Chapter IX
SHORELINE MANAGEMENT PROGRAM

IX-1 THE SHORELINE MANAGEMENT PROGRAM

A. Introduction
The shorelines of Mason County are among the most valuable and fragile of its natural resources and there is great concern relating to their utilization, protection, restoration and preservation. In addition, ever-increasing pressures of additional uses are being placed on the shorelines, necessitating increased coordination in the management and development of the shorelines of the state. Unrestricted construction on privately owned or publicly owned shorelines is not in the best public interest; therefore regulation is necessary in order to protect the public interest associated with the shorelines, while, at the same time, recognizing and protecting private property rights, public rights of navigation and corollary rights incidental thereto consistent with the public interest.

B. Application of Policies and Regulations
The Shoreline Master Program, composed of this Chapter, Mason County Code (MCC) 17.50, and MCC 15.09.055, provides for the management of the shorelines by fostering all reasonable and appropriate uses. Its regulations implement the policies as outlined in this Chapter and are intended to protect against adverse effects on the public health, on the land and its vegetation and wildlife, and the waters and their aquatic life.

The policies and regulations shall apply to all the lands and waters under the jurisdiction of the Shoreline Management Act of 1971, as amended. These Mason County shorelines include certain lakes, creeks and rivers, and islands, and the marine waters of South Hood Canal and South Puget Sound.

C. Shorelines of Statewide Significance
The Shoreline Management Act of 1971 has designated the following shoreline areas of Mason County as Shorelines of Statewide Significance:

1. Marine waters and shorelands (200 feet landward of the OHWM) of Hood Canal;
2. Marine waters of South Puget Sound seaward from extreme low tide;
3. Freshwater of Lake Cushman including shorelands; and
4. Skokomish River (downstream from the confluence of its North and South Forks) including shorelands.

The Act states, concerning Shorelines of Statewide Significance: "The Legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance." In managing shorelines of statewide significance, Mason County shall give preference to uses in the following order of preference which:

1. Recognize and protect the statewide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Result in long term over short term benefit;
4. Protect the resources and ecology of the shoreline;
5. Increase public access to publicly owned areas of the shoreline;
6. Increase recreational opportunities for the public in the shoreline;

Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

1. **D. Shoreline Use Preferences**

   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 consistent with the overall best interest of the state and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state's shorelines.

2. Alterations of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single family residences, ports, shoreline recreational uses, including but not limited to, parks, marinas, piers, and other improvements facilitating public access to shorelines of the state, industrial and commercial development which are particularly dependent on their location on or use of the shorelines of the state and other development that will provide an opportunity for substantial numbers of people to enjoy the shorelines of the state.

3. Permitted uses in the shorelines of the state shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water (RCW 90.58.020).

**IX-2 SHORELINE MANAGEMENT PROGRAM POLICIES – GENERAL**

1. **A. Ecological Protection, Critical Areas and No Net Loss of Ecological Functions**

   This program aims to protect against adverse effects on the public health, on the land and its vegetation and wildlife, and the waters and their aquatic life by:

   a. Requiring that current ecological functions be identified and understood when evaluating new uses and developments;

   b. Requiring adverse impacts be mitigated in a manner that ensures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources. “No net loss” means that existing shoreline ecological functions are not degraded as a result of new development. This can be achieved through mitigation which involves first avoiding the impact altogether, then minimizing impacts where possible, and then replacing or compensating for unavoidable loss of functions and resources.

   c. Ensuring that all uses and developments, including preferred uses and uses that are exempt from a shoreline substantial development permit, will not cause a net loss of shoreline ecological functions.

   d. Preventing, to the greatest extent practicable, cumulative impacts from individual developments.

   e. Fairly allocating the burden of preventing cumulative impacts among development opportunities.

   f. Including incentives to restore shoreline ecological functions where such functions have been degraded by past actions.

2. This program should incorporate relevant critical area, excavation and grading, vegetation conservation, stormwater management and on-site septic system regulations that implement these policies.
3. This program should include a mechanism for documenting all project review actions in shoreline jurisdiction. The County should evaluate the cumulative effects of authorized development on shoreline conditions as part of legislatively-mandated comprehensive program reviews. The County should seek involvement of state resource agencies, affected Indian tribes, and other parties.

1. B. Vegetation Conservation
   This program is intended to maintain shoreline vegetation that protects human safety and property, increases the stability of river banks and coastal bluffs, reduces the need for structural shoreline stabilization measures, improves the visual and aesthetic qualities of the shoreline, protects plant and animal species and their habitats, and enhances shoreline uses.

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

3. The County should implement vegetation conservation policies through a variety of means, including fish and wildlife habitat conservation area and wetland setback and buffer standards, conditional use requirements for specific uses or areas, mitigation requirements, incentives and non-regulatory programs.

1. C. Flood Hazard Reduction
   This program seeks to limit new development in flood-prone areas.

2. Development in floodplains should not significantly or cumulatively increase flood hazard or be inconsistent with an adopted comprehensive flood control management plan.

3. Development should be designed and located to preclude the need for flood control structures. New or expanded development or uses in the shoreline, including subdivision of land, that would likely require flood control structures within a stream, channel migration zone, or floodway should be prohibited.

4. Development should be discouraged in the channel migration zone areas and existing hazards or problem areas that would result in interference with the process of channel migration which may cause significant adverse impacts to property or public improvements and/or result in a net loss of ecological functions associated with the rivers and streams.

5. The County should ensure mutual consistency between shoreline management provisions and the flood damage prevention ordinance.

1. D. Views and Aesthetics
   This program seeks to minimize obstructions of the public’s visual access to the water and shoreline from new shoreline developments.

2. Shoreline use and development should not significantly detract from shoreline scenic and aesthetic qualities that are derived from natural or cultural features, such as estuaries, bluffs, beaches, vegetative cover and historic sites/structures.

3. Clearing, thinning, and/or limbing for limited view corridors should only be allowed where it does not adversely impact ecological, aesthetic values or slope stability.

4. Vegetation conservation should be preferred over the creation or maintenance of views from property on the shoreline to protect shoreline ecological functions and aesthetics.

5. The County should achieve aesthetic objectives by implementing regulations and criteria for site planning, maximum height, setbacks, siting of buildings and accessories, screening, vegetation conservation, architectural standards, sign control regulations, appropriate development siting and maintenance of natural vegetative buffers.
E. Ecological Restoration

1. This program encourages voluntary restoration of impaired shorelines to improve the overall condition of habitat and resources.

2. The County should facilitate publicly and privately initiated restoration projects through adoption of a restoration plan. The plan should identify degraded areas; set overall goals and priorities for restoring these areas; identify existing and proposed restoration projects and programs; and implementation strategies.

1. F. Water Quality and Quantity
This program seeks to maintain and improve water quality for human health, environmental protection, and protection of water-dependent businesses.

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

3. The County should ensure mutual consistency between shoreline management provisions and other regulations that address water quality and storm water quantity, including public health, storm water, and water discharge standards.

G. Public Access

1. This program is intended to preserve and enhance the public's opportunity to enjoy the physical and aesthetic qualities of county shorelines.

2. Increasing all types of public access is a priority for the County. Strategic efforts to find and fund new shoreline public access are encouraged to meet increasing demands. The County should cooperate with appropriate local, state, tribal and non-governmental organizations to preserve and enhance lands that provide physical access to public waters for public use.

3. Shoreline development by public entities should provide public access as part of each development project, unless access would be incompatible with this Program because of safety, security, or adverse impacts to shoreline functions.

4. Shoreline development by private entities should provide public access when the development would either generate a demand for public access, or would impair existing legal access opportunities or rights.

5. 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 all affected parties including the landowner and the public.

H. Archaeological, Cultural and Historic Resources

1. County should consult with professional archaeologists to maintain an inventory of areas containing potentially valuable archaeological data, while adhering to applicable state and federal laws protecting such information from public disclosure.

2. Where possible, sites should be permanently preserved for scientific study and public observation. In areas known to contain archaeological data, the County shall attach a special condition to the shoreline permit providing for a site inspection and evaluation by an archaeologist to ensure that possible archaeological data is properly managed.

3. Shoreline permits, in general, should contain provisions which require developers to stop work and notify appropriate state and tribal authorities if archaeological data is uncovered during excavation.
4. On sites not designated by archaeological and historical authorities but where the above artifacts are found, the archaeological or anthropological, tribal and historical authorities should be notified.

5. The National Historic Preservation Act provides for the protection, rehabilitation, restoration and reconstruction of districts, sites, building, structures and objects significant to American and Washington history, architecture, archaeology or culture Development or uses that may impact archaeological sites are subject to the Indian graves and records act (RCW 27.44), the archaeological sites and records act (RCW 27.53), and archaeological excavation and removal rules found in WAC 25-48.

I. Property Rights

Policies

1. This program should regulate use and development of private property consistent with all relevant legal limitations.

2. This Program should not unconstitutionally infringe on private property rights or result in an unconstitutional taking of private property.

IX-3 Shoreline Management Program Policies – Specific Uses

A. Agriculture

1. Soils that are well suited for agriculture, resource protection and open space should be protected from non-agricultural uses.

2. This master program shall not require modification of or limit existing and ongoing agricultural practices located on agricultural lands. The policies and regulations in this master program only apply to new agricultural activities on land not meeting the definition of agricultural land, conversion of agricultural lands to other uses, and other development on agricultural land that does not meet the definition of agricultural activities.

3. New agricultural uses and development should be located and designed to assure no net loss of ecological functions and should avoid adverse impacts to shoreline resources.

4. Erosion control measures should conform to guidelines and standards established by the USDA Soil Conservation Service. Agricultural uses and developments should follow best management practices to prevent erosion, runoff, and associated water quality impacts.

5. Animal keeping areas should, when possible, be located outside the shoreline management area jurisdiction. When located in the shoreline jurisdiction management areas, they should be separated from water bodies by vegetated buffer strips.

6. Proper pasture maintenance and manure management practices should be employed to preclude contamination of surface water with livestock waste, to prevent the transmission of waterborne diseases to both human and livestock populations, and to preserve pasture vegetative cover and soil absorptive capacity.

§ 7. Pasture siting practices that prevent contamination of watercourses and the destruction and erosion of vegetation and soil should be encouraged.
Buffer zones of permanent vegetation should be encouraged between pastures and tilled areas and associated water bodies to retard surface runoff, reduce siltation, and promote quality habitats for fish and wildlife.

Livestock waste should be disposed of in a manner that will prevent surface or ground water contamination.

Commercial feedlots should be restricted from locating on shorelines in shoreline jurisdiction unless they applicant can satisfactorily demonstrate that they will cause no significant adverse environmental impacts.

Maintaining vegetative cover in areas subject to flooding should be encouraged.

**B. Aquaculture**

1. Aquaculture is of statewide interest. Aquaculture is dependent on the use of the water area and, when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area. Properly managed, it can result in long-term over short-term benefit and can protect the resources and ecology of the shoreline.

2. Potential locations for aquaculture practices are relatively restricted due to specific biophysical requirements such as water quality, temperature, substrate, dissolved oxygen, and salinity. Priority should be given to aquaculture uses in areas having a high potential for such uses.

3. The County should strengthen and diversify the local economy by encouraging aquaculture uses. Aquaculture operations should be protected against encroachment from incompatible, competing uses.

4. Flexibility to experiment with new aquaculture techniques should be allowed.

5. The County should minimize redundancy of aquaculture permit application requirements required by this Program and other County, State and Federal standards.

6. The county should support community restoration projects associated with aquaculture when they are consistent with this Program.

7. Shoreline and upland development in productive aquaculture areas or those areas with a high potential for aquaculture uses should be reviewed for detrimental impacts on aquaculture.

8. Maximum effort to protect water quality should be made in areas with high potential for aquaculture and current aquaculture areas that have been identified as sensitive areas.

9. The County should consider local ecological conditions and provide limits and conditions to assure appropriate compatible types of aquaculture for the local conditions as necessary to assure no net loss of ecological functions. Aquaculture should not be permitted in areas where it would result in a net loss of ecological functions or adversely impact eelgrass and macroalgae. Aquacultural facilities should be designed and located so as not to spread disease to native aquatic life, or establish new nonnative species which cause significant ecological impacts. Unavoidable impacts to ecological functions shall be mitigated. In regards to the specific issue of eelgrass/macroalgae that move onto aquaculture structures, see Aquaculture General Regulations 10(b), which adds clarification that regulatory protections do not apply to eelgrass or macroalgae that colonizes aquaculture.

10. Recognition should be given to the possible impacts that aquacultural activities might have on the aesthetic quality of the shoreline area.

11. Structures or activities associated with aquaculture should be located inland from shoreline areas or landward of shoreline buffers unless clearly shoreline dependent.
12. Aquacultural activities should be operated in a manner that allows navigational access to shoreline owners and commercial traffic.

13. Floating aquaculture should be reviewed for conflicts with other water dependent uses in areas that are utilized for moorage, recreational boating, sport fishing, commercial fishing or commercial navigation. Such surface installation shall incorporate features to reduce use conflicts.

C. Boating Uses (Piers and Docks and Marinas included)

1. Boating facilities should be located only at sites with suitable environmental conditions, shoreline configuration, access, and neighboring uses. The County should consider the cumulative effects that become possible with the granting of permission for individual boating facilities, recognizing that approval of one project can set a precedent for other similar projects.

2. Where allowed, boating facilities should be located, designed, constructed and operated with appropriate mitigation to avoid adverse effects on shoreline ecological functions.

3. Boating facilities should be designed and located to minimize obstruction of views and conflicts with boaters and fishermen.

4. The type and design of boating facilities should be compatible with the shoreline area where they are located. Consideration should be given to shoreline characteristics, tidal action, aesthetics, and adjacent land and water uses.

5. Boating facilities should be constructed of materials that will not adversely affect water quality or aquatic plants and animals.

6. Use of marinas and public launches are preferred rather than the development of individual docks, piers, and boat launches for private, non-commercial pleasure craft.

7. Joint-use and/or community use of piers and docks are favored, especially in tidal waters.

8. Priority should be given to the use of community piers and docks in all new waterfront subdivisions. In general, encouragement should be given to the cooperative use of piers and docks.

9. Mooring buoys and unattached floats are preferred over piers and docks with attached floats.

10. Boathouses and covered moorages should be prohibited where incompatible with environmental conditions.

11. New piers and docks should be allowed only for water-dependent uses or public access. A dock associated with a single-family residence is considered a water-dependent use provided that it is designed and used as a facility to access watercraft, and other moorage facilities are not available or feasible.

12. Water-related and water enjoyment uses may be allowed as part of a mixed use development on over-water structures where they are clearly auxiliary to and in support of water-dependent uses.

13. New piers and docks, excluding docks accessory to single family residences, should be permitted only when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.

14. Marinas and boat launching facilities should be located in areas where parking and access to the facility can be accommodated without causing adverse impacts upon adjacent properties or endanger public safety.

15. Proposals should be planned and developed where regional and local evidence of substantial need exists.
15. Shallow water embankments should not be considered for overnight or long-term moorage facilities.

16. New construction should be aesthetically compatible with the existing surroundings and not degrade existing views.

17. In locating marinas, special plans should be made to protect the fish, shellfish, and other biological resources that may be harmed by construction and operation of the facility.

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

19. Shoreline resources and water quality should be protected from overuse by boaters living on vessels (liveaboards).

20. 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.

D. Commercial Development

1. Commercial development on shorelines should be encouraged to provide physical and/or visual access to the shoreline, and other opportunities for the public to enjoy the shoreline. Commercial uses located in the shoreline should provide public access in accordance with constitutional or other legal limitations unless such improvements are demonstrated to be infeasible or present hazards to life and property.

2. Multiple use concepts, which include open space and recreation, should be encouraged in commercial developments.

3. Commercial development should be aesthetically compatible with the surrounding area. Structures should not significantly impact views from upland properties, public roadways or from the water.

4. The location of commercial developments along shorelines should ensure the protection of natural areas or systems identified as having geological, ecological, biological, or cultural significance. Commercial Developments should be located, designed and operated to avoid and minimize adverse impacts on shoreline ecological functions and processes.

5. Commercial developments should be encouraged to be located inland from the shoreline area unless they are dependent on a shoreline location. Commercial developments should be discouraged over-water or in wetlands and floodplains.

6. New commercial development in shorelines should be encouraged to locate in those areas with existing commercial development that will minimize sprawl and the inefficient use of shoreline areas.

7. Preference shall be given to water-dependent commercial uses over nonwater-dependent commercial uses; and second, preference shall be given to water-related and water-enjoyment commercial uses over nonwater-oriented commercial uses.

8. Restoration of impaired shoreline ecological functions and processes should be encouraged as part of commercial development.

9. Parking facilities should be placed inland outside of the shoreline jurisdiction, if applicable.

10. Commercial development should be designed and located to minimize impacts of noise and/or light generated by the development upon adjacent properties. Commercial developments, which generate significant noise impacts, should be discouraged.
E. Forestry (Formerly Forest Management Practices)

1. The county should rely on the Forest Practices Act and its implementing rules as adequate management of commercial forest uses within shoreline jurisdiction, except for forest conversion activities.
2. Conversion of forest lands should comply with requirements for the subsequent non-forestry use as required in the Master Program.
3. Forest practices should comply with the Act’s provisions on shorelines of statewide significance.
4. When practical, forest management road systems will be designed outside the shoreline area.

F. In-stream structures

1. Large-scale in-stream structures such as hydroelectric dams and related facilities are discouraged in Mason County. Such facilities should not be permitted except in the rare instance where there is clear evidence that the benefits to County residents outweigh any potential adverse ecological impacts.
2. In-stream structures should be approved only when associated with and necessary for an ecological restoration project, a fish passage project, or an allowed shoreline use/development such as an utility or industrial facility.
3. When necessary, in-stream structures should be located, designed, operated and maintained in a manner that minimizes adverse effects on the stream functions and processes.
4. Proposals for new in-stream structures should be evaluated for their potential adverse effects on the physical, hydrological, and biological characteristics as well as effects on species that inhabit the stream or riparian area.
5. When necessary, in-stream structures should be planned and designed to be compatible with navigation and recreation, especially in shorelines of statewide significance, provided that public safety and ecological protection are fully addressed.
6. The County shall take appropriate measures and precautions to prevent the proliferation of small-scale power generating apparatus as necessary to prevent cumulative adverse impacts.

G. Mining

1. Recognizing that minerals, especially sand, gravel, and quarry rock are valuable resources yet are relatively limited in quality and quantity, and that shorelines are also a valuable and limited resource where mining has severe impacts if occurring within the shoreline area, mining and accessory activities shall be conducted to the extent feasible in a manner consistent with the shoreline resource. Therefore, mining activities shall not result in permanent, significant damage to the shoreline environment. Provisions should also be made to maintain areas of historic, cultural, or educational significance on or adjacent to mining sites, and mining in unique, natural, or fragile shoreline areas shall not be allowed. Mining shall only be allowed where applicants can demonstrate proposed mining depends on a shoreline location.
2. To the extent feasible, accessory equipment, and materials essential to mining operations in shoreline areas shall be stored, sited, and operated as far landward from the ordinary high water mark as possible.
3. Screening and buffering measures shall, as far as is reasonably feasible, utilize natural vegetation and topography of the site.
4. Screening and buffering shall use topography and natural vegetation to the extent feasible and shall be maintained in effective condition.

5. Mining shall not be allowed on marine beaches and lake shores.

6. All practical measures should be taken to protect water bodies from all sources of pollution, including sedimentation and siltation, chemical and petrochemical use and spillage, and storage or disposal of mining wastes and spoils. Maximum protection shall be provided for anadromous fisheries' resources.

7. Mining activities should allow the natural shoreline systems to function with a minimum of disruption during their operations and shall return the site to a naturally functioning, self-sustaining state upon completion.

8. Mining operations should minimize adverse visual and noise impacts on surrounding shoreline areas.

9. Provisions should be made to maintain areas of historic cultural, Tribal cultural or educational significance on or adjacent to mining sites.

10. The on-site handling of materials (including screening, washing, crushing, sorting, loading, stockpiling and storage operations) should be conducted as far landward as feasible from the shoreline.

**H. Outdoor Advertising, Signs and Billboards**

1. Wherever feasible, outdoor advertising, signs and billboards should not be placed in such a manner as to degrade or impair visual access to the shoreline and water. Location or placement should be on the upland side of transportation routes unless it can be shown that views will not be obstructed.

2. All outdoor advertising, signs and billboards shall comply with State and County regulations including Mason County Sign Code (MCC 17.03.200-203 and MCC 17.05.025).

3. Wherever feasible, outdoor advertising signs and advertising should be placed on or against existing buildings to allow maximum visibility of shoreline and water areas.

4. Where feasible, permitted signs should be located on the upland side of transportation routes parallel or adjacent to shoreline and water areas.

5. Other off-premise signs should not be located on shorelines except for approved community gateway or directional signs.

**I. Economic Development**

1. Encourage viable, orderly economic growth through economic activities that benefit the local economy and are environmentally sensitive. Such activities should not disrupt or degrade the shoreline or surrounding environment.

2. Accommodate and promote water-oriented industrial and commercial uses and developments, giving highest preference to water-dependent uses.

3. Encourage water-oriented recreational use as an economic asset that will enhance public enjoyment of the shoreline.

4. Encourage economic development in areas already partially developed with similar uses when consistent with this Program and the Mason County Comprehensive Plan.
5. Accommodate and promote, in priority order, water-dependent, water-related and water-enjoyment economic development. Such development should occur in those areas already partially developed with similar uses consistent with this Program, areas already zoned for such uses consistent with the Mason County Comprehensive Plan, or areas appropriate for water-oriented recreation.

6. Water-oriented economic development shall be carried out in such a way that it has minimal adverse effects and that unavoidable adverse impacts are mitigated to achieve no net loss of shoreline ecological functions.

**J. Port Districts**

1. Mason County recognizes the importance of Port Districts in providing jobs, supporting local business, and facilitating economic stability.

2. Mason County should collaborate with Port Districts in development and implementation of their comprehensive port district plans to support common goals and objectives.

3. Port District developments should be regulated according to the proposed use of the shoreline. For example, if a port district proposed marina development, boating facility regulations would apply. If a port district proposed a marine terminal, industrial and marine terminal regulations would apply.

4. In the implementation of shoreline regulations the county should recognize and seek to further the goals of approved Port Districts comprehensive plans.

**K. Industrial and Marine Terminal Development**

1. Water-dependent industrial uses and marine terminals which require frontage on navigable water should be given priority over non-water-dependent industrial uses; second preference should be given to water-related industrial uses over non-water-oriented industrial uses.

2. New nonwater-oriented industrial development and marine terminals should be prohibited on shorelines except when it provides a significant public benefit with respect to Shoreline Management Act objectives, and:
   (a) The use is part of a mixed-use project that includes water-dependent uses; or
   (b) Navigability is severely limited at the proposed site.

3. Industrial and marine terminal 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.

4. Industrial and marine terminal development should be visually compatible with adjacent properties.

**L. Recreational Development**

1. Shoreline developments that serve a variety of recreational needs should be encouraged. Priority shall be given to developments which provide recreational uses and which facilitate public access to shorelines.

2. All proposed recreational developments should be designed, located and operated to protect the quality of scenic views and to avoid and minimize adverse impacts on the environment to achieve
no net loss of ecological processes and functions. Favorable consideration should be given to those projects which compliment their environment.

3. Publicly owned property which provides public access to a body of salt or fresh water should be retained for public use.

4. Public agencies, private individuals, groups and developers should be encouraged to coordinate development projects to mutually satisfy recreational needs.

5. Recreational facilities should make adequate provisions for:
   a. traffic, both inside and outside the facility
   b. proper water, solid waste and sewage disposal methods;
   c. security and fire protection;
   d. the prevention of overflow and trespass onto adjacent properties, including but not limited to landscaping, fencing and posting of property;
   e. buffering of development from adjacent private property.

6. Facilities for intensive recreational activities should be permitted only where sewage disposal and garbage disposal can be accomplished without altering the environment adversely.

7. Where appropriate, non-intensive recreational use should be allowed on floodplains that are subject to recurring flooding.

8. Off-shore recreational devices should be allowed and should be designed to not unduly interfere with navigation of waterways.

9. Trails and pathways on steep shoreline bluffs should be designed to protect bank stability and mitigate for impacts to shoreline ecological functions as to achieve no net loss.

10. Public recreational developments should be consistent with adopted park, recreation and open space plans for the County.

11. The development of small, dispersed recreation areas should be encouraged.

12. The linkage of shoreline parks, recreation areas and public access points by linear systems, such as hiking paths, bicycle paths, easements and scenic drives should be encouraged.

13. The use of off-road vehicles should be discouraged in all shoreline areas except where special areas have been set aside for this purpose.

1. M. Residential Development
   Over-water or floating residential development should not be permitted waterward of the ordinary high water mark.

2. Sewage disposal facilities, as well as water supply facilities, should be provided in accordance with appropriate state and local health regulations.

3. Residential development, including subdivisions, in geologically hazardous areas, channel migration zones or in the floodway should not be permitted.

4. Residential development in shoreline areas should be designed to preserve natural drainage courses. Storm drainage facilities should be designed and installed to protect water quality, prevent erosion, and protect structures.

5. Subdivisions should maintain usable waterfront areas for the common use of all property owners within the development. Subdivisions of more than four lots should provide public access consistent with the provisions of this Master Program.
6. Residential development on shorelines should be planned, designed and located to avoid, minimize, and mitigate for unavoidable adverse impacts to shoreline ecological functions.

7. Residential structures should be designed and located to not significantly block or significantly impact views of adjacent residences.

8. Residential developments created after the effective date of this program should provide adequate common access to the shoreline and open space along the shoreline for all residents of the development. The access and open space should be of adequate size to provide for recreation land to ensure against interference with adjacent properties. Residential developments of more than four dwelling units should provide public access consistent with the provisions of this Master Program.

9. Residential structures should be located to minimize obstruction of views of the water from upland areas. The intent of this policy is to encourage the retention of views in and through new residential developments. This policy is not intended to prohibit residential development of a shoreline lot simply because it may impact or eliminate views from upland property.

10. Residential development along shorelines should be designed and sited to make shoreline stabilization measures unnecessary within the foreseeable future.

11. New residential development should be encouraged to cluster dwelling units in order to preserve natural features, minimize physical and visual impacts and reduce utility and road costs.

12. The overall density of development, lot coverage and height of structures should be appropriate to the physical capabilities of the site. Particular attention should be given to the preservation of water quality and shoreline aesthetic characteristics. Density should be consistent with density provisions of the County land use / zoning code and this Program.

13. The county should consider cumulative impacts from shoreline armoring, stormwater runoff, septic systems, introduction of pollutants, and vegetation modification and removal associated with residential development.

14. Single family residences are a priority use of the shoreline when developed in a manner that assures no net loss of shoreline ecological functions.

15. Accessory dwelling units should be allowed when no net loss of shoreline ecological functions would occur. The cumulative impact of like structures on neighboring properties should be considered.

N. Restoration and Enhancement Projects

1. Improve shoreline ecological functions, watershed processes, and habitat 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 Mason County adopted restoration plans.

2. Provide fundamental support to restoration work in the shorelines of Mason County by various organizations by identifying priorities and organizing information on available funding sources for restoration implementation.

3. Implement actions that restore shoreline ecological functions, values and processes as well as shoreline features, improve habitat for sensitive and/or locally important species, and are consistent with biological recovery goals for threatened salmon populations and other species and/or populations for which a recovery plan is available.

4. Integrate restoration efforts with other parallel natural resource management efforts including, but not limited to, water quality cleanup plans, TMDLs, integrated aquatic vegetation management plans for lakes, shellfish closure response plans, and other similar efforts.
5. Protection of existing shoreline resources is the best way to ensure the long-term health and well-being of Mason County shorelines. Restoration should be used to complement the protection strategies required by this Program to achieve the greatest overall ecological benefit.

6. This Program recognizes the importance of restoring shoreline ecological functions and processes. Mason County supports cooperative restoration efforts by strategically organizing programs between local, state, and federal public agencies, tribes, non-profit organizations, and landowners to improve shorelines with impaired ecological functions and/or processes.

7. Restoration actions should restore shoreline ecological functions and processes as well as shoreline features and should be targeted toward meeting the needs of sensitive and/or regionally important plant, fish and wildlife species.

8. 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.

9. Priority should be given to restoration actions that:
   a. Create healthy and sustainable ecosystems.
   b. Restore connectivity between stream/river channels and floodplains.
   c. Restore natural watershed processes that support river and stream channel formation.
   d. Mitigate peak flows and associated impacts caused by high stormwater runoff volume.
   e. Reduce sediment input to streams and rivers and associated impacts.
   f. Improve water quality over time.
   g. Restore native vegetation and natural hydrologic functions of degraded and former wetlands.
   h. Replant native vegetation in riparian areas to provide shade and food sources for nearshore habitats.
   i. Restore nearshore ecosystem processes, such as sediment transport and delivery and tidal currents that create and sustain habitat.
   j. Restore pocket estuaries and other priority habitats that support salmon life histories, including feeding and growth, refuge, and migration.
   k. Restore beaches that support priority forage fish spawning.
   l. Restore nearshore habitats where native eelgrass was historically present.
   m. Address contamination along industrial shoreline regions.

O. Transportation Facilities

1. New transportation facilities should be located on stable soils, back from a water channel using routes that avoid slumps, wetlands, and natural drainage areas. When this is not possible, corrective stabilization measures should be permitted.

2. Major highways, freeways and railways should be located away from shorelands.

3. Transportation facility locations should be planned to fit the topography so that minimum alterations of natural conditions will be necessary.
4. Scenic highways should have provisions for safe pedestrian and other non-motorized travel. Also, provisions should be made for sufficient viewpoints, rest areas and picnic areas on public shorelines.

5. Public roadways which provide significant visual and physical public access to shoreline areas, including high quality aesthetic values, should be maintained and kept in service.

6. Roads located in shorelands and wetlands should be designed and maintained to prevent erosion and to permit the natural movement of ground water.

7. Location of transportation facilities should not require the rerouting of stream and river channels.

8. Transportation facilities should be designed, constructed and maintained to minimize erosion, prevent pollution and to permit natural movement of ground water and flood waters to the extent practical.

9. All debris, overburden and other waste materials from construction should be disposed of in such a way as to prevent their entry by erosion from drainage, high water, or other means into any surface water body.

10. Waterway crossings should be designed and constructed to maintain normal geohydraulic processes, as well as to minimize interruption of flood water flow.

11. The number of stream crossings should be minimized.

12. New transportation facilities should be located and designed to minimize the need for shoreline protection measures.

13. Trail and bicycle systems should be encouraged along shorelines to the maximum extent feasible.

14. All transportation facilities in shoreline areas should be located, designed, constructed and maintained to cause the least possible adverse impacts on the land and water environments, should respect the natural character of the shoreline and should make every effort to preserve wildlife, aquatic life and their habitats.

15. Where there is a mutual consent abandoned or unused road or railroad right-of-way which offer opportunities for public access to the water should be acquired or retained for such use.

16. Public transportation facilities should employ pervious materials and other appropriate low impact development techniques where soils and geologic conditions are suitable and where such measures could measurably reduce stormwater runoff.

17. Parking in shoreline areas should be limited to that which directly serves a permitted shoreline use.

18. Parking facilities should be located and designed to minimize adverse environmental impacts to the following, including, but not limited to:
   a. Stormwater runoff;
   b. Water quality;
   c. Visual qualities;
   d. Public access; and
   e. Vegetation and habitat.

19. Parking areas should be planned to achieve optimum use. Where feasible, parking areas should serve more than one use (e.g., recreational use on weekends, commercial use on weekdays).

**P. Utilities**
1. New utilities should be located outside shoreline jurisdiction unless the utility requires a location adjacent to the water; alternative locations are infeasible; or utilities are required for permitted shoreline uses.

2. Pipelines, cables and transmission lines should not be placed in waters, wetlands or in required buffer areas unless there is no feasible and reasonable alternative.

3. New utilities should use existing transportation and utility sites, rights-of-way and corridors, rather than creating new corridors.

4. Utility facilities should be designed and located to assure no net loss of shoreline ecological functions, preserve the natural landscape, and minimize conflicts with present and planned land and shoreline uses while meeting the needs of future populations.

5. Utility facilities and corridors should be planned, designed and located to protect scenic views.

6. If possible, power distribution and telephone lines should be placed under ground in any new residential, commercial, public, or view area near the shores of a water body.

7. The possibility of making use of public utility rights-of-way to provide additional public access to lakes, streams, or saltwater should not be overlooked when granting such rights-of-way. Planning for location of towers, substations, valve clusters, etc., so as not to obstruct such access should be pursued.

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IX-4  SHORELINE MANAGEMENT PROGRAM POLICIES - MODIFICATION ACTIVITIES

A. Beach Access Structures

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

2. Mason County should enable pedestrian access to beach areas while protecting fragile shoreline ecosystems and aesthetic concerns.

3. Neighboring property owners are encouraged to combine resources to collectively propose beach access structures in appropriate locations for shared use. Joint use stairways are preferred over individual stairways.

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

5. Beach access structures may not be appropriate in some areas because of safety hazards. 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.

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

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

8. Recognition should be given to potential detrimental impacts of beach access structures on water-dependent uses.
B. Breakwaters, Jetties and Groins

1. Because the purpose of these structures is to modify complex water movement and littoral drift systems and may thus impact the shoreline outside the project boundaries, design by a registered professional engineer is required.

2. Floating breakwaters are preferred to solid landfill types to maintain sand movement and fish habitats.

3. When planning for breakwaters and jetties or groins, the County should consider entire systems or sizable stretches of rivers or marine shorelines. This planning should consider off-site erosion or accretion that might occur as a result of these shoreline structures or activities. These structures should be developed in a coordinated manner among affected property owners and public agencies.

4. Jetties should generally be discouraged because they partially or totally block shore processes, are irreversible in nature and require an on-going and costly dredging or beach feeding program to alleviate erosion or accretion problems.

5. Marine groins should generally be discouraged because they purposefully trap and accrete beach forming material, yet erode down drift beaches which may have adverse effects on other shore resources and habitats.

6. Breakwaters, jetties and groins should be located and designed so as to avoid, minimize, and mitigate for any unavoidable adverse impacts on fish and wildlife resources and habitats.

7. Artificial beach feeding and enhancement proposals that do not use jetties or groins should be encouraged over developments requiring the use of such structures.

8. Breakwaters, jetties and groins should be allowed only where necessary to support water-dependent uses including public access, navigation, industrial activities and marinas as an integral component of a harbor, marina or port, shoreline stabilization or other specific public purpose.

C. Dredging and Dredge Material Disposal

1. Upstream migration and downstream escapement of migratory fish should be considered. If dredging operations wholly involve a creek, stream, or river channel, or other recognized fish migration route, these operations should follow established state and federal work windows to ensure to allow for successful passage of these fish.

2. Dredging operations can be extremely detrimental and should be carried out only where alternatives are infeasible and where the dredging is:
   a. part of an approved effort to preserve, protect, or improve existing ecological conditions; or
   b. necessary to support an existing legal use or a proposed water dependent use or essential public facility; or
   c. part of a federal or state approved clean-up program; or
   d. part of an approved beach nourishment project; or
   e. required to provide public access for a substantial number of people.
3. Dredging and dredge disposal operations should be the minimum needed to accommodate the allowed use or development.

4. Dredging for the purpose of obtaining fill or building material should not be allowed except where necessary for environmental restoration.

5. Dredge spoil disposal is discouraged in shoreline jurisdiction, especially within channel migration zones. It may be allowed at approved in-water disposal sites, as part of an approved restoration or clean-up projects.

D. Flood Protection

1. Flood protection planning should be undertaken in a coordinated manner among affected property owners and public agencies and should consider entire systems or sizable stretches of rivers, lakes or marine shorelines. Thus planning should consider the off-site erosion, accretion or flood damage that might occur as a result of stabilization or protection structures or activities.

2. Flood protection planning should be comprehensive and long-term and focused on preventing flood damage, maintaining or restoring the natural hydraulic capacity of streams and floodplains, and conserving or restoring valuable resources such as fish, water, soil, and recreation and scenic areas.

3. Flood protection projects should be located, designed, constructed and maintained to provide:
   a. Protection of the physical integrity of the shore process corridor and other properties which may be damaged by interruptions of the geohydraulic system;
   b. Protection of water quality and natural ground water movement;
   c. Protection of valuable fish and other life forms and their habitat vital to the aquatic food chain;
   d. Preservation of valuable recreation resources and aesthetic values such as point and channel bars, islands and other shore features and scenery.

4. Non-structural flood control solutions should be used wherever possible, including prohibiting or limiting development in historically flood prone areas, regulating structural design and limiting increases in peak flow runoff from new upland development. The structural solution to reduce the identified flood hazard shall be allowed, after it is demonstrated that non-structural solutions would not be able to reduce the damage. The structural solution with the least impact on shoreline ecological functions – such as overflow corridors and setback levees – should be preferred over structural approaches with greater impact.

5. Substantial stream channel modification, realignment and straightening should be discouraged as a means of flood protection.

6. In design of publicly financed or subsidized flood protection projects, consideration should be given to providing public pedestrian / non-motorized access to the shoreline for outdoor recreation. New flood control structures should not unduly interfere with navigation, water-related recreation or other existing public access to public waters.

7. New flood control structures should only be allowed where there is a documented need to protect an existing structure or new public transportation or utility structure where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost.

8. New development should be limited in flood-prone areas, and should be generally designed and located to preclude the need for flood control structures. New or expanded development or uses in
the shoreline, including subdivision of land, that would likely require flood control structures within a stream, channel migration zone, or floodway should be prohibited.

**E. Grading, Fill and Excavation**

1. Any permitted grading, fills or excavation should be designed so that no significant damage to existing ecological functions or natural resources, or alteration of local currents will occur, creating a hazard to adjacent life, property, ecological functions, or natural resources.
2. Priority should be given to fills for environmental cleanup and restoration.
3. In evaluating fill projects and in designating areas appropriate for fill, such factors as total water surface reduction, navigation restriction, impediment of water flow and circulation, reduction of water quality and destruction of habitat and alteration of ecological processes should be considered.

**F. Shoreline Stabilization**

1. Unarmored shorelines should be preserved to the greatest extent feasible to protect the ecological functions that shorelines provide.
2. Non-structural shoreline stabilization measures should be used to protect structures from erosion wherever feasible. Non-structural shoreline stabilization measures include relocating structures away from the water, enhancing vegetation, and managing drainage and runoff.
3. Shoreline stabilization measures should be located, designed and maintained to protect natural shore features and the integrity of the natural geohydraulic system, including feeder bluffs, littoral drift corridors and accretion beaches.
4. Shoreline stabilization measures should be located, designed and maintained in a manner that will conserve and enhance water quality, fish, shellfish, and other wildlife resources and habitats.
5. Owners of property containing feeder bluffs should be discouraged from constructing shoreline stabilization structures, particularly in areas not already developed or not already subject to shoreline modification.
6. Shoreline stabilization structures should be permitted only where protection to upland areas or facilities is provided, not for the indirect purpose of creating land by filling behind the structure.
7. Property owners should be encouraged to coordinate bio-engineered stabilization measures for an entire drift sector.
8. Structural shoreline stabilization measures, including bulkheads, should be allowed only where evidence is present that one of the following conditions exists:
   a. Serious wave erosion threatens an established use or existing buildings on upland property.
   b. The proposed structure is necessary to the operation and location of water dependent and/or water related activities consistent with the Master Program.
   c. Other alternatives are demonstrated to be infeasible and that the proposed structure meets other policies and regulations of this chapter.
   d. The proposed structure is necessary to replace a bulkhead which has failed within the past five years.
e. The proposed action is a repair or maintenance of a normal protective bulkhead that is constructed at or near the ordinary high water mark to protect a single-family primary structure, not for the purposes of creating land.

9. Shoreline stabilization projects on public lands should be designed to accommodate multiple use, restoration, and/or public access, provided that safety and ecological protection are fully addressed.

10. New development should be located and designed to avoid the need for future shoreline stabilization to the extent feasible.

11. Land subdivisions should be designed to assure that lots created will not require shoreline stabilization in order for development to occur.

12. Information about shoreline erosion hazards should be made available to existing and prospective shoreline property owners so they are informed about the risks of living in areas that are prone to erosion, channel migration, landslides and other hazards.

13. 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.

14. Non-regulatory methods to protect, enhance, and restore shoreline ecological functions and other shoreline resources should be encouraged. Non-regulatory methods may include public facility and resource planning, technical assistance, education, voluntary enhancement and restoration projects, land acquisition and restoration, or other incentive programs.

(Located in MCC 17.50) (Located in MCC 17.50)