Managing Washington's Shores:

Today's Challenge

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Washington State Department of Ecology

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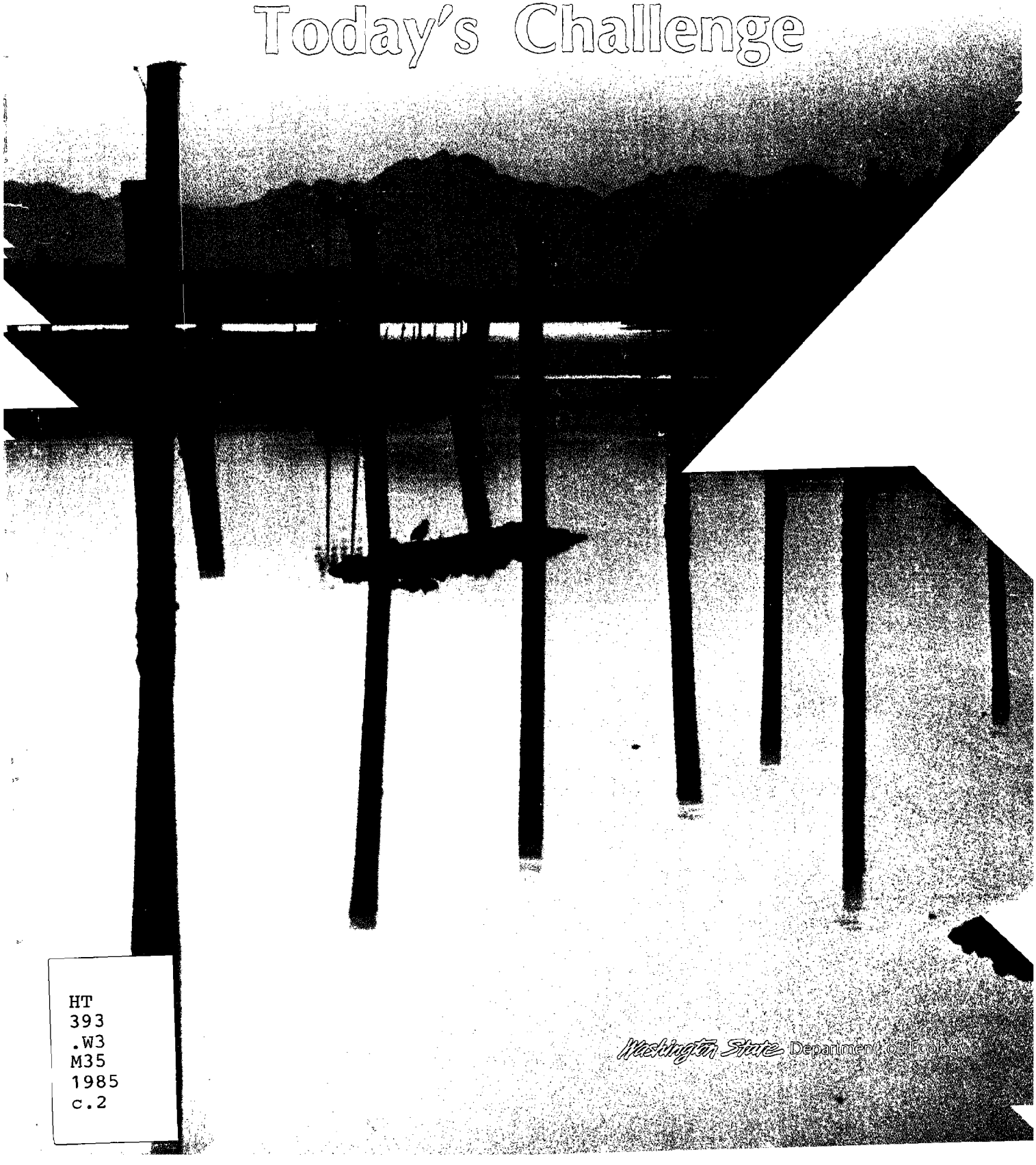

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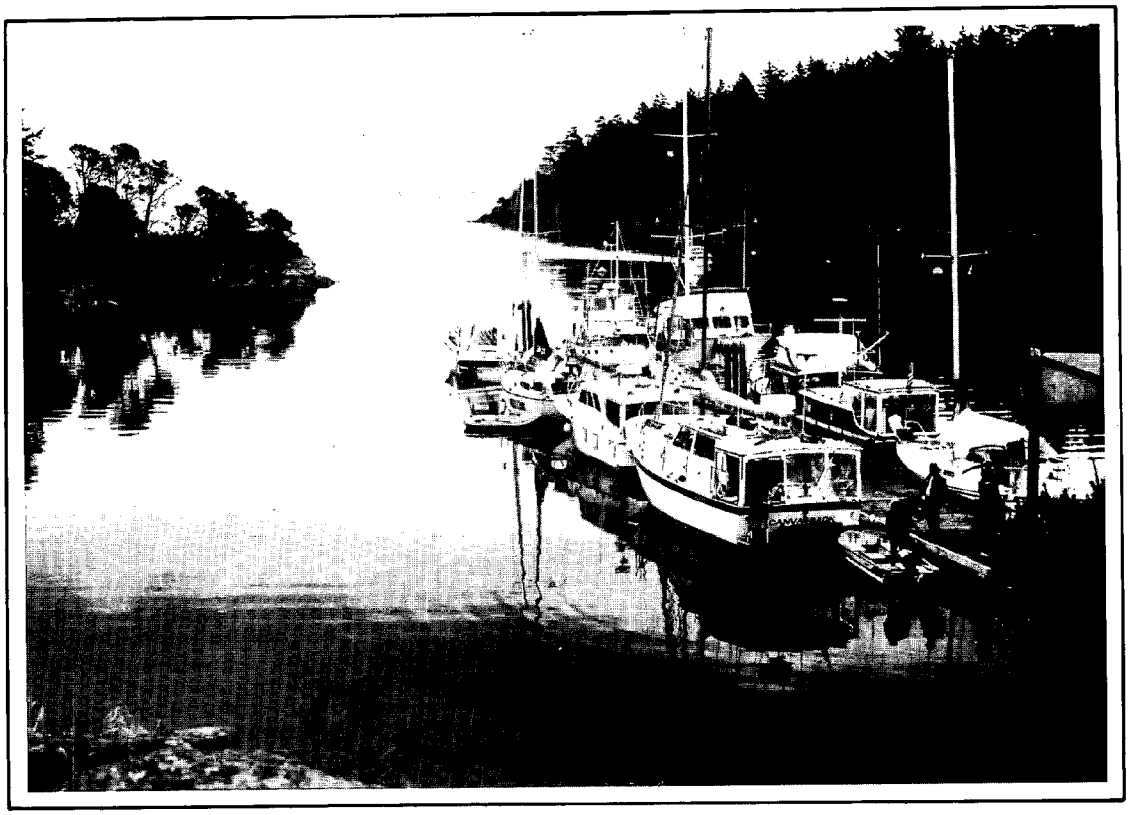

FOREWORD

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The Washington Coastal Zone/Shoreline Management Program touches the lives of millions of people. From commercial salmon fishermen to port managers to hikers on the beach, the program's regulatory and planning functions have a far-reaching effect on those who depend on the public stewardship of Washington's shorelines.

The seventies brought us passage of the Shoreline Management Act and the Coastal Zone Management Act. In the eighties, the focus has shifted to issues of critical interest to the state, such as water quality, aquaculture, energy facility siting, and wetlands protection.

While the next decade of coastal zone and shoreline management will likely see the resolution of some issues and a new focus on others, the need for the program will remain. Pressures on our valuable shoreline and coastal resources will continue to increase, calling for a program that is capable of encouraging well-planned economic development while at the same time, balancing environmental protection and resource conservation.

Andrea Beatty Riniker

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DIRECTOR, DEPARTMENT OF ECOLOGY

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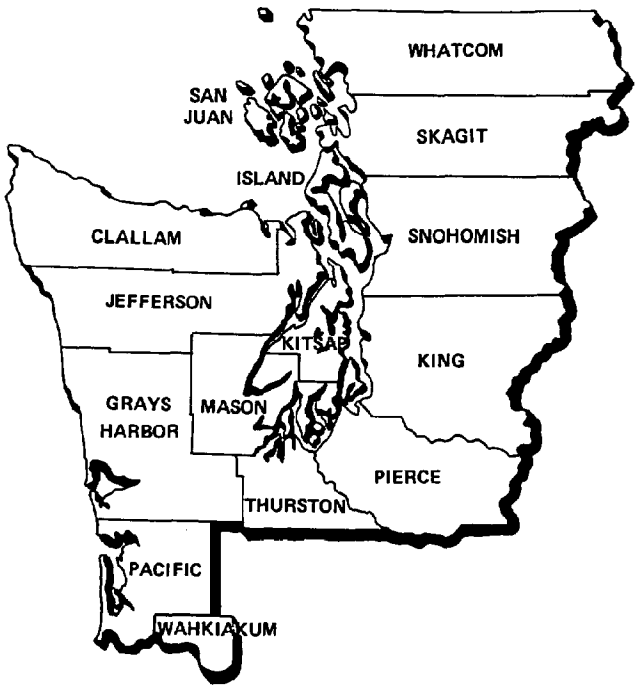
SHORELINE MANAGEMENT: THE LEGISLATIVE MANDATE

With passage of the state Shoreline Management Act in 1971, the Washington Department of Ecology became the lead state agency for developing a program to manage the state's shorelines. The department cooperates with local government agencies in the administration of a program to maintain and improve shoreline quality, while at the same time, allowing for reasonable and appropriate shoreline uses.

In 1972, Congress enacted the Coastal Zone Management Act (CZMA) to promote active state involvement in preserving, protecting, and developing our nation's coastal zones. Because this federal law meshed well with the state Shoreline Management Act, Washington became the first state in the nation to have a federally approved coastal zone management program in 1976.

Between 1976 and 1982, the state received annual federal grants of approximately $1.5 million. Since then grant levels have fluctuated. Grant money has gone to state agencies, local and regional governments, and Native American tribes to benefit the state's coastal zone and its inhabitants. For example, local governments have used federal grants to help fund city and county shoreline projects designed to protect and restore shorelines and increase the public's access to them.

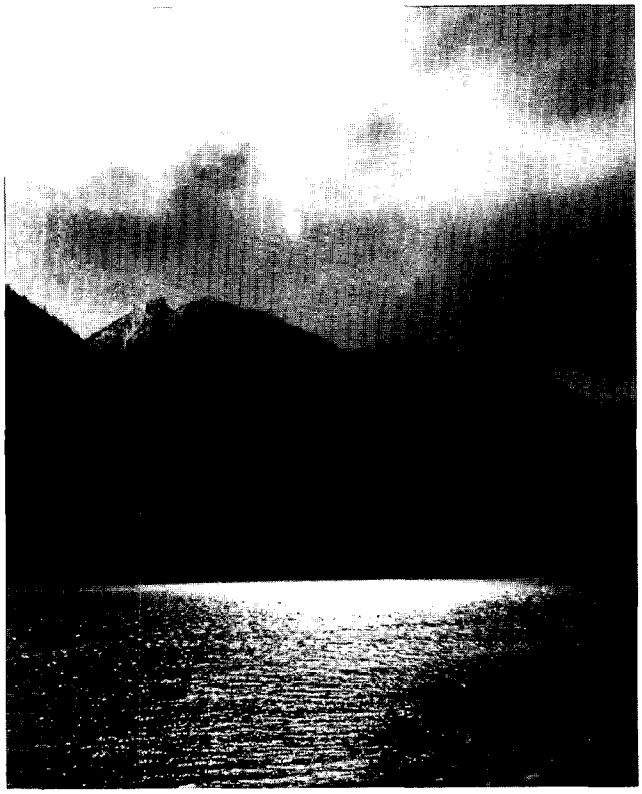
In the years since 1976, the Coastal Zone Management Act has benefitted Washington's coastal zone and the people who depend upon this resource. In the years ahead, as the coastal zone faces increasing pressures from a growing population, the need for federal participation in coastal zone management will be at least as great.



The Coastal Zone Management Program benefits the fifteen counties bordering Washington's 2,337 miles of marine shoreline.

MANAGING THE SHORELINES IN THE PUBLIC INTEREST

The Shoreline Management Act of 1971 applies to shorelines throughout the state. Lakes over 20 acres, all streams where the mean annual flow is greater than 20 cubic feet per second, and all marine waters are under jurisdiction of the Act. Marshes, bogs, and swamps associated with the lakes, streams and marine waters are also covered, as is a 200-foot wide shoreline area landward from the water's edge.



Lake Chelan

Local Shoreline Master Programs

Uses and activities along the state shorelines are managed under city and county shoreline master programs. Each local government's shoreline master program is a combined planning and regulatory document for its shorelines which is based on policy guidelines developed and maintained by the Department of Ecology. However, local governments tailor their programs to meet physical characteristics and management needs of their own shorelines. Most master programs include goals, objectives and policy statements, use regulations for 23 defined uses, and mapped environment designations, such as urban, rural, natural, and conservancy. Master programs are required for Washington's 39 counties and for 160 incorporated towns.

Cities and counties continually update and refine these documents. Amendments to shoreline master programs usually begin with citizen or local government action, and often at the recommendation of the Department of Ecology. Amendments may originate from something as simple as a periodic review of local procedures, from something as complex as a proposal to accommodate a major industrial facility, or through discovery of an environmentally sensitive area.

Once adopted by the local government, proposed amendments are submitted to the state for review and adoption into the state master program. The Department of Ecology conducts at least one public hearing, soliciting testimony to assist the director in making a decision to adopt or deny the proposed amendment.

Shoreline Permits

In most cases "shoreline substantial development permits" are required to build or to conduct activities on shorelines.

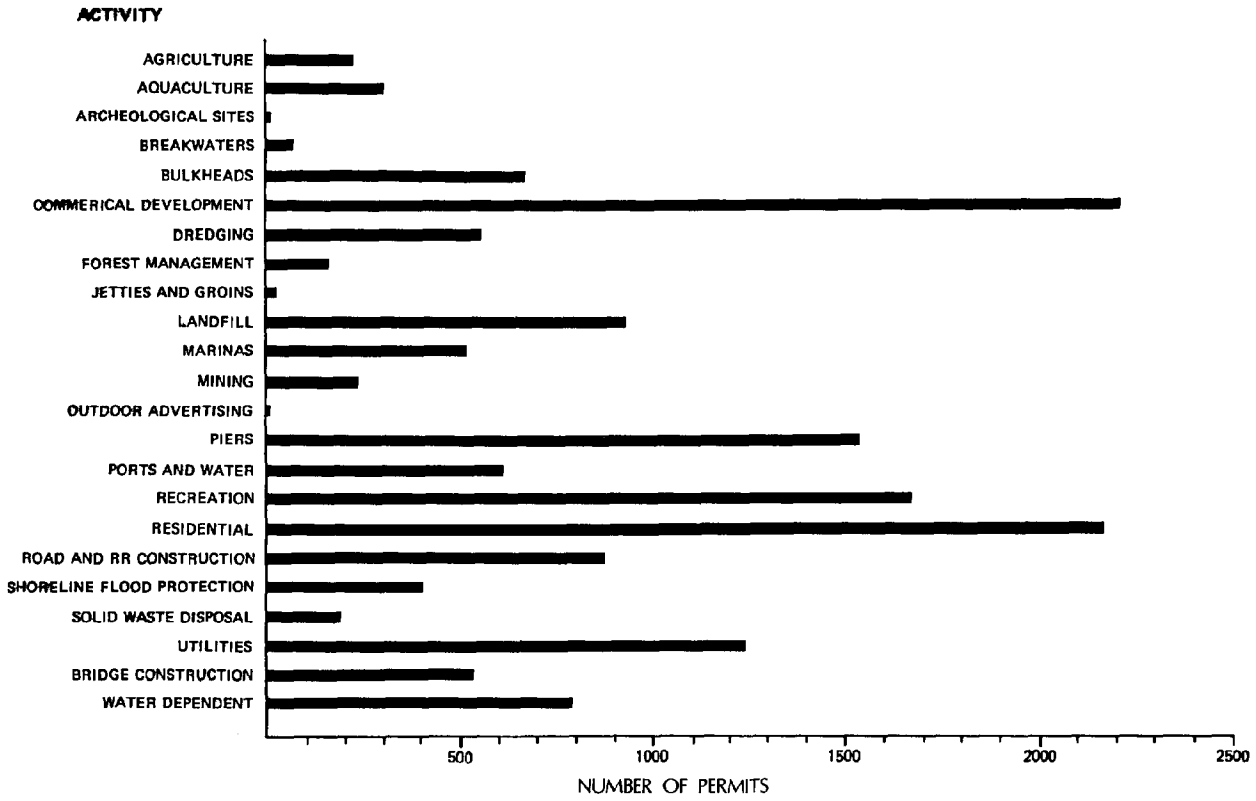
Although permits are issued by local governments, the Department of Ecology reviews them to ensure that permitted developments are consistent with the local shoreline master program and policies of the SMA. If inconsistencies are found the department may appeal the decision to the Shorelines Hearings Board, a quasi-judicial body established by the SMA to hear appeals. In fact, any party affected by the decision has the right to appeal to the Shorelines Hearings Board.

The department also must approve or deny all shoreline conditional use and shoreline variance permits. The objective of the conditional use provision is to provide more control and flexibility for implementing the master program's regulations. A variance permit is used to grant relief when there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the master program.

The department assists local administrators with training workshops, on-site visits, wetlands identification, and other technical matters contributing to the efficient administration of the permitting program. For example, the state's Coastal Zone Atlas is a compilation of physical, biological and cultural data covering the shorelines of Puget Sound and the Pacific coast. Copies of the twelve-volume set have been distributed to local governments and libraries, and the data has been digitized and computerized for easy access and statistical analysis.

The Department of Ecology works closely with local governments to ensure that the SMA is enforced by providing technical enforcement assistance when requested and interceding when local government is not successful. Enforcement responsibilities are shared with the state Attorney General's Office.

SUMMARY OF SHORELINE PERMITS

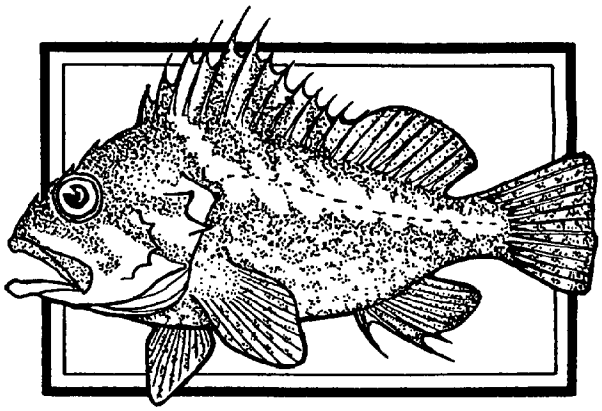


Between 1971 and 1984, a total of 11,175 permits were processed by local shoreline administrators and the Department of Ecology. The majority of these were for residential and commercial development.

Special Area Management

Certain areas experience controversy over their management and ultimate use. Their special problems are frequently the subject of specific legislation, planning and administrative action by management agencies.

The state coastal zone management program document identified areas of special management concern based on expressions of local and state legislative interest and current resource management conflicts. The Nisqually River and Estuary; Hood Canal; the Snohomish River Estuary; the northern straits and Puget Sound petroleum transfer and processing areas; the Dungeness Estuary and spit complex; Grays Harbor; the Willapa Bay Estuary; the Pacific coastal dune area; and the continental shelf have been identified as "areas of particular concern."



Bowerman Basin

The Grays Harbor estuary is significant both for its wildlife habitat – extensive tideflats support diverse marine and bird populations – and because it has the only deep-draft navigation channel authorized on the Washington coast. Conflicts arose when channel maintenance, requiring disposal of considerable volumes of material annually, threatened the protection of the estuary's water quality and wetlands.

To resolve these conflicts between local, state and federal officials, the Grays Harbor Estuary Planning Task Force was created in 1976. Composed of representatives from four federal and four state agencies, and seven local constituencies, the Task Force has been at work on a management plan that will guide management of the estuary for the next 50 years.

The major issue has been a conflict over an intertidal area called Bowerman Basin. The Basin, which was originally intended to accommodate the Port's expansion plans, was discovered to be one of the most significant resting areas for migrating shorebirds on the West Coast.

As part of its compromise solution, the plan calls for a land transfer of Bowerman Basin wetlands to the Department of Game as the Port develops sites in other filled areas. The Grays Harbor management plan has attained national prominence as an attempt to reach an intergovernmental agreement which satisfies the needs of local communities and protects natural resources.

Floodplain Management

Floodplains have always seemed attractive places to settle because they offer flat land which is easy to build on, and rich and productive soil for agriculture. Development on floodplains, however, courts disaster. In Washington state alone, flood losses average $25 million annually, much of the cost absorbed by taxpayers for subsidized disaster relief payments.

The National Flood Insurance Program was enacted by Congress in an effort to reduce losses from floods. The long-range objectives of the program are to end the costly and heavily exploited disaster relief programs and to objectively regulate building in the flood hazard areas.

Department of Ecology staff works with local governments in implementing and administering the National Flood Insurance Program and other regulatory programs to reduce losses from floods. Through the SMA and floodplain management activities, Ecology works to preserve natural floodwater storage features of floodplains, while still allowing for compatible uses.

Debris-laden floods relocated these cabins in the January 1983 Presidentially-declared flood disaster in the Blue Canyon area on Lake Whatcom.

Columbia River Gorge

Washington state has more than 20,000 miles of shoreline – a mix of coastal and inland shores, lakes, rivers, and streams. Managing the shorelines, and planning for their future, involves an integrated effort among local, state and federal programs and activities.

TODAY'S ISSUES AND MANAGEMENT CONCERNS

Wetlands and Dune Areas

"Wetlands" is the general term used to refer to a variety of wet environments including estuaries, saltwater marshes and freshwater swamps, marshes and bogs. Similar to national trends prior to 1970, vast portions of Washington's wetlands have been diked, drained and filled for agricultural or urban development. The destruction of many of our wetlands has meant the loss of valuable wildlife habitat, natural flood control protection, and water purification, groundwater recharge, and shoreline stabilization functions.

State and national programs have recognized wetland values and are implementing programs to regulate destructive land development practices, mitigate for wetland losses, and identify and acquire critical wetland habitat area. Through the Shoreline Management Program, the department has increased its efforts to carry out its broader environmental responsibilities for estuarine, dune-land, and wetland management and protection. This effort not only addresses wetlands under SMA jurisdiction, but involves the protection of small isolated wetlands outside shoreline management areas.

Through wetlands inventories, public information, research, education, and assistance to citizens and local governments, the Department of Ecology is seeking methods of wetlands protection and management, such as purchase, conservation easements, and rehabilitation, often through legislation and ordinance adoption.

Nisqually Delta wetlands are among nineteen biologically significant wetlands identified in the report Puget Trough Coastal Wetlands.

Padilla Bay National Estuarine Sanctuary

Padilla Bay is one of the largest relatively undisturbed tideflat areas in Puget Sound. In 1980, through the cooperation of Skagit County citizens, the private sector and governmental agencies, the bay was established as one of only eight national estuarine sanctuaries in the U.S.

Managed by the Department of Ecology, the Padilla Bay National Estuarine Sanctuary offers tideland access, approximately eight miles of nature trails, wildlife habitat, and the Breazeale-Padilla Bay Interpretive Center.

The interpretive center contains exhibits, a hands-on room, theater and research library. Staff at the Center offer an on-going series of educational programs for people of all ages.

As a relatively undisturbed estuary, Padilla Bay serves as a natural field laboratory. Groups are encouraged to utilize Sanctuary facilities to conduct research and educational programs.

The Sanctuary's eight miles of nature trails provide people of all ages an opportunity to learn about the wonders of nature in an outdoor setting.

The hands-on room in the Breazeale-Padilla Bay Interpretive Center provides children with an outstanding setting for learning about nature. Here they touch and examine pelts of our native wildlife.

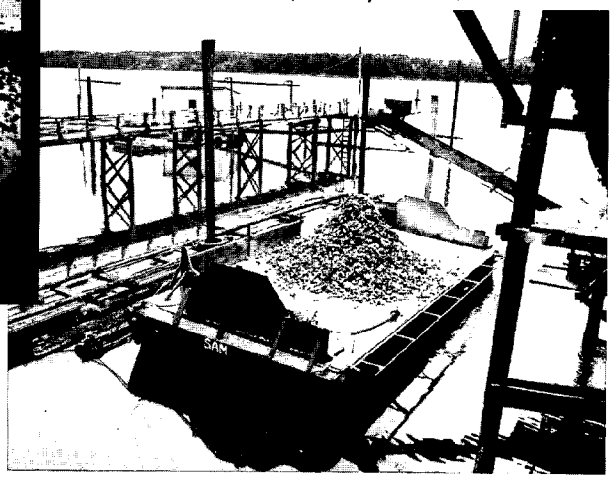
Energy Facility Siting

The Department of Ecology is responsible for analysis of coastal industrial siting issues relating to energy production or transfer. Studies to assess the environmental impact of large scale coastal energy facilities include *An Environmental Review of Potential OCS Platform Fabrication/Assembly Yard Sites in Washington's Coastal Zone* and the *Coal Export Facility Development in Washington: An Analysis of Potential Environmental Impact Issues.*

Ecology also played an important role in reviewing the Northern Tier Pipeline Company's proposal to build a transcontinental crude oil pipeline. The department addressed issues with regional or statewide significance, such as air quality impacts, oil spill risk and trajectory, and fisheries and marine resource impacts. A summary of the state's analysis of this major proposal is contained in the report *Puget Sound and the Pipe.*

Commercial oyster and clam farming dates back to the earliest white settlers in Puget Sound and Willapa Bay. Today, the survival of the Northwest aquaculture industry is threatened by urbanization and pollution.

Oyster operation, Totten Inlet



Aquaculture

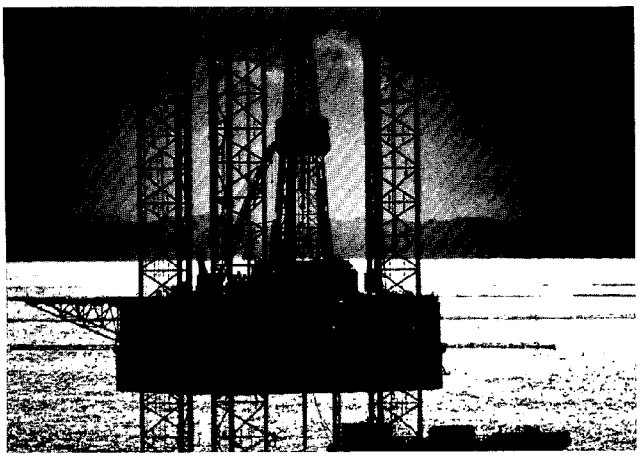
Aquaculture—the farming and harvest of clams, oysters, mussels, and pen-reared salmon—has great potential in the rich marine waters of Puget Sound and the coastal estuaries. The Department of Fisheries has estimated that aquaculture utilization of merely one percent of the waters of Puget Sound could produce 500 million pounds of seafood per year, a dramatic increase over the 10 million pounds currently harvested.

The Department of Ecology is involved with issues critical to the continued existence and future development of aquaculture. Attention is focused on reducing pollution, which causes closures of shellfish growing areas, and the problem of locating aquaculture operations, which often encounters opposition from upland residents.

The department has amended permitting guidelines for local shoreline programs. Local governments have been required to recognize prime clam beds and to avoid widespread prohibitions of aquaculture. Programs to control non-point pollution from animal wastes, failing septic tanks or stormwater runoff are also under development.

The Department of Ecology cooperated with local health and planning departments to develop a program for controlling non-point pollution in the Minter Bay and Burley Lagoon watersheds. The work is intended to be a model for use in other basins facing similar water quality problems.

Although difficulties for aquaculture siting still exist, many counties have developed compromise solutions and mitigation measures allowing aquaculturists and upland residents to better understand and meet one another's needs.



The U.S. Department of the Interior proposes to offer the Washington outer continental shelf for oil and gas leasing in 1991. Exploratory drilling platforms such as this one are a common sight in California's Santa Barbara channel.

Outer Continental Shelf Oil & Gas Leasing

The term outer continental shelf (OCS) refers to federal submerged lands that lie seaward of the three-mile federal/state boundary. It is a shallow undersea terrace characterized by great geological and biological diversity. The OCS provides habitat for many species of fish as well as for diverse marine mammal and seabird populations.

The Washington/Oregon OCS may also contain oil and natural gas reserves, according to a Department of the Interior estimate. Interior proposes to offer oil and gas leases for offshore Washington beginning in the year 1991.

As the lead agency for OCS matters in Washington state, the Department of Ecology is working to establish policies and procedures for the protection of those coastal and marine resources which could be adversely affected by OCS-related activities. These include damage from drilling discharges and from a possible major oil spill. Through review and comment on OCS environmental impact statements, proposed regulations, and program documents, Ecology seeks to avoid or minimize such impacts.

Public Access

The Shoreline Management Act established public access to shorelines and recreational use of waterfronts as a high priority. Working to improve beach access, the Department of Ecology conditions development permits to require public access. The department also provides signs to install at public access sites and information about those places to which the public has a right of access and use.

A comprehensive guide to the state's public saltwater beaches will be available in early 1986. It identifies public sites and promotes an understanding of coastal ecosystems in an effort to integrate environmental conservation with shoreline use.

The Department of Ecology conducted a statewide contest for art students to design a public access logo and adopted the winning entry for marking public access points.

This King County site shows the confusion that can arise over beach ownership and public rights.

"...the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible."

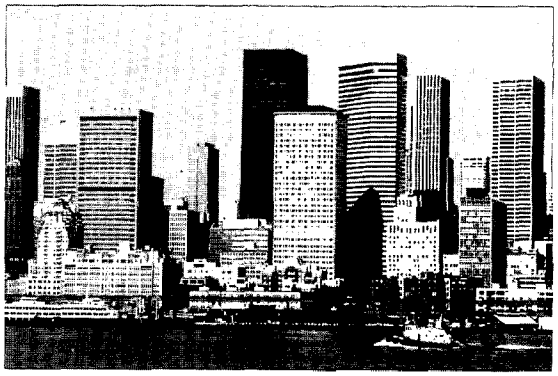
Shoreline Management Act of 1971

Urban Waterfront Revitalization

Historically, harbor areas have accommodated fishing docks, shipyards, and port facilities. The Washington state constitution reserved these harbors for "navigation and commerce." This concept of giving priority to water-dependent use on urban waterfronts is a guiding policy of the Washington shoreline management program.

However, with the advent of new cargo-handling technologies, and changing urban lifestyles, many traditional harbor areas are being transformed. There has been a transition to uses that favor recreationists, pedestrians and tourists. Abandoned piers have been renovated for scenic viewpoints and urban waterfront parks. Other private developments take advantage of the public's enjoyment of the waterfront by building restaurants, hotels, or shops which serve local residents and promote tourism.

The Shoreline Management Act clearly seeks to reserve the waterfront for activities which are truly water dependent. As a result, conflicts have developed over proposals to redevelop the old pier structure for the newer, more profitable uses. To the extent that public access is maintained and uses which serve only private purposes are not allowed (e.g. hotels, residences and offices), the shoreline management program has provided for an urban environment category which meets the objective of water-dependency while giving the public an opportunity to enjoy the waterfront.



Many urban waterfronts, including Seattle's, have been renovated to provide public access to city shorelines.

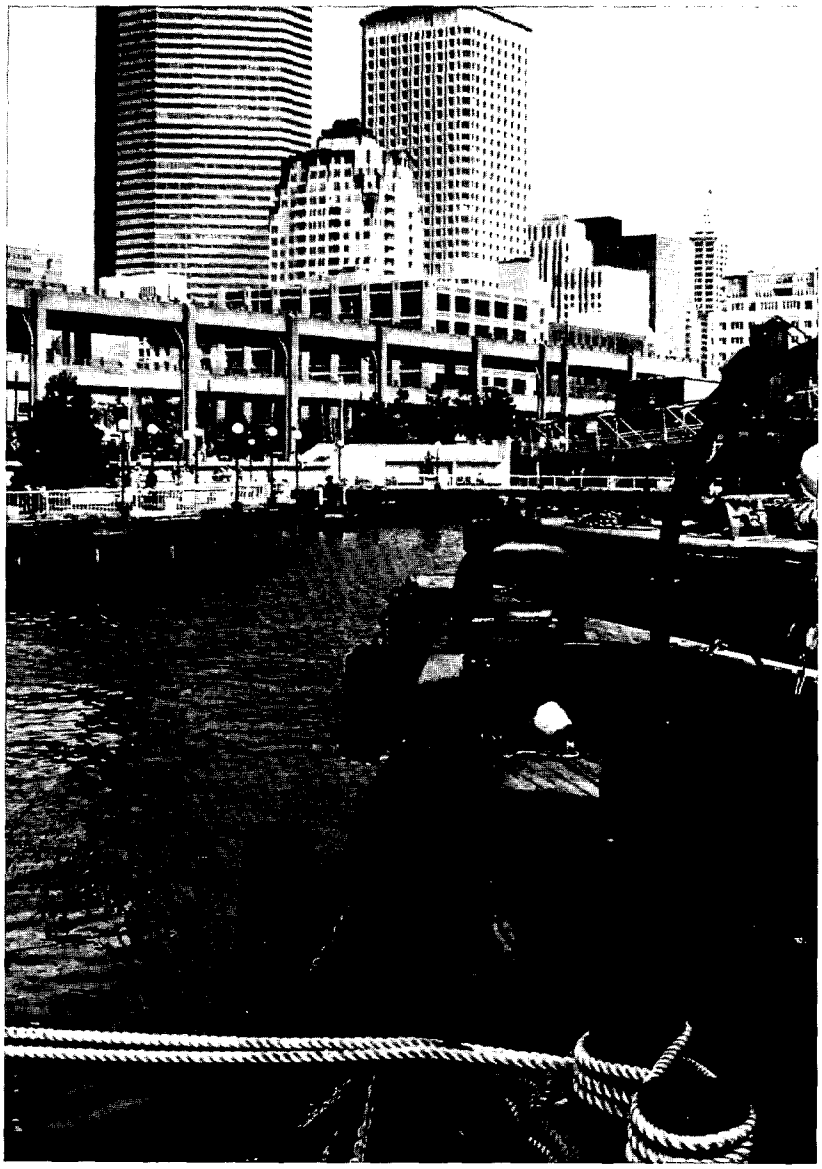
THE FUTURE OF WASHINGTON'S SHORES

Washington's shoreline resources are an integral part of life in the northwest. Many depend on these resources for their livelihood, for recreation, or more indirectly through irrigation, hydroelectric generation and aquaculture.

Washington's citizens have made it clear that they are aware of the significance of their shoreline resources. Prior to passage of the Shoreline Management Act in 1971, citizens presented the state Legislature with a petition calling for some control of the rapid and uncoordinated development of Washington's shorelines. The next year they overwhelmingly ratified the SMA. Today, with the bulk of technical administration in the hands of local governments, citizens continue to effectively participate in local land use decisions affecting their shorelines.

The future of Washington's shores depends a great deal on you – the public. While the Department of Ecology plays an important role in maintaining the delicate balance between development and protection of our valuable shoreline resources, ultimately, it is public awareness, understanding and appreciation of these resources that will assure their protection and accessibility for future generations.

For more information about these or other issues relating to shoreline management write to: Department of Ecology, Shorelands Division, Mail Stop PV-11, Olympia, WA 98504, or telephone (206) 459-6000. For more information about permit requirements, contact your local shoreline administrator.



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