



LEAGUE OF WOMEN VOTERS® OF WASHINGTON

Empowering all Washingtonians to engage in a more responsible and responsive democracy

2018 ISSUE PAPER – SHORELINES, WETLANDS AND LAND USE

Our State Environmental Policy Act (SEPA) ensures environmental values be given consideration in decision making along with economic considerations. SEPA requires a broad public forum be available to comment on proposals impacting our water, air, land, and transportation systems. This session there may be serious attempts to weaken the protections of the SEPA.

The Growth Management Act (GMA) is over 25 years old. Local jurisdictions must review their Comprehensive Plans under the GMA every 7 years. The Act sets forth criteria for urban and rural areas, protection of natural resources and designation and protection of Critical Areas requiring the use of Best Available Science.

Position Statement: The LWVUS supports “identification and regulation of areas of critical concern... such as shorelands of rivers, lakes and streams, estuaries and bays;” The LWVUS supports “review of environmental, social and economic impacts of major public and private development.”

Shoreline Management Act (SMA)

The Shoreline Management Act of 1971 (SMA) governs uses of state shorelines, which include:

- All marine waters
- Streams and rivers with greater than 20 cubic feet per second mean annual flow
- Lakes 20 acres or larger
- Upland areas called shore lands that extend 200 feet landward from the edge of these waters
- The following areas when they are associated with one of the above: biological wetlands and river deltas
- Some or all of the 100 year floodplain including all wetlands with the 100 year floodplain.

The Act states, “the interests of all the people shall be paramount in the management of shorelines of statewide significance.” These special shorelines are defined as:

- Pacific Coast, Hood Canal and certain Puget Sound shorelines
- All waters of Puget sound and the Strait of Juan de Fuca
- Lakes or reservoirs with a surface acreage of 1,000 acres or more
- Larger rivers (1,000 cu. ft./sec or greater for rivers in Western Wa., 200 cu. ft./sec and greater east of the Cascade crest
- Wetlands associated with all of the above.

At the local level, the SMA regulations are developed in city and county shoreline master programs that regulate land use activities in shoreline areas of the state as defined above. Master programs must be consistent with guidelines adopted by the Washington State Department of Ecology (Ecology). Local programs, and segments of or amendments to programs, become effective when approved by Ecology.

Shoreline Management Regulations (Washington Administration Code) amendments were proposed in 2017 by Department of Ecology which would have weakened the important “no net loss” provision governing the adoption by Ecology of Shoreline Master Programs. League testified at the public hearing, and signed onto a group letter opposing the weakening of this provision. Our efforts were successful.

The State Environmental Policy Act (SEPA)

The citizen's right to know act. SEPA requires state and local governments to:

- **Ensure** "environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations..."
- **Provide a forum** for the public and other government agencies to comment on the proposal so that changes may be made during the planning phase before construction begins, to reduce significant impacts.

When probable significant adverse impacts have been identified (not otherwise mitigated in regulations) a full review of all affected elements of our environment must be completed. This is called an Environmental Impact Statement (EIS). Any governmental action may be conditioned or denied pursuant to SEPA.

The Growth Management Act (GMA) is the comprehensive planning framework for counties and cities in Washington. The GMA requires state and local governments to manage Washington's growth by identifying and protecting critical areas and natural resource lands, designating urban growth areas, preparing comprehensive plans and implementing them through capital investments and development regulations. This approach is unique among states.

GMA amendments were made in 2017 regarding school siting, and short line railroads. Pressure is growing to make changes to GMA regarding population forecasts, and urban/rural areas. An important Vesting bill did not pass 2017 session, but may be introduced in 2018.

It is built on local government control and regional diversity. The Growth Management Hearings Board(s) hear and determine administrative appeals that a local agency has not complied with GMA or related SMA. If an appeal regarding compliance with GMA is not filed with the Board, the local Comp Plan is considered "valid".

Puget Sound Partnership (PSP)

In 2007, the legislature created the Puget Sound Partnership (PSP) to:

- Set science-based regional priorities for Puget Sound
- Accelerate implementation of priority actions
- Ensure accountability for results

PSP is the state agency leading the cleanup of Puget Sound.

Contact Information: Ann Aagaard, 425-488-8418, aagaard@lwwwa.org