

SHORELINE MASTER PROGRAM PERIODIC REVIEW

Goldendale SMP 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 2021 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
The Watershed Company: Brianna Hines, Environmental Planner Dan Nickel, Principal	City of Goldendale	August 2022

ROW	SUMMARY OF CHANGE	REVIEW	ACTION
2022			
a.	Office of Financial Management (OFM) adjusted the cost threshold for substantial development to \$8,504.	SMP Chapter 2 'Definitions' references an out-of-date dollar figure in the definition of Substantial Development, but also includes references to inflation adjustments by the OFM every five years.	Mandatory: Update cost threshold in Chapter 2 to reflect adjusted cost threshold of \$8,504. Note, this could also be accomplished by solely relying on a reference to the statute (WAC 173-27-040) and removing the cost threshold altogether. Such an action may eliminate the need for future SMP amendment to this section when OFM adjusts the threshold in the future.
2021			
a.	The Legislature amended floating on-water residence provisions	The SMP does not contain a definition for floating on-water residences (FOWRs) (i.e. liveaboards). New floating homes and over-water residences are listed as prohibited in the SMP Section 7.13, Residential Development. Development of new floating on-water residences is not applicable to the City and therefore no amendments are needed to address this legislative action.	No action necessary.
b.	The Legislature clarified the permit exemption for fish passage projects	SMP Section 8.3 Exemptions, already captures this amendment through a direct reference to the updated law via WAC 173-27-040(2).	No action necessary.
2019			
a.	OFM adjusted the cost threshold for building freshwater docks.	Boating facilities, including piers and docks, are prohibited in shoreline jurisdiction. This	No action necessary.

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		legislative amendment does not apply.	
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>).	No Dredged Material Management Program sites are located within the City of Goldendale's shoreline jurisdiction. The legislative amendment does not apply.	No action necessary.
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.	There are no saltwater shorelines in City limits. Therefore, this legislative amendment does not apply.	No action necessary.
SMP Adopted 2018			
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	Updated dollar threshold provided in 2022. See 2022.a, row above.	No action necessary.
b.	Ecology permit rules clarified the definition of "development" does not include dismantling or removing structures.	SMP Section 2 'Development' does not capture the legislative update.	Recommended: The City should consider amending the definition of 'Development' with Ecology's recommended language: <i>"Development" does not include dismantling or removing structures if there is no other associated development or re-development.</i>
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	The SMP does not reference an exceptions section, rather sites exempt activities from the SSDP process by listing relevant WAC, RCW and their successor laws.	Recommended: In order to ensure consistent implementation of the SMP, add a consolidated section in the SMP to include all statutory exceptions to local review identified in WAC 173-27-044 and -045.
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	The SMP contains permit filing process in Section 8.8, Filing with Ecology, that is consistent with this legislative amendment. The SMA amendment applies regardless of the permit filing procedures in the SMP.	No action necessary.

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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.	Forest practices are prohibited within shoreline jurisdiction per SMP section 6.11, Forest Practices. Therefore, this legislative amendment does not apply.	No action necessary.
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction .	The SMP already includes acknowledgement of the exclusion of federal lands in SMP Section 1.3, Applicability, by referencing WAC 173-27-060.	No action necessary.
g.	Ecology clarified “default” provisions for nonconforming uses and development .	The City lists provisions for nonconforming use and development in SMP Section 8.2 Nonconforming Uses, Lots, and Structures. The City is not required to adopt Ecology’s rule amendments.	<p>Recommended: Create separate definitions for Nonconforming lot, Nonconforming use and Nonconforming structure.</p> <p>Nonconforming lot. <i>A lot that met dimensional requirements of the applicable master program at the time of its establishment but now contains less than the required width, depth or area due to subsequent changes to the master program.</i></p> <p>Nonconforming structure or development. <i>A building or structure or portion thereof which was lawfully erected, altered or maintained, but no longer conforms with present regulations such as setbacks, buffer or yards, area; bulk height or density standards of the Master Program.</i></p> <p>Nonconforming use. <i>An activity in a structure or on a tract of land that was legally established prior to the effective date of the act or shoreline master program, which does not conform to the use regulations of the current site zoning.</i></p>
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	The City includes reference to the SMP amendment process in WAC 173-26-100 in SMP Section 8.13, Amendments. WAC 173-26-100 references the optional joint review	No action necessary.

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		process included in WAC 173-26-104. Therefore, no amendments are needed to address this legislative action.	
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	As noted above, reference to SMP amendment process is included in Section 8.13 through cross-reference to WAC 173-26-100. WAC 173-26-100 references the optional joint review process included in WAC 173-26-104. Therefore, no amendments are needed to address this legislative action.	No action necessary.
j.	Submittal to Ecology of proposed SMP amendments.	The City's SMP does not include submittal procedures of SMP amendments nor is it required to do so.	No action necessary.
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to comply with the Americans with Disabilities Act (ADA) .	The SMP does not reference all specific statutory exemptions, but sites exemptions listed in WAC 173-27-040(2); RCW 90.58.030(3)(e); RCW 90.58.140(9); RCW 90.58.355; and RCW 90.58.515 per SMP Section 8.3 Exemptions.	No action necessary.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	The SMP was adopted in 2018 and includes critical areas regulations in Appendix B which use the 2014 wetland rating system. However, in 2018, Ecology's wetland guidance resulted in reduced buffers for wetlands with habitat scores of 5.	Recommended: Amend Appendix B (Critical areas regulations in shoreline jurisdiction) to modify Table 2-1 to associate wetlands with habitat scores of 5 with those wetlands with habitat scores of 3-4. This also results in a slight reduction for wetlands with habitat scores of 6-7 points to be consistent with Ecology's guidance. Also included, is a new table (Table 2-3) to be used when impact minimization measures in Table 2-2 are not implemented.
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of	The SMP does not include a specific target for WSDOT project review. The SMP is not required to include this provision.	No action required.

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	Transportation (WSDOT) projects.		
2014			
a.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	<p>The SMP does not contain a definition for floating on-water residences (FOWRs) (i.e. liveboards).</p> <p>New floating homes and over-water residences are listed as prohibited in the SMP Section 7.13, Residential Development. Development of new floating on-water residences is not applicable to the City and therefore no amendments are needed to address this legislative action.</p>	No action necessary
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	The SMP does not describe the appeal steps for amendments to the shoreline master programs, nor is it required to do so.	No action necessary.
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	The SMP was adopted in 2018 and includes critical areas regulations in Appendix B which require use of the federal wetland delineation manual.	No action necessary.
b.	Ecology adopted rules for new commercial geoduck aquaculture .	Goldendale contains no saltwater shorelines, therefore the SMP is not required to reflect this update.	No action necessary.
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	The SMP prohibits over-water residences (i.e. floating homes).	No action necessary.
d.	The Legislature authorized a new option	SMP Section 8.2(4)(A) Pre-Existing legal Residential	No action necessary.

ROW	SUMMARY OF CHANGE	REVIEW	ACTION
	to classify existing residential structures as conforming.	Structures classifies existing residential structures as conforming.	
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications.	The SMP was adopted in 2018 and includes critical areas regulations in Appendix B that were in effect at that time. SMP Section 1.7 references the “effective date” of SMP amendments to be effective 14 days from Ecology’s written notice of final approval, which is in compliance.	No action necessary.
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.	SMP Section 7.14(6) Relief from Shift in the OHWM references relief granted under RCW 90.58.580.	No action necessary.
b.	Ecology adopted a rule for certifying wetland mitigation banks.	The SMP, including Appendix B, does not reference mitigation banking.	No action necessary.
c.	The Legislature added moratoria authority and procedures to the SMA.	Moratoria procedures are not required in the SMP and the City may rely on WAC 173-27-085, if they choose to use moratoria provisions.	No action necessary
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.	SMP Section 2 definition for “floodway” is in compliance.	No action necessary.
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that	SMP Section 3.2(A) references “Official Shoreline Maps”, a document containing maps of all shoreline designations adopted with each SMP update. No new shoreline waterbodies have been	No action necessary.

ROW	SUMMARY OF CHANGE	REVIEW	ACTION
	are in shoreline jurisdiction.	inventoried since the comprehensive update in 2018. Under the existing SMP, Goldendale's shorelines are limited to shorelines adjacent to the Little Klickitat River, as stated in Section 3.1.	
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.	SMP Section 8.3(2), Exempt developments, lists all exemptions from the requirement for an SDP, including fish habitat projects that conform to the provisions of RCW 77.55.181.	No action necessary.

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.

Checklist Item #	SMP Section	Summary of change	Discussion