

**JEFFERSON COUNTY  
SHORELINE MASTER  
PROGRAM UPDATE  
INTEGRATION STRATEGY**

**PREPARED FOR:  
JEFFERSON COUNTY DEPARTMENT  
OF COMMUNITY DEVELOPMENT**

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## Introduction

Jefferson County has initiated a comprehensive update of its Shoreline Master Program (SMP) to comply with the requirements of the State's SMP Guidelines, WAC 173-26. One of the key considerations in developing and administering a new SMP is recognizing its relationship to other plans, programs and regulations. As one of many planning instruments in Jefferson County, the updated SMP ideally should not overlap or conflict with other plans, programs and regulations, but rather complement and support them.

In accordance with recent state legislation and the shoreline guidelines contained in WAC 173-26, this report provides an Integration Strategy for the update of the Jefferson County SMP. Using the County's Draft 2000 SMP as a reference point, this report includes a review and analysis of potential gaps, duplications and opportunities to more closely integrate existing County plans, programs and regulations with the SMP update.

Shoreline master program goals and policies are considered an element of local comprehensive plans. In 2000, Jefferson County staff, with significant public input, prepared a draft update to the County's 1989 Shoreline Master Program. The 2000 Draft SMP represented a significant revision of the 1989 SMP to be consistent with the Jefferson County Comprehensive Plan in place at that time. The 2000 Draft SMP was the first comprehensive revision of the SMP since 1977 (Shoreline Citizen Advisory Committee, 2000) (by comparison, the '89 update did not represent major changes from the '77 document.) However, in anticipation of the new state shoreline guidelines, the County did not formally adopt this plan.

As specified in WAC 173-26-191(e), shoreline management is most effective and efficient when accomplished within the context of comprehensive planning. For cities and counties planning under the Growth Management Act (GMA), Chapter 36.70A RCW requires mutual and internal consistency between comprehensive plan elements and development regulations. In accordance with these GMA requirements and ESHB 1933, this Integration Strategy primarily focuses on integration with the County's Comprehensive Plan and Unified Development Code, but also addresses County plans related to parks and recreation, surface water management, and transportation.

Jefferson County's existing SMP has been in place since 1989, and County staff members have learned much about the opportunities and challenges in administering the current SMP during this time. As a result, this report also includes summaries of a series of interviews with several County staff members to identify such challenges and opportunities to provide input to this Integration Strategy as well as the overall SMP update process. A summary of interview results is provided in Appendix A.

The following sections identify major County plans, programs and regulations, and discuss opportunities to provide better integration between them and the updated SMP. Each major County plan, program or regulation is summarized, along with a brief description of opportunities to better link each of them with the SMP update process. The report then includes a brief synopsis of findings from the results of interviews with County staff regarding the 1989 SMP, followed by a compiled summary of integration opportunities.

# Jefferson County Comprehensive Plan and Unified Development Code

## 1.1 Jefferson County Comprehensive Plan

The 1990 GMA requires that cities and counties prepare comprehensive plans to manage population and employment growth for the next 20 years. Jefferson County's Comprehensive Plan includes goals, policies, and strategies to assist the County in achieving its desired land uses. The County's Comprehensive Plan is a legal document that serves as a decision-making guide for both officials and citizens, and as a tool for guiding future growth in the County (Jefferson County, 2004).

Like all comprehensive plans, Jefferson County's Comprehensive Plan must include, at a minimum, a land use element, a rural element (for rural counties), a housing element, a capital facilities element, a utilities element and a transportation element. Other elements may also be included. The County's Comprehensive Plan must also be consistent with Countywide planning policies, which ensures that the County's Comprehensive Plan is consistent with the comprehensive plans of incorporated cities in the County (Port Townsend). More recent legislative amendments to the GMA also specify that goals and policies of an SMP should be considered an element of a comprehensive plan. As a result, a primary focus on integration strategies is to ensure mutual and internal consistency between the goals and policies of the Comprehensive Plan and SMP.

While several associations can be drawn between the SMP and Comprehensive Plan, the goals and policies in Jefferson County's Comprehensive Plan that most closely relate to shoreline planning are primarily found in the Plan's Land Use, Natural Resources, and Environment Elements. The Comprehensive Plan's Land Use Element includes three policies that directly address shoreline management issues or shoreline planning. These include the following:

**LNP 14.2:** *Allow residential, commercial, and industrial development in a manner that minimizes risk from flooding, earth movement, shoreline erosion, and other natural hazards.*

**LNP 14.4** *Ensure that land use decisions along Jefferson County shorelines protect the shoreline environment, facilitate public access, recognize the needs of water-oriented activities and cooperate with regional plans for protection and management of shorelines. In areas of the County under the jurisdiction of the Shoreline Management Act (Chapter 90.58RCW), activities which are water-oriented will be preferred over those activities which are not, all other factors being equal, consistent with the Shoreline Management Act, and the land use designations, goals, and policies of this Comprehensive Plan.*

**LNP 24.13** *New or expanded existing master planned resorts must be located in areas of existing shoreline development, such as marinas and shoreline lodges, which promote public access to developed shorelines, and/or locations which promote public access and use of National Parks and National Forests.*

The Comprehensive Plan's Natural Resources Element also addresses issues related to shoreline management, particularly addressing the issues of forest management and aquaculture. Relevant policies include the following:

**NRP 5.4** *Establish standards for conversions and Conversion Option Harvest Plans which carry out the provisions of the Washington State Forest Practices Act and the State Environmental Policy Act and are in compliance with the Critical Areas Ordinance, the Shoreline Management Master Program, the Storm Water Management Ordinance, and other County land use and development standards.*

**NRP 11.2** *Encourage the conservation of aquaculture lands through the designation of long term commercially significant lands, tax incentive programs and the regulation of adjacent land uses.*

**NRP 11.3** *Minimize conflicts with adjacent land uses to protect continued productive aquaculture activities in marine waters associated with fish hatcheries and shellfish habitat.*

**NRP 11.4** *Address the cumulative impacts of land use activities on or adjacent to shellfish habitat through the Shoreline Management Master Program, Comprehensive Plan amendments, and County land use ordinances.*

**NRP 11.5** *Minimize adverse impacts on the quantity and quality of water resources by encouraging land-based and marine aquaculture operations to utilize best management practices.*

**NRP 11.6** *Net pens, which are not designated resource lands, shall be regulated under the Shoreline Management Master Program under regulations for aquaculture activities. Such regulations will be updated during the SMMP revision for consistency with the Comprehensive Plan. The Plan will then be amended to incorporate the SMMP as an element of the Comprehensive Plan. Until the revised SMMP is adopted, where a regulatory provision is inconsistent with other County ordinances, the more restrictive provision shall apply.*

The Environment Element of the Comprehensive Plan is of particular relevance to shoreline management, containing the following goals and policies:

**GOAL ENG 4.0** *Preserve the long-term benefits of shoreline resources.*

Relevant policies include the following:

**ENP 4.1** *Shorelines of statewide significance shall be managed according to the following order of preferred uses as established in the Shoreline Management Act (RCW 90.58.020):*

1. *Recognize and protect state-wide over local interests;*
2. *Preserve the natural character of the shoreline;*
3. *Achieve long-term over short-term benefits;*
4. *Protect the resources and ecology of the shoreline;*
5. *Increase public access to publicly owned areas of the shoreline;*
6. *Increase recreational opportunities for the public on the shorelines; and,*
7. *Provide for any other element as defined in RCW 90.58.100 and deemed appropriate or necessary.*

**ENP 4.2** *The County shall revise the Shoreline Master Program to establish and implement policies and regulations for land use that are consistent with the Shoreline Management Act, the Growth Management Act, and the Comprehensive Plan. The goals and policies of the revised Shoreline Master Program shall be incorporated as an element of the Comprehensive Plan, while the development regulations of the SMP shall be integrated with the critical areas protections and other standards in the Unified Development Code. Until the revised SMP is adopted, where a regulatory provision is inconsistent with other County ordinances, the more restrictive provision shall apply.*

**ENP 4.3** *Coordinate to incorporate local, state and federal laws into the recommendations of cooperatively-developed, comprehensive watershed and habitat conservation plans in shoreline planning processes.*

**ENP 4.4** *Promote public access on shorelines in a manner that preserves or enhances the characteristics of the shoreline.*

**ENP 4.5** *Increase shoreline physical and visual public access in transportation planning, especially in the development of viewpoints and trails.*

**ENP 4.6** *Shoreline management decisions should preserve sites having historic, cultural, scientific, and archaeological value as identified under the appropriate authorities designated by state and federal law.*

**ENP 4.7** *Encourage and participate in projects and programs that foster a greater understanding of shoreline protection and hazards, maritime activities and history, and environmental conservation.*

**GOAL ENG 5.0** *Allow development along shorelines that is compatible with the protection of natural processes, natural conditions, and natural functions of the shoreline environment.*

**ENP 5.1** *Regulate shoreline land use activities based on the best available scientific information.*

**ENP 5.2** *Protect nearby properties and the shoreline environment from the individual or cumulative effects of development that may interfere with the functions of sediment transport systems along the shoreline.*

**ENP 5.3** *Establish a preference for the use of non-structural rather than structural solutions in projects for shoreline stabilization, mitigation, rehabilitation, restoration, and enhancement.*

**ENP 5.4** *Coordinate with Department of Ecology water resources management and comprehensive watershed plans in order to protect water resources along shorelines, and to prevent, minimize, and mitigate salt water intrusion of coastal aquifers.*

**ENP 5.5** *Coordinate with the Department of Fish and Wildlife to protect and enhance fish and wildlife habitat and other marine resources.*

**ENP 5.6** *Manage shoreline hazard areas such as unstable bluffs and erosion and coastal flood hazard areas to protect public safety and public and private property.*

**ENP 5.7** *Manage storm water for proposed and existing development in a manner consistent with Department of Ecology Stormwater Management Manual for Western Washington.*

**ENP 5.8** *Promote best management practices to protect shorelines in land use regulations related to septic systems, forest practices, agricultural practices, industry, and other development.*

The Comprehensive Plan also provides continued support for the inventory and mapping of critical areas, and the identification of shoreline areas of risk such as unstable coastal bluffs and areas of erosion and coastal flood hazard. Goals also call for the designation and protection of shoreline drift cell functions and values, and establishment of restrictions for uses and activities to protect public safety (Jefferson County, 2004).

**Integration Issues: Comprehensive Plan**

As noted in the discussion above, there are several goals and policies in the Comprehensive Plan that directly or indirectly relate to the SMP. As is evident in the policy language, many of these goals and policies have been developed to provide policy support for the 1989 SMP as an interim measure until the County could prepare and adopt a revised SMP. As discussions about goals and policies progress as part of the SMP update process, it is likely that several new goals and policies will be developed that overlap with the goals and policies of the current Comprehensive Plan, particularly those in the Environment Element. As a result, revision or deletion of these overlapping goals and policies in the Comprehensive Plan would result in better integration of the updated SMP with the Comprehensive Plan.

Part of the SMP update process also entails preparation of a Restoration Plan. While the future SMP will likely provide some goal and policy support for restoration, the Comprehensive Plan could provide further support for protection and restoration planning, particularly in the Environment Element, but also in the Open Space, Parks and Recreation, and Historic Preservation Element. Even the County's Capital Facilities Element could be amended to include a restoration opportunities identified in the SMP Restoration Plan.

## **2.1 Unified Development Code (UDC)**

Jefferson County's UDC (Title 18 of the Jefferson County Code) provides regulations for development activities in the County, including but not limited to specific land uses, protection of critical areas, clearing and grading, and stormwater management. For critical areas in particular, Engrossed Substitute House Bill (ESHB) 1933 calls for protection of critical areas in SMPs to be "at least equal" to an adopted and valid critical areas ordinance.

Jefferson County's regulations for the protection of critical areas (or environmentally sensitive areas) are contained in several articles following Article VI-D of the UDC<sup>1</sup>. These include regulations for the following critical areas:

- Article VI-E: Aquifer Recharge Areas;
- Article VI-F: Frequently Flooded Areas;
- Article VI-G Geologically Hazardous Areas;
- Article VI-H: Fish and Wildlife Habitat Areas; and

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<sup>1</sup> Jefferson County is in the process of updating its Critical Areas regulations. The existing regulations are under review and a new ordinance is scheduled to be adopted in early 2007.

- Article VI-I: Wetlands.

Other sections of the UDC with particular relevance the SMP include the following:

*Section 18.20.030, Agricultural Activities and Accessory Uses:* This section of the UDC provides regulations for agricultural activities. Among other provisions, the section notes that agriculture is exempt from standard wetland and stream buffers, and it relies on voluntary best management practices (BMPs) and farm management plans to protect wetlands and fish and wildlife habitat in watersheds. Agriculture is also exempt from stormwater management requirements.

*Section 18.20.160, Conversion Option Harvest Plans:* This section addresses conversions of forestland to non-forestry uses; the section references that such requirements must also comply with the County's SMP provisions. No more than 40 percent of trees may be harvested under a Conversion Option Harvest Plan, and the regulations require that the landowner minimize the number and size of clearcut areas.

*Section 18.20.240, Mineral Extraction, Mining, Quarrying, and Reclamation:* Among other provisions, the regulations require that landowners employ BMPs and deposit spoils outside the shoreline jurisdiction.

*Section 18.30.060, Grading and Excavation Standards:* Among other provisions, this section requires that landowners retain natural vegetation and incorporate BMPs for erosion control from the Stormwater Management Manual for the Puget Sound Basin. Stormwater must also be managed according to Ecology's Stormwater Manual for Western Washington.

*Section 18.30.130, Landscaping:* This section requires, among other provisions, the development of a landscape plan that identifies natural features or vegetation to be left in a natural state.

*Section 18.30.160, Archaeological Resources:* This section is intended to ensure protection of known archaeological and historic resources, and requires that work stop if archaeological resources are found during construction.

#### Integration Issues: UDC

While there are several policies in the 2000 Draft SMP supporting critical area management, specific regulations for many critical areas or references to existing regulations in the UDC are absent (Adolfson, 2006). There are no specific regulations or references to UDC regulations for wetlands, geologic hazard areas, aquifer recharge areas, or frequently flooded areas. The 2000 Draft SMP does, however, include regulations for critical saltwater habitats and policies for critical freshwater habitats.

Both the UDC and 2000 Draft SMP contain a number of overlapping definitions. Providing consistency between definitions in the UDC and SMP for terms such as "agriculture," "aquaculture," "critical habitat" and the several definitions applying to wetlands in the UDC will help to better integrate both the UDC and SMP.

Other options for better integrating the UDC and the 2000 Draft SMP include the following:

- Reference UDC regulations for aquifer recharge areas, frequently flooded areas, and geologically hazardous areas in the SMP, or develop a separate but complementary set of regulations for these critical areas in the SMP.
- Clarify definitions for critical saltwater and freshwater habitats in the 2000 Draft SMP and the definitions for fish and wildlife habitat conservation areas in the UDC.

At present, the definitions in each document differ, creating the potential for gaps and overlaps as the regulations are interpreted and implemented.

- Incorporate wetlands regulations from the UDC into the SMP, or develop a complementary set of regulations for wetlands in the SMP.
- Reference grading and excavation, erosion control, and stormwater management standards from UDC in the SMP, or develop a complementary set of regulations for the SMP.
- Ensure the consistency of 18.20.030, agricultural activities and accessory uses with goals, policies and regulations for agriculture in SMP; and of 18.20.160, Conversion Harvest Option Plans, with forest practices policies and regulations in the SMP.
- For archaeological and historic resources, consider integrating Sections 3.080 and 8.040 of the 2000 Draft SMP and Section 18.15.090 of the UDC to eliminate overlaps in the management of archaeological and historic resources.
- Ensure that enforcement provisions in the SMP and UDC are consistent and compatible.

The UDC can also help to support restoration planning called for as part of the SMP update process. Incentives for restoration can be incorporated into the UDC; for example, certain restoration activities could be exempt from sections of the UDC or be subject to flexible development standards. In addition, the permit process could be expedited for restoration projects.

### **3.1 Integration Strategies: Comprehensive Plan and UDC**

There are three options that the Department of Ecology recognizes for the integration of SMPs with local comprehensive plans and development codes. The options include stand-alone SMPs, stand-alone SMPs that include adoptions by reference, and fully integrated SMPs. The three approaches to SMP integration are described below. Figure 1 shows the general relationships between the elements of an SMP, the Comprehensive Plan, and the Unified Development Code.

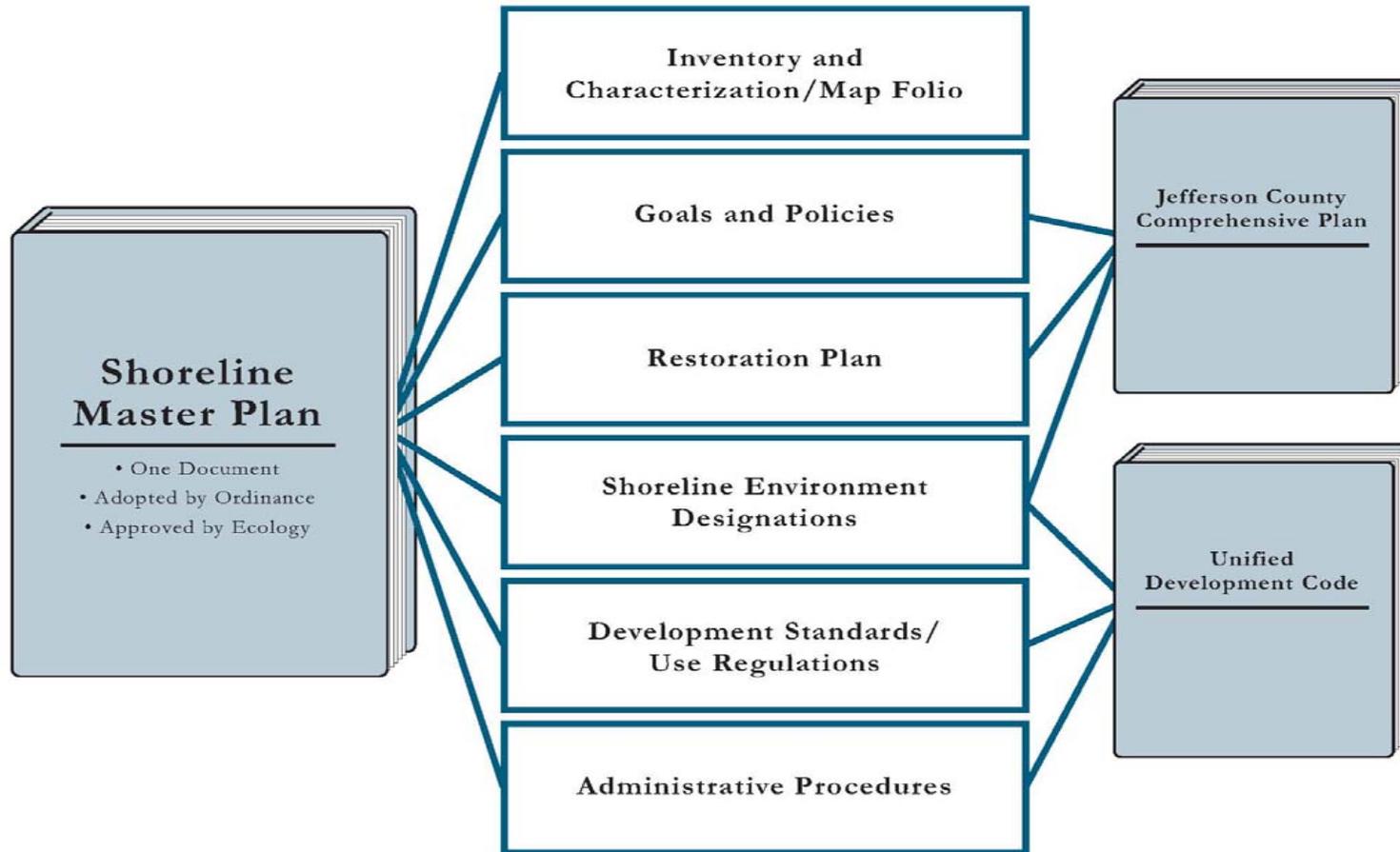
#### **Stand Alone**

One option for integrating the updated SMP with the County's Comprehensive Plan is the adoption of a stand-alone SMP, similar to the existing 1989 SMP. Under this option, Jefferson County would continue to have a discrete SMP that contains separate goals, policies, and regulations and covers shoreline management issues in much the same manner it does today.

An updated stand-alone SMP would be a document "physically separate" from the Comprehensive Plan and UDC. The goals and policies of the SMP, which according to the GMA must be considered an element of the Comprehensive Plan, could then be adopted by reference into the Comprehensive Plan. Regulations in the SMP would cover a range of issues that are also addressed in the UDC such as critical areas, stormwater management, clearing and grading, and setbacks. This would essentially create two sets of "parallel" regulations; one set that applied specifically to the shoreline jurisdiction, and one set that applied to all other areas of the County outside of the shoreline jurisdiction.

Under the stand-alone option, a separate SMP could assist County staff in administering the SMP by avoiding the need to constantly cross-reference SMP regulations for critical areas, as one example, with regulations contained in the UDC. The stand-alone option could also be appropriate if the attributes, functions and values of critical areas in the shoreline jurisdiction (e.g., wetlands) warrant a different regulatory approach than critical areas outside of the shoreline jurisdiction.

Figure 1: Relationship of SMP to Comprehensive Plan and Unified Development Code.



A major challenge of the stand-alone option would be to continually ensure internal consistency between the SMP's policies and regulations and the provisions of the Comprehensive Plan and UDC development regulations. By maintaining SMP goals and policies separate from the Comprehensive Plan, there is greater opportunity for SMP policies to overlap with goals and policies contained in the Comprehensive Plan, particularly in the Land Use, Natural Resources, and Environment Elements. Similarly, while separate regulations for critical areas may provide an opportunity to tailor regulations for conditions inside and outside the shoreline jurisdiction, dual and parallel regulations may create challenges, for example, where critical areas are contiguous inside and outside the shoreline jurisdiction, or where a landowner with property both inside and outside the shoreline jurisdiction must comply with two sets of regulations.

### *Incorporation by Reference*

Shoreline master programs often address issues, such as clearing and grading, setbacks, or protection of critical areas that are already addressed in development regulations. Under this approach, the SMP would incorporate by reference regulations from the UDC that also pertain to the shoreline jurisdiction. For example, rather than having a discrete set of regulations for critical areas in the shoreline jurisdiction, the SMP would simply incorporate by reference critical area regulations from the UDC. In interviews conducted for this Integration Strategy, staff indicated that the goal of a single unified wetland regulation program should be pursued between the critical area regulations and SMP to reduce regulatory and administrative confusion (Appendix A).

An advantage of this approach is that the SMP remains focused on shoreline management issues, helping to streamline the document and avoid redundancy. It should, however, be noted that when referenced codes in the UDC are amended, these amendments would require the SMP to go through an amendment process.

### *Full Integration*

The third option would be to fully integrate SMP policies and regulations into the Comprehensive Plan and applicable sections of the UDC. Under this approach, the County would no longer have a discrete SMP document; rather, SMP goals and policies would become a distinct element incorporated into the text of the Comprehensive Plan, while SMP regulations would be woven into applicable sections in the UDC.

One advantage of this approach is that shoreline management issues could be fully integrated into other applicable regulations in the UDC. For example, clearing and grading provisions of the UDC might include one section of regulations for parcels both within and outside the shoreline jurisdiction.

Although the County would no longer have a discrete SMP, County staff would be responsible for fully understanding where each SMP provision existed within the Comprehensive Plan and UDC because the Department of Ecology would review these documents for compliance with the Shoreline Management Act and the guidelines in WAC 173-26.

### *Combination*

The fourth option would be a combination of stand-alone and full integration as described above. With this option, a "convenience document" would be included with all the SMP components in one place for easy reference. The "convenience document" would contain goals, policies, regulations, environment designations, and a restoration plan. These elements would also be fully integrated incorporated in the CP/UDC as described in option three.

## **Integration Opportunities: Other Plans**

Jefferson County Non-motorized Transportation and Recreational Trails Plan and Parks, Recreation, and Open Space Plan

### **4.1 Overview**

Jefferson County's Non-Motorized Transportation Plan and its companion document, the Parks, Recreation and Open Space Plan provide existing facility inventories; forecast demand; and provide guidance for the development of future trails, bikeways, parks and open space in Jefferson County. The Non-Motorized Transportation Plan addresses road bicycle routes and lanes, sidewalks, multi-purpose trails used for transportation, and recreational trails. The Parks, Recreation, and Open Space Plan addresses public and private parks, open space, and recreation facilities.

Both plans provide an inventory of existing facilities and identify potential new facilities. Existing facilities relating to shoreline planning include trails providing access to shorelines, trails along bluffs overlooking bays, and trails to beaches. Also identified are hand-carried boat launch sites on lakes and rivers, and along marine shorelines. Both plans also note the contributions to the County of shoreline facilities owned and managed by the Washington State Department of Transportation, Parks and Recreation Commission, Department of Fish and Wildlife and Department of Natural Resources, as well as private shoreline recreational facilities such as those associated with Port Ludlow.

Providing additional shoreline trails is a component of the 20-year vision for the Non-Motorized Transportation Plan. The Plan notes that the public has expressed an interest in additional saltwater hand-carry sites, particularly on Discovery Bay, Hood Canal, and Dabob Bay, all of which are also important shellfish production areas. The Non-Motorized Transportation Plan also calls for identifying public tideland walking and hiking routes linking communities with state and local parks, particularly where private landowners are in agreement, as well as developing additional access points for saltwater and freshwater trails along with limited services, such as shelters and camps (Jefferson County, 2002a).

The Parks, Recreation, and Open Space Plan's land and facility demand analysis also identifies potential new acquisitions and facilities along the County's shorelines. It calls for set-asides of additional conservancy zones along shoreline and wetland areas, and for the development of additional waterfront resource activities such as boating, fishing, swimming, and camping. Finally, the Plan identifies a number of goals and policies relating to shoreline management that include preservation of streams, rivers, and lakes; providing greater public access to lakes; and linking and extending trails along shorelines (Jefferson County, 2002b).

### **5.1 Integration Opportunities**

Both plans offer several opportunities to integrate the goals, policies, and regulations of the SMP to support the recommendations provided by these companion documents. Goals and policies for public access can be developed to support the specific demands for facilities identified in these documents, while regulations for new shoreline development could include specific conditions or

mitigation measures that support increasing public access opportunities to specifically meet opportunities and demands identified in each plan.

## **Jefferson County Draft Surface Water Management Plan**

### **6.1 Overview**

Jefferson County's 2005 Draft Surface Water Management Plan is intended to guide the development of a future County Surface Water Management Program. The Draft Plan identifies surface water issues and attributes such as flooding, salmonid habitat, shellfish, marinas, on-site septic systems, and low dissolved oxygen in Hood Canal. It also discusses impacts to surface waters from a variety of activities, from rural resource activities to urban development (Jefferson County Department of Public Works, 2005).

The Draft Plan provides recommendations for both regulatory and non-regulatory approaches to surface water management, with an emphasis on non-regulatory approaches. It discusses several activities that could be components of a future Surface Water Management Program including landowner education, erosion control initiatives, stormwater management for new development, low-impact development, flood hazard management, watershed planning, and monitoring. The Plan's goals and policies call for:

- Maintaining and restoring water resources;
- Supporting partnerships for surface water management;
- Providing public education and technical assistance;
- Encouraging low-impact development;
- Providing incentives to maintain forest cover; and
- Increasing floodplain and floodway capacity.

The Draft Plan also identifies as a goal the relocation of roads in western Jefferson County out of riparian areas.

### **7.1 Integration Opportunities**

The Draft Plan offers several opportunities for improved integration with the updated SMP. Education and technical assistance programs identified in the Draft Plan could be coordinated with goals and policies in the SMP intended to support non-regulatory approaches to shoreline management. Incentives to retain forest cover called for in the Draft Plan could be coordinated with vegetation conservation policies and regulations in the SMP to help meet the vegetation conservation requirements the WAC 173-26.

Through policy support, the SMP could also further support low-impact development in shorelines to help maintain and restore water quality. Policies and regulations for floodways and floodplains could be developed in the SMP to address ways to increase floodplain and floodway capacity along with new development in the shoreline jurisdiction; floodway and floodplain capacity could also be addressed as elements of the SMP Restoration Plan.

Finally, County staff have identified emergency repair of roads in western Jefferson County as an issue of concern to be addressed in the SMP update; relocation of such roads as discussed in the Draft Plan could be incorporated as an option into the SMP (Appendix A).

## **Jefferson County 2006-2011 Six Year Transportation Improvement Program**

### **8.1 Overview and Integration Opportunities**

The Jefferson County Six-Year Transportation Improvement Program (TIP) identifies priorities for road maintenance and repair, bridges and other transportation improvements in the County (Jefferson County, 2005). The TIP does not propose any new roads or bridges. All road projects are improvements to existing roads and/or bridge replacements. There are also several culvert replacements.

Once the SMP is complete, the TIP could be revisited to ensure that proposed road/bridge improvements are compatible with the protection of ecological functions of the shoreline. The SMP can also include policies and regulations to minimize and mitigate impacts of future County road and bridge projects.

## **Other Integration Issues**

### **9.1 Ocean Management (WAC 173-26-360)**

The Ocean Resources Management Act was enacted in 1989 by the Washington state legislature and requires the Department of Ecology to develop guidelines and policies for the management of ocean uses and to serve as the basis for evaluation and modification of local shoreline management master programs of coastal local governments, including Jefferson County. The guidelines are intended to clarify state shoreline management policy regarding use of outer coastal resources, address evolving interest in ocean development and prepare state and local agencies for new ocean developments and activities.

Ocean uses are activities or developments involving renewable and/or nonrenewable resources found in Washington's coastal waters. Activities and developments include their associated offshore, nearshore, inland marine, shoreland, and upland facilities and supply, service, and distribution activities, such as crew ships, circulating to and between the activities and developments. Ocean uses involving nonrenewable resources include such activities as extraction of oil, gas and minerals, energy production, disposal of waste products, and salvage. Ocean uses that generally involve sustainable use of renewable resources include commercial, recreational, and tribal fishing, aquaculture, recreation, shellfish harvesting, and pleasure craft activity.

Local governments and the department may permit ocean or coastal uses and activities as a substantial development, variance or conditional use only if there is a demonstrated significant local, state, or national need; there is no reasonable alternative; there will be no likely long-term significant adverse impacts to coastal or marine resources or uses; and all reasonable steps are taken to avoid and minimize adverse environmental impacts. Special protection is provided for the marine life and resources including those of Olympic National Park.

Western Jefferson County's ocean beaches are under the jurisdiction and management of Olympic National Park, the Hoh Tribe, and the Quinault Tribe. As a result, the County's SMP goals, policies and regulations do not apply to Jefferson County's outer coastal beaches.

## **10.1 Northwest Straits Marine Conservation Initiative**

In 1997, Senator Murray and Representative Metcalf initiated a strong bipartisan alliance to help protect the marine waters of Washington state. After a year of research and discussion, the Murray-Metcalf Northwest Straits Citizens Advisory Commission concluded that a coordinated effort, blending well-founded science with grassroots consensus building, would be the best approach. The result is the Northwest Straits Marine Conservation Initiative, authorized by Congress in 1998.

This federally funded program takes a "bottom-up" approach to protecting and restoring the marine resources of the Northwest Straits. It blends well-founded science with grassroots consensus building through the actions of seven marine resources committees (MRCs). The Northwest Straits currently falls under the jurisdiction of the state of Washington and Clallam, Jefferson, Whatcom, Skagit, San Juan, Island and Snohomish counties. A 13-person Northwest Straits Commission has been formed to help guide and offer financial and technical resources to the marine resources committees in each of the seven counties. By coordinating county-level efforts and establishing priorities for scientific research, the Northwest Straits Commission ensures that activities will address broad issues of ecosystem health. It also strives to complement work being done by state agencies, rather than duplicate efforts. State agencies involved in protecting the Northwest Straits include the Puget Sound Water Quality Action Team and the departments of Ecology, Fish and Wildlife, and Natural Resources.

The Jefferson County MRC is advisory to the Board of County Commissioners and operates under the umbrella of the Northwest Straits Commission as administered by the Department of Ecology. With access to County Commissioners and federal funding it is uniquely positioned to assist in developing and implementing the restoration component of the SMP. By fostering MRC participation in the development of the restoration component of the SMP, county-level restoration planning can be better integrated, complimenting both SMP and MRC efforts and avoiding duplication.

## **11.1 Watershed Planning**

There is an increasing recognition of the importance of integrating shoreline planning with local and regional watershed planning and salmon recovery efforts. This recognition is founded in the realization that activities in watersheds affect the ecological functions of shorelines, and that the restoration planning called for in WAC 173-26 should be closely linked with the many existing and ongoing watershed and marine restoration planning efforts.

There are particular opportunities to integrate watershed plans and recovery efforts with SMP restoration planning. Integration opportunities could focus on coordination with WRIAs 16 and 17, and to the extent appropriate WRIAs 20 and 21 watershed planning efforts, salmon recovery planning under ESHB 2496, and the activities of the Hood Canal Coordinating Council. Similar to the UDC, SMP regulations could also include incentives such as exemptions, flexible development standards or expediting of permits to better integrate restoration planning and encourage restoration in the shoreline jurisdiction.

## 12.1 Issues from the 1989 SMP

While this Integration Strategy has been developed using the 2000 Draft SMP as a reference point, County staff currently administer the County's SMP adopted in 1989. Appendix A includes a summary of findings from County staff interviews, but the following are some of the highlights emerging during the staff interviews regarding the challenges in administering the 1989 SMP:

- **Stormwater:** The 1989 SMP lacks provisions for or references to specific stormwater management practices. Staff indicated that Ecology's Stormwater Management Manual for Western Washington could be referenced consistent with the Comprehensive Plan and UDC.
- **Vegetation Conservation:** Vegetation is currently protected under UDC regulations for geologically hazardous areas. Regulations require native or locally compatible vegetation, as well as maintenance of undisturbed or native vegetation. The 1989 SMP, however, does not directly include vegetation conservation regulations.
- **Stairs to the Beach:** Many of the shoreline permits issued by the County address stairs down bluffs and to beaches. Conflicts arise in that while a building permit and building codes may require multiple landings, the SMP provisions give preference to free standing stairs to maintain bluff integrity.
- **Roads and Emergency Repairs:** While emergency repairs are exempt from the need for a shoreline permit, there are many roads in western Jefferson County that frequently wash out. Often the road is in the riparian area, bounded by Forest Service or Wilderness lands. Road, and repair and maintenance can be detrimental to shoreline function. Emergency repair options often include rebuilding in the river or riprap to protect from high flow damage. Currently, there is no mechanism in the SMP to consider relocation instead of repair of these roads.
- **Restoration and Incentives:** There are opportunities to incorporate a more proactive approach to education in the SMP. Existing and ongoing incentives and restoration opportunities that could support the SMP include Conservation Reserve Enhancement Program, open space taxation, transfer of development rights, land acquisition or easements, small forest landowner riparian easement programs, and floodplain acquisition programs.
- **Aquaculture:** The definition of aquaculture in the SMP has been challenging to implement. There are opportunities to work on this aquaculture definition and the definition of "extensive" aquaculture.
- **Mooring Buoys:** Unpermitted mooring buoys have been identified as an issue.
- **Non-Conforming and Secondary Uses:** Expansion of non-conforming uses in the 1989 SMP is considered a conditional use, but has been identified as an issue. Expansion of non-conforming uses is permitted if the use does not expand the non-conforming use closer to the ordinary high water mark (OHWM). Secondary uses are those uses that are not automatically deemed as being preferable in the scope of definition or policy of a particular shoreline designation. County staff members

have suggested that the secondary use classification could be removed from the SMP.

## **Integration Recommendations and Considerations**

Aside from resolving the conflicts between policies and regulations that will occur as a result of the SMP update, the County could strive to integrate the SMP with the Comprehensive Plan, UDC and other plans in a way that is clear and efficient for staff, mutually and synergistically supportive, and more user-friendly for citizens and landowners. Table 1 provides a summary of integration opportunities.

**Table 1. Summary of Integration Opportunities**

<i>Plan or Regulation</i>	<b>Relevance to SMP</b>	<b>Integration Opportunities</b>
A. Comprehensive Plan	Contains goals and policies for several elements; goals and policies in the Land Use, Natural Resources, and Environmental Protection Elements are of most relevance to the SMP.	<ol style="list-style-type: none"> <li>1. Revisit Comprehensive Plan land use designations (and corresponding zoning) to more appropriately reflect ecological functions in the shoreline jurisdiction and to ensure consistency with SMP environment designations.</li> <li>2. Incorporate a distinct Shoreline Element into the Comprehensive Plan.</li> <li>3. Update the Land Use Element policies to remove overlaps and ensure consistency with SMP policies.</li> <li>4. Update the Natural Resources Element policies to remove redundancy and ensure consistency for the management of agriculture, forest resources, and aquaculture.</li> <li>5. Amend the Environment Element to remove any potentially redundant language; incorporate relevant goals and policies into the SMP goals and policies.</li> <li>6. Amend Open Space, Parks and Recreation, and Historic Preservation Element to provide greater support for acquisition opportunities and conservation incentives for the shoreline jurisdiction and Restoration Plan.</li> <li>7. Integrate specific projects identified in the Restoration Plan into the Capital Facilities Element.</li> </ol>
B. Unified Development Code	Provides development regulations and standards for critical areas, clearing and grading, stormwater management, and several other activities and uses.	<ol style="list-style-type: none"> <li>1. Ensure consistency between definitions in UDC and SMP.</li> <li>2. Reference UDC regulations for aquifer recharge areas, frequently flooded areas, and geologically hazardous areas in the SMP, or develop complementary set of regulations in the SMP.</li> <li>3. Clarify definitions for critical saltwater and freshwater habitats in the SMP and fish and wildlife habitat conservation areas in UDC.</li> <li>4. Reference UDC wetland regulations into the SMP, or develop a complementary set of regulations in the SMP.</li> <li>5. Reference UDC grading and excavation, erosion control, and stormwater control regulations in the SMP, or develop a complementary set of regulations.</li> <li>6. Ensure consistency of UDC regulations for agriculture and forestry with those in the SMP.</li> <li>7. Reference UDC regulations for archaeological and historic resources in the SMP, or create complementary regulations.</li> <li>8. Add incentives for restoration to UDC.</li> </ol>

<i>Plan or Regulation</i>	<b>Relevance to SMP</b>	<b>Integration Opportunities</b>
C. Non-Motorized Transportation Plan/Parks, Recreation and Open Space Plan	Plans identify demands and needs for trails, parks, open space and water access facilities along shorelines.	<ol style="list-style-type: none"> <li>1. Provide SMP policies and regulations for public access to support identified needs for trails, parks and water access facilities.</li> <li>2. Revisit plans to ensure that specific facilities identified in Plans are appropriate for a given shoreline environment designation and applicable SMP regulations.</li> </ol>
D. Surface Water Management Plan	Provides policies for the management of surface waters, including those that may discharge to regulated shorelines.	<ol style="list-style-type: none"> <li>1. Coordinate education and technical assistance programs identified in the Draft Plan with goals and policies in the SMP intended to support non-regulatory approaches to shoreline management.</li> <li>2. Coordinate incentives to retain forest cover called for in the Draft Plan with vegetation conservation policies and regulations in the SMP to meet the vegetation conservation requirements WAC 173-26.</li> <li>3. Support low-impact development in shorelines through the SMP to help maintain and restore water quality.</li> <li>4. Develop policies and regulations in the SMP to address ways to increase floodplain and floodway capacity along with new shoreline substantial development.</li> <li>5. Floodway and floodplain capacity could also be addressed as elements of the Restoration Plan.</li> </ol>
E. Transportation Improvement Plan	Roads and bridges in shoreline subject to SMP policies and regulations.	<ol style="list-style-type: none"> <li>1. Ensure that SMP policies and regulations adequately address ways to minimize impacts from roads and bridges in the shoreline jurisdiction.</li> <li>2. Ensure that identified road and bridge improvements in the shoreline are consistent with and appropriate for environment designation and applicable regulations.</li> </ol>
F. Other	General shoreline management and protection.	<ol style="list-style-type: none"> <li>1. Include incentive provisions for non-regulatory management and protection of shorelines, and consider applicability of open space taxation, transfer of development rights, and similar programs</li> </ol>

## References

Adolfson Associates. 2006. Memorandum, Consistency Report, Jefferson County Shoreline Master Program Update. Prepared for Jefferson County Department of Community Development.

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Shoreline Citizen Advisory Group. 2000. Memorandum: Advisory group report on the draft shoreline master program. Unpublished.

**APPENDIX A – COMPILATION OF SMP INTERVIEWS WITH  
COUNTY STAFF**



## Jefferson County Shoreline Master Program ■ Update ■ 2006

1. What regulatory inconsistencies or conflicts exist between the SMP and UDC (setbacks, subdivisions, parking requirements, landscaping, etc.)? How could these inconsistencies be best resolved? Are they better addressed in the UDC, or the SMP?

*Type 1 freshwater shorelines are regulated through the UDC, & have 150 foot natural buffers*

*Type 1 marine waters are regulated by the SMMP, and have a 30 ft from OHWM - low bank & 1'horizontal for each 1' of vertical height for high bank. (see 4.160 of SMMP). We have provisions for getting closer through shoreline averaging. The shoreline designation does not make a difference in the setback for residential structures except in the natural designation where we do not permit residences within shoreline jurisdiction (should be careful where natural designation is apply because it is very restrictive). Different shorelines types should have specified setbacks.*

*We have more authority to keep the shoreline bluff naturally vegetated if we have landslide hazard through 18.15.275 (geologically hazardous areas). Trees are primarily protected through 18.15.275 & through 18.15.315 (fish & wildlife areas -eagle habitat) of JCC. If there is not eagles or landslide hazard it is hard to require trees & vegetation to be kept except through discretion shoreline permits. Could use more criteria/teeth in the SMP. Stairs and decks can encroach natural buffers - easier to control if there is a hazard. SMP is "one size fits all" - need criterion specific to type of shoreline, conditional use and secondary use permit - secondary should be phased out.*

*The setback issues and critical areas. Marine setback issue. 30' setback interpretive policy - see shoreline info sheet on website, 30' buffer but code type I waters (marine shoreline) no table for marine setbacks. SMP is a goal of GMA integrated to the point where it is user friendly.*

*"Vegetation management is an issue." We need clear guidance in the SMP about vegetation (retention, management, etc.) along shorelines, both freshwater riparian and marine shorelines. The Fish and Wildlife Conservation Area section of our critical areas regs contains some language on this issue. There appears to be a prohibition on removing vegetation, except that "minor pruning for views is allowed," or something like that. We need better guidance. There was talk at one point of having a reference to National Arbor*

*Foundation standards or something more specific and/or objective. Not sure if our consultants have come across useful provisions elsewhere.*

*Bainbridge Island and/or Kitsap County has some provisions on vegetation management, I think.*

*A related issue is "danger trees" along shorelines and what people need to go through to manage them. Who makes the judgment as to whether a tree is a danger tree? Is it DNR? The County? The landowner? Can a landowner fall a danger tree without consultation with any of these agencies and/or WDFW, if the area is an eagle area or along a beach?*

*IN the future DCD plans to propose for adoption amendments to the code that allow for/promote LID -- the material that the County received recently from AHBL on behalf of the Puget Sound Action Team. There is also a model clearing and grading ordinance that CTED released last year. DCD will want to see whether the model clearing and grading ordinance should replace the UDC sections 6.6 and 6.7 (clearing/grading and stormwater management). In doing so, would DCD create any inconsistencies with the "vegetation management" and/or "clearing and grading" sections within the SMP regs? (Community Development)*

*SMP is 20 years old, not user-friendly, poor formatting (Public Works).*

**2. Are County clearing and grading and storm drainage regulations consistent with SMP? Are there opportunities to better integrate these provisions into the SMP?**

*No, SMP needs to be updated per stormwater manual (Public Works).*

*There are no specific requirements in the SMMP that require buffers to be naturally vegetated. We try and apply the Fish & Wildlife 18.15.315 of JCC to keep the natural vegetation. If we have a shoreline we condition them to keep natural vegetation. We also let decks go into the shoreline setback. There are just general language about drainage in SMMP, but we have to go to UDC for specifics 18.15.275 (geohazards), 18.30.060 (grading) & 18.30.070 (stormwater).*

*Vegetation management, 30' fish and wildlife habitat areas, pruning for views, demand for shoreline views, shoreline hearings board provides more oversight on implementation. SMP has more teeth. (Community Development)*

*Jefferson Co. adopted the 2001 DOE stormwater manual. DOE has since upgraded their stormwater manual in 2004. WDFW recommends adopting the new guidance manual. WDFW also recommends adopting PSAT guidance: "Natural Approaches to Stormwater Management, 2005" document available at the web link below.*

*[http://www.psat.wa.gov/Publications/LID\\_studies/LID\\_approaches.htm](http://www.psat.wa.gov/Publications/LID_studies/LID_approaches.htm)  
(WDFW)*

3. Are there conflicts, gaps, duplications between the goals and policies in the SMP, Comprehensive Plan, Transportation Plan, draft Surface Water Plan, or other County documents? Are there opportunities to better integrate goals and policies from other elements of the Comprehensive Plan with the SMP?

*Look at comp plan and 6-year Transportation Improvement Plan. (Public Works)*

*The processing of shoreline permits typically only focuses on UDC requires and not these other plans.*

*98 comp plan envisioned a sooner SMP update - comp plan document needs to be pulled into SMP. E.g. Fish and wildlife habitat section of the code re: bulkheads (Community Development)*

4. Are public access provisions in the SMP consistent with County Park future plans? Are there better opportunities to integrate public access provisions of the SMP with future plans for County parks and trails?

*Look at Non-motorized transportation plan (Public works)*

*Probably over 75% of our shoreline projects are stairs to the beach. Stairs are not considered accessory uses to a residence but are considered unclassified uses & require a shoreline conditional use permit. We have no specific policies & performance standards for stairs & try and apply the Residential 4.160 standards since they are most similar. Would be nice to have provisions that allow stairs to the beach to be an easier process (like substantial development permit instead CUP) if they meet some performance standards (such as not impacting geologically hazardous areas, not removing native vegetation, not requiring shore defense, base located landward or OHWM, not causing visual impact, & design minimizing impacts to shoreline (such as tower, trams & free spanning). Would be nice to have a section similar to the Kitsap SMMP that indicates that access to the beach should be encouraged if done properly. There is a conflict with the UBC regarding rise/run - try to minimize footprint and would like to be clear that beach access stairs don't have to*

*meet UBC standards. Permit cost (\$1800) encourages people to avoid permit, which makes things worse (Community Development)*

5. Are there any conflicts with the siting and construction of County roads and bridges in the shoreline jurisdiction, or with road and parking standards for private development? Are there opportunities to better integrate the County's transportation plan and the SMP?

*There are many roads in Jefferson County that provide primary access to the Olympic National Park (Upper Hoh, Oil City, Dosewallips, South Sore of Quinalt). The County maintains these roads yet they are in locations (floodplains) where they constantly wash-out. Is there a way to get at county/fed transportation planning to identify corridor alternatives through the SMP via federal consistency? This is a complicated issue that should be considered during development of the SMP, but several factors are involved. Some roads on West end are of very limited County interest (very few residences) but more importantly serve to provide access to the Nat'l Park. In some places where the road is in the riparian area, and adjacent to a Forest Service or Wilderness boundary there's nowhere to move the road, and repair & maintenance are detrimental to shoreline function. Emergency repair options are rebuild in the river or riprap to protect from high flow damage. Because of financial, environmental and recreational issues, Public Works is pushing for recognizing the regional/national importance of these roads including funding support for relocation/repair. SMP should echo this stance to make for stronger more consistent voice (Public Works)*

*There are many new roads & bridges being constructed within the shoreline areas. However, there are many emergency repair projects of existing roads and bridges (especially in the west end of county). Typically we will allow these roads and bridges to be repaired through a shoreline exemption under 3.402 (6) & require the projects to have fish enhancement elements approved by WDFW, but there is no specific authority to require this. It would be appropriate to have a section in the exemptions that require the repair of developments to improve the shoreline environment and process.*

*This issue became very pertinent during recent storm events where it was easier to permit replacement/repair of roads/trails with rip-rap than to permit new soft bank alternative armoring techniques. (Community Development)*

*WDFW recommends utilizing PSAT Low Impact Development Manual for developments within shorelines. WDFW also recommends minimizing bridges and roads within shorelines to avoid impacting instream and/or nearshore fish and wildlife habitats. (WDFW)*

7. ESHB 1933 requires that critical areas in the shoreline be regulated by the SMP, and that regulations in the SMP be at least as protective as the Critical Areas Ordinance. This may be accomplished by a single ordinance, or two separate ordinances. What would be the most effective way to link the CAO and SMP? Are there any conflicts now between management of critical areas within and outside the shoreline jurisdiction? (The County is currently updating its CAO, so perhaps these questions can be directed towards the proposed regulations.)

*I believe that the SMMP is the only jurisdiction that has Secondary uses, which we process very similar to conditional uses but have not criteria in WAC 173-27. Should probably eliminate secondary use & just use the CUP process.*

*Per WEC settlement six months to update shorelines and critical areas within the code, buried in the overlay districts, needs better organization, group shoreline and CA together one example - language in SMA to protect agriculture, GMA does for existing AG, transition as you go from shoreline to type 2 stream - could be more restrictive upstream - weird. What about extending 100 year flood?*

*The use table allows many uses (like a pier into Hood Canal in the Conservancy environment) (Community Development)*

*WDFW recommends following the recent bill regarding GMA/SMA integration and ultimately protect shoreline critical areas under the SMP. (WDFW)*

8. Are there any other suggestions to clarify or improve goals, policies, or regulations of the SMP? Are there issues that should be addressed in the SMP that are not currently included?

*The Conservation district does restoration work in the County. The exemption for woody debris, bank stabilization and fish passage is important and should be maintained, possibly expanded to cover a broader range of restoration activities.*

*Need clarification that when streams, such as Chimacum Creek, that have been ditched are subsequently restore and re-meandered that the adjoining property owner is not penalized by a re-interpretation of the buffer requirements. (Conservation District)*

9. In the Shoreline Substantial Development Permit process, are there difficulties in interpreting sections of the SMP, or other SMP provisions that provide permitting challenges for both public and private projects? What could be done to address these issues?

*Typically for stairs we want to cause minimal disruption to the bluff, which may require steep free-spanning stairs. If a building permit is required then the standards for landing, guardrails, and steepness apply. IF building requirements require multiple landing this cause more disruption to the bluff. Also whether building permits are required for piers, ramps, & floats*

*Nice to have the aquaculture section of the SMMP clarified to address whether the placement of PVC pipes in the substrate, longlines and oyster baskets requires a shoreline permit. Desalinization plants need to be specifically addressed*

*Mooring buoy issue , for Kilisut Harbor, Mystery Bay, develop grid system for location, distance between buoys and scope, discontinued use, same issue applies to docks as well, (Community Development).*

**10.** Are there any specific ongoing County non-regulatory incentives that could be integrated with and support the goals, policies and regulations of the SMP or restoration plan? These might include elements like current use taxation, education programs, technical assistance, and the like.

*Conservation Futures and Farmland Protection programs should be considered (Conservation District).*

*The Surface Water Management Plan is non-regulatory and should be considered in the SMP update (Public Works).*

*The Jefferson County Marine Resources Committee would be a good example of an ongoing non-regulatory program that should be integrated with the SMP and particularly the restoration plan. The relationship between the Coastal Programs and the Sanctuary programs already exists at the federal level (within NOAA they are both administered by the Office of Oceans and Coastal Resource Management) and it is a natural fit at the County level. Note that the Marine Resource Committees are effectively a replacement for a Northwest Straits Sanctuary and are in fact funded with NOAA Coastal Zone Management Act Section 310 funds. The Marine Resource Committee could offer educational program and technical assistance to implement elements of the SMP, particularly the restoration plan.*

*WDFW recommends investigating open space tax exemption and Transfer of Development Rights program. (WDFW)*

**11.** Are there any conflicts between County flood hazard management regulations or septic system regulations with the SMP, and opportunities to better integrate these?

*Review the WEC Settlement Agreements for CAO and Channel Migration issues (Conservation District).*

*Flood hazard mapping is inadequate. Perhaps FEAM funds could be used to improve and better integrate Public Works).*

**12.** other issues? List of issues to be examined from Community Development:

When is the SDP Final? Who hears the appeal? SHB or AP Examiner?

Who issues the permit decisions for Public Notice on SDP/CUP? DOE? or Jefferson County

✓ definitions: wetland, lagoon, pond, puddle, pool (swimming) – what about artificial? These have been issues at Port Ludlow Resort.

The issue of concern here is the example of the Port Ludlow Resort where the lack of clarity in the definitions has led to code interpretation/application conflicts. There are many man-made or highly altered wetlands and ponds in association with the golf course and developments in the resort. How should these be treated? Should they be treated the same as natural features? Sometimes it is hard to tell what is a natural feature versus what is man-made as it is often gradational. Where is the cut-off between natural, slightly modified, highly altered and just a plain old retention pond. The code should provide clear direction as to what standards (setbacks, etc) apply where.

Clearing in the upland area: how much? Any? Trees over vegetation? For views? Pruning? Leaving small trees? Need clarification.

SMP & CAO/F&W/Landslide/Wetlands

Setting OHW: DOE or Jefferson County?

Non-conforming uses : SMP and UDC need to be coordinated

Repair and Maintenance: When is a structure too far gone to be considered repair?

Where is OHW? Flood way/plain as part of shoreline jurisdiction?

WDFW Exemption – what about SDP and SEPA?

Public Use – vs – natural function, balancing trails and parks

What about ADA access to shorelines? Is it required? When? And How?

Shoreline (water) dependent – if the mine has alternative means of access are the barges and piers really water dependent?

Forest Practice impacts, upland development

Agricultural uses within shoreline areas and buffers – how to resolve GMA w/SMP?

Saltwater intrusion issues & SMP, well drilling and public water – interface with CAO and GMA

Marina Uses – expansions – cumulative impacts – competition with neighbors – impacts associated with dry system (chemical) fire protection

Kayak parks – how are these permitted

Residential development within or near OHW

Conflicts among agency reviewers: when WDFW says “x”, Jefferson county Says “y”, DOE says “z” how is this rectified?

Should the shoreline exemption be processed as a permit or as an admin. approval – need clarification

Permit expiration: 5 years +1 when requested, need criterion and clarification

Need clarification – SDP for subdivision, but once lots are sold development is exempt?

Need a coordinated permit assistance program – WSDOT/DOE/WDFW

Clarify how to review and process projects that cross county boundaries: e.g. Jefferson/Kitsap – 2 permits or one???

Re: Guidelines

- ✓ the designations
- ✓ property rights – what does this mean?
- ✓ priority to SFR, why? At a net loss? RCW 90.58.020 seems to be in conflict with this
- ✓ shoreline erosion – the emergency ( e.g. Beckett Pt., Quinalt, Hoh, Big Quil) need a better process with better guidelines
- ✓ no net loss concept, explain how it works on the ground
- ✓ TDR's in the SMP????
- ✓ Economic Development?
- ✓ Use element
- ✓ County/City consistency

Re: Formatting

Suburban and conservation have definitions and policies whereas urban has performance standards –this causes conflict

Need to review hearing examiner decisions to see where problems arise

e.g. Mooring Buoy Case @ Port Ludlow

Shoreline Permit for subdivision, then permit details did not get on the plat, then 10-12 years later, an individual permit was approved, then rescinded.

What if WDFW said not to the HPA?

SMP needs to better address derelict vessels (e.g. Randy Felt vessel)