



Rule Adoption Notice

Title of rule, Chapter 173-18, 20, 22, 27 WAC

Requirements of the rule

As a result of legislation passed in 2003 (ESSB 5766) Ecology is required to send out notification to businesses affected by rule adoptions. To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption. The amended rules pertain to the Shoreline Management Act.

Summary of the rule changes adopted on January 2, 2007

WAC 173-18 lists streams and rivers subject to the jurisdiction of the Shoreline Management Act (SMA). This rule's primary change is a process is created whereby each county stream and river list will be superseded coincident with the approval of comprehensive updates of county shoreline master programs, which will henceforth contain the lists.

WAC 173-20 lists lakes subject to the jurisdiction of the Shoreline Management Act (SMA). This rule's primary change is a process is created whereby each county lake list will be superseded coincident with the approval of comprehensive updates of county shoreline master programs, which will henceforth contain the lists.

WAC 173-22 designates those shorelands and wetlands subject to the jurisdiction of the Shoreline Management Act (SMA). The primary changes to this rule are 1) bring the definition of "floodway" it into conformance with the definition in Chapter 90.58.030(2)(g) RCW and, 2) the Ecology-developed wetland maps will be superseded coincident with approval of comprehensive updates of county shoreline master programs, which will henceforth contain the "shoreland" maps as defined in RCW 90.58.030 RCW.

WAC 173-27 contains the permit and enforcement procedures of the Shoreline Management Act (SMA). The primary changes this rule are 1) bring the definition of "substantial development" it into conformance with the definition in Chapter 90.58.030(3)(e) RCW; 2) update the list of exemptions from the permit requirements; 3) update the applicability of the SMA to federal agencies; 4) correct out of date references and make other minor ministerial changes required to be consistent with board and court rulings.

Effective February 3, 2007

These amendments to Chapters 173-18, 20, 22, 27 WAC become effective on February 3, 2007.

Appeal procedures

This adoption can be appeal under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email jthi461@ecy.wa.gov.

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