

City of Castle Rock Periodic Review Checklist

This document is intended for use by counties, cities and towns subject to the Shoreline Management Act (SMA) to conduct the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the SMA at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2019 that may trigger the need for local SMP amendments during periodic reviews.

Prepared By	Jurisdiction	Date
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Row	Summary of change	Review	Action	ECY Comments
2019				
a.	OFM adjusted the cost threshold for building freshwater docks	<p><u>3.2 Shoreline Exemptions</u> Exemptions listed – Appendix D contains outdated language/costs</p> <p>2.0 Definitions – Substantial Development contains outdated language/costs –</p>	<p>Updated both instances to Ecology example language to reflect fair market value for permit exemptions</p> <p><i>NOTE: Update City permit application forms to reflect this change if not already updated</i></p>	
b.	The Legislature removed the requirement for a shoreline permit for disposal of dredged materials at Dredged Material Management Program sites (<i>applies to 9 jurisdictions</i>)	Not applicable	No action needed	
c.	The Legislature added restoring native kelp, eelgrass beds and native oysters as fish habitat enhancement projects.	Not applicable – the City has no saltwater shorelines, and the SMP does not contain a full list of fish habitat enhancement projects	No action needed	
2017				
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	<p><u>3.2 Shoreline Exemptions</u> Exemptions listed – Appendix D contains outdated cost threshold</p> <p>2.0 Definitions – Substantial Development contains outdated cost threshold</p>	<p>Updated both instances to reflect new cost threshold</p> <p><i>NOTE: Update City permit application forms to reflect this change if not already updated</i></p>	

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b.	Ecology permit rules clarified the definition of “development” does not include dismantling or removing structures.	2.0 Definitions - Development does not include this clarification	Amended definition to include Ecology example language	
c.	Ecology adopted rules clarifying exceptions to local review under the SMA.	Not addressed	Amended Chapter 3 Shoreline Permits to include Ecology example language (inserted new Section 3.2)	
d.	Ecology amended rules clarifying permit filing procedures consistent with a 2011 statute.	Permit filing procedures not described in SMP	Amended Chapter 8 (Inserted new section 8.1 (G).	
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	Not addressed	No action needed	
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	Not applicable – no lands with exclusive federal jurisdiction in City limits	No action needed	
g.	Ecology clarified “default” provisions for nonconforming uses and development.	2.0 Definitions –provide separate definitions for nonconforming uses, structures, and lots Not in definitions -added Chapter 3 Nonconforming Development addresses nonconforming uses, structures, and lots with some outdated language	Chapter 3 reorganized to provide separate sections for nonconforming uses, structures, and lots; language updated to comply with updated Ecology rule	

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h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	Not applicable – no description of periodic review included in SMP; no further clarification needed	No action needed	
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	5.5 .1(A)Amendments – indicates SMP amendments shall be processed per WAC 173-26 (which includes the new optional SMP process rule)	No action needed]	
j.	Submittal to Ecology of proposed SMP amendments.	Not applicable – SMP submittal process not described in SMP	No action needed	
2016				
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structure to comply with the Americans with Disabilities Act .	Not addressed	3.2 Shoreline Exemptions (F) Exemptions listed – amended to include Ecology example language	
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	Outdated information.The referenced CAO text applies the 1991 wetlands rating system.	CRMC 18.10.010 and 18.10.120, which are adopted by reference into the SMP, must be updated to apply the 2014 wetlands rating system; no changes to SMP text have been made (NOTE: City needs to update CAO to refelect Ecology guidance since this is adopted by reference)	

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2015				
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	Not addressed	Amended Chapter 3 Shoreline Permits to include Ecology example language (inserted new Section 3.1 (L))	
2014				
a.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	The City has floating on-water residences, old language	Definition added. Ecology language added to Chapter 7 in the Residential Development section (7.2.11)	
2012				
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	SMP appeal procedures not are described in the AMP	No action needed	
2011				
a.	Ecology adopted a rule requiring that wetlands be delineated in accordance with the approved federal wetland delineation manual .	Wetland delineation is properly addressed/defined in the definition section	No action needed	
b.	Ecology adopted rules for new commercial geoduck aquaculture .	Not applicable – the City has no saltwater shorelines	No action needed	
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	The City has floating homes. Conforming preferred use was not addressed for floating homes.	Additional added to New over-water residence in the definition. For the Conforming preferred use, Ecology language added to Chapter 7 in	

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			the Residential Development section (7.2.11)	
d.	The Legislature authorizing a new option to classify existing structures as conforming.	Nonconforming structures are addressed in Chapter 3 Nonconforming Use and Development	No action needed	
2010				
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications.	Not applicable – effective date is correctly defined in Section 1.9	No action needed	
2009				
a.	The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.	Relief for shoreline restoration projects is addressed in SMP	No action needed	
b.	Ecology adopted a rule for certifying wetland mitigation banks.	Wetland mitigation banking is not addressed in SMP	Added Ecology language, added in Section 6.1 (H), and referenced Critical Areas Ordinance Section 18.10.120 (I).	
c.	The Legislature added moratoria authority and procedures to the SMA.	Not addressed; per Ecology guidance: “The moratoria procedures may be included in an SMP but it is not necessary – local governments can simply rely on the statute or adopt these provisions into other ordinances.”	No action needed; moratoria authority language can be included if the City wishes, but is optional (see Ecology guidance)	

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2007				
a.	The Legislature clarified options for defining "floodway" as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	2.0 Definitions - Floodway contains both proposed definition options	Added Option 1 definition.	
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.	5.5 Shorelines within the City of Castle Rock and its Urban Growth Area includes list of shorelines Castle Rock Shoreline Environment Designations contains a map of shorelines	No action needed	
c.	Ecology's rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	In Appendix D	Added Ecology language to 3.2 Shoreline Exemptions (C) Exemptions listed – fish habitat enhancement projects are included in the list of exemptions	

Additional amendments

SMP Section	Summary of change	Discussion	ECY Comments
Appendix A	Shoreline Environment Designations Maps	Clarify parcels on maps, more detailed mapping on trail segments, property owners, and parcels	
4.1.2 General Shoreline Goals (Policies)	Addition of item "J" to implement a management plan for the levee	Consultation for management plan and standards to include at a minimum	

SMP Section	Summary of change	Discussion	ECY Comments
	along the east bank of the Cowliz river		
4.6.2 Public Access (Policies)	Addition of item "1" to include preservation of public access to the shoreline	Encourage donation for public use, acquiring riverfront trail corridor and identify sources of funding	