



Shoreline Management Act at 50+ Years

SHORELINES STUDY



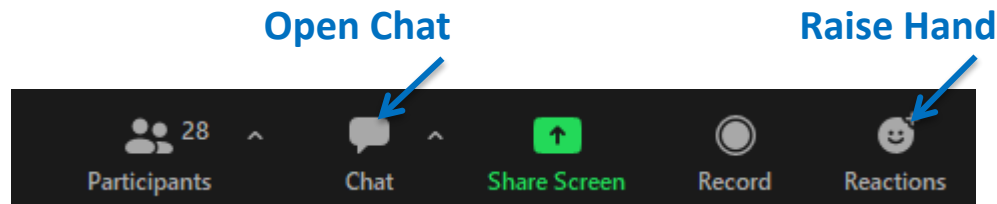


Agenda for today

- LWV Study & Consensus Process
- What the Shoreline Study is about
- What Local Leagues will do

Housekeeping:

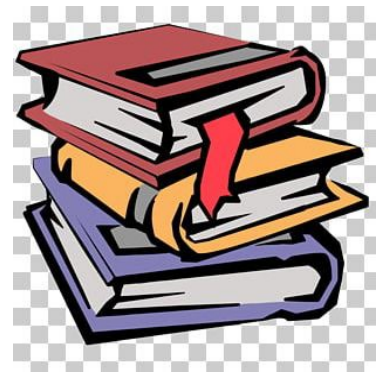
- Please put your questions in chat or raise your hand at the end
- Please rename with name and local league
- This event will be recorded





LWV Study Process

- Before the LWVWA takes a position on an issue, it first conducts an objective study.
- A League study must be:
 - Accurate
 - Balanced, (objective and unbiased)
 - Credited (show your source)
- The first two are essential to the integrity of the document, and the third to demonstrating that integrity. (Guide to Effective Studies, 2014)
- Study itself does not make recommendations
 - Identifies issues which then go through a consensus process





LWV Study Process

- Consensus is member agreement reached after study and discussion.
- “Consensus is the overall sense of the group as expressed through the exchange of ideas and opinions” after reviewing the study and responding to the consensus questions.
- “Consensus” is not just:
 - a simple majority
 - necessarily unanimity
 - a vote or a poll





LWV Consensus Process

- When a Study is finalized, it is sent to all Local Leagues with a set of “consensus questions” for the local leagues to answer
- Local Leagues determine their process and return a single consensus form to the State League
- If consensus is reached, position statements are created on the studied topics

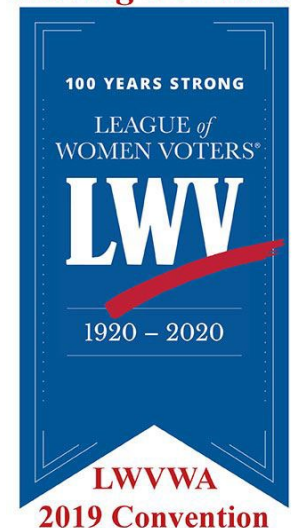




Shoreline Study Process

- 2019 Convention
 - Proposal from the Thurston County League
 - “A new study is needed to extend the 2001 work on Program in Action 2017-2019. The study should gather data on current shoreline conditions, projections, and issues.”
 - Review of the 50-year-old SMA
- January 2020 – Committee formed
 - Ann Aagard, Betsy Cooper, Phyllis Farrell, Marty Gibbins, Shelley Kneip, Anne Van Sweringen

*Looking Back,
Moving Forward*





Shoreline Study

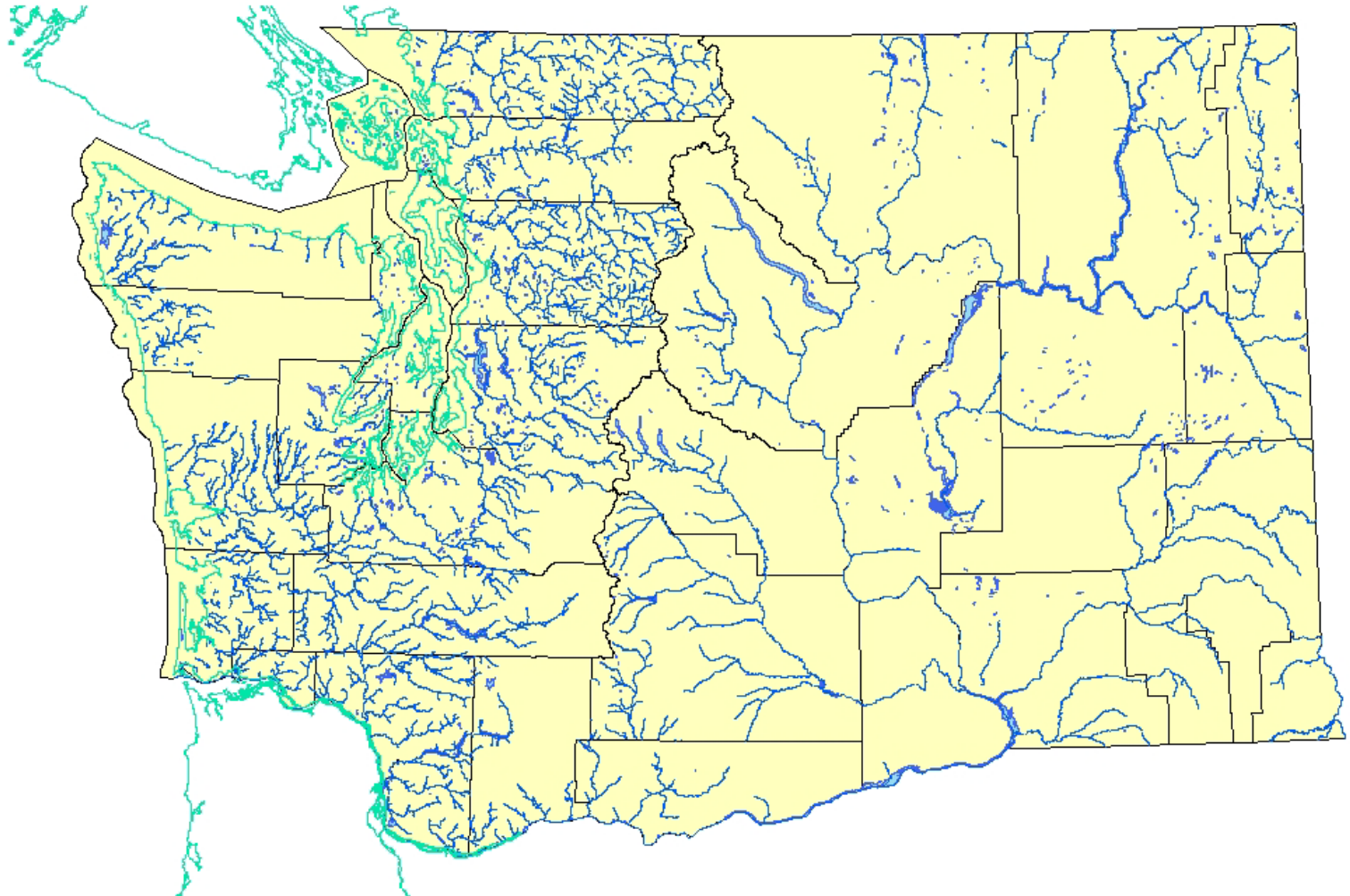
- 2020-2021 – Studied Law & its Implementation
 - Identified Important Questions
 - Conducted 18 Interviews with a broad range of Stakeholders
 - Met with Ecology Program Managers
- 2021-2022 – Study Written
 - Background information
 - Identifies issues
- 2022 Consensus Questions Developed



Shoreline Management Act

- Enacted through a citizens' Initiative in 1971
 - League involvement
- Codified at RCW 90.58
 - Guidelines in WAC 173-26 and 173-27
- Applicable to:
 - Ocean, stream, rivers and lake shorelines
 - Associated Wetlands
- Administered at both the state and local level
 - Cities and counties develop a Shoreline Master Program
 - Develop a plan and permit system and regulations
 - State (Ecology) oversight
 - Approve local plans, certain permits

The SMA applies everywhere in the state



Applies to marine, river, stream, and lake shorelines, and associated wetlands

----- saltwater


----- freshwater

An aerial photograph of a coastal region. In the foreground, a river delta with multiple channels flows into a body of water. The water is a deep blue, and several small, forested islands are scattered throughout. In the background, a large city is visible on a distant shore, with mountains rising behind it. The sky is clear and blue.

Shoreline Management Act

Legislative Goals RCW 90.58.020

- Protecting against adverse effects to the public health and the environment, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incident thereto.
- Promoting public access to shorelines.
- Planning for and fostering all reasonable and appropriate uses, with preference to water-dependent uses.



Shoreline Management Act

- Regulates uses and development of shorelines and 200 feet landward of OHWM
- Preserves public access to shorelines
- Based upon the “public trust doctrine”



Challenges Unique to Shoreline Regulation

- “Shorelines of the state are among the most valuable and fragile of its natural resources”
 - RCW 90.58.020
- SMA is a complex law in both subject and administration
- Shorelines are complex ecosystems by themselves; even more so when human development is added



- **Stakeholder Interviews**
Regulators

- Ecology, County, City, SHB, WDFW, PSP
- Academic
- Environmental
 - Futurewise, Center for Food Safety

- Industry
 - Shellfish, developers, bulkhead builders
- Property Rights Advocate
- Tacoma Port District
- Tribal Representatives
 - Swinomish, Nisqually



10 INTERVIEW QUESTIONS

1. How has the Act served us over the past 50 years?
2. Have we successfully protected our shoreline resources?
3. Is the partnership between the state and local governments working?



4. Is the SMA as applicable today as it was 50 years ago?
5. What would provide better protection of ecological functions while still allowing reasonable shoreline use?
6. What aspects of implementation of the SMA should be changed?



7. What are the roadblocks to the SMA's effectiveness?
8. Is there adequate public access to our shorelines?
9. Is the SMA equipped to deal with the next 50 years?
10. Are there provisions in the Act that are unnecessary?

Study Approach to Analysis

- Compiled responses
- Looked for recurrent issues and themes
- Also did our own research and reviewed court and Shoreline Hearings Board decisions





Study Identified 14 Issues:

1. Updates and periodic review requirements
2. Use of Exemptions
3. Balancing of legislative policy goals
4. Standards developed to measure no net loss
5. Habitat restoration
6. Public involvement
7. Industrial aquaculture



Study Identified 14 Issues (cont'd):

8. Monitoring & Adaptive Management
9. Public Access
10. Climate Change
11. Ecology Oversight
12. Enforcement
13. Training
14. Incentives



Where to find the study:

- Members:
 - LWVWA.org/For Members/Program of Work
 - [Program of Work Planning for the LWVWA \(2019-2021\)](#)
 - Includes link to study and consensus questions
- Nonmembers:
 - [League of Women Voters of Washington - Shoreline Study \(lwwwa.org\)](http://lwwwa.org)



Next Steps

- Local League
 - Each local league reviews the study and responds to consensus questions
- Compile Local League Responses on Consensus Questions
 - Determine where there is statewide League consensus on issues
- Develop a League Position for state board approval
 - Presentation at 2023 convention



Getting to Consensus

Recorder

- Summarizes progress as it's made.
- Asks for clues on what to write down, thus forcing a group to define explicitly ideas it has been circling for the past half hour
- Gets agreement that the consensus point is correct.

When appropriate, the discussion leader can call on the recorder to help the group summarize what's been said by reading aloud the notes taken. This can help members decide what areas of agreement or disagreement have emerged and where changes or additions in the notes need to be made before going on to the next point.



Getting to Consensus

A meeting plan, a discussion leader and a recorder are elements of a successful consensus meeting.

Discussion leader. The job is essentially traffic cop. They maintain an easy, open atmosphere, keep members talking to the group rather than individuals or leaders, and encourage all voices and points of view.

Discussion leaders:

- Set the tone of the meeting → create a climate where ideas and productive thinking take place.
- Are alert for cues from group members
- Restate consensus points when needed to move the discussion forward or to make sure the correct intent is captured.

Additional Resources

- LWVWA Guide to Effective Studies
 - [LWVWA-Guide-to-Effective-Studies.pdf](#)
- LWVWA The SMA at 50+ Years
 - [League of Women Voters of Washington - Shoreline Study \(lwvwa.org\)](#)
- Shoreline Management Act RCW 90.58
 - [Chapter 90.58 RCW \(wa.gov\)](#)
 - Shoreline Guidelines WAC
- Ecology Handbooks
 - [Shoreline Master Program handbook - Washington State Department of Ecology](#)
 - [Shoreline Permitting Manual](#)