

Washington State Coastal Zone Management Program

Enforceable Policies of Washington Administrative Code (WAC)

Non-Enforceable Policies marked with an asterisk () and shaded blue*

The Enforcement Mechanism for WACs is the Shoreline Management Act (RCW 90.58)

| Section | Title | Routine Program Change Submittal - 2015 | | Date Adopted by State | Date Effective in State |
|-------------------|---|---|---|-----------------------|-------------------------|
| | | Sub-Section | Change | | |
| WAC 173-15 | Permits for Oil or Natural Gas Exploration Activities Conducted from State Marine Waters | | | | |
| 010 | Authority and Purpose | n/a | Grammatical Housekeeping Changes | 7/28/2000 | 8/28/2000 |
| 020 | Definitions | (2) & (7) | Grammatical Housekeeping Changes | 7/28/2000 | 8/28/2000 |
| 030 | Exploration Activity Permit System | (1),(2),(4),(5),(6),(7),(8) | Grammatical Housekeeping Changes | 7/28/2000 | 8/28/2000 |
| | | | | | |
| WAC 173-18 | SMA - Streams and Rivers Constituting Shorelines of the State | | | | |
| 010 | Purpose | | None | 6/30/1972 | 6/30/1972 |
| 020 | Applicability | | None | 6/30/1972 | 6/30/1972 |
| 030 | Definitions | | None | 6/30/1972 | 6/30/1972 |
| 040 | Streams and Rivers | (1) & (2) | Rewritten for Clarity | 1/2/2007 | 2/2/2007 |
| 044 | Review and Update of Designations | n/a | Clarifies that local SMPs must include a list of streams constituting shorelines within jurisdiction of the SMP | 1/2/2007 | 2/2/2007 |
| 046 | Conflicts b/t Designation & Criteria | n/a | Requires local governments to amend their SMPs if there is a conflict b/t criteria in SMA or WAC | 1/2/2007 | 2/2/2007 |
| 090 | Clallam County | | None | 3/6/1990 | 4/6/1990 |
| 180 | Grays Harbor County | | None | 5/3/1976 | 5/3/1976 |
| 190 | Island County | | None | 8/27/1973 | 8/27/1973 |
| 200 | Jefferson County | | None | 3/6/1990 | 4/6/1990 |
| 210 | King County | | None | 6/30/1980 | 6/30/1980 |
| 220 | Kitsap County | | None | 8/27/1973 | 8/27/1973 |
| 270 | Mason County | | None | 8/27/1973 | 8/27/1973 |
| 290 | Pacific County | | None | 9/1/1977 | 9/1/1977 |
| 310 | Pierce County | | None | 5/3/1976 | 5/3/1976 |
| 320 | San Juan County | | None | 8/27/1973 | 8/27/1973 |

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| 330 | Skagit County | | None | 5/3/1976 | 5/3/1976 |
| 350 | Snohomish County | | None | 5/3/1976 | 5/3/1976 |
| 380 | Thurston County | | None | 4/15/1985 | 4/15/1985 |
| 390 | Wahkiakum County | | None | 6/30/1980 | 6/30/1980 |
| WAC 173-20 Lakes Constituting Shorelines of the State | | | | | |
| 010 | Purpose | | None | 6/30/1972 | 6/30/1972 |
| 020 | Applicability | | None | 6/30/1972 | 6/30/1972 |
| 030 | Definitions | | None | 6/30/1972 | 6/30/1972 |
| 040 | List of Lakes coming under purview of Chapter 90.58 RCW until Superseded | n/a | WAC listings in effect until superseded by the SMPs referred to in this section. Citations used are more inclusive than just Wolcott's and USGS. | 6/30/1972 | 6/30/1972 |
| 044 | Review and Update of Designations | n/a | Clarifies that local SMPs must include a list of lakes constituting shorelines within jurisdiction of the SMP | 1/2/2007 | 2/2/2007 |
| 046 | Conflicts b/t Designations and Criteria | n/a | Criteria of 90.58.030(2) controls if conflict b/t that and designations in Chapter or SMP | 1/2/2007 | 2/2/2007 |
| 120 | Lakes: Clallam Co. | | None | 4/15/1985 | 4/15/1985 |
| 130 | Lakes & Lakes of SS Significance: Clallam Co. | | None | 4/15/1985 | 4/15/1985 |
| 300 | Grays Harbor Co. | | None | 6/30/1972 | 6/30/1972 |
| 310 | Grays Harbor Co. | | None | 6/30/1972 | 6/30/1972 |
| 320 | Island Co. | | None | 5/3/1976 | 5/3/1976 |
| 330 | Island Co. | | None | 6/30/1972 | 6/30/1972 |
| 340 | Jefferson Co. | | None | 6/30/1972 | 6/30/1972 |
| 350 | Jefferson Co. | | None | 6/30/1972 | 6/30/1972 |
| 360 | King Co. | | None | 5/3/1976 | 5/3/1976 |
| 370 | King Co. | | None | 6/30/1972 | 6/30/1972 |
| 380 | Kitsap Co. | | None | 6/11/1981 | 6/11/1981 |
| 390 | Kitsap Co. | | None | 6/30/1972 | 6/30/1972 |
| 480 | Mason Co. | | None | 6/30/1972 | 6/30/1972 |
| 490 | Mason Co. | | None | 6/30/1972 | 6/30/1972 |
| 520 | Pacific Co. | | None | 6/30/1972 | 6/30/1972 |

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| | | Sub-Section | Change | | |
| 530 | Pacific Co. | | None | 6/30/1972 | 6/30/1972 |
| 560 | Pierce Co. | | None | 6/30/1972 | 6/30/1972 |
| 570 | Pierce Co. | | None | 6/30/1972 | 6/30/1972 |
| 580 | San Juan Co. | | None | 6/30/1980 | 6/30/1980 |
| 590 | San Juan Co. | | None | 6/30/1972 | 6/30/1972 |
| 600 | Skagit Co. | | None | 6/30/1972 | 6/30/1972 |
| 610 | Skagit Co. | | None | 6/30/1972 | 6/30/1972 |
| 640 | Snohomish Co. | | Removed Thomas Lake | 1/2/2007 | 2/2/2007 |
| 650 | Snohomish Co. | | | 6/30/1972 | 6/30/1972 |
| 700 | Thurston Co. | | None | 4/15/1985 | 4/15/1985 |
| 710 | Thurston Co. | | None | 6/30/1972 | 6/30/1972 |
| 720 | Wahkiakum Co. | | None | 6/30/1972 | 6/30/1972 |
| 730 | Wahkiakum Co. | | None | 6/30/1972 | 6/30/1972 |
| 760 | Whatcom Co. | | None | 5/3/1976 | 5/3/1976 |
| 770 | Whatcom Co. | | None | 5/3/1976 | 5/3/1976 |

WAC 173-22 Adoption of Designations of Shorelands and Wetlands Associated with Shorelines of the State

| | | | | | |
|------|--|-----|---|-----------|------------|
| 010 | Purpose | | None | 6/30/1972 | 6/30/1972 |
| 020 | Applicability | | None | 6/30/1972 | 6/30/1972 |
| 030 | Definitions | (5) | Redefined "Floodway" to match definition in 90.58.030 | 2/11/2011 | 3/14/20011 |
| 035 | Wetland Identification & Deliniation | | None | 2/11/2011 | 3/14/20011 |
| 040 | Shoreland Area Designation Criteria | | None | 1/2/2007 | 2/2/2007 |
| 050 | Review & Update of Designations | | None | 1/2/2007 | 2/2/2007 |
| 052 | Alterations of Shorelines affecting Designations | | None | 5/23/1986 | 5/23/1986 |
| 055 | Conflicts b/n Designations & Criteria | | None | 1/2/2007 | 2/2/2007 |
| 060 | Shoreline Designation Maps until Superseded | | None | 5/23/1986 | 5/23/1986 |
| 0610 | Clallam Co. | | None | 5/23/1986 | 5/23/1986 |
| 0628 | Grays Harbor Co. | | None | 5/23/1986 | 5/23/1986 |

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| | | Sub-Section | Change | | |
| 0630 | Island Co. | | None | 5/23/1986 | 5/23/1986 |
| 0632 | Jefferson Co. | | None | 5/23/1986 | 5/23/1986 |
| 0634 | King Co. | | None | 5/23/1986 | 5/23/1986 |
| 0636 | Kitsap Co. | | None | 5/23/1986 | 5/23/1986 |
| 0646 | Mason Co. | | None | 5/23/1986 | 5/23/1986 |
| 0650 | Pacific Co. | | None | 5/23/1986 | 5/23/1986 |
| 0654 | Pierce Co. | | None | 5/23/1986 | 5/23/1986 |
| 0656 | San Juan Co. | | None | 5/23/1986 | 5/23/1986 |
| 0658 | Skagit Co. | | None | 5/23/1986 | 5/23/1986 |
| 0662 | Snohomish Co. | | None | 5/23/1986 | 5/23/1986 |
| 0668 | Thurston Co. | | None | 5/23/1986 | 5/23/1986 |
| 0670 | Wahkiakum Co. | | None | 5/23/1986 | 5/23/1986 |
| 0674 | Whatcom Co. | | None | 5/23/1986 | 5/23/1986 |
| | | | | | |
| WAC 173-26 State Master Program Approval/Amendment Procedures and Master Program Guidelines | | | | | |
| 010 | Authority & Purpose | | None | 12/17/2003 | 1/17/2004 |
| 020 | Definitions | n/a | Replaced "SMA" with "Washington State Shoreline Management Act" | 2/11/2011 | 3/14/2011 |
| | | (6) | Modified: "Aquaculture" | | |
| | | (8) | Modified: "Critical Areas" | | |
| | | (18) | "Floodway" | | |
| | | (24)(a) | "Master Program" | | |
| | | (24)(b) | "Comprehensive Master Program Update?" | | |
| | | (24) (c) | "Limited Master Program Amendment" | | |
| * PART 1: STATE MASTER PROGRAM * | | | | | |
| 030 | Master Programs Required - State Master Program Contents | | None | 9/30/1996 | 10/31/1996 |
| 040 | Master Programs Required - Unlisted local governments | | None | 9/30/1996 | 10/31/1996 |
| 050 | State Master Program Register - Maintained by Department | | None | 9/30/1996 | 10/31/1996 |
| 060 | State Master Program - Records Maintained by Department | n/a | Changes to records retention requirements | 2/11/2011 | 3/14/2011 |

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| | | Sub-Section | Change | | |
| 070 | Adoption of Shoreline Master Programs by Rule - Department Action | | None | 9/30/1996 | 10/31/1996 |
| 080 | Master Programs Required of Local Government | n/a | Lists jurisdictions required to develop and administer an SMP | 2/11/2011 | 3/14/2011 |
| * PART II: SHORELINE MASTER PROGRAM APPROVAL /AMENDMENT * | | | | | |
| 090 | Periodic Review-Public Involvement encouraged - Amendment of Comprehensive Plans | | None | 9/30/1996 | 10/31/1996 |
| 100 | Local Process for Approving/Amending SMPs | | None | 9/30/1996 | 10/31/1996 |
| 110 | Submittal to Department of Proposed SMPs/Amendments | (3-9) | Changes to submittal requirements | 2/11/2011 | 3/14/2011 |
| 120 | State Process for Approving/Amending SMPs | | None | 9/30/1996 | 10/31/1996 |
| 130 | Appeal Procedures for SMPs | (1) & (2) | Changes to appeal procedures | 2/11/2011 | 3/14/2011 |
| 140 | SMP Administrative Interpretation | | None | 9/30/1996 | 10/31/1996 |
| 150 | Local Government Annexation - Shoreline Environment PreDesignation in Planning Jurisdictions | n/a | Allows cities and towns not planning under GMA to predesignate environments on shorelines outside existing boundaries | 2/11/2011 | 3/14/2011 |
| 160 | Local Government Annexation | | None | 9/30/1996 | 10/31/1996 |
| PART III: GUIDELINES | | | | | |
| 171 | Authority, Purpose & Effects of Guidelines | | None | 12/17/2003 | 1/17/2004 |
| 176 | General Policy Goals of the Act & Guidelines for Shorelines of the State | | None | 12/17/2003 | 1/17/2004 |
| 181 | Special Policy Goals of the Act & Guidelines for Shorelines of Statewide Significance | | None | 12/17/2003 | 1/17/2004 |
| 186 | Governing Principles of the Guidelines | | None | 12/17/2003 | 1/17/2004 |

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| | | Sub-Section | Change | | |
| 191 | Master Program Contents | n/a | Minor changes throughtout section | 2/11/2011 | 3/14/2011 |
| 201 | Process to Prepare or Amend SMPs | (1) | Entire section revised to address comprehensive SMP updates; adds new criteria for submittal | 2/11/2011 | 3/14/2011 |
| | | (2)(d)(i) | See Analysis | | |
| | | (3) (c) | expands expertise sources | | |
| | | (3)(c i-iv) | Adds specifics on inventoring shoreline conditions | | |
| | | (3)(d)(iC) | Adds details when analyzing shoreline issues of concern and adds lakes to criteria | | |
| 211 | Environment Designation System | (5)(b)(ii)(A) | See Analysis | 2/11/2011 | 3/14/2011 |
| | | (5) (c)(ii)(G) | See Analysis | | |
| | | (5)(d)(iii) | minor wording change to "rural" designations | | |
| | | (5)(e)(iii) | ibid | | |
| 221 | General Master Program Provisions | (2) | Critical areas subsection revised - see analysis pp.52-60 on strikethru/underline attachment | 2/11/2011 | 3/14/2011 |
| 231 | Shoreline Modifications | | None | 12/17/2003 | 1/17/2004 |
| 241 | Shoreline Uses | Entire section | Revised to address commercial and non-commercial aquaculture (see analysis) | 2/11/2011 | 3/14/2011 |
| 251 | Shorelines of Statewide Significance | | None | 12/17/2003 | 1/17/2004 |
| PART IV: OCEAN MANAGEMENT | | | | | |
| 360 | Ocean Use Guidelines | | Minor changes | 2/11/2011 | 3/14/2011 |

WAC 173-27 - Shoreline Management Permit and Enforcement Procedures

PART I: PERMITS FOR DEVELOPMENT ON SHORELINES OF THE STATE

| | | | | | |
|-----|---|--------|---|-----------|------------|
| 010 | Authority | | None | 9/30/1996 | 10/31/1996 |
| 020 | Purpose | | None | 9/30/1996 | 10/31/1996 |
| 030 | Definitions | | None | 9/30/1996 | 10/31/1996 |
| 040 | Developments Exempt from Substantial Development Permit Requirement | (2)(a) | Modified - similar language to RCW change raising monetary threshold for projects requiring SDP from \$2500 to \$5000 | 1/2/2007 | 2/2/2007 |

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| | | Sub-Section | Change | | |
| | | (2)(f) | Modified - removes reference to Coast Guard as types of navigational aides exempted | | |
| | | (2)(p)(iii) | Adds language for Fish Enhancement Projects; see analysis | | |
| 045 | Developments not subject to the Shoreline Management Act | | New Section: Developments not subject to the SMA, primarily Hazardous waste remedial actions. | 1/2/2007 | 2/2/2007 |
| 050 | Letter of Exemption | | None | 9/30/1996 | 10/31/1996 |
| 060 | Applicability of Chapter 90.58 RCW to Federal Lands and Agencies | | Clarifies consistency process for Federal Lands and Agencies | 1/2/2007 | 2/2/2007 |
| 070 | Application of the Permit System to Substantial Development undertaken prior to the Effective Date of the Act | (1), (2), (2)(b) | Clarifies which developments prior to the SMA's passage are exempt, and which dates to use | 1/2/2007 | 2/2/2007 |
| 080 | Nonconforming Use & Development Standards | | None | 9/30/1996 | 10/31/1996 |
| 090 | Time Requirements of Permit | (1)-(5) | See Analysis | 1/2/2007 | 2/2/2007 |
| 100 | Revisions to Permits | (3) | Uses RCW, rather than WAC, citation | 1/2/2007 | 2/2/2007 |
| 110 | Notice Required | (1) - (5) | See Analysis | 9/30/1996 | 10/31/1996 |
| 120 | Special Procedures for Limited Utility Extensions and Bulkheads | (3) | Cites to law instead of WAC | 1/2/2007 | 2/2/2007 |
| 130 | Filing with Department | (5)-(9) | Clarifies when and how to file a permit applications | 1/2/2007 | 2/2/2007 |
| 140 | Review Criteria for all Development | | None | 9/30/1996 | 10/31/1996 |
| 150 | Review Criteria for Substantial Development Permits | | None | 9/30/1996 | 10/31/1996 |
| 160 | Review Criteria for Conditional Use Permits | | None | 9/30/1996 | 10/31/1996 |
| 170 | Review Criteria for Variance Permits | | None | 9/30/1996 | 10/31/1996 |

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| | | Sub-Section | Change | | |
| 180 | Application Requirements for Substantial Development, Conditional Use, or Variance Permit | | None | 9/30/1996 | 10/31/1996 |
| 190 | Permits for Substantial Development, Conditional Use, or Variance | | None | 9/30/1996 | 10/31/1996 |
| 200 | Department Review of Conditional Use and Variance Permits | | None | 9/30/1996 | 10/31/1996 |
| 210 | Minimum Standards for Conditional Use and Variance Permits | | None | 9/30/1996 | 10/31/1996 |
| 220 | Requests for Review | | None | 9/30/1996 | 10/31/1996 |
| PART II SHORELINE MANAGEMENT ACT ENFORCEMENT | | | | | |
| 240 | Authority & Purpose | | None | 9/30/1996 | 10/31/1996 |
| 250 | Definitions | | None | 9/30/1996 | 10/31/1996 |
| 260 | Policy | | None | 9/30/1996 | 10/31/1996 |
| 270 | Order to Cease and Desist | | None | 9/30/1996 | 10/31/1996 |
| 280 | Civil Penalty | | Deletes language about accepting mitigation to reduce penalties | 2/11/2011 | 3/14/2011 |
| 290 | Appeal of Civil Penalty | | Deletes language relating to filing appeals for penalties and the use of mitigation | 2/11/2011 | 3/14/2011 |
| 300 | Criminal Penalty | (6) | Deleted - "Application for remission or mitigation" option for penalties - removes Ecology's role and relies on local govts. | 9/30/1996 | 10/31/1996 |
| 310 | Oil or Natural Gas Exploration - Penalty | (2) | Deleted - reference to above option | 9/30/1996 | 10/31/1996 |
| 990 | Appendix A | | None | 9/30/1996 | 10/31/1996 |