

## **ATTACHMENT 1**

Shoreline Master Program  
Houghton Community Council Study Session  
July 16, 2007

### **History and Explanation of the Shoreline Management Act and Shoreline Master Programs**

Washington's Shoreline Management Act (SMA) was passed by the State Legislature in 1971 and adopted by the public in a 1972 referendum. The overarching goal of the SMA is "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." The statute is found in RCW 90.58.

Under the SMA each city and county with "shorelines of the state" must adopt a Shoreline Master Program (SMP) that is based on state laws and rules but tailored to the specific geographic, economic and environmental needs of the community. Lake Washington is a "shoreline of the state" and Kirkland adopted a SMP in the mid-1970's.

The Shoreline Master Program includes both policies and regulations, most of which appear in Kirkland's Comprehensive Plan and Zoning Code, respectively, as well as in the SMP document. The policies and regulations apply to Lake Washington and within 200 feet landward from the edge of Lake Washington and its associated wetlands. See the Shoreline Analysis Report maps to view where the SMP applies in Kirkland.

State statute requires the City to update the Kirkland Shoreline Master Program to be consistent with new state guidelines<sup>1</sup>. The new guidelines and more information about SMPs are available at [http://www.ecy.wa.gov/programs/sea/sma/st\\_guide/SMP/index.html](http://www.ecy.wa.gov/programs/sea/sma/st_guide/SMP/index.html)

Kirkland's SMP Update is on the adopted planning work program and has been funded in part by a one-time service package in the City's budget and in part by a grant from the Department of Ecology (DOE). The DOE grant requires that the new draft SMP be complete by July 1, 2007. To maximize efficiency and quality, staff has been coordinating closely with DOE and with King County and other jurisdictions that share the Lake Washington shoreline or are working on their SMP update and will continue to do so throughout the process.

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<sup>1</sup> State Shoreline Master Program (SMP) Guidelines are standards which local government must follow in drafting their master program. The Guidelines translate the broad policies of RCW 90.58.020 into standards for regulation of shoreline uses. The state legislature directed Ecology in 1995 to update the state's guidelines, which had not been revised since 1972 and were showing their age. The department proposed a first draft in 1999 and eventually adopted a substantially revised draft in 2000 that was challenged in court.

Then-Governor Gary Locke and former Attorney General Christine Gregoire cosponsored a year-long mediation effort in 2002 that culminated in a third draft, which was issued for public comment in July 2002. That proposal had the endorsement of the Association of Washington Business (representing a coalition of business organizations, cities and counties), the Washington Aggregates & Concrete Association, the Washington Environmental Council (WEC) and other environmental organizations – all of whom were parties to the lawsuit. The final version was adopted December 17, 2003.

## SHORELINE MASTER PROGRAM PLANNING PROCESS

SMP UPDATE PROCESS	SPECIFIC PLANNING TASKS	PRODUCTS
<b>Phase 1: Preliminary Shoreline Jurisdiction, Public Participation Plan &amp; Shoreline Inventory</b>	Task 1.1: Identify preliminary shoreline jurisdiction - shorelines & shorelands Task 1.2: Develop public participation program (citizen, technical, Ecology, other stakeholders) Task 1.3: Conduct shoreline inventory – existing land uses, public access, environmental conditions Task 1.4: Demonstrate how Phase 1 complies with Guidelines	Product 1.1: Preliminary map of local shorelines subject to the SMP Product 1.2: Public participation plan Product 1.3: Complete shoreline inventory Product 1.3.1: Draft list of inventory data sources Product 1.3.2: Digital working maps of inventory information Product 1.4: Documentation in SMP submittal checklist
<b>Phase 2: Shoreline Analysis &amp; Characterization</b>	Task 2.1: Conduct preliminary shoreline inventory analysis Task 2.1.1: Characterize ecosystem-wide processes Task 2.1.2: Characterize shoreline functions; reach analysis Task 2.1.3: Analyze shoreline use and public access Task 2.1.4: Conduct visioning process to develop recommendations based on SMA policy & the characterization Task 2.2: Prepare final shoreline characterization Task 2.3: Prepare draft recommendations report Task 2.4: Demonstrate how Phase 2 complies with Guidelines	Product 2.1 (Tasks 2.1.1 & 2.1.2): Draft characterization of ecosystem-wide processes & functions; reaches Product 2.1.3: Draft shoreline use & public access analysis Product 2.1.4: Shoreline strategy for shoreline uses, public access, resource protection & restoration Product 2.2: Final shoreline characterization; accompanying map portfolio & GIS data Product 2.3: Draft report with recommended actions for translating inventory findings into policies & regulations Product 2.4: Documentation in SMP submittal checklist
<b>Phase 3: Shoreline Environment Designation, Policy &amp; Regulation Development</b>	Task 3.1: Develop general goals & policies (optional regulations) Task 3.2: Develop environment designations & environment-specific policies & regulations Task 3.3: Develop shoreline use & modification policies, regulations & standards Task 3.4: Develop administration provisions Task 3.5: Demonstrate how Phase 3 complies with Guidelines	Product 3.1: Draft goals & policies (optional general regulations) Product 3.2: Draft environment designations & environment-specific policies & regulations Product 3.3: Draft shoreline use & modification policies, regulations & standards Product 3.4: Draft administration provisions Product 3.5: Final report demonstrating how characterization is reflected in updated SMP policies, regulations, environment designations & restoration strategies; documentation in SMP submittal checklist
<b>Phase 4: Cumulative Impacts Analysis &amp; Restoration Plan; Revisiting Phase 3 Products as Necessary</b>	Task 4.1: Prepare cumulative impacts analysis demonstrating how SMP provides environmental protection & no net loss of ecological functions Task 4.2: Prepare restoration policies, objectives, priorities & timelines Task 4.3: Revisit environment designation, policies & regulations as necessary to achieve no net loss of ecological functions; finalize shoreline jurisdiction Task 4.4: Demonstrate how Phase 4 complies with Guidelines	Product 4.1: Cumulative impacts analysis showing how the SMP will achieve no net loss through its policies, regulations & mitigation standards Product 4.2: Restoration plan Product 4.3: Revised designations, policies & regulations to address findings of cumulative impacts analysis; a report indicating how revisions achieve no net loss of ecological functions; finalized jurisdiction, including map(s) Product 4.4: Documentation in SMP submittal checklist
<b>Phase 5: Local Approval</b>	Task 5.1: Assemble complete draft SMP Task 5.2: Informal Ecology review of draft SMP documents Task 5.3: Complete SEPA review, documentation Task 5.4: Provide GMA 60-day notice of intent to adopt Task 5.5: Hold public hearing Task 5.6: Prepare responsiveness summary Task 5.7: Locally adopt the draft SMP & prepare submittal to Ecology Task 5.8: Demonstrate how Phase 5 complies with Guidelines	Product 5.1: Final draft SMP Product 5.2: Ecology response following informal review Product 5.3: SEPA products (checklist, MDNS/EIS; SEPA notice) Product 5.4: Evidence of compliance with GMA notice requirements Product 5.5: Public hearing record Product 5.6: Responsiveness summary responding to comments received during public review period Product 5.7: Complete Ecology submittal package Product 5.8: Documentation in SMP submittal checklist
<b>Phase 6: State Approval</b>	Task 6.1: Provide public notice & opportunity for comment; respond to comments received Task 6.2: Prepare decision packet to include: findings & conclusions; transmittal letter; conditions of approval (if any); & responsiveness summary Task 6.3: Work with local government to finalize local adoption	Product 6.1: Responsiveness summary Product 6.2: Decision package submitted to local government Product 6.3: Adoption of Final SMP incorporating any Ecology conditions of approval; updated SMP takes effect