

Checklist provided by WA State Department of Ecology to ensure consistency with code changes since 2017.

	SUMMARY OF CHANGE	REVIEW	ACTION
<b>2017</b>			
a.	OFM adjusted the <b>cost threshold for substantial development</b> to \$7,047.	<b>16.09.040:</b> All shoreline development, except as specified in WAC <a href="#">173-27-040</a> and RCW <a href="#">98.58.030(3)(e)</a> , <a href="#">90.58.140(9)</a> , <a href="#">90.58.147</a> , <a href="#">90.58.355</a> and <a href="#">90.58.515</a> , must obtain a permit prior to commencement.	None.
b.	Ecology amended rules to clarify that the <b>definition of “development”</b> does not include dismantling or removing structures.	<b>16.08.040:</b> “Development” means an action consisting of one or more of the following: (a) the construction or exterior alteration of structures; (b) dredging; (c) drilling; (d) dumping; (e) filling; (f) removal of any sand, gravel or minerals; (g) bulkheading; (h) driving of piling; (i) placing of obstructions; (j) any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to Chapter <a href="#">90.58</a> RCW at any state of water level; or (k) creation of new lots. <a href="#">Development does not include dismantling or removing structures if there is no other associated development or re-development.</a>	Added “ <a href="#">Development does not include dismantling or removing structures if there is no other associated development or re-development.</a> ” to 16.08.040, Definitions
c.	Ecology adopted rules that clarify <b>exceptions to local review under the SMA.</b>	<b>16.09.040:</b> All shoreline development, except as specified in WAC <a href="#">173-27-040</a> , <a href="#">WAC 173-27-044</a> and RCW <a href="#">98.58.030(3)(e)</a> , <a href="#">90.58.140(9)</a> , <a href="#">90.58.147</a> , <a href="#">90.58.355</a> and <a href="#">90.58.515</a> , must obtain a permit prior to commencement. Chapter 16.08 and this chapter indicate which permit is required for specific development types that do not meet the exemption criteria.	Added <a href="#">WAC 173-27-044</a> to 16.09.040
d.	Ecology amended rules that clarify <b>permit filing procedures</b> consistent with a 2011 statute.	<b>16.09.190:</b> WAC <a href="#">173-27-130</a> establishes the requirements and procedures for filing decisions on permits with the Department of Ecology.	None.
e.	Ecology amended <b>forestry use regulations</b> to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	Per <b>16.08.190</b> forest practices are prohibited in all environments.	None.
f.	Ecology clarified the SMA does not apply to lands under <b>exclusive federal jurisdiction</b>	Poulsbo does not have land under exclusive federal jurisdiction.	None.
g.	Ecology clarified “default” provisions for <b>nonconforming uses and development.</b>	Tailored provisions for nonconfirming use and development in 16.08.480	None.
h.	Ecology adopted rule amendments to clarify the scope and process for conducting <b>periodic reviews.</b>	Poulsbo SMP does not describe the periodic review scope and procedures.	None.
i.	Ecology adopted a new rule creating an <b>optional SMP amendment process</b> that allows for a shared local/state public comment period.	Poulsbo SMP does not include a description of the SMP submittal process	None.
j.	<b>Submittal</b> to Ecology of proposed SMP amendments.	Poulsbo SMP does not include a description of the SMP submittal process	None.
<b>2016</b>			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to comply with the <b>Americans with Disabilities Act.</b>	<b>16.09.040:</b> All shoreline development, except as specified in WAC <a href="#">173-27-040</a> and RCW <a href="#">98.58.030(3)(e)</a> , <a href="#">90.58.140(9)</a> , <a href="#">90.58.147</a> , <a href="#">90.58.355</a> and <a href="#">90.58.515</a> , must obtain a permit prior to commencement.	None.

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b.	Ecology updated <b>wetlands critical areas guidance</b> including implementation guidance for the 2014 wetlands rating system.	Poulsbo adopted updated CAO in 2017. <b>16.08.050: D.</b> As allowed by RCW <a href="#">90.58.030(2)(f)(ii)</a> and WAC <a href="#">173-26-221(2)(a)</a> , the city has chosen to not expand its shoreline jurisdiction to include critical area buffers that are located outside of the shoreline jurisdiction. These areas will continue to be regulated by Chapter <a href="#">16.20</a> , Critical Areas.	None.
<b>2015</b>			
a.	The Legislature adopted a <b>90-day target</b> for local review of Washington State Department of Transportation (WSDOT) projects.		None.
<b>2014</b>			
a.	The Legislature raised the cost threshold for requiring a Substantial Development Permit (SDP) for <b>replacement docks on lakes and rivers</b> to \$20,000 (from \$10,000).	<b>16.09.040:</b> All shoreline development, except as specified in WAC <a href="#">173-27-040</a> and RCW <a href="#">98.58.030(3)(e)</a> , <a href="#">90.58.140(9)</a> , <a href="#">90.58.147</a> , <a href="#">90.58.355</a> and <a href="#">90.58.515</a> , must obtain a permit prior to commencement.	None.
b.	The Legislature created a new definition and policy for <b>floating on-water residences</b> legally established before 7/1/2014.	Per <b>16.08.190</b> floating homes are prohibited in all environments.	None.
<b>2012</b>			
a.	The Legislature amended the SMA to clarify <b>SMP appeal procedures</b> .	<b>19.70.060:</b> Appeal of shoreline master program amendments after the Department of Ecology's written notice of final action shall be made to the Growth Management Hearings Board pursuant to the requirements set forth in RCW <a href="#">36.70A.290</a> and <a href="#">90.58.190(2)</a> .	None.
<b>2011</b>			
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved <b>federal wetland delineation manual</b> .	<b>16.20.225:</b> Wetland delineation shall be conducted and results reviewed according to the requirements of the U.S. Army Corps of Engineers federal wetland delineation manual and applicable regional supplements.	None.
b.	Ecology adopted rules for new commercial <b>geoduck aquaculture</b> .	<b>16.08.040:</b> "Aquaculture" means the cultivation of fish, shellfish and/or other aquatic animals or plants, including the incidental preparation of these products for human use. <i>This definition does not include approved native habitat restoration or native species restoration activities on the tidelands or bedlands of Liberty Bay.</i>	Updated definition in <b>16.08.040</b> .
c.	The Legislature created a new definition and policy for <b>floating homes</b> permitted or legally established prior to January 1, 2011.	Per <b>16.08.190</b> floating homes are prohibited in all environments.	None.
d.	The Legislature authorized a new <b>option to classify existing structures as conforming</b> .		None
<b>2010</b>			
a.	The Legislature adopted <b>Growth Management Act – Shoreline Management Act clarifications</b> .	"No net loss" language included throughout the 2017 updated CAO.	None.
<b>2009</b>			
a.	The Legislature created new "relief" procedures for instances in	Language not included in SMP.	None.

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	which a <b>shoreline restoration project within a UGA</b> creates a shift in Ordinary High Water Mark.		
<b>b.</b>	Ecology adopted a rule for certifying <b>wetland mitigation banks</b> .	16.20.240 (CAO) allowed the use of a state-certified wetland mitigation bank for compensatory mitigation	None.
<b>c.</b>	The Legislature added <b>moratoria authority</b> and procedures to the SMA.	The city utilizes the interim amendment procedures in RCW 36.70A.390 and 35A.63.220.	None.
<b>2007</b>			
<b>a.</b>	The Legislature clarified <b>options for defining "floodway"</b> as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	<b>16.08.040:</b> "Floodway" means the channel of a river and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the surface elevation more than a specified height. The limit of this area shall be based upon Federal Emergency Management Agency flood maps or other reasonable method that meets the objectives of the Shoreline Management Act	None.
<b>b.</b>	Ecology amended rules to clarify that comprehensively updated SMPs shall include a <b>list and map of streams and lakes</b> that are in shoreline jurisdiction.	16.08.050 outlines the shoreline jurisdiction.	None.
<b>c.</b>	Ecology's rule listing statutory exemptions from the requirement for an SDP was amended to include <b>fish habitat enhancement projects</b> that conform to the provisions of RCW 77.55.181.	<b>16.09.040:</b> All shoreline development, except as specified in WAC <a href="#">173-27-040</a> and RCW <a href="#">98.58.030(3)(e)</a> , <a href="#">90.58.140(9)</a> , <a href="#">90.58.147</a> , <a href="#">90.58.355</a> and <a href="#">90.58.515</a> , must obtain a permit prior to commencement.	None.