



BROCHURE # 30 **SHORELINE PERMITS**

WHY SHORELINE REGULATIONS?

In the early 1970's, several large developments occurred on Washington shorelines which dramatically impacted the public use and interest in these areas. The increased public concern with shoreline development resulted in legislative action. The Shoreline Management Act was placed on the ballot and was passed by the voters of Washington State.

The Kitsap County Shoreline Master Program (SMP) is the document to implement the Washington State Shoreline Management Act at the local level. The SMP applies the policies and goals of the state law to Kitsap County. Because the Kitsap County Master Program is adopted by the Washington State Department of Ecology, it has the authority of state law.

The shorelines of Kitsap County are among the most valuable and fragile of this state's natural resources. With 216 miles of marine shoreline, 54 miles of freshwater lake frontage and 22 miles of stream channels, Kitsap County's shorelines provide habitat for fish and wildlife, economic diversity, and recreational opportunities which are used by residents of all ages.

Shorelines play a large part in enhancing the quality of life for many of our county's citizens. In order to protect, preserve, enhance, and restore the natural systems and resources of our shorelines while still allowing economic and recreational use of them, development practices must be conducted with sensitivity and minimal environmental impact.

This program works with other chapters of the Kitsap County Code (KCC) to protect and preserve saltwater and freshwater shorelines throughout the county by managing natural resources and directing development and use suitable for this environment.



What Shoreline Areas Are Regulated?

The SMP regulates all streams with a mean annual flow of greater than 20 cubic feet per second, all lakes 20 acres or larger in size, all marine shorelines, and all associated wetlands and floodways (certain exempted streams and shorelines may also have associated wetlands that are exempted as well). The program

also has jurisdiction over all surface water and extends landward for 200 feet from the Ordinary High Water Mark (OHWM) of the shoreline. Within these areas, all projects must be consistent with policies and goals of the Kitsap County SMP.

Types of Shoreline Permits and Approvals

Permits are issued for Shoreline Substantial Development, Shoreline Conditional Use, and Shoreline Variances. Additionally, Shoreline Statements of Exemption are issued for minor development activities that are exempt from the formal shoreline permit requirements. See Shoreline Exemptions Brochure # 31.

Other Permits Required

None of the shoreline permits may take the place of any other required permit. A project or development may also require, among others, a shoreline substantial development permit, shoreline conditional use permit, shoreline statement of exemption, building permit, clearing and grading permit, a zoning variance or conditional use permit, a State Department of Ecology (DOE) Water Quality Certification, a State Department of Fish and Wildlife Hydraulic Project Approval, a lease from the State Department of Natural Resources or a federal Army Corps of Engineers permit for work in navigable waters of the United States.

What Should I Do Before Applying?

A staff consultation is required (KCC 22.500.105 and 22.600.160) for any for any of the following projects:

- New primary structures or additions within the standard buffer
- Shoreline Armoring
- Piers and docks

The staff consultation meeting will be with DCD, state and federal agencies (where applicable), tribes affected by proposals within their usual and accustomed grounds and stations shall be required prior to application for new piers and docks, pursuant to Chapter 22.500 (Permit Provisions, Review and Enforcement)

To schedule your staff consult, please call (360) 337-5777 or help@kitsap1.com. Applications and brochures are available at <http://www.kitsapgov.com/dcd/forms/Default.htm>

Additional Information Required

Most developments requiring a permit under the SMP will also require review for compliance with the State Environmental Policy Act (SEPA). The Kitsap County SEPA Administrator can advise applicants whether a SEPA checklist will be required. If the checklist is required, it must be submitted at the same time as the shoreline permit application.

If the application does not provide sufficient information to determine the environmental impacts of the proposal, the applicant will be asked to provide additional information as required by SEPA

guidelines. See SEPA Review Brochure # 39 for more information.

DCD may also require applicants to provide additional information or plans to correct deficiencies in the application or to assist in the evaluation of the application. An application may be cancelled in accordance with KCC Title 21 'Land Use and Development Procedures' and Title 22 'Shoreline Master Program' if the applicant fails to supply required information or data after it has been requested in writing by the County.

Appeals

Appeal of a decision regarding approval or denial of a permit under the Shoreline Master Program must be filed in accordance with applicable code. Kitsap County's Hearing Examiner hears appeals of Type 2 decisions, but does not review appeals of Type 3 decisions.

Following the expiration of any local appeal period, an application is forwarded to DOE for review and comment. Once DOE has commented on an application, the decision to approve or deny a shoreline permit may also be appealed to the Washington State Shorelines Hearings Board within twenty-one (21) calendar days following the expiration of the local appeal period.

Application Fees

Fees are due at the time applications are submitted. They are charged in accordance with the current Kitsap County Fee Schedule. Information on fees are also available by calling (360) 337-5777.