



Introduction to the Shoreline Management Act

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."



Where does the SMA apply?

With respect to Lake Tapps, the SMA applies to the lake itself plus lands within 200' of the shoreline (Ordinary High Water Mark) plus the wetland at the northeast end of the lake (but not the lands adjacent to the wetlands)



Policies of the SMA

There are three basic policy areas to the Shoreline Management Act: shoreline use, environmental protection and public access. The SMA emphasizes accommodation of reasonable and appropriate uses, protection of shoreline environmental resources and protection of the public's right to access and use the shorelines (see [RCW 90.58.020](#)).

1. Shoreline use: The SMA establishes the concept of *preferred uses* of shoreline areas. The Act requires that "uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines..." . "Preferred" uses include single family residences, ports, shoreline recreational uses, water dependent industrial and commercial developments and other developments that provide public access opportunities. To the maximum extent possible, the shorelines should be reserved for "water-oriented" uses, including "water-dependent", "water-related" and "water-enjoyment" uses.

2. Environmental protection: The SMA is intended to protect shoreline natural resources, including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life..." against adverse effects. All allowed uses are required to mitigate adverse environmental impacts to the maximum extent feasible and preserve the natural character and aesthetics of the shoreline.

3. Public access: Master programs must include a public access element making provisions for public access to publicly owned areas, and a recreational element for the preservation and enlargement of recreational opportunities.

The overarching policy is that "the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally. "Alterations of the natural conditions of the shorelines of the state, in those limited instances when authorized, shall be given priority for...development that will provide an opportunity for substantial numbers of people to enjoy the shorelines of the state."

The SMA also implements the common law [Public Trust Doctrine](#). The essence of this court doctrine is that the waters of the state are a public resource for the purposes of navigation, conducting commerce, fishing, recreation and similar uses and that this trust is not invalidated by private ownership of the underlying land. The doctrine limits public and private use of tidelands and other shorelands to protect to public's right to use the waters of the state.



Shoreline Master Programs (SMPs)

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. The SMP is essentially a shoreline comprehensive plan and zoning ordinance with a distinct environmental orientation applicable to shoreline areas and customized to local circumstances.

The SMA establishes a **balance of authority** between local and state government. Cities and counties are the primary regulators. Ecology acts primarily in a support and review capacity, but is required to approve certain kinds of permits (*conditional use and variance permits*) and must approve new or amended shoreline master programs.

Local governments may **modify** master programs to reflect changing local circumstances, new information, or improved shoreline management approaches. All changes to master programs require public involvement. At a minimum, local governments must hold public hearings. Substantial revisions are usually written with help from citizen advisory committees.

Master program amendments are effective only after **Ecology approval**. In reviewing master programs, Ecology is limited to a decision on whether or not the proposed changes are consistent with the policy and provisions of the SMA and the state master program guidelines.