Shoreline Management Element 3

Photo by Matt Kukuk

Island County's Shoreline Master Program (SMP) carries out the policies of the SMA for the unique Puget Sound and lake shorelines across Whidbey, Camano, and other small islands.

The SMP provides policies, regulations, and permit procedures for shoreline development tailored to the unique geographic, economic, and environmental needs of Island County.

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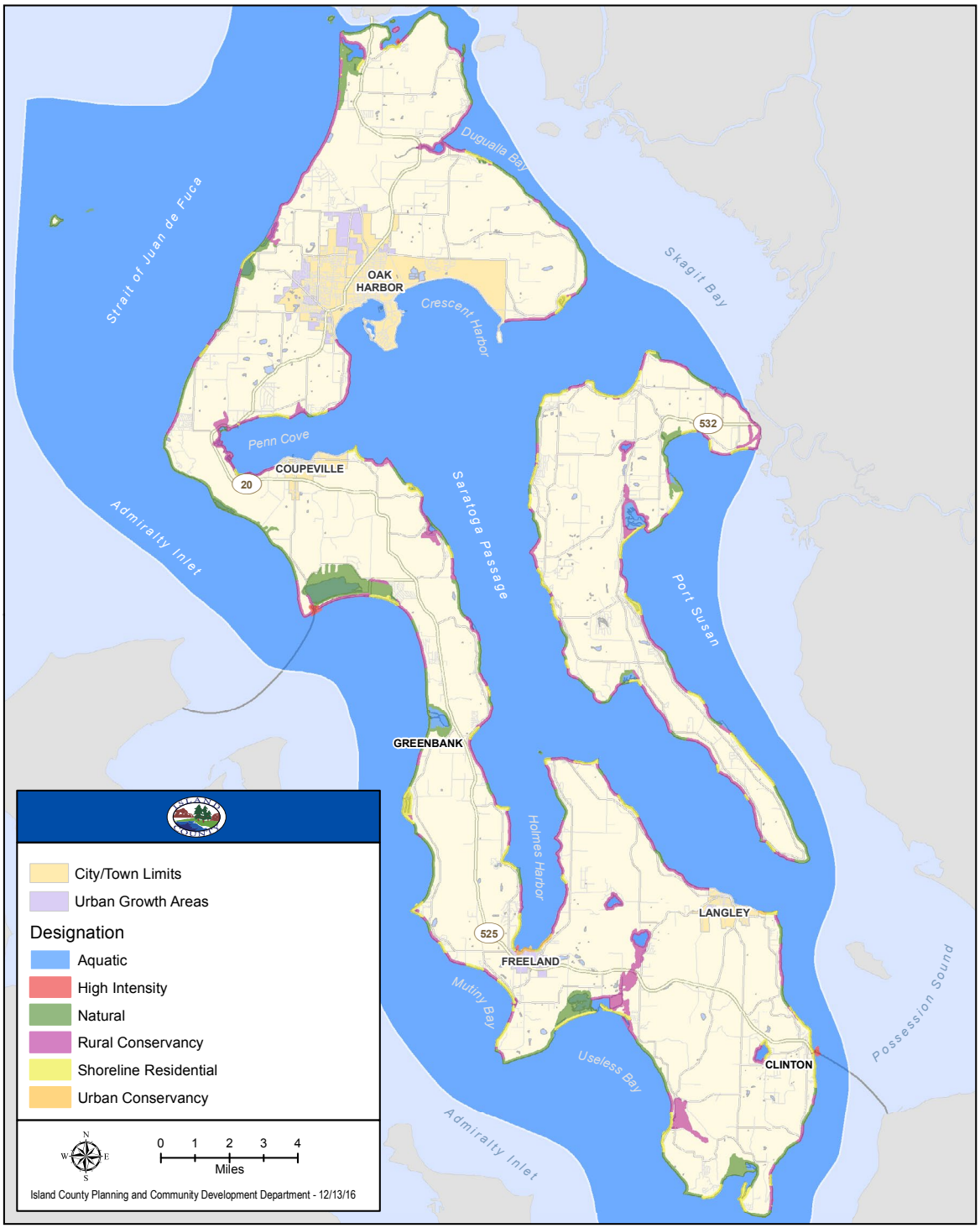
MAP 3A. Shoreline Environmental Designations



This map is intended to be used as a GUIDE. Island County is providing this information as a general geographic representation that should not be used for precise measurements or calculations. Some of the features on this map are not accurately depicted. Any user of this map assumes all responsibility for use and agrees to hold Island County harmless for liability, damages, or loss incurred by use of this information. Specific questions should be directed to Island County's Department of Planning and Community Development.

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Island County

Shoreline Master Program

Goals and Policies

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Chapter I: Introduction

Purpose

This Shoreline Master Program (SMP) provides goals and policies which apply to all shorelines of the state and freshwater lakes 20 acres or larger, associated wetlands and the area 200 feet landward from the ordinary high water mark, as well as seaward of that line to the limits of County jurisdiction, generally the centerlines of the Port Susan, Skagit Bay, Admiralty Inlet and Puget Sound. It is the intent of this SMP to protect the public interest in the waters of the state. The County recognizes that the waters of the state belong to the public, and that the County government is to act as the trustee of those waters, as recognized in the Public Trust Doctrine and required by state law under the Shoreline Management Act (SMA). In accordance with the SMA, the Island County SMP is intended to manage the use and development of the shorelines of Island County by giving preference to water-dependent and water-related uses, by providing public access to the shorelines, and by regulating shoreline development and activities to occur in a manner that does not result in a loss of ecological functions and processes.

The Shoreline Master Program goals and policy statements, along with the shoreline land use map, are the foundation for specific guidelines concerning how to regulate and manage activities occurring within the County's shoreline jurisdiction. These goals and policies reflect the aspirations and concerns that Island County citizens and stakeholders expressed about the County's shorelines in the 2001 version, as well as during a series of community meetings held in 2011 and 2012.

Chapter II: Shoreline Goals and Policies

This chapter provides goals and policies relating to seven elements for protecting and managing Island County's shorelines and implementing the Shoreline Master Program. The goals and objectives are organized into elements consistent with State guidelines (WAC 173-26) that cover broad aspects of shoreline management.

A. Economic Development Element

The Economic Development Element addresses goals and policies for industries, transportation, port, and tourist facilities that are particularly dependent on a waterfront location.

This element considers relationships between activities, structures, and modifications required for economic development, and other policies of Island County and the Shoreline Management Act (SMA). For the purposes of shoreline management, economic development means human use of the shoreline area to produce goods and services. Thus, boat manufacturing, fishing and transportation facilities are all examples of economic development. These policies also recognize that areas already developed with commercial uses are concentrated in the three incorporated areas of the County, and that the SMPs for those jurisdictions should provide for most of the expected growth in economic development along the shorelines, with the exception of the shellfish industry which requires clean water and other conditions that are generally not present in incorporated areas of the county.

When new economic development is proposed, questions of location, design and operation must be dealt with by the developer and regulatory agencies. Physical effects of the new development upon other activities and resources must also be taken into consideration. Public decision makers must recognize that shoreline space and resources are limited even on an island, and that their innate qualities and potential uses can vary greatly depending on the location. Some types of shorelines are abundant, others are uncommon or unique.

GOAL: Allow economic development, including residential development, along shorelines that will be an asset to the local economy without degrading the shoreline environment. New businesses shall be located and designed to ensure compatibility among uses and enhancement of the quality of life for residents of Island County.

Policies:

1. Economic development should be conducted in a manner that minimizes adverse impacts and results in no net loss of shoreline ecological functions.

2. Encourage new economic development to locate in areas that are already developed with similar uses.

3. Encourage new water-dependent, water-related, and water-enjoyment economic development in appropriate but limited shoreline areas in the unincorporated county that are compatible with adjacent uses.

4. Promote actions ensuring a safe, clean and attractive community.

5. Work with Port Districts and the Economic Development Council to promote the development of commercial and industrial activities that do not require substantial increases in public expenditures for public services.

6. Provide for a healthy and productive shellfish industry that is compatible with ecological protection of the shoreline.

7. Economic development on the shoreline should facilitate public access and recognize that the natural beauty and ecology of the shoreline is an economic asset.

B. Recreation and Public Access Element

Island County contains over 200 miles of freshwater and saltwater shorelines. The greatest portion of these shorelines is privately owned, which limits access to the general public. This element is concerned with existing and future additional public recreational opportunities and public access to shorelines, including but not limited to publicly owned parks, tidelands, beaches, recreational areas, and visual access to public waters.

Public access to shorelines is essential to most Island County residents and is an important economic driver for Island County, especially in terms of tourism. In planning for additional recreation areas and facilities within shoreline areas, Island County updated its Parks and Recreation Plan in December 2011. The Plan was adopted as an element of the Island County Comprehensive Plan and provides an analysis of the County's anticipated recreation needs and projects to meet a growing populace over the next 20 years.

GOAL: Increase and enhance a variety of safe and well-maintained recreation opportunities and public access to publicly owned shorelines and tidelands of Island County consistent with the natural shoreline character, public safety, individual privacy, and property rights.

Policies:

1. Public access and recreation on public lands is a preferred use of shorelines of the state. Recreational uses and developments that facilitate the public's ability to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline are preferred.

2. Recreation facilities should be dispersed along the shoreline in a manner that supports frequent recreational access and aesthetic enjoyment of the shoreline for a substantial number of people.

3. Establish workable policies and procedures for identifying, cataloguing, mapping, signing, managing, and recovering public access and tidelands where public access to the shoreline may have been lost or impeded by encroachment or other actions by adjacent or nearby property owners.

4. Protect and maintain existing recreational uses and public access points, and make improvements as needed to ensure safe and convenient access that is compatible with adjacent uses and protective of shoreline ecological functions.

5. Recreational development and public access should be located, designed, and operated to ensure no net loss of ecological functions, protect public health and safety, and minimize adverse impacts on other shoreline uses.

6. Provide a balanced choice of passive and active recreational opportunities countywide, while recognizing that shorelines should be used primarily for water-oriented recreation.

7. Respect and protect private rights in shoreline property when considering recreational uses and public access development.

8. Encourage the development of public access to all publicly owned shorelines, where appropriate.

9. Require commercial, industrial, and multifamily residential waterfront development, and residential subdivisions to provide a means for safe visual and pedestrian access to shorelines, where feasible.

10. Acquire suitable upland shoreline properties to provide public access to publicly owned shorelands and tidelands in areas where existing access is inadequate and before other development makes such action impossible.

11. Encourage linkage of shoreline parks, recreation areas and public access points with linear systems, such as hiking trails, bicycle routes, easements and scenic drives.

12. Artificial marine life habitats (i.e., dive parks) should be constructed in areas of low habitat diversity and in consultation with the Washington State Department of Fish and Wildlife and Department of Natural Resources.

13. Encourage innovative and cooperative approaches among public agencies and private parties such as the Island County Public Benefit Rating System and Conservation Futures Fund program, to provide shoreline recreation opportunities and public access.

14. Trails and pathways on steep shoreline bluffs should be located, designed, and maintained to protect bank stability without the need for shoreline armoring.

15. Protect public visual access to the shorelines and encourage the establishment of new scenic view points.

C. Transportation Element

This element deals with those structures and activities connected with the movement of people, goods, and services, and with their relationship to the shorelines. Along with roads, highways and ferry terminals, this element considers pedestrian, equestrian, and bicycle paths. Transportation activities include buses, auto trips, truck transport, foot and bicycle traffic, land-sea cargo handling and others. The goal and policies will serve as the guiding tools for design and construction of efficient transportation systems within the shorelines of Island County.

GOAL: Where transportation facilities must be located within shoreline jurisdiction, develop systems to assure safe, efficient movement of goods and people while minimizing disruptions to the shoreline environment and potential conflicts between different users.

Policies:

1. Transportation facilities should generally be located outside the shoreline, unless necessary to serve shoreline uses or to provide access between islands and the mainland.

2. Locate, develop, manage, and maintain transportation systems in a manner that protects shoreline ecological functions and processes by minimizing and mitigating unavoidable impacts.

3. Provide water facing signage informing boaters of the availability of publicly owned haul-outs.

4. Provide safe pedestrian and bicycle facilities in public shoreline areas.

5. Encourage provision of public transit to major shoreline public access areas, especially those where existing parking is limited.

6. Provide for road access to shorelines that is aesthetically compatible and non-disruptive to natural shorelines.

7. Encourage joint-use of transportation and utility corridors.

8. Evaluate the feasibility of a small scale passenger ferry service between Whidbey and Camano Islands as a potential water-dependent use.

D. Shoreline Use Element

This element considers the pattern of distribution and location requirements of land uses on shorelines and adjacent areas, including but not limited to housing, commerce, industry, transportation, public facilities, utilities, agriculture, education and natural resources. Also to be considered is the pattern, distribution and location requirements of water uses including, but not limited to, aquaculture, recreation and transportation.

GOAL: Provide functional and attractive shoreline uses that are appropriate in scale, configuration, and location, and are sensitive to and do not degrade habitat and shoreline ecological processes.

Policies:

1. Give preference to water-dependent uses and single family residential uses that are consistent with the preservation of shoreline ecological functions and processes. Give secondary preference to water-related and water-enjoyment uses. Allow non-water-oriented uses only when substantial public benefit is provided with respect to the goals of the SMA for public access and ecological restoration.

2. Ensure that all potential shoreline uses and development are located and designed to avoid a net loss of shoreline ecological functions.

3. Encourage clustering of compatible uses for shoreline development as a means of minimizing disturbance of natural shoreline areas.

4. Evaluate the potential for saltwater intrusion into water supply wells when permitting development proposals or shoreline activities.

5. Utilize Department of Ecology methodology to determine the accuracy of the ordinary high water mark when evaluating future development proposals or shoreline activities.

6. Sea level rise and increased frequency and magnitude of extreme storm events as a result of climate change should be taken into account when considering and evaluating shoreline uses.

7. Land uses allowed on upland areas adjacent to the shorelines should be compatible with shoreline uses and should avoid impacting shoreline resources.

8. Encourage shoreline uses and development that enhance and increase public access to the shoreline.

9. Explore potential opportunities for private-public partnerships to locate an appropriate small ferry boat landing site on Camano Island to promote inter-island transit.

E. Historic and Cultural Element

This element considers shoreline areas that contain archaeological and historical resources. It is the intent of this element to establish policies that will aid in the protection and restoration of buildings, archaeological sites and areas having historic, cultural, educational, or scientific value.

Island County has established one of the largest Historical Preservation Districts (Ebey's Landing) in the Puget Sound Basin and Pacific Northwest. Additionally, Island County has a large number of prehistoric cultural resources which occur on a variety of public and private lands. To date, only a small portion of these resources have been investigated and catalogued. The current archaeological site inventory for the County includes a number of different sites, of which the five major types are shell middens, lithic sites, earthworks, rock cairns, and burial grounds. While shell middens and burial grounds are strongly associated with shorelines, the other types may also be found within the shorelines of the County.

GOAL: Protect, preserve, and restore historical, cultural, educational, and scientific sites within the shorelines of Island County.

Policies:

1. Recognize the probability that shoreline development may encounter archeological, historic or cultural resources, and establish procedures for protecting and preserving them.

2. Collaborate with affected Tribes, state, federal and local governments to protect Native American artifacts and sites of significance, and other archaeological and cultural resources, in accordance with all state and federal regulations.

3. Encourage revisions to and updating of local administrative codes that protect and restore historical, cultural, educational and scientific sites.

4. Encourage the preservation of sites for scientific study and public observation.

5. Island County Marine Stewardship Areas should be the focus of additional educational efforts to encourage greater appreciation and stewardship of marine resources.

F. Conservation Element

This element deals with the preservation of the natural shoreline functions and resources considering such characteristics as scenic vistas, parkways, estuarine areas for fish and wildlife protection, beaches and other valuable natural or aesthetic features. It also considers the protection of human health and property from geological and flood hazards. This element recognizes that all waters of Puget Sound contain at least one, and often several of the elements that constitute critical saltwater habitat, thus planning for protection of these areas must be integrated into the environment designations.

GOAL: Ensure preservation and continued utilization of Island County's unique, fragile, and scenic shoreline areas and preserve their ecological features and functions.

Policies:

1. Provide for conservation controls and mitigation standards which will ensure new shoreline developments prevent a net loss of shoreline ecological functions and enhance the quality of natural resources on shorelines for the enjoyment and utilization of future generations of users.

2. Provide for the protection of endangered species and habitat areas essential for persistence of shoreline oriented species and preserve shoreline areas having unique natural resource systems valuable for scientific research or education.

3. Protect critical areas including wetlands, fish and wildlife habitat conservation areas, geologically hazardous areas, frequently flooded areas, and areas with a critical recharging effect on aquifers, consistent with the policies and regulations in Chapter 17.02A ICC for wetland protection, Chapter 11.02 ICC for geologically hazardous areas, Chapter 14.02 for frequently flooded areas. For fish and wildlife habitat conservation areas, protection under Chapter 17.02 ICC should be expanded to include critical saltwater and freshwater habitats as defined in WAC 173-26-221(2)(a)(iii) and (iv), and integrate these protections into the SMP through appropriate environment designations, use restrictions, and development standards.

4. Minimum buffers and setbacks should be established for each environment designation that protect against a net loss of ecological functions, recognizing both the types of habitat present and the degree of existing development.

5. Increase understanding of shoreline processes and incentives for good stewardship.

6. Encourage preservation of scenic and aesthetic qualities of shorelines and vistas.

7. Prioritize protection and conservation of shoreline areas that are ecologically intact and minimally developed or degraded.

8. Safeguard the waters, marine life, plant life and surrounding shores and beaches of the Island County Marine Stewardship Areas.

9. Work with the Washington State Department of Natural Resources to support the goals and objectives for protecting the Smith and Minor Islands Aquatic Reserve.

10. Island County shall establish a program to monitor the effects of ongoing climate change on the marine environment by annually measuring sea level and marine water pH at a minimum of five established sites spread throughout Island County.

G. Restoration Element

This element provides for the restoration and enhancement of ecologically impaired areas in a manner that achieves a net gain in shoreline ecological functions and processes above the baseline conditions.

GOAL: Re-establish, rehabilitate, and otherwise improve impaired shoreline ecological functions and processes through voluntary and incentive-based public and private programs and actions that are consistent with the Island County restoration plan and other approved restoration plans.

Policies:

1. Improve shoreline functions, processes, and values over time through regulatory, voluntary and incentive-based public and private programs and actions that are consistent with the Shoreline Master Program Restoration Plan and other agency adopted restoration plans.

2. Encourage cooperative restoration programs between local, state, and federal public agencies, tribes, non-profit organizations, and landowners.

3. Target restoration and enhancement towards improving Washington Department of Fish and Wildlife priority habitat or locally important wildlife species.

4. Ecological restoration activities are encouraged in all shoreline environments and are considered to be consistent with all uses including residential, commercial, and industrial, provided they are designed appropriately.

5. Restoration actions should restore shoreline ecological functions and processes as well as shoreline features and should be targeted toward meeting the needs of endangered, threatened, and regionally important plant, fish, and wildlife species and habitats.

6. Restoration should be integrated with and should support other natural resource management efforts in Island County and in the Puget Sound region.

7. When prioritizing restoration actions, the County should give highest priority to measures that have the greatest chance of reestablishing ecosystem processes and creating self-sustaining habitats.

Chapter III. Shoreline Environment Designations

In order to plan and effectively manage shoreline resources, the State's shoreline guidelines require that each jurisdiction categorize its shoreline area into Shoreline Environment Designations. The classification system consists of six designations: High Intensity, Shoreline Residential, Urban Conservancy, Rural Conservancy, Natural, and Aquatic.
The purpose of shoreline environment designations is to provide a uniform basis for applying policies and use requirements within distinctively different shoreline areas.

The principles of the Shoreline Management Act of 1971 regarding establishing shoreline environment designations, as set forth in Chapter WAC 173-26-110, state that the shoreline environment designation to be given any specific area is to be based on the following:

1) *existing development pattern;*
2) *biophysical capabilities and limitations of the shoreline being considered for development; and*
3) *locally adopted plans.*

The various shoreline environment designations, along with their respective classification criteria, are discussed in this chapter. The importance of designating shoreline environments for approximately 207 miles of shorelines of Island County with a high degree of objectivity, comparability, and consistency was recognized. In order to minimize error, every effort was made to apply the descriptive criteria in a meaningful, factual and logical manner. Moreover, multiple criteria, rather than a single criterion, were always applied as detailed in the report *Shoreline Environment Designation Criteria* dated October 2011.

Due to historical development patterns in Island County prior to adoption of the SMA, several shoreline areas are currently characterized by small lot parcelization. While some shorelines in the County may be densely platted or developed, the shoreline may still exhibit high environmental quality with significant development constraints such as steep slopes. In some cases, a platted or developed shoreline may have an environmental designation that focuses on conserving the environmental quality that remains, rather than allowing higher densities to expand consistent with the small lot historical platting pattern.

NATURAL

A. Purpose

The purpose of the Natural designation is to preserve, protect, and restore areas that are relatively free of human influence or that include minimally degraded natural features and resources.

B. Criteria for Designation

1. Areas designated Natural should meet one or more of the following criteria:

a. Areas that are generally free from shoreline modifications, structures, roads, and significant agricultural uses, or have the potential to regain natural conditions with minimal or no restoration activity;

b. Areas critical for the support of federal and state listed priority, sensitive, threatened or endangered species;

c. Areas of waterfowl concentration;

d. Areas where the shoreline, whether minimally disturbed or intact, represents an ecosystem type or geologic feature that is of particular scientific or educational interest;

e. Forested riparian areas predominantly composed of native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water bodies;

f. Areas of shoreline-associated wetlands with generally intact buffers;

g. Salt marsh areas that are intact or, if previously used for agriculture, are capable of being restored;

h. Feeder bluffs without existing development above or below the slope, or development that is sufficiently set back from the top of slope so that the slope can function normally without endangering structures;

i. Undisturbed estuaries or accretional spits;

j. Areas unable to support new development or uses without significant adverse impacts to ecological functions, or that possess serious development limitations or human health and safety risks due to the presence of environmental hazards related to flooding, erosion or landslides and similar occurrences.

2. For areas designated due to the presence of specific habitat features, the designated areas should be large enough to protect the functions and values of the habitat, and the processes necessary for its persistence.

C. Management Policies

1. Any use that would substantially degrade the ecological functions or the natural character of the shoreline area should not be allowed.

2. New agricultural activities should be limited to low intensity agriculture and located outside of any required buffers.

3. New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed.

4. The following new uses should not be allowed in the Natural environment designation: commercial uses; aquaculture; industrial uses; and non-water-oriented recreation.

5. Roads, utility corridors, and parking areas should be located outside of Natural designated shorelines, except where necessary to support shoreline uses, and then should only extend into the shoreline to the minimum extent necessary.

6. Existing roads and parking areas should not be expanded in Natural designated shorelines, except where necessary to support shoreline uses.

7. Standards should be established for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications within the Natural designation that protect intact areas of fish and wildlife habitat and allow development only where set back sufficiently from the shoreline to allow normal ecological functions to continue.

URBAN CONSERVANCY

A. Purpose

The purpose of the Urban Conservancy designation is to protect and restore ecological functions of open space and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

B. Criteria for Designation

1. Areas inside urban growth areas, as defined in RCW 36.70A.110, should be designated Urban Conservancy if any of the following characteristics apply:

    a. They are suitable for water-related or water-enjoyment uses;

    b. They are open space, flood plain or other sensitive areas that should not be more intensively developed;

    c. They have potential for ecological restoration;

    d. They retain important ecological functions, even though partially developed; or

    e. They have the potential for development that is compatible with ecological restoration.

C. Management Policies

1. Uses that preserve the natural character of the area or promote preservation of open space, floodplain, or critical areas either directly or over the long term should be the primary allowed uses.

2. Water-oriented and single family residential uses should be given priority over non-water-oriented uses.

3. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with adjacent uses and the setting.

4. Standards should be established for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications within the Urban Conservancy designation that protect critical areas while allowing uses compatible with protection of shoreline resources.

5. Public access and public recreation objectives should be implemented whenever feasible and significant ecological impacts can be mitigated.

RURAL CONSERVANCY

A. Purpose

The purpose of the Rural Conservancy designation is to protect, conserve, and manage ecological functions, harvestable natural resources, and aesthetic, cultural, historic, and recreational areas, in order to provide for rural residential use and recreational opportunities.

B. Criteria for Designation

Areas designated Rural Conservancy should meet one or more of the following criteria:

1. The shoreline is generally undeveloped, or currently supporting lesser intensity resource-based uses, such as agriculture, forestry, or recreational uses, or is designated agricultural or forest lands pursuant to RCW 36.70A.170.

2. The shoreline is supporting human uses but subject to environmental limitations, including steep slopes presenting erosion and slide hazards, wetlands, streams, areas prone to flooding, and/or contains areas that cannot provide adequate water supply or sewage disposal.

3. The shoreline is supporting or can support low impact outdoor recreational activities.

4. The shoreline has aesthetic, cultural, historic, or recreational qualities of regional or statewide importance.

5. The shoreline is predominantly low density residential use or low-intensity water-dependent uses.

6. Undesignated shoreline areas are designated Rural Conservancy.

C. Management Policies

1. Uses in the Rural Conservancy designation should be limited to those that sustain the shoreline area's physical and biological resources, including low density residential development, and uses of a nonpermanent nature that do not substantially degrade ecological functions or the rural or natural character of the shoreline area.

2. Developments and uses that would substantially degrade or permanently deplete the biological resources of the area should not be allowed.

3. Public or private outdoor recreation facilities should be encouraged if compatible with the character of the area and developed in a manner that maintains shoreline ecological functions and processes. Preferred recreation uses include water-oriented facilities that do not deplete shoreline resources over time, such as boating facilities, wildlife viewing, trails, and swimming beaches.

4. The aesthetic, cultural, ecological, historic, and recreational character of the area is to predominate over the impact of human development.

HIGH INTENSITY

A. Purpose

The purpose of the High Intensity designation is to provide for high intensity water-oriented commercial, transportation, and industrial uses while protecting existing ecological functions and, where feasible, restoring ecological functions in areas that have been previously degraded.

B. Criteria for Designation

1. Areas designated High Intensity should include only areas that currently support water-dependent uses related to commercial boatyards and marinas, transportation or navigation, or are suitable and needed to accommodate similar water-oriented uses in the foreseeable future.

C. Management Policies

1. Policies and regulations shall assure no net loss of shoreline ecological functions as a result of new development. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply with relevant state and federal law.

2. Because shorelines suitable for High Intensity uses are a limited resource, emphasis shall be given to development within already developed areas. Full utilization of existing developed areas should be achieved before further expansion of intensive development is allowed.

3. First priority should be given to water-dependent uses. Second priority should be given to water-related and water-enjoyment uses. Non water-oriented uses should not be allowed except as part of mixed use developments and where they do not conflict with or limit

opportunities for water-oriented uses, or on sites where there is no direct access to the shoreline.

4. Aesthetic considerations should be addressed by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers.

5. Encourage municipalities with jurisdiction over shoreline areas designated High Intensity to plan to meet future development needs for most water dependent uses in Island County.

SHORELINE RESIDENTIAL

A. Purpose

The primary purpose for designating an area Shoreline Residential is to allow for residential development and for moderate to high impact recreational uses in appropriate areas of the shoreline.

B. Criteria for Designation

1. Areas inside County-adopted rural areas of more intense development (RAIDs), if they are predominantly single-family or multifamily residential development or are planned and platted for residential development, but are not predominantly wetlands, stream corridor, or annually flooded.

2. Areas that are legally subdivided for residential use at a density of one or more units per acre and are not constrained by inadequate water supply or the inability to dispose of sewage due to soil conditions or lot sizes.

3. Areas developed with or planned for moderate to high impact recreational uses.

4. Areas that are within the Lagoon Point, Mariners Cove, and Sandy Hook developments should be designated Shoreline Residential – Canal Community.

5. Areas where the historic development pattern has resulted in intensive residential development may be designated Shoreline Residential or when existing residential structures are constructed thirty feet or less from the Ordinary High Water Mark, a designation of Shoreline Residential–Historic Beach Community should be assigned.

C. Management Policies

1. Consider bulk and scale limitations on residential redevelopment and infill to ensure compatibility within existing waterfront communities.

2. Standards for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, critical area protection, and water quality shall be set to assure no net loss of shoreline ecological functions, taking

into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.

3. Commercial development should be limited to water-oriented uses.

4. Clustering of residential units should be encouraged in order to retain open areas within areas designated Shoreline Residential.

5. Multi-family residential, multi-lot (5 or more lots) and recreational developments should provide shoreline areas for joint use, and public access to the shoreline.

6. Shoreline residential developers should be required to attach a protective covenant for individual lot development indicating how the shoreline vegetation will be protected and erosion controlled.

7. Develop standards and procedures that recognize the unique character of areas designated Shoreline Residential – Canal Community, such as allowing for unified permitting for docks and stabilization, and establishing building setbacks and incentives that acknowledge, protect, and enhance the limited riparian vegetation in these locations.

8. Allow reduced marine buffers and setbacks for residential lots within a designated Shoreline Residential–Historic Beach Community.

AQUATIC

A. Purpose

The purpose of the Aquatic designation is to protect, restore, and manage the unique characteristics and resources of the areas waterward of the ordinary high water mark.

B. Criteria for Designation

1. All saltwater areas waterward of the ordinary high water mark, including estuarine channels and coastal lagoons, other than those designated High Intensity.

2. All SMA jurisdiction freshwater lakes waterward of the ordinary high water mark.

C. Management Policies

1. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration. The size of new overwater structures should be limited to the minimum necessary to support the structure's intended use.

2. In order to reduce the impacts of shoreline development and increase effective use of water resources, multiple use of overwater facilities should be encouraged.

3. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public

views, and to allow for the safe, unobstructed passage of fish, marine mammals, and birds, particularly those species dependent on migration.

4. Uses that adversely impact the ecological functions of critical saltwater and freshwater habitats should not be permitted except where necessary to achieve the objectives of RCW 90.58.020, and then only when all potential impacts are mitigated as necessary to assure maintenance of shoreline ecological functions and processes.

5. Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions.

6. Preference should be given to those forms of development that involve lesser environmental and visual impacts. In general, projects or portions of projects that require no structures, submerged structures or minor intertidal structures should be given preference over those that involve substantial floating or surface structures.

7. Projects that involve little or no substrate modification should be given preference over those that involve substantial modification of the substrate.

8. Encourage cooperation between all State agencies, private persons, and corporations and public agencies responsible for implementing Shoreline Master Programs to insure a more compatible use of tidelands and bedlands.

9. Except for boat launches, disabled persons/emergency response vehicles, and authorized temporary use of construction equipment, motorized vehicular travel shall be prohibited on private and public tidelands.

10. Existing permitted boat ramps shall not be mapped as Aquatic designations. These facilities shall be mapped with the same designation as the adjoining uplands. The purpose of this mapping distinction is to allow protection, restoration, and improvement to existing boat launch facilities consistent with the goals of the SMA.

Chapter IV: Shorelines of Statewide Significance

PRINCIPLES AND DEVELOPMENT GUIDELINES

The Shoreline Management Act of 1971 designated certain shoreline areas as shorelines of statewide significance. Because these shorelines are major resources from which all people in the state derive benefit, Island County's Master Program must give preference to uses that favor public and long-range goals of the state. Shorelines of statewide significance in Island County include those areas of Puget Sound lying seaward from the line of extreme low tide. Shorelines of statewide significance in Island County include those areas of Puget Sound lying seaward from the line of extreme low tide as well as the tidal shoreline adjacent to Skagit Bay from Brown Point to Yokeko Point.

Accordingly, the Act has established that Island County's Master Program shall give preference to uses that meet the principles outlined below, in order of preference. Guidelines for ensuring that these principles are incorporated into the Master Program and adhered to in implementing the Act follow each principle:

1. ***Recognize and Protect the Statewide Interest Over Local Interest.***

   Development Guidelines:

   a. Solicit comments and opinions from groups and individuals representing statewide interests by circulating the Master Program, Master Program amendments and requests for substantial development permits on shorelines of statewide significance to state agencies, adjacent jurisdictions, and local officials.

   b. Recognize and take into account state agencies' policies, programs and recommendations in developing and administering use regulations.

   c. Solicit comments, opinions and advice on shoreline development from individuals with expertise in ecology, oceanography, geology, aquaculture and other scientific fields pertinent to shoreline management.

2. ***Preserve the Natural Character of the Shoreline.***

   Development Guidelines:

   a. Designate and administer shoreline planning environments and use regulations to minimize manmade intrusions on shorelines.

   b. Upgrade and redevelop those areas where intensive development already exists in order to reduce their adverse impact on the environment and to accommodate future growth rather than allowing high intensity uses to extend into low intensity use or underdeveloped areas.

   c. Ensure that where commercial timber cutting is allowed, as provided in RCW 90.58.150, reforestation will be possible and accomplished as soon as practical.

3. ***Result in Long-Term Over Short-Term Benefit.***

Development Guidelines:

a. Leave undeveloped those areas which contain a unique or fragile resource.

b. In areas where erosion and sediment control practices will not be effective, excavations or other activities which increase erosion are to be severely limited.

c. Restrict or prohibit public access onto areas which cannot be maintained in a natural condition under human uses.

4. ***Increase Public Access to Publicly Owned Areas of the Shorelines.***

Development Guidelines:

a. Give priority to developing paths and trails to shoreline areas, linear access along the shorelines, public transit to popular shoreline accesses, and to developing upland parking to serve public access locations.

b. Locate private development inland from public shorelines so that public access is enhanced.

5. ***Increase Recreational Opportunities for the Public on the Shorelines.***

Development Guidelines:

a. Plan for and encourage development of facilities for recreational use of the shorelines.

b. Reserve areas for lodging and related facilities on uplands well away from the shorelines with provisions for non-motorized access to the shorelines.

Chapter V: Shoreline General Policies

The following general policies apply to all shoreline uses and modifications within all Shoreline Environment Designations.

A. Archaeological, Historic and Cultural Resources

1. Archaeological, historic and cultural sites and resources should be protected, preserved, and where feasible, restored. All use and development on sites containing these resources should be planned and carried out so as to minimize adverse impacts to the resource(s).

2. The County shall maintain a current inventory of all known and suspected historic and archaeological sites in cooperation with the state Office of Archaeology and Historic Preservation and, where applicable, officials from the affected Indian tribe. This inventory will be kept in a secure location and used by County staff only for the purpose of verifying the presence of an archaeological site on a subject property. The County shall update its inventory should any new archaeological site be discovered during development or otherwise, and shall forward or cause to be forwarded this information to the state Office of Archaeology and Historic Preservation and the affected Tribe when applicable.

3. To prevent adverse impacts on archeological, historic and cultural sites and resources, proponents of all new shoreline use and development should consult Island County prior to beginning any shoreline project or activity. The County should ensure appropriate coordination, consistent with state and federal requirements, with affected tribal organization(s) and the State Department of Archaeology and Historic Preservation (DAHP) in the review of projects having potential impacts on archaeological sites.

4. When archeological, historic and cultural sites and resources occur on public lands they should be accessible to the public and used for research or educational purposes consistent with the public access provisions of this Program and applicable tribal access policies. Private owners of archeological, historic and cultural sites and resources are encouraged to provide access and educational opportunities when appropriate.

5. Where a proposed development is located on or near a known archaeological, historic or cultural site, the County should require the property owner or project proponent to engage a qualified professional archaeologist to investigate and report to the County upon the location, condition, extent of the site and any recommendations in regard to treatment. The affected Tribe's comments on any findings and recommendations proposed by the archaeologist on behalf of the property owner or project proponent shall be attached to the report. The report shall be performed in accordance with the best available technology and techniques commonly accepted as standards in the profession of archaeology. A copy of the archaeologist's report shall be provided to the affected Tribe and the DAHP.

6. No permit for an application requiring an archaeologist's report will be issued prior to the receipt by Island County of a required archaeological report. Based on the information contained in the written report of the qualified professional archaeologist, including the recommendations of the affected Indian Tribe on avoidance or mitigation of the proposed project's impacts obtained during the consultation process, the County will condition and balance project approval in a manner to avoid or minimize impacts to the site consistent with federal and state law. Avoidance and conservation of the site is the preferred treatment.

7. If, during the course of development, and particularly during actual construction, human remains or archaeological resources are encountered, the project should be immediately halted and the property owner or project proponent should be required to contact the affected Native American Tribe, the County and the DAHP.

B. Environmental Protection and Critical Areas

1. Maintain healthy, functioning ecosystems through the protection of ground and surface waters, marine shorelines, wetlands, and fish and wildlife and their habitats, and to conserve biodiversity of plant and animal species.

2. All developments and uses in the marine waters or their beds should be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe unobstructed passage of fish and wildlife, particularly those species dependent on migration.

3. All proposed development in the shoreline should comply with Chapters 11.02 ICC, and 17.02A ICC, which shall be incorporated into the SMP by reference.

4. Establish protection standards for fish and wildlife habitat conservation areas within the shoreline, by establishing appropriate environment designations and buffer requirements, and by limiting development and use of the shoreline that could harm critical saltwater or freshwater habitat.

5. Shorelines that support unique or high value natural resource systems, critical saltwater habitat, associated wetlands, or areas of particular value for scientific research should be considered for the highest level of protection. In general these areas should remain in a natural undeveloped condition.

6. All shoreline use and development should be carried out in a manner that achieves no net loss of ecological functions; in assessing the potential for net loss of ecological functions or processes, project specific and cumulative impacts should be considered.

7. Impacts to critical areas should first be avoided, and where unavoidable, minimized and mitigated to result in no net loss of ecological functions.

8. Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries and other endangered or threatened species and habitats.

9. Encourage the use of permanent open spaces, buffers, and best management practices for erosion control to retard surface and underground runoff for protection of the shoreline lands and waters.

10. The County should encourage innovative restoration strategies to provide for comprehensive and coordinated approaches to mitigating cumulative impacts and restoration rather than piecemeal mitigation.

11. Create incentives that will encourage enhancement of degraded shoreline riparian vegetation and removal or softening of shoreline stabilization structures.

C. Flood Hazard Reduction

1. The County should prevent the need for flood control works by limiting new development in flood-prone areas consistent with FEMA regulations and flood mapping.

2. All proposed development in the shoreline should comply with the County's Flood Damage Prevention Ordinance (ICC 14.02A.010 through 050) and stormwater and surface water standards (Chapter 11.03 ICC).

3. New or expanding development or uses in the shoreline, including subdivision of land, that would likely require structural flood control works within a stream, channel migration zone, or floodway, or that would require new or expanded shoreline stabilization to prevent damage from coastal flooding, should not be allowed.

4. Flood control works should only be allowed in the shoreline if they are necessary to protect existing development and where non-structural flood hazard reduction measures are infeasible.

5. Flood control works to protect existing development should be permitted only when the primary use being protected is consistent with this Shoreline Master Program, and the works can be developed in a manner that is compatible with multiple use of streams and associated resources for the long term, including shoreline ecological functions, fish and wildlife management, or recreation.

6. When reviewing projects that could be affected by sea level rise adjust development standards such as building setbacks or elevation as necessary to minimize potential damage from flooding.

D. Public Access

1. Provide, protect, and enhance a public access system that includes both physical and visual access to shorelines; increases the amount and diversity of public access to the State's shorelines and adjacent areas; improves the accessibility of existing publicly owned shorelines; relies primarily on publicly-owned access but also requires public

access for certain private developments; and is consistent with the shoreline character and functions, private property rights, and public safety.

2. In appropriate areas where intensive recreational uses have been established, such traditional uses should be protected from competing uses that could substantially impact and interfere with the historical and established uses.

3. To the greatest extent feasible, Island County should provide maps and signage as needed to facilitate appropriate use of shoreline public access.

4. Assure that public access is located, designed, and maintained in a manner that does not result in a net loss of shoreline functions.

5. Priority should be given to developing visual and pedestrian access to publicly owned uplands and beaches connecting to publicly owned tidelands.

6. Where practical, public access points should be linked with non-motorized transportation routes and served by public transit.

7. Developments, uses and activities should be designed and operated to avoid or minimize blocking, reducing, or detracting from the public's visual or physical access to the water and the shorelines.

8. Shoreline development by public entities or on publicly owned land should provide public access as part of each development project, unless such access is shown to be incompatible with the Master Program due to reasons of safety, security, or adverse impacts to shoreline functions and processes.

9. Non-water-dependent developments or subdivisions of land into five (5) or more parcels by private entities are encouraged to provide public access, unless such access is shown to be incompatible with the Master Program due to reasons of safety, security, or adverse impacts to shoreline functions and processes.

10. Public health and safety concerns associated with public access sites should be adequately mitigated and appropriate precautions taken to prevent adverse impacts on shoreline ecological functions and/or processes.

11. Efforts to implement public access requirements should be consistent with all relevant constitutional and other legal limitations on regulation of private property.

12. Public access requirements on privately owned lands should be commensurate with the scale and character of the development and should be reasonable, effective, and fair to both the landowner and the general public.

13. Maintain clear records of all public access points including public parks, public road ends, public tidelands, public easements, and other public properties designated for public access.

14. Public access that has been encroached upon or closed off by adjacent property owners shall be recovered and made accessible to the public. Structures that have been placed in public rights-of-way that provide public access should be removed.

15. Island County shall continue compiling, verifying, and mapping shoreline public access sites for an on-going inventory of Island County Shoreline Public Access Sites.

16. The County shall create a public access plan to be adopted as an element of the comprehensive plan.

E. Shoreline Vegetation Conservation

1. New uses and developments should be designed to preserve native shoreline vegetation to maintain shoreline ecological functions and processes and prevent direct, indirect, or cumulative impacts of shoreline development.

2. New uses and developments should establish native shoreline vegetation such that the composition, structure, and density of the plant community resemble a natural, unaltered shoreline as much as possible.

3. In the Natural shoreline environment designation, do not allow the subdivision of property in a configuration that, to achieve its intended purpose, will require significant vegetation removal or shoreline modification that adversely impacts ecological functions. Each new parcel must be able to support its intended development without significant ecological impacts to the shoreline ecological functions.

4. Limit removal of native vegetation to the minimum necessary to accommodate shoreline development.

5. Restrict native vegetation removal within shoreline jurisdiction in order to maintain shoreline functions, including protection of habitat and shoreline bluffs.

6. Maintaining well-vegetated shorelines is preferred over clearing vegetation to create views or provide lawns. Limited and selective clearing for views and lawns may be allowed when slope stability and ecological functions are not compromised, but landowners should not assume that creating an unobstructed view of the water will be allowed. Trimming and pruning are generally preferred over removal of native vegetation.

7. Property owners should be encouraged to avoid or minimize the use of fertilizers, herbicides, and pesticides.

8. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat.

9. Non-native vegetation that requires use of fertilizers, herbicides, or pesticides is discouraged.

10. Property owners should be encouraged to control or eradicate non-native invasive weeds while minimizing adverse environmental impacts when doing so.

F. Water Quality and Quantity

1. Water quality and surface water quantity should be protected to ensure safe and adequate water supplies, prevent net loss of shoreline ecological functions, and preserve aesthetic qualities and recreational opportunities.

2. The location, construction, operation, and maintenance of all shoreline uses and developments should maintain or enhance the quantity and quality of surface and ground water over the long term.

3. Shoreline use and development should be designed to minimize the need for chemical fertilizers, pesticides, herbicides or other similar chemical treatments that could contaminate surface or ground water or cause adverse effects on shoreline ecological functions and values.

4. Appropriate buffers should be provided along all wetlands, streams, lakes, and marine water bodies and should be maintained in a manner that avoids the need for chemical treatment.

5. Potential adverse effects of agricultural activities on water quality should be minimized by implementing best management practices, buffers and other appropriate measures.

6. Effective erosion control and water runoff treatment methods should be provided for all shoreline development and use in accordance with Island County best management practices.

7. Encourage pervious materials and other appropriate low impact development techniques where soils and geologic conditions are suitable and where such practices could reduce stormwater runoff and would not increase the risk of slope instability or erosion.

Chapter VI: Policies for Shoreline Uses

The following shoreline use policies implement the broad goal and policy statements of the shoreline master program elements. These general use policies apply to proposed uses in the shoreline jurisdiction by providing a more defined policy basis to direct both regulatory and non-regulatory actions and decisions.

A. Agriculture

1. Agriculture is an important economic activity in Island County. Consistent with WAC 173-26-241(3)(a)(ii), this Shoreline Master Program should not modify or limit ongoing agricultural activities occurring on agricultural lands within shoreline jurisdiction.

2. Agricultural uses and development proposed on land not currently in agricultural use, and conversion of agricultural lands to non-agricultural uses, should conform to this shoreline master program.

3. Agricultural use and development should be managed to:
   a. Prevent livestock intrusion into the water;
   b. Control runoff;
   c. Prevent water quality degradation caused by manure, fertilizer, biological pollutants, or agricultural chemicals;
   d. Avoid clearing of riparian areas;
   e. Prevent bank erosion; and
   f. Assure no net loss of ecological functions.

4. Buffer zones of permanent vegetation should be maintained between tilled areas and associated water bodies to reduce surface runoff and siltation. The width of the native vegetation zone may vary depending on site conditions in accordance with critical area regulations, with the overall goal being to limit clearing of riparian corridors and to provide mitigation measures where clearing is necessary.

5. Medium or large animal feeding operations are not allowed within 200 feet of the ordinary high water mark unless effective mitigation measures are employed.

6. Soil erosion control measures, implementing Natural Resources Conservation Service (NRCS) standards and practices, such as crop rotation, mulching, strip cropping, and contour cultivation should be encouraged on lands contiguous to Island County shorelines.

7. NRCS best management practices should be utilized to protect the shoreline ecosystem from adverse impacts of agricultural chemicals.

B. Aquaculture

1. Aquaculture is a preferred, water-dependent use of regional and statewide interest that is important to the long-term economic viability, cultural heritage and environmental health of Island County.

2. The County should support aquaculture uses and developments which result in long-term over short-term benefit, protect the resources and ecology of the shoreline and are consistent with control of pollution and prevention of damage to the environment.

3. Aquaculture should not be allowed in areas where it would result in a net loss of ecological functions, or pose a threat to wild salmonids by degrading water quality, sea floor health, or potentially act as disease or parasite sources, or which, if the farmed organisms escape, may successfully reproduce and compete with native species.

4. Aquaculture districts were established in Island County in the 1980's for the purpose of managing aquacultural use and resources; however, in practice the districts have not facilitated better resource management. Therefore, the aquaculture districts have been abolished and aquaculture shall be managed consistent with policies, regulations, and performance standards established in this Shoreline Master Program.

5. In considering the suitablility of sites for proposed aquaculture, factors such as tidal currents, dissolved oxygen, water temperature, and depth shall be evaluated in addition to the presence of critical saltwater habitat.

6. Intensive residential uses, other industrial and commercial uses, and uses that are unrelated to aquaculture should be located so as not to create conflicts with existing aquaculture operations.

7. The County shall adopt a prohibition on new commercial fin fish net pen aquaculture operations to provide time for updated guidance on addressing the protection of ecological functions and use conflicts. The County will revisit policies and regulations regarding marine fin fish net pens to address new guidance during the scheduled periodic reviews of this program under RCW 90.58.080.

8. Existing aquaculture areas should be protected from water quality degradation that may be caused by any marine or upland project. In instances where such degradation is anticipated, mitigation measures should be required to protect the aquaculture site and should be part of the approval of the marine or upland project.

C. Beach Access

1. Beach access structures should be located, designed, and maintained in a manner that minimizes adverse impacts on shoreline ecology.

2. Neighboring property owners are encouraged to propose beach access structures in appropriate locations for shared use.

3. Beach access structures shall not be permitted until and unless their adverse effects on lake or marine shoreline functions and processes, including any significant adverse effects on adjoining lands and properties, are fully evaluated and mitigated.

4. Beach access structures may not be appropriate in some areas because of safety hazards or sensitive ecological conditions. The County should not permit these structures in areas where there are expected risks to human health and safety or adverse effects on shoreline functions and processes. Some properties will have view-only access to the neighboring waters.

5. In order to protect the aesthetics of Island County shorelines, the natural habitat forming flow of sediments from bluff to beach, and to reduce risks to human health, safety, and residential structures, beach access structures shall be prohibited on bluffs identified as exceptional feeder bluffs and geologically hazardous slopes within the setback or buffer zones.

6. Beach access structures should conform to the existing topography, minimize adverse impacts on shoreline aesthetics, and minimize clearing and grading to the maximum extent feasible.

7. Beach access structures shall not be allowed if there is a reasonable likelihood that they will require erosion control structures or armoring in the future.

8. Beach access structures should be designed to minimize the amount of clearing, grading, excavation, and other forms of shoreline alteration so that they don't require substantial bank or slope modifications.

9. Beach access structures should only be allowed where it provides access to a publicly owned beach or where the same party owns both the uplands and adjoining tidelands or an easement is granted by the tideland owner to the upland owner for access.

10. New subdivisions and non-residential development with bluffs greater than 10 feet in height in the Rural Conservancy designation should be required to provide for community or public access where feasible. New non-residential development does not include remodeling, reconstruction due to natural disaster, minor expansions to the use or minor structural modifications and additions. Public or community beach access on banks lower than 10 feet in height may be allowed for single-family residences by means of a low impact trail.

D. Boating Facilities

1. Boating facilities should be located, designed, constructed, and operated with appropriate mitigation to assure that there will be no net loss of shoreline functions and processes and to prevent conflicts with other allowed uses.

2. Marinas and boating facilities should be located and designed in a manner that is compatible with adjacent land uses and avoids damage to fish and shellfish resources.

3. All new marinas and boating facilities should be developed consistent with Washington State Department Ecology, Fish and Wildlife and Natural Resources requirements and guidelines.

4. Long term moorage should not be allowed in areas adjacent to shellfish beds, commercial aquaculture, or shallow water embayments with poor flushing action.

5. The County should protect the natural character of the shoreline and prevent adverse ecological impacts caused by in-water and overwater structures by controlling how they are designed, constructed, and where they are located.

6. Encourage the installation of new technology and materials which conserve space, are less damaging to the environment, and are more efficient.

7. Public and community boat launches are preferred over private launch facilities.

8. New enclosed or covered moorages and boathouses should be prohibited.

9. Special attention shall be given to the design and development of operational procedures for the handling and storage of fuel in order to minimize accidental spillage and provide satisfactory means for handling those spills that do occur.

10. Live-aboard vessels are not allowed anchored at moorage buoys and should only be permitted where adequate marina facilities exist to prevent impacts to water quality.

11. Boating facilities associated with commercial, industrial, or port uses, residential subdivisions of five (5) lots or more and multi-family housing should include public access and contribute to the public's ability to view, touch, and travel on the waters of the state.

12. On those shoreline areas where public access and recreation occurs, the recreational use of motorized personal watercraft (e.g., jet skis) which are accompanied by loud, persistent and nearshore noise and distraction should not be allowed unless specifically permitted. It shall not be permitted if public use of an area is predominantly of a passive nature such as swimming areas, picnicking, wildlife viewing and interaction or beach walking.

E. Commercial

1. Commercial uses and development should be located, designed, constructed and operated in a manner that result in no net loss of shoreline ecological functions.

2. First priority should be given to those commercial uses which are determined to be water-dependent uses; second priority should be given to water-related and water-enjoyment uses that will provide an opportunity for substantial numbers of the people to enjoy the shorelines of the state.

3. Non water-oriented uses should be prohibited in the shoreline unless they are part of a mixed-use development, navigability is severely limited or the use provides a significant public benefit with respect to the Shoreline Management Act's objectives.

4. Subdivision of lands zoned for commercial uses should only be permitted where it can be demonstrated that development resulting from the subdivision will not interfere with or preclude water-dependent commercial uses or restoration activities.

5. Commercial uses shall provide public access to the shoreline. Public access and ecological restoration should be considered as potential mitigation of impacts to shoreline resources for all water-related and water-dependent commercial uses consistent with all relevant constitutional and other legal limitations on the regulation of private property.

6. New commercial development on shorelines generally is encouraged to locate in areas where current commercial uses exist.

7. Parking facilities should be placed inland from immediate water's edge and recreational beaches.

8. An assessment should be made of the effect that a commercial structure will have on a scenic view significant to a given area.

9. Commercial development should not be allowed in the Natural or Rural Conservancy shoreline environment designations.

F. Forest Practices

1. Allow only selective commercial timber cutting so that no more than 30 percent of the merchantable trees may be harvested in any ten year period of time provided; that other timber harvesting methods may be permitted in those limited instances where the topography, soil conditions or silviculture practices necessary for regeneration render selective logging ecologically detrimental.

2. Forest practices in shorelines should occur in a manner as to result in no net loss of shoreline ecological functions.

3. Seeding, mulching, matting, and replanting should be accomplished where necessary to provide stability on areas which have been logged. Replanted vegetation should be of a similar type and concentration as existing in the general vicinity of the logged areas.

4. Logging and thinning operations within the County's shoreline jurisdiction should be conducted in a safe manner with minimum impact to the environment and to neighboring properties.

5. Shoreline areas having scenic qualities such as those providing a diversity of views, unique landscape contrasts or landscape panoramas should be maintained as scenic views in timber harvesting areas.

6. Logging should be avoided in shorelines with slopes of such grade that large sediment runoff will be precipitated unless adequate restoration and erosion control can be expeditiously accomplished.

7. Logging and clearing shall be designed to protect the adjacent shorelands from erosion, uncontrolled drainage, slides, pollution, excavations, fills and other adverse impacts.

8. Offshore log storage should only be allowed on a temporary basis where natural tidal or current flushing and water circulation are adequate to disperse polluting waste and dredging would be avoided.

G. Industry

1. Industrial development should be located, designed, and constructed in a manner that assures no net loss of shoreline ecological functions and such that it does not have significant adverse impacts to other shoreline resources and values.

2. Industrial development should only be allowed in the Aquatic and High Intensity designations.

3. The design, construction, operation and maintenance of pipelines carrying hazardous materials and petroleum products in liquid form must conform to all regulations established by the United States Department of Transportation.

4. In order to prevent spills and other forms of pollution, owners and operators of facilities engaged in storing, transferring, distributing, and/or consuming oil shall conform to established procedures, methods, and equipment set forth by statutory and other requirements of the United States Environmental Protection Agency and the State Department of Ecology.

5. No drilling, processing, or refining of petroleum shall be permitted within 2,000 feet of the shorelines of Island County.

6. Waste treatment ponds for water-dependent industry should not be located within shoreline jurisdiction.

7. As noted in the County Comprehensive Plan's Mineral Lands Overlay and Map E, there are no known areas of the shoreline that are needed for the long-term extraction of sand, gravel, or that have valuable metallic substances that could potentially be extracted. In addition, the extraction of minerals from shoreline represents an inherent risk to shoreline ecological functions. Therefore, mining should be a prohibited use in all shoreline designations.

8. Water-dependent industrial uses should be given priority in areas designated for industrial uses; second preference should be given to water-related industrial uses over non-water-oriented industrial uses.

9. Industrial and port development should be visually compatible with adjacent non-commercial properties.

10. Industrial development shall incorporate public access as mitigation for impacts to shoreline resources. Where public access cannot be provided in a manner that would avoid significant interference with operations or hazards to life or property, a mitigation plan or bank for off-site access could be implemented and adopted by Island County.

11. Waterfront industrial areas should be designed to allow cooperative use of docking, parking, cargo handling, and storage facilities.

H. Recreation

1. Preserve regionally scarce and fragile natural resources when developing recreational uses.

2. Water-oriented recreational uses should be given priority for access to and use of the water.

3. Selected publicly owned tidelands that have not been withdrawn for governmental or aquacultural uses should be considered for recreational development.

4. In appropriate areas where intensive fishing uses have been established, every effort should be made to protect these traditional uses from competing uses which would substantially impact and interfere with the historical and established uses.

5. Encourage the development of public recreational clam or oyster harvest areas on public second class tidelands.

6. Recreational use and development shall be designed, constructed and operated in a manner facilitates appropriate use of shoreline resources and does not result in a net loss of shoreline ecological functions and is compatible with the surrounding properties.

7. Linkages between shoreline parks, recreation areas and public access points with linear systems (e.g., water trails, hiking paths, bicycle paths, easements, or scenic drives) should be provided where feasible.

8. Recreation facilities should incorporate adequate orientation information and public education regarding shoreline ecological functions and processes, the effect of human actions on the environment and the importance of public involvement in shoreline management. Opportunities to incorporate educational and interpretive information should be pursued in design and operation of recreation facilities and other amenities such as nature trails.

9. Provide for recreational development within shorelines of statewide significance, which will produce long-term benefits to all Island County and State citizens.

10. Encourage the use of street ends and publicly owned lands for shoreline public access, development of recreational opportunities and scenic view points.

11. Seek to recover for public use accesses that have been encroached upon or closed off by adjacent property owners.

12. Prioritize the acquisition of privately owned shorelands or improvement of publicly owned shorelands, with high value for recreation, before other development makes such action impossible.

13. Encourage innovative and cooperative techniques among public agencies and private parties in planning recreational opportunities.

14. Publicly owned bedlands abutting upland parks should be given consideration for underwater parks.

I. Residential

1. Residential development shall protect existing shoreline and water views, promote public safety, avoid adverse impacts to marine bluffs and nearshore habitat and not result in a net loss of shoreline ecological functions.

2. Single-family residential development, accessory dwellings, and beach access structures should only be allowed in the Natural designation as a shoreline conditional use if the density and intensity is limited to protect shoreline ecological functions.

3. All residential use and development should prevent cumulative impacts associated with shoreline armoring, overwater structures, stormwater runoff, septic systems, introduction of pollutants, and vegetation clearing.

4. New development located at the top of bluffs in shoreline jurisdiction should be set back to ensure that shoreline stabilization would not be necessary for the life of the structure as determined by a geotechnical analysis.

5. New residential development should be designed and located to preclude the need for vegetation removal to the greatest extent feasible.

6. Residential lots should be designed, configured and developed to ensure that no net loss of ecological functions and processes occur even when all lots are fully built out.

7. All new or expanded shoreline residential development should be designed to avoid the need for new or expanded structural shore armoring or bulkheads or other types of shore defense works.

8. Residential subdivisions of five (5) or more lots are encouraged to provide public access to the shoreline at intervals of every four parcels or 150 feet whichever is greater in terms of shoreline frontage feet.

9. Residential development over water, including floating homes, should be prohibited.

10. Houseboats and other liveaboard vessels should be located in approved marinas, where they must meet all local waste disposal practices, local and state health regulations, and not be allowed to locate over productive fish food areas.

11. Residential developers should be required to indicate how they plan to preserve shore vegetation and control erosion both during construction and after completion.

12. Dumping of yard waste over shoreline bluffs or at road ends should not be allowed.

13. Sewage disposal facilities as well as water supply facilities must be provided in accordance with appropriate state and local health regulations. Storm drainage facilities should be separate, not combined with sewage disposal systems.

14. Accessory structures such as decks and stairways should be designed and constructed to avoid adverse impacts to geologically hazardous areas.

15. Accessory structures that are not normal appurtenances should be proportional in size to the residence and compatible with onsite and adjacent structures, uses and natural features.

16. Natural vegetation should be retained to the extent feasible, except for limited removal allowed for view enhancement, removal of hazardous, diseased or damaged trees when they pose a threat to a primary structure or appurtenance, and to allow for pedestrian waterfront access. The following factors should be considered when removal of vegetation is proposed:
    a. View corridors and vistas should be incorporated into building and site design.
    b. Encourage building and site designs which frame views and vistas.
    c. Preserve trees as a part of the view. Panoramic views are not necessarily void of trees.
    d. Thinning and limited pruning of trees to preserve existing views is encouraged as an alternative to removal.

17. Stairs and trams to the beach should be designed and located so that no fill or other modification waterward of the ordinary high water mark is necessary to construct or use the structure.
18. Stairways, trams, and landings should be located upland of existing bulkheads.

19. Whenever possible, non-regulatory methods to protect, enhance, and restore shoreline ecological functions should be encouraged for residential development.

J. Signs

1. Off-premise outdoor advertising signs should be limited to areas of more intensive land use such as commercial and industrial areas.

2. Vistas and viewpoints should not be degraded and visual access to the water from such vistas should not be impaired by the placement of signs. Only signs that impart historical or directional information and are of limited size and height should be allowed.

3. When feasible, signs should be constructed against existing buildings to minimize visual obstructions of the shoreline and water bodies.

K. Transportation

1. Proper road and bridge design, location, construction, and maintenance practices should be used to prevent development of roads and structures that would adversely affect shoreline resources.

2. Design and construction of public roads should be consistent with County adopted land use plans, preserve aesthetic qualities of shorelands, and take into consideration the following:

   a. Major new roads and parking areas should be located outside of shoreline jurisdiction whenever feasible.

   b. All construction should be designed to protect the adjacent shorelands against erosion, uncontrolled drainage, slides, pollution, excessive excavations and fills and other factors detrimental to the environment.

   c. Scenic corridors with public roadways should provide for safe pedestrian and other non-motorized travel, and sufficient viewpoints, rest areas and picnic areas in public shorelines.

   d. Loops or spurs of old highways with high aesthetic quality should be kept in service as pleasure bypass routes.

   e. Encourage joint use of transportation corridors within shoreline jurisdiction for roads, utilities, and non-motorized forms of transportation.

3. New transportation facilities should be designed and located to minimize the need for:
   a. Structural shoreline protection measures;
   b. Modifications to natural drainage systems; and
   c. Waterway crossings.

4. Maintenance and repair of existing roads in shoreline jurisdiction shall use all reasonable methods to minimize adverse impacts on nearby shorelines.

5. Planning for transportation and circulation corridors shall consider location of public access facilities, and be designed to promote safe and convenient access to those facilities.

6. Pedestrian trails and bicycle paths along shorelines are encouraged where they are compatible with the natural character, resources, and ecology of the shoreline.

7. Coordinate with Island Transit to provide bus service to beach public access points where feasible.

8. Parking as a stand-alone use should be prohibited. Parking in shoreline areas should be limited to that which directly serves a permitted shoreline use or public shoreline access and located as far away from the OHWM as possible.

L. Utilities

1. Design, locate and maintain utilities to assure no net loss of ecological functions.

2. Utilities should be located outside of shorelines whenever feasible, unless necessary to serve shoreline uses.

3. Whenever utilities must be placed in a shoreline area, the location should be chosen so as not to obstruct or degrade scenic views.

4. Whenever feasible, utilities should be placed underground.

5. Upon completion of utility installation or maintenance projects within shoreline areas, disturbed sites should be restored to pre-project configuration, replanted with native species and maintenance care provided until the newly planted vegetation is established.

6. Sewage treatment, water reclamation, desalinization and power plants should be located where they do not interfere and are compatible with recreational, residential, or other public uses of the water and shorelands.

7. Wave- and tidal- based energy generation facilities should be allowed only if they are of small enough scale and carefully designed and sited to ensure no net loss of shoreline ecological functions and are compatible with the surrounding land uses. Ensure that if the facility fails or is no longer used, the entire facility will be removed and the site rehabilitated.

8. Development of underwater pipelines and cables on first- and second-class tidelands will be discouraged except where adverse environmental impacts can be shown to be less than the impact of upland alternatives, and when permitted will include proper provisions to insure against substantial or irrevocable damage to the environment.

Chapter VII: Policies for Shoreline Modifications

Shoreline modification activities are generally construction actions undertaken in preparation for, or in support of, a shoreline use. Typical modifications to Island County shorelines include dredging, piers and docks, groins and jetties, bulkheads, and dikes.

A. Shoreline Stabilization

1. New development should not be allowed if it would foreseeably create a need for shoreline stabilization measures within the life of the development.

2. New and replacement activities should consist of the softest measure that will protect existing uses and proposed development.

3. The creation of new parcels that would foreseeably require shoreline stabilization for development to occur should be prohibited.

4. An existing shoreline stabilization structure may be replaced with a similar structure only if a demonstration of need to protect the primary structure from shoreline erosion caused by tidal action, currents, or waves.

5. The County shall require sufficient analysis by qualified professionals with the expertise to document the impacts of shoreline modification proposals. Such analysis may include, but not be limited to, geotechnical, hydrological, and biological studies, and should include an analysis of drift cells.

6. A geotechnical analysis should evaluate on-site drainage issues before considering structural shoreline stabilization.

7. Non-structural measures to avoid the need for shoreline stabilization, including relocating structures, increasing buffers, enhancing vegetation, managing drainage and runoff and other measures are preferred over structural shoreline armoring.

8. Non-structural or soft-shore bank stabilization techniques are preferred over structural shoreline stabilization, such as bulkheads, seawalls, and breakwaters.

9. Structural shoreline armoring should only be permitted when necessary to support:

    a. An existing primary structure associated with an approved shoreline use or development where the structure is in imminent danger of damage due to shoreline erosion that cannot be avoided by other means;
    b. A permitted water dependent use;
    c. A project for restoration or enhancement of ecological functions, or
    d. Public infrastructure or essential public facilities when other alternatives are infeasible.

10. Shoreline stabilization and shoreline armoring for the purpose of leveling or extending property or creating or preserving residential lawns, yards or landscaping should not be allowed, except when employing soft shore stabilization techniques to replace existing hard armoring.

11. New bulkheads should be prohibited if they are proposed to be located seaward of the ordinary high water mark.

12. Where feasible, any failing, harmful, unnecessary, or ineffective structural shoreline armoring should be removed, and shoreline ecological functions and processes should be restored using non-structural methods.

13. In addition to conforming to the regulations in this Program, non-regulatory methods should be employed to protect, enhance, and restore shoreline ecological functions and other shoreline resources. Non-regulatory methods may include public facility and resource planning, technical assistance, education, incentives for voluntary enhancement and restoration projects, land acquisition and restoration, or other programs.

14. When necessary, riprap and other bank stabilization measures should be located, designed, and constructed so as to avoid the need for future shoreline stabilization and to protect the natural character of the shoreline.

15. Shore protection measures should be designed and constructed so as to minimize interruption to naturally occurring shoreline processes, such as sediment movement and marine and wildlife habitat functions.

16. Shoreline protection measures such as bulkheads, dikes, jetties, or groins should not be permitted on spits, hooks, bars, barrier beaches or similar accretion shoreforms, except when it can be demonstrated that construction of the above shore protection measures are necessary for the protection of existing structures.

17. Shore protection measures should not be permitted on marine feeder bluffs, except when it can be demonstrated by a professional engineer or geologist that construction will not seriously disrupt the upland feeding action or the littoral drift or is necessary for the protection of existing primary structures.

18. Bulkheads, seawalls and other structural shoreline armoring should be located and constructed in such a manner which will not result in a net loss of shoreline functions or adverse effects in nearby beaches and will minimize alterations of the natural shoreline.

19. Bulkheads and seawalls should be constructed in such a way as to minimize damage of fish habitats. Open-piling construction is preferable to solid types.

20. Bulkheads and seawalls should be designed to blend in with the surroundings and not to detract from the aesthetic qualities of the shorelines.

21. State Department of Fish and Wildlife guidelines concerning the construction of bulkheads.

22. Provide incentives for replacement of structural shoreline stabilization with non-structural shoreline stabilization to restore degraded shore environments and where necessary for the protection of septic systems and drainfields along the shoreline. Non-structural alternatives may include drift logs, gravel berms, vegetative stabilization, beach enhancement (nourishment), and other methods.

23. Rigorously enforce stormwater management regulations upstream from shoreline areas to ensure that increased runoff does not contribute to shoreline erosion.

24. Encourage appropriate innovative low impact stormwater management methods, especially on high bluff shorelines, to minimize increases in erosion due to development.

25. Allow limited fill in marine shorelines where the fill is part of soft shoreline stabilization that is replacing hard armoring.

B. Moorage Facilities

1. Moorage associated with a single-family residence is considered a water-dependent use provided it is designed and used as a facility to access watercraft when nearby moorage facilities are not available or feasible.

2. Moorage for water-related and water-enjoyment uses should be allowed only as part of a mixed use development and should include public access.

3. Moorage facilities should be located, designed, constructed, and operated with appropriate mitigation to avoid adverse effects on shoreline functions and processes, including currents and littoral drift, and to prevent conflicts with other allowed uses.

4. Shallow draft uses, such as marinas, will be preferred over deep draft uses in areas requiring extensive maintenance dredging.

5. To minimize the impacts associated with private docks, piers, floats, boat lifts, and launch ramps and rails accessory to residential development:
   a. Mooring buoys are generally preferred over docks, piers or floats;
   b. Shared boating facilities serving multiple properties are preferred over facilities serving only a single property or parcel;
   c. Public boat launches are preferred over private launch facilities;
   d. Rail and track launch systems are preferred over ramps.

6. Multiple use and expansion of existing facilities are preferred over construction of new individual docks and piers except for existing waterfront, residential communities that were designed with private docks on man-made canals (i.e., Mariners Cove, Lagoon Point, and Sandy Hook).

7. Joint use of recreational piers and docks on state owned aquatic lands is encouraged consistent with the Washington State Department of Natural Resources criteria.

8. Moorage should be spaced and oriented in a manner that minimizes hazards and obstructions to public navigation rights and corollary rights thereto such as, but not limited to, fishing, swimming and pleasure boating, as well as private riparian rights of adjacent land owners.

9. Docks and piers should not be allowed where shallow depths require excessive overwater pier length or dredging.

10. Moorage should be restricted to the minimum size necessary to meet the needs of the proposed use. The length and width of piers and docks should be no greater than that required for safety and practicality for the primary use.

11. Shoreline resources and water quality should be protected from overuse by boaters living on vessels (live-aboards). Boaters living on vessels should be restricted to established marinas with facilities to address waste handling and other sanitary services. Mooring buoys shall not be used to anchor live-aboard vessels.

12. Vessels should be restricted from extended mooring on waters of the state unless authorization is obtained from the DNR and impacts to navigation and public access are mitigated.

13. Piers and docks shall be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term.

14. New pier and dock development should be designed so as not to interfere with lawful public access to or use of shorelines. Developers of new piers and shared moorage should be encouraged to provide physical or visual public access to shorelines whenever safe and compatible with the primary use and shore features.

15. In providing for moorage facilities, the County should consider the capacity of the shoreline sites to absorb the impact of waste discharges from boats, including gas and oil spillage.

C. Landfill and Excavation

1. Filling and excavation should only be allowed waterward of the ordinary high water mark when alternatives are infeasible and when the filling or excavation is:
   a. Necessary to support an approved water-dependent use or essential public facility; or
   b. Part of an approved ecological restoration or enhancement project; or
   c. For soft-shore stabilization; or
   d. Part of an approved aquaculture operation when the fill is required to improve production; or
   e. Part of an approved beach nourishment project; or
   f. Required to provide public access for a substantial number of people.

2. The extent of landfill and excavation allowed should only be the minimum necessary to accommodate an approved shoreline use or development and with assurance of no net

loss of shoreline ecological functions and processes. Enhancement and voluntary restoration of landforms and habitat are encouraged.

3. Shoreline fills or cuts should be designed and located so that significant damage to shoreline ecological functions or natural resources or alteration of local currents or littoral drift will not occur, resulting in the creation of a hazard to adjacent property, life, and natural resource systems.

4. Fill materials should be of such quality that they will not cause undue degradation of water quality.

5. In evaluating fill or excavation for water-dependent uses and for public access projects and in designating areas appropriate for fill and excavation, such factors as total water surface reduction (on lakes), navigation restriction, impediment to water flow and circulation, impediment to sediment movement, reduction of water quality, and destruction of habitat should be considered.

6. Filling in flood plain areas should not be allowed if reduction of flood water storage capacity might endanger other areas.

7. Filling and excavation should not be allowed where structural shoreline stabilization would be required to maintain the materials placed or excavated.

8. Beach material from tidelands and beds should generally not be used to backfill bulkheads and seawalls.

9. When filling on tidelands is permitted, provisions to stabilize fill material will be required.

10. Sanitary landfills and the disposal of solid waste should be prohibited within the shoreline jurisdiction.

D. Dredging

1. Dredging of bottom materials for the single purpose of obtaining fill should be prohibited except when the material is necessary to restore ecological functions associated with a Model Toxics Control Act (MTCA) or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) habitat restoration project.

2. Any allowed dredging should include measures to mitigate impacts to existing shoreline ecological functions and natural resources of both the area to be dredged and the area for deposit of dredged materials to achieve no net loss of shoreline functions.

3. New development should be sited and designed to avoid or, where avoidance is not possible, to minimize the need for new maintenance dredging.

4. Shoreline vegetation that is disturbed by dredging projects shall be replanted and restored to pre-project configuration, or otherwise mitigated if replanting would not be viable.

5. Dredging operations should minimize interference with navigation and adverse impacts to other shoreline uses, properties and values.

6. Dredging and dredge disposal should be consistent and coordinated with appropriate local, state and federal regulations to minimize duplication during the review process.

E. Breakwaters, Jetties and Groins

1. Breakwaters, jetties and groins should be permitted only for water-dependent uses when the benefits to the region outweigh local resource losses and restrictions on public navigation resulting from such works, and only where mitigated to provide no net loss of shoreline ecological functions and processes.

2. Floating breakwaters are preferred to solid landfill types in order to maintain sediment movement and nearshore habitat.

3. Solid breakwaters shall be constructed only where design modifications can eliminate potentially detrimental impacts on the movement of sediment and circulation of water.

4. Jetties and groins should be discouraged and allowed only as a conditional use in conjunction with an approved water-dependent use.

F. Ecological Restoration

1. Ecological restoration activities are encouraged in all shoreline environments and are considered to be consistent with all uses including residential, commercial, and industrial, provided they are designed appropriately.

2. Restoration actions should restore shoreline ecological functions and processes as well as shoreline features and should be targeted toward meeting the needs of endangered, threatened, and regionally important plant, fish, and wildlife species and habitats.

3. Restoration should be integrated with and should support other natural resource management efforts in Island County and in the Puget Sound region.

4. When prioritizing restoration actions, the County should give highest priority to measures that have the greatest chance of reestablishing ecosystem processes and creating self-sustaining habitats.

3 Shoreline Management

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