



## **Shoreline Management Act at 50+ Years**

### **Shoreline Study**

### **Executive Summary**

### **2022**

This study concerns Washington state's Shoreline Management Act (SMA, also called "the Act" throughout), RCW 90.58 and its implementation. The SMA was enacted over 50 years ago and was one of the first environmental regulations adopted in the state of Washington. The Act has been supplemented by other environmental laws and regulations over the years, but it remains a primary regulation for protecting shorelines. The statute defines *shorelines* as coastal shorelines, shorelines of rivers and streams with a mean annual flow of 20 cubic feet per second (cfs), shorelines of lakes that are 20 acres or greater in size, and their associated wetlands. The SMA applies landward 200 feet from the shoreline's ordinary high-water mark (OHWM).

In conducting this study, a committee of the League of Women Voters of Washington (LWVWA) studied the Act, implementing regulations, and related court and administrative decisions concerning the SMA. The committee also met with officials from the Washington State Department of Ecology ("Department of Ecology") who are responsible for implementing the Act and overseeing local government implementation. Finally, the committee interviewed 18 individuals with varying experience with the SMA in differing aspects of its application, including local government planners and elected officials, state agency representatives, bulkhead builders, port officials, environmental groups, property rights groups, shellfish industry persons, tribal government representatives, and others.

The committee identified 14 issues that impede the Act's ability to achieve its intended goals and its ability to respond to ever increasing challenges, including, among other factors, climate change, and population growth:

1. Updates and periodic reviews are required to address changes in the law and other circumstances, but there is no mechanism to look back and check on how the Shoreline Master Program is working.
2. There are questions regarding the policy basis for certain exemptions and

3. whether local governments are consistent in granting exemptions.
4. An evaluation of how the balancing of shoreline policy goals should be weighted is warranted.
5. In determining whether no net loss is being achieved, quantitative standards are not being applied consistently among jurisdictions.
6. Habitat restoration needs to be a higher priority, with more incentives and funding.
7. Public involvement could be improved.
8. Concerns about industrial aquaculture are not being addressed.
9. More robust monitoring programs and adaptive management are needed.
10. Public access for future needs is a concern.
11. The existing law does not fully address climate change impacts.
12. Department of Ecology oversight of local programs is critical to ensure consistency in how local plans are implemented.
13. Enforcement programs need to be funded and they need to be stricter.
14. Training of staff, legal staff, and elected officials is critical.
15. Incentives for restoration projects must be prioritized.

The LWVWA uses an established consensus process in developing positions on studies. This study is the first step in that process. Next, local Leagues will meet to develop consensus on the issues raised in the study, and then adopt a written statement of position on the issues, which the LWVWA Board approves.