

SHORE STEWARDS NEWS

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This issue of Shore Stewards News will focus on the Shoreline Master Program updates. Newsletter content was prepared by Cammy Mills, Shore Stewards Coordinator, Mason County, and revised for Island County by Karen Stewart, Shoreline Master Program Coordinator, Island County

The Shoreline Master Program

Washington State has about 28,000 miles of shoreline, more than the distance around the earth. We are tremendously lucky to live in such a beautiful area, and in close proximity to an incredibly productive estuary: Puget Sound. Healthy shorelines provide numerous ecological benefits as well as opportunities for recreation, shellfishing and other benefits for people.

Without protection, we risk losing much of what we love about living in this area. In 1972, Washington voters passed the Shoreline Management Act (SMA). The purpose of the act is "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." http://www.ecy.wa.gov/programs/sea/sma/st_guide/intro.html Voters and legislators could see that if we allowed development of our shorelines without an overarching vision for how we wanted that development to occur and how we wanted to retain critical functions and aspects of our shorelines, we could lose these things.

The Shoreline Master Program (SMP) represents the implementation of the Shoreline Management Act on a local level. A "one size fits all" approach to managing our shorelines would be next to impossible given local variations in shoreline types, uses and differing local interests. SMPs are created by each town, city and county in the state with "shorelines of the state" allowing local variability in the regulations and policies created by an SMP. Shorelines of the state include all marine waters, streams and rivers with a mean annual flow greater



than 20 cubic feet per second, lakes 20 acres or larger, upland areas called "shorelands" that

extend 200 feet inland from the water's edge, and wetlands, river deltas and the 100-year flood plain when these are associated with the previous.

You may already have some familiarity with the SMP. In 2003, the Legislature tasked local governments with updating their SMP and set up a timetable for them to do so. (Most local governments had not updated their SMP since the mid-1970s.) The update allows the opportunity to incorporate new scientific data, address current shoreline issues and conditions, and make changes so that local SMPs would be in alignment with other environmental and land-use laws such as the Growth Management Act and critical areas ordinances (CAOs) and salmon recovery plans and others.

Depending on where you live, your local city or county may have already passed an updated SMP, may be somewhere in the middle of updating, or may just be at the starting stages of updating their SMP. The process of updating an SMP generally takes two to three years and seeking input from local citizens, tribes and agencies is a mandatory part of the update process. To see a schedule of when SMP updates are due, visit the following sites:

For Island County, see <http://www.islandcounty.net/planning/shorelines.htm>

For Oak Harbor, see <http://www.oakharbor.org/page.cfm?pageId=358>

For Langley, see <http://www.langleywa.org/planning.html>

Benefits of an SMP



There are numerous economic and environmental benefits to having a sound Shoreline Master Programs in place. Perhaps the greatest benefit though, is that an SMP helps ensure that our children and grandchildren will be able to enjoy the Puget Sound the same way we do by preserving and protecting the qualities about Puget Sound that we appreciate.

SMPs protect a number of economic interests. First and foremost, they protect lives and property by making sure that development occurs only in safe, stable areas. SMPs also help us avoid costly future restoration efforts by protecting critical habitat and shorelines; as the saying goes, an ounce of prevention is worth a pound of cure. SMPs also give cities and counties an opportunity to come together and create a unified vision for development of their shorelines and the regulatory means to achieve that vision. In addition, one of the priorities of the SMPs is to provide public access and recreational

opportunities along our shorelines.

Additionally, SMPs provide a number of environmental benefits. SMPs help protect water quality, protect the overall health of shorelines and public waters, protect critical habitat for fish

and wildlife, and reduce the frequency and severity of floods and landslides. In addition, SMPs provide an environmental benefit in that they encourage the restoration of unhealthy shorelines and increase the health of public waters.

The Update Process

The update process includes six phases:

1. Preliminary Assessment of Shoreline Jurisdiction and Public Participation Plan: In this phase the County will determine the area of shoreline jurisdiction under the SMA and develop a public participation plan.
2. Shoreline Inventory, Analysis, Characterization and Strategic Vision: The work in this phase will include a detailed inventory of the human, physical and some of the ecological resources specific to different parts of the County's shoreline. The inventory data and findings will be analyzed and the shoreline characterized in regard to its existing ecological values as well as its potential for development, environmental protection and public access. A vision will be developed through the public discussion of the current condition of the shoreline and the desired future at a series of open houses beginning in March of 2011.
3. Shoreline Environmental Designation, Policy and Regulation Development and Cumulative Impacts Analysis: This phase will include the review of existing environmental designations and allowable uses as well as updating regulations to protect ecosystem functions and processes based on policy choices from the most recently available scientific information. A cumulative impact assessment will be conducted to determine what if any impacts to ecological function are likely to result under the proposed regulations.
4. Restoration Planning: A restoration plan will be developed based on existing plans and strategies for restoring the marine shoreline and lake environments.
5. Local Adoption: The draft SMP Update will be formally reviewed by the County Planning Commission and Board of Commissioners through a series of briefings, public meetings and hearings.
6. Department of Ecology Adoption: Once adopted by the County Board of Commissioners, the Department of Ecology will conduct a public hearing and consider public testimony before final approval of the updated Island County SMP.

Roles and Responsibilities

Island County is responsible for all local aspects of the SMP Update. The County will be the shoreline program administrator, with the Washington State Department of Ecology (Ecology)

acting in a support capacity. Ecology also has ultimate authority to approve the updated SMP and ensure that it meets the requirements of the Shoreline Management Act and its implementing regulations (WAC 173-26). Once the County has a state-approved SMP, Ecology's review and approval is required for any future SMP amendments and for shoreline conditional use permits or shoreline variances. The Island County Planning and Community Development Department is the lead in developing the draft SMP Update. The Board of Commissioners is responsible for the local adoption of the SMP Update before it goes to Ecology for approval.

The primary contact for Island County's SMP Update is:

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Hot Topics

There are some common concerns that tend to come up in each jurisdiction as they update their SMP. Frequently, citizens express concerns about the impact the SMP will have on their existing homes or their ability to make future repairs or improvements to their home and about their ability to protect their property from erosion.



Shoreline homeowners may worry that their existing home will be at risk under updated SMP rules because their home will now be “non-conforming” or “out of compliance”. It's important to know that the SMP is not retroactive; therefore, existing structures are grandfathered in if no new development is proposed. Because some areas finished updating their SMP some time ago, we have the benefit of being able to look to those areas and see what the impact of the updated SMP has been. In most cases, SMPs have not interfered with shoreline property owners' ability to make improvement or expand their current home. For example, since Whatcom county updated their SMP in 2008, they have received 56 applications for improvements to existing homes (including building additions and garages), all of which have been approved.

Similarly, people have concerns about buffer requirements in an SMP. They want to maintain landscaping that exists within the buffer zone, want to be able to prune within the buffer to maintain their views and want to be able to pass through the buffer to access their beach. As with homes that are grandfathered in, existing landscaping does not have to be torn out and of the 30 SMP updates that the Department of Ecology has adopted since 2003, all have included provisions to allow pruning and tree trimming to maintain views and provisions for beach access.

Shoreline property owners may also have concerns about their ability to protect their home and property from erosion under updated SMPs. We have a much better understanding of erosion processes now than we did 40 years ago when the first SMPs were created. We now know that bulkheads or other means of shoreline armoring can put neighboring properties at a greater risk for erosion and can also eliminate critical habitat for important resources such as salmon, so we must approach management of erosion with caution. Setbacks for new properties are one way that SMPs address the issue of shoreline erosion. If homes and buildings are set back far enough from the shoreline, then they are much less likely to be in danger if natural erosion should occur. The construction of new bulkheads or replacement of failing bulkheads will be done on a case by case basis in the future taking into account factors such as why the erosion happened (is there something else that can be done to prevent future erosion, e.g. fix failing



tightlines), are there buildings at risk and if so, what type, the impact of armoring on salmon and wildlife habitat, the design of the proposed armoring and local laws and regulations. Property owners will be able to protect their houses or business structures under the updated SMPs but will need to take into consideration other people's properties and shoreline habitat.

Getting Involved

Local jurisdictions must use best available science in updating their SMPs, but they must also seek input from citizens, and this input is quite valuable. Local citizens may have knowledge and anecdotal evidence not represented in the science and their input helps shape the updated SMP. If you are interested in participating in your local SMP update, contact your local city or county government.

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You can also take a look that the Department of Ecology's "Participate in Your Local Shoreline Master Program" website to find more information about your local SMP update.

<http://www.ecy.wa.gov/programs/sea/shorelines/smp/participate.html>

Resources

Frequently Asked Questions – Marine Shoreline Armoring and Puget Sound. Produced by the Washington Department of Ecology. February 2010. Available at:

<http://www.ecy.wa.gov/biblio/1006003.html>

Frequently Asked Questions – Shoreline Master Programs. Produced by the Washington Dept. of Ecology. April 2010.

<http://www.ecy.wa.gov/programs/sea/shorelines/smp/faqs.html>

Introduction to the Shoreline Management Act – Washington Dept. of Ecology website:

http://www.ecy.wa.gov/programs/sea/sma/st_guide/intro.html



This product is funded by the Island County Marine Resources Committee and the Northwest Straits Commission. You can view the Marine Resources Committee website at www.islandcountymrc.org. The website for the Northwest Straits Commission can be seen at <http://www.nwstraits.org/>



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