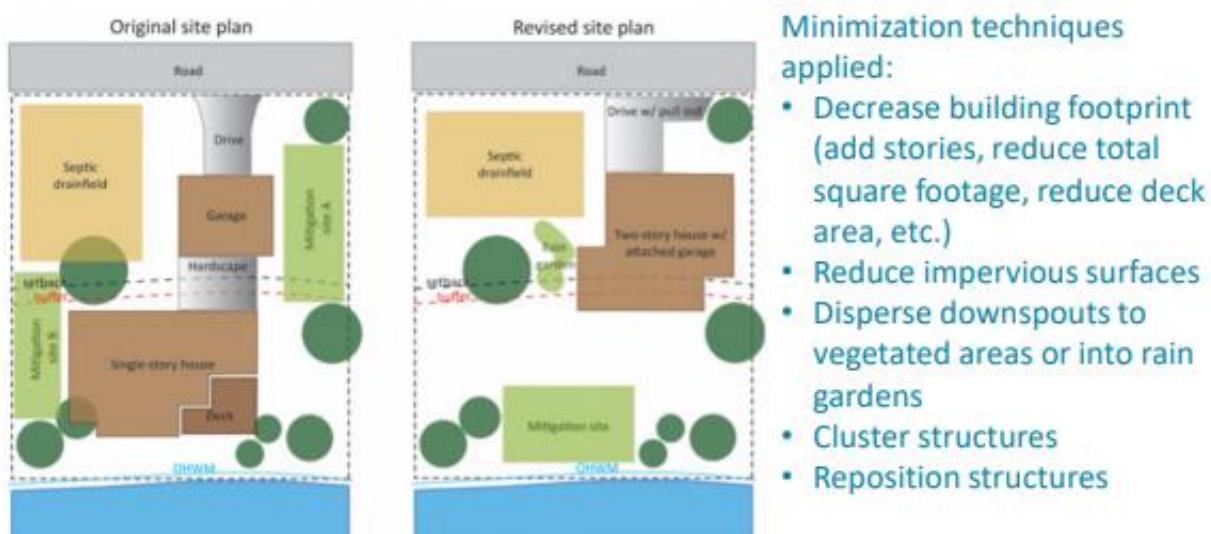
- Alternative, space-saving septic design (non-conventional)
- Reposition structures
- Reposition access to the lot
- Cluster structures
- Decrease building footprint (add stories, reduce total square footage, reduce deck area, etc.)
- Reduce the width of access roads or driveways
- Build a road pull off for extra parking
- Request variances from common property line setbacks
- Avoid grading by incorporating natural topography into site design
- Incorporate plants already on site into landscape design
- Reduce impervious surfaces
- Use pervious materials for construction of hard surfaces
- Disperse downspouts to vegetated areas or into rain gardens instead of impervious surfaces

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

March 3, 2021

### Example of Design Techniques for NNL



#### Determining unavoidable impacts

It is understood that some shoreline projects will result in unavoidable impacts. For these projects, compensatory mitigation is needed to achieve NNL at the project level. Common shoreline activities that have the potential to adversely impact shoreline ecological functions:

- Shoreline Stabilization
- Loss of Riparian Vegetation
- Over-Water and In-Water Structures
- New Impervious Surface
- Fill

#### Common mitigation strategies for shoreline activities

**Vegetation clearing:** replanting, invasive species replacement

**Shoreline stabilization:** Use soft shore armoring alternatives, Periodic beach nourishment, Remove another barrier structure of similar length, located as far landward as is feasible, add pocket beach to design, plant overhanging native vegetation along the bulkhead edge

**Impervious or hard scape surfaces within buffer:** Remove existing impervious surface and replant with native vegetation, install a rain garden, use low-impact development techniques

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Documenting No Net Loss

It is important to remember that nearly all shoreline areas, even substantially developed or degraded areas, provide some level of ecological functions. [WAC 173-26-201](#) (2)(c).

**Require that applicants follow and document mitigation sequencing.** Locally adopted SMPs include regulations that require mitigation sequencing:

- A. Avoid impacts,
- B. Minimize impacts,
- C. Rectify impacts,
- D. Reduce or eliminate impacts over time,
- E. Compensate for impacts, and
- F. Monitor impacts and compensation projects and take corrective measures.

When applied in the order listed, application of the mitigation sequence achieves NNL. Lower priority measures are only appropriate when higher priority measures are infeasible or not applicable. [WAC 173-26-201\(2\)\(e\)](#)

NNL can be documented within an applicant's narrative, SEPA Checklist, special report, site plan, or other submittal document. In most cases, an understanding of how a project will meet NNL is achieved through a combination of application materials that, when considered together, give the reviewing planner confidence that a project will achieve NNL.

If the project cannot demonstrate no net loss – that is justification for denial of a project.

Consider using checklists to document this review.

#### More information

Washington Administrative Code

- [WAC 173-26-186](#)(8) – Governing principles of the guidelines.
- [WAC 173-26-201](#)(2)(c) and (e)- Process to prepare or amend shoreline master programs.
- [WAC 173-26-221](#)(5) – Shoreline vegetation conservation.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Recommendations for monitoring and tracking shoreline impacts

WAC 173-26-191(2)(a)(iii) SMP Administrative provision requires documentation of your review

##### (D) Documentation of project review actions and changing conditions in shoreline areas.

- Master programs or other local permit review ordinances addressing shoreline project review shall include a mechanism for documenting all project review actions in shoreline areas.
- Local governments shall also identify a process for periodically evaluating the cumulative effects of authorized development on shoreline conditions.
- This process could involve a joint effort by local governments, state resource agencies, affected Indian tribes, and other parties.

Track and monitor

Evaluate and adaptively manage

Collaborate

#### Permit Monitoring and Tracking Methods

**Periodic or Occasional** (i.e., backward assessment of permits issued over some period of time)

**Ongoing, continuous** (i.e., monitoring incorporated into normal operations) Examples: City of Kirkland (Webinar 1) and Clark County (Webinar 2)

**Ongoing, term-limited** (e.g., internship duration, grant period, etc.) Example: Jefferson County

#### Ecology Recommendations

- Connect the tracking matrices to specific SMA/SMP Policies and Regulation to facilitate an adaptive management feedback loop within the context of your SMP.
- Track all shoreline development and use authorizations – including documentation of SMP consistency reviews for project exempt from the SDP process and other actions not always required to obtain shoreline permits (subdivisions, hazard tree removal, demo).

#### Potential things to track

- New public access
- Ecological benefit projects
- Uses authorized (water-oriented and non-water oriented)
- Environment designations where development is being authorized
- New development, Redevelopment, and Expansions
- Critical areas review and the application of critical areas provisions
- Demonstration of mitigation sequencing
- Shoreline Modifications (stabilization, fill, over-water structures, shoreline access)

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

## Mechanisms and Tools for Adaptive Management

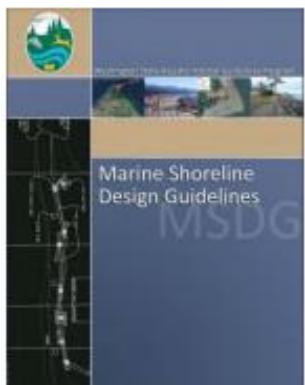
### Implementation, Education, and Outreach: Opportunities for Adaptive Management

Update Application Forms or Create Checklists – to improve the application submittal information to ensure that all the information you need to review and evaluate a project is included with the initial application submittal.

Shoreline Stabilization Geotechnical Submittal Checklist		Submittal Checklist Shoreline Stabilization														
<p>Mason County Community Services</p> <p>Mason: This checklist must be submitted with a Shoreline Geotechnical Assessment and completed, signed, and stamped by the licensed professional(s) who prepared it for review pursuant to the Mason County Shoreline Master Program. If an item is found not applicable, the Assessment should explain the basis for the conclusion.</p> <p>MCC 17.50.040 B.2. New structural stabilization measures shall not be allowed except as follows:</p> <ul style="list-style-type: none"><li>i. To protect existing primary structures:<ul style="list-style-type: none"><li>a. Non-structural shoreline stabilization measures for an existing primary structure, including residential, shall not be allowed unless there is conclusive evidence documented by a Shoreline Geotechnical Assessment<sup>2</sup> that the structure is in danger from shoreline erosion caused by tidal action, currents, waves, or sea level rise. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need. The geotechnical assessment shall evaluate on-site drainage issues and address drainage problems away from the shoreline edge before considering structural shoreline stabilization.</li><li>b. The erosion control structure will not result in a net loss of shoreline ecological functions. This shall be demonstrated in a Riparian Management Plan as required in MCC 17.52.370(1).</li><li>c. Primary structure means the structure or the only access associated with the principal use of the property that cannot feasibly be relocated. It may also include single family residential apartment structures that cannot feasibly be relocated.</li></ul></li></ul> <p>Applicant/Owner: _____ Parcel #: _____</p> <p>Site Address: _____</p> <table border="1"><thead><tr><th>Items to be included in assessment</th><th>Located on page(s):</th></tr></thead><tbody><tr><td>Scope of review, including landowner concerns and site assessment objectives.</td><td></td></tr><tr><td>Description of site development, including the location and setback of important primary and secondary structures.</td><td></td></tr><tr><td>Assessment of relevant wetlands and surface water drainage and control systems.</td><td></td></tr><tr><td>Assessment of site vegetation, including species and communities present.</td><td></td></tr><tr><td>Assessment of regional use, including relevant rock/soil/land descriptions, geologic history and stratigraphic correlation.</td><td></td></tr><tr><td>Assessment of regional/site geomorphology, including the influence of wave or tidal processes in controlling sediment transport and the evolution of the site's form. Include assessment of the drift cell sediment budget and fossil beach conditions.</td><td></td></tr></tbody></table> <p>May 2018</p>			Items to be included in assessment	Located on page(s):	Scope of review, including landowner concerns and site assessment objectives.		Description of site development, including the location and setback of important primary and secondary structures.		Assessment of relevant wetlands and surface water drainage and control systems.		Assessment of site vegetation, including species and communities present.		Assessment of regional use, including relevant rock/soil/land descriptions, geologic history and stratigraphic correlation.		Assessment of regional/site geomorphology, including the influence of wave or tidal processes in controlling sediment transport and the evolution of the site's form. Include assessment of the drift cell sediment budget and fossil beach conditions.	
Items to be included in assessment	Located on page(s):															
Scope of review, including landowner concerns and site assessment objectives.																
Description of site development, including the location and setback of important primary and secondary structures.																
Assessment of relevant wetlands and surface water drainage and control systems.																
Assessment of site vegetation, including species and communities present.																
Assessment of regional use, including relevant rock/soil/land descriptions, geologic history and stratigraphic correlation.																
Assessment of regional/site geomorphology, including the influence of wave or tidal processes in controlling sediment transport and the evolution of the site's form. Include assessment of the drift cell sediment budget and fossil beach conditions.																

Create or utilized existing helpful Customer Assistance Handouts – to improve understanding of applicable requirements based on topic or permit type. Handouts can be a helpful tool to reach potential applicants before they spend a great deal of time, energy, and money pursuing a project that is not consistent with the SMP requirements.

### Technical document



<https://wdfw.wa.gov/publications/01583>

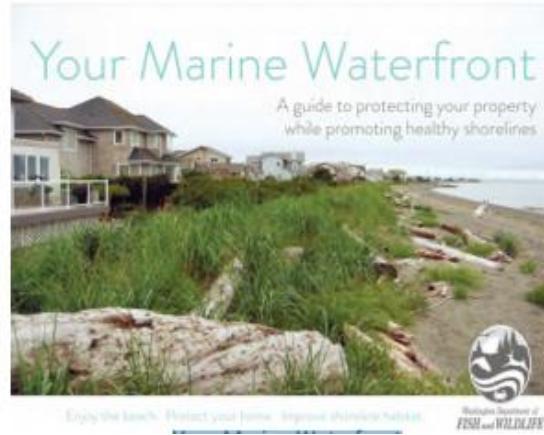
# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

Landowner education is an adaptive management tool!

#### Educational brochures



<https://wdfw.wa.gov/sites/default/files/publications/01791/wdfw01791.pdf>

<http://www.shorefriendly.org/resources/resources-in-your-area/>

#### Staff Training

**Coastal Training Program Washington** <https://www.coastaltraining-wa.org/>

How to Administer Development Permits in Washington's Shorelines

Intended for local government personnel and consultants engaged in shoreline permitting activities. Currently being offered virtually – with the traditional one-day course separated into 2 (1/2 day) virtual sessions. The class takes an in-depth look at the permit process and consider both procedural and substantive shoreline management issues. The Washington Administrative Code (WAC) and Revised Code of Washington (RCW) are reviewed. Permit exercises and quiz

\*Also include offerings for Ordinary High Water Mark (OHWM) Trainings, Wetland Ratings, Wetland Mitigation, Wetland Credit-Debit system, and Eel Grass surveys.

**Four-part webinar series: Using Marine Shoreline Design Guidelines to improve shoreline stabilization permitting** <https://www.coastalplanners.org/four-part-webinar-series>

Local government target audience

**WEBINAR 1 -Background and Introduction**

**WEBINAR 2 -Site Assessments and Demonstration of Need/Risk Assessment**

**WEBINAR 3 -Shoreline Stabilization Techniques and Design Checklists**

**WEBINAR 4 -Sea Level Rise and Shoreline Stabilization**

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Administrative Interpretations WAC 173-26-140

A formal written statement – clarifying an existing code provision.

Used as an adaptive management tool when evaluation of your monitoring systems identifies inconsistent application of a specific provision or standard. That specific provision or standard can be clarified with an administrative interpretation.

Provide guidance for review staff and the public to ensure consistency

- Used to provide clarification to existing SMP provisions
- Address unforeseen issues that can be addressed without an amendment to the SMP
- Do not substantively change SMP provision or modify the intent of existing provisions
- SMP policies or regulations cannot be removed or added through an interpretation

## Administrative Interpretations

**Formal written interpretations should be sent to Ecology for review and consultation consistent with WAC 173-26-140.**

Administrative Interpretation Review

Local government:

Notice received by Ecology:

Ecology Staff:

Ecology review sent to local government:

This document summarizes Ecology's review and consultation of a local Administrative Interpretation consistent with WAC 173-26-140.

Ecology will review and provide written comments or concurrence.

Local government request

XXXXX County submitted a request for review of Policy No., a draft administrative interpretation, titled XXXXXXXX. In this policy, the County is clarifying .....

Final Administrative Interpretations can be posted on your website – providing transparency and consistency.

# Shorelines – Monitoring and Adaptive Management Webinar

## Key Points Handout and Resources

### March 3, 2021

#### Shoreline Master Program Periodic Reviews [RCW 90.58.080\(4\)](#) and [WAC 173-26-090](#)

A good time to look at your monitoring and adaptive management feedback loop evaluation to consider if amendments are needed to address issues identified or provide clarity.



#### SMP Periodic Reviews

	A	B	C	D
GMA	2015	2016	2017	2018
<b>SMA</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
GMA	2023	2024	2025	2026
<b>SMA</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	<b>2030</b>

The SMA mandates a schedule for the periodic review of your SMP at least every 8-years

1. REVIEW  
required

2. REVISE  
if  
necessary

3. ACTION  
required

#### Review SMP for changes to:

RCW & WAC

Comprehensive Plan & development regulations

Local circumstances, new information, improved data