

John Phillips

1. Shift to Mean Higher High Water Measurement for Shoreline Regulations (WAC 173-26-246)
2. Climate Change Considerations in Shoreline Master Programs (WAC 173-26-246)
3. Substantial Development Definition and Cumulative Impacts (WAC 173-26-226)
4. Data Management and Accountability (WAC 173-26-191)

Washington State Department of Ecology
SMA Rule Making
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Re: Chapter 173-26 and 173-27 WAC, Shoreline Management Act Public Comment (Informal)

Dear Rebecca Rothwell:

Parametrix is providing comments and recommendations regarding the current approach to shoreline development regulations and related climate change considerations. There are several areas where updates and improvements can help ensure our policies remain scientifically sound, adaptive to changing conditions, and effective in protecting shoreline ecosystems for the long term.

1. Shift to Mean Higher High Water Measurement for Shoreline Regulations (WAC 173-26-246)

The current use of the ordinary high-water mark as a regulatory boundary for coastal shorelines is troublesome. The agency should transition to using mean higher high water (MHHW) as the primary measurement. MHHW is a surveyable datum that better reflects the dynamic nature of shoreline environments and is recognized as a standard in climate change assessments, particularly for sea-level rise projections. Referenced datums also help with overall evaluation of sea-level rise, including maximum tide and minimum tide.

2. Climate Change Considerations in Shoreline Master Programs (WAC 173-26-246)

To ensure shoreline management remains resilient to climate impacts, Parametrix recommends developing a comprehensive checklist for climate change considerations in Shoreline Master Programs, like the periodic review or Critical Areas Ordinance checklists provided by Commerce. This tool would help jurisdictions systematically address climate adaptation, mitigation, and ecosystem protection.

3. Substantial Development Definition and Cumulative Impacts (WAC 173-26-226)

The current definition of substantial development is based solely on monetary value, which is short-sighted. This approach does not account for long-term and cumulative environmental impacts that may not be immediately apparent but can significantly degrade shoreline conditions over time. A more holistic definition is needed to ensure that regulatory thresholds capture both economic and ecological consequences.

4. Data Management and Accountability (WAC 173-26-191)

The requirement for jurisdictions to document authorizations and changing conditions in shoreline areas is an important step toward transparency. However, simply maintaining a database of permitted actions is insufficient. There must be a clear process for reviewing, analyzing, and acting on the collected data to inform adaptive management and policy updates. Otherwise, the effort invested in data collection may not translate into meaningful improvements in shoreline protection.



In summary, the agency should modernize regulatory boundaries, provide tools for climate adaptation, reconsider development definitions to include ecological impacts, and create robust systems for data review and action. These steps will help ensure our shoreline management program remains effective and responsive to both current and future challenges.

Thank you for considering these comments.

Sincerely,

Parametrix

