



Marine Spatial Planning Update

Background

The state Marine Waters Planning and Management Act ([RCW 43.372](#))¹ was enacted by the 2010 Washington Legislature. The statute requires a Marine Spatial Plan be developed, maintained, and enforced for Washington’s Pacific Ocean coast. An interagency team, the State Ocean Caucus, led efforts to develop the state’s Marine Spatial Plan while soliciting input from the [Washington Coastal Marine Advisory Council](#) (WCMAC)².

Per [RCW 43.372.020](#)³, the Caucus includes representatives from the Governor’s office; Washington departments of Ecology (lead agency), Commerce, Fish & Wildlife, and Natural Resources; Washington State Parks and Recreation Commission; and Washington Sea Grant.

In August 2018, the National Oceanic and Atmospheric Administration approved the Marine Spatial Plan (“Plan”) for Washington’s Pacific coast, formally making it a part of the state’s [Coastal Zone Management Program](#)⁴.

To ensure management plans are consistent with the Plan, [RCW 43.372.050\(3\)](#)⁵ states that “Not later than four years following adoption of the marine management plan under [RCW 43.372.040](#)⁶, the department of ecology, in coordination with the team, shall report to the appropriate marine waters committees in the senate and house of representatives describing provisions of existing management plans that are substantially inconsistent with the marine management plan under RCW 43.372.040, and making recommendations for eliminating the inconsistency.”

¹ <https://app.leg.wa.gov/rcw/default.aspx?cite=43.372>

² <https://ecology.wa.gov/About-us/Accountability-transparency/Partnerships-committees/Boards-Councils/Washington-Coastal-Marine-Advisory-Council>

³ <https://app.leg.wa.gov/RCW/default.aspx?cite=43.372.020>

⁴ <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Coastal-zone-management/Programs-policies>

⁵ <https://app.leg.wa.gov/rcw/default.aspx?cite=43.372.050>

⁶ <https://app.leg.wa.gov/RCW/default.aspx?cite=43.372.040>

Washington's Marine Spatial Plan

Washington's Marine Spatial Plan is a living management process designed to address the complex issue of managing a growing number of potential ocean uses. The Plan:

- Provides a planning strategy and a coordinated decision-making process to address the challenge of multiple overlapping jurisdictions offshore and anticipate future needs.
- Provides a framework for state agencies and local governments to evaluate new proposed ocean uses.
- Contains enforceable policies and guidelines regulating new ocean uses to help protect the coast's unique and sensitive ecological areas.
- Identifies wide-ranging data to inform ocean resource management decisions for various parties.

The Plan primarily applies to "new" uses of Washington's coastal and offshore environment and typically involve projects, uses, and activities that have not been previously permitted or authorized such as marine renewable energy, offshore aquaculture, seabed mining, or installation of underwater infrastructure.

The geographic scope of the Plan includes the waters off Washington's coast from Cape Flattery to the mouth of the Columbia River, including Grays Harbor and Willapa Bay. It excludes Puget Sound and Strait of Juan de Fuca. The Plan's study area extends to ocean waters 35-55 nautical miles offshore, up to a depth of 700 fathoms. The management framework applies to state waters and the enforceable policies apply in federal waters.

Evaluating Relevant Management Plans

Shoreline Master Programs

State agencies and local governments must make decisions consistent with the applicable provisions of the Plan (RCW 43.372.050(1)) and existing management plans are periodically reviewed for inconsistencies (RCW 43.372.050). The management plans that have overlapping authority with the Plan are the Shoreline Master Programs ("SMPs") for Clallam, Grays Harbor, Jefferson, and Pacific counties and municipalities within these counties. Under these SMPs, new ocean uses will typically be required to obtain local and state shoreline permits if a proposed project occurs in or is adjacent to the state's coastal waters.

In recent years, counties and municipalities have made comprehensive updates to their SMPs. Most counties and cities adjacent to the Plan's study area completed their updates before the Plan was adopted in 2018. However, Ecology's SMP Ocean Management

Guidelines ([WAC 173-26-360](#))⁷ require coastal counties include ocean use policies, regulations and approval criteria consistent with the Ocean Resource Management Act (ORMA; [RCW 43.143](#))⁸ in their local shoreline master programs.

Ecology determined these updated SMPs properly referred to ORMA and were consistent with state Ocean Management Guidelines. While some of these SMPs do not currently include all policies developed with the Plan, they are still considered to be consistent because they provide local governments and Ecology with the necessary tools to implement the Plan since they are built on the authorities provided by ORMA and the Ocean Management Guidelines.

As SMPs undergo periodic reviews consistent with the statutorily required SMP periodic review process ([RCW 90.58.080](#))⁹ and the marine planning law ([RCW 43.372.050\(2\)](#))¹⁰, a process is in place to ensure they include specific policies, regulations, and permit process considerations from the Plan. As part of this effort, Ecology developed an [Ocean Management Checklist](#)¹¹ and accompanying [guidance for local governments](#)¹². Ecology reviews this checklist during the SMP periodic review process. The checklist is intended to confirm that SMPs:

- Implement ORMA consistent with the specific provisions of WAC 173-26-360
- Incorporate information, analyses, recommendations, and policies from the Marine Spatial Plan

This checklist will ensure that each SMP incorporates policies, regulations, and permit processes so local governments and Ecology can make shoreline permit decisions consistent with the applicable provisions of the Plan. Once the coastal SMPs are updated and approved by Ecology, they will be fully consistent with the Plan.

State Ocean Caucus

The State Ocean Caucus meets six times a year and focuses on relevant and pressing ocean policy issues. Since completion of the Plan, the State Ocean Caucus has focused on:

- Marine Spatial Plan implementation

⁷ <https://apps.leg.wa.gov/wac/default.aspx?cite=173-26-360>

⁸ <https://app.leg.wa.gov/rcw/default.aspx?cite=43.143>

⁹ <https://app.leg.wa.gov/rcw/default.aspx?cite=90.58&full=true#90.58.080>

¹⁰ <https://app.leg.wa.gov/rcw/default.aspx?cite=43.372.050>

¹¹ https://fortress.wa.gov/ecy/ezshare/SEA/ShorelinePlannerToolbox/2021-2023/FINAL_SMP_ORMA_MSP_Checklist_OCT2020.docx

¹² https://fortress.wa.gov/ecy/ezshare/SEA/ShorelinePlannerToolbox/2021-2023/FINAL_SMP_ORMA-MSP_Checklist_Guidance_OCT2020.docx

- Coastal resiliency policy
- Supporting WCMAC activities
- Tracking the emergence of offshore wind interests off the Washington coast

The State Ocean Caucus also considered whether any additional management plans were substantially inconsistent with the Plan and none were identified.

Conclusion

After analyzing local SMPs and consulting with the State Ocean Caucus, no relevant management plans were found to be substantially inconsistent with the Marine Spatial Plan. Therefore, no recommendations are suggested at this time.

Publication information

This report is available on the Department of Ecology's website at <http://ecyapfaff/Biblio2/SummaryPages/2306005.html>

Related Information

Publication 17-06-027: [Marine Spatial Plan for Washington's Pacific Coast](#)¹³

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¹³ <https://apps.ecology.wa.gov/publications/SummaryPages/1706027.html>

¹⁴ www.ecology.wa.gov/contact