5 General Goals and Policies

A. Applicability.

The General Goals and Policies of this section apply to all use and modification activities within the Shoreline Master Program (SMP) jurisdiction, regardless of Environment Designation. As provided in WAC 173-26-191, these policies are the basis for regulations that govern use and development along the shoreline. Some Program policies may not be fully achievable by regulatory means, but they may be pursued by other means as provided in RCW 90.58.240.

B. Protection of Critical Areas and Ecological Functions.

Goal.
Protect and conserve shoreline natural resources, including protection of critical areas incorporated into this title, while accommodating appropriate and necessary uses which will assure, at a minimum, no net loss to shoreline ecological functions and processes. [WAC 173-26-201(2)(c)]

Policies.
1. Protect and conserve shoreline areas that are ecologically intact and minimally developed or degraded. Develop incentives and regulations for privately owned shorelines which will protect and conserve these areas while allowing appropriate and necessary development. [WAC 173-26-186(8); WAC 173-26-221(2)(b)(iii and iv)]

2. Permitted uses and developments shall be designed and conducted in a manner that protects the current ecological condition, and prevents or mitigates adverse impacts. Mitigation measures shall be applied in the following sequence of steps listed in order of priority:
   a) Avoid the impact altogether by not taking a certain action or parts of an action;
   b) Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
   c) Rectify the impact by repairing, rehabilitating or restoring the affected environment;
   d) Reduce or eliminate the impact over time by preservation and maintenance operations;
   e) Compensate for the impact by replacing, enhancing, or providing substitute resources or environments, including utilization of the in-lieu-fee process where appropriate; and
   f) Monitor the impact and the mitigation projects and take appropriate corrective measures. [WAC 173-26-201(2)(e); RCW 90.58.28]

3. Shoreline ecological functions that should be protected include, but are not limited to:
a) Habitat (space or conditions for reproduction; resting, hiding and migration; and food production and delivery);
b) Water quality maintenance
c) Water quantity maintenance

4. Shoreline processes, both freshwater and marine, that should be protected to support the above functions include, but are not limited to the delivery, loss and movement of:
   a) Sediment
   b) Water
   c) Nutrients
   d) Toxins
   e) Pathogens, and
   f) Large woody material.
   [WAC 173-26-201(3)(d)(i)(C); WAC 173-26-221(5)(b); WAC 173-26-231(3)(a)(iii)]

5. In assessing the potential for new uses and developments to impact ecological functions and processes, the following should be taken into account:
   a) On-site and off-site impacts;
   b) Immediate and long-term impacts;
   c) Cumulative impacts, from both current and reasonably foreseeable future actions, resulting from the project; and
   d) Any mitigation measures or beneficial effects of established regulatory programs to offset impacts.
   [WAC 173-26-186(8)(d)]

6. Critical areas in the shoreline jurisdiction should be protected in a manner that results in no net loss to shoreline ecological functions. Pursuant to RCW 36.70A.030(5), critical areas may include:
   a) Wetlands
   b) Frequently Flooded Areas
   c) Fish and Wildlife Habitat Conservation Areas
   d) Geologically Hazardous Areas
   e) Critical Aquifer Recharge Areas
   [WAC 173-26-221(2)(a)(ii)]

C. Vegetation Conservation.

Goal.
Conserve, protect and restore shoreline vegetation to provide for ecological and habitat functions as well as human health and safety. These functions include, but are not limited to, variable shading of the nearshore, food and shelter for terrestrial and aquatic organisms, and slope/soil stabilization. [WAC 173-26-221(5)]

Policies.
1. Preserve native plant communities on marine, river, lake and wetland shorelines. In order to maintain shoreline ecological functions and processes, development along the shoreline should result in minimal direct, indirect, or cumulative impacts. This includes:
a) Keeping overhanging vegetation intact along the shoreline edge to provide shading and other ecological functions; and

b) Preserving established areas of native plants and minimizing clearing and grading near bluff edges and other erosion or landslide-prone areas in order to maintain slope stability and prevent excess surface erosion and stormwater runoff; and

c) Designing and placing structures and associated development in areas that avoid disturbance of established native plants, especially trees and shrubs.

2. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. When shoreline uses or modifications require a planting plan, maintaining native plan communities, replacing noxious weeds and avoiding installation of ornamental plants is preferred. Non-native vegetation requiring use of fertilizers, herbicides/pesticides, or summer watering is discouraged.

3. Maintaining native or ecologically functional vegetation is preferred over clearing to provide views or lawns. Limited and selective clearing may be allowed when slope stability and ecological functions are not compromised. Limited trimming and pruning is generally preferred over removal of native vegetation.

D. Restoration and Enhancement.

Goal.
Re-establish, rehabilitate and/or otherwise improve impaired shoreline ecological functions and processes through voluntary and incentive-based public and private programs and actions that are consistent with the SMP Restoration Plan and other approved restoration plans. (For required mitigation sequencing related to specific development proposals, please refer to section B of this chapter.) [WAC 173-26-201(2)(c) and (f)]

Policies.

1. Integrate and facilitate voluntary and incentive-based cooperative restoration and enhancement programs between local, state, and federal public agencies, tribes, non-profit organizations, and landowners to address shorelines with impaired ecological functions and/or processes. [WAC 173-26-186(8)(c)]

2. Identify restoration opportunities through the shoreline Inventory and Characterization and authorize, coordinate and facilitate appropriate publicly and privately initiated restoration projects. This shall be accomplished through the SMP Restoration Plan, which addresses the following:
   a) Identification of degraded areas and sites with potential for ecological restoration; and
   b) Restoration goals and priorities; and
   c) Existing and on-going projects and programs; and
   d) Additional projects and programs needed to achieve the restoration goals; and
   e) Identifying funding sources, timelines and benchmarks for implementation; and
   f) Monitoring effectiveness of restoration projects.
   [WAC 173-26-201(2)(c) and (f)]
3. Encourage and facilitate restoration and enhancement projects for Priority Habitats and Species (Washington Department of Fish and Wildlife, PHS Program). [WAC 173-26-201(2)(c) and WAC 173-26-231(3)(g)]

4. Shoreline ecosystem protection and restoration project prioritization, location and design should utilize the most current, accurate and complete scientific and technical information to promote resiliency of habitats and species. [WAC 173-26-201(2)(a)]

E. Water Quality and Quantity.

Goal.
Provide for and encourage practices which protect water quality and reduce stormwater runoff and erosion in order to protect against adverse impacts to the public health, to the land and its vegetation and wildlife, and to the waters of the state and its aquatic life. [WAC 173-26-221(6)(b)]

Policies.
1. Shoreline use and development should minimize impacts that contaminate surface or ground water, cause adverse effects on shoreline ecological functions, or impact aesthetic qualities and recreational opportunities, including healthy shellfish harvest. [WAC 173-26-221(6)(b)(i)]

2. Ensure mutual consistency with other regulations that address water quality and stormwater quantity, including standards as provided for in Kitsap County Code (KCC) Title 12 (Stormwater Drainage) and WAC 173-26-201(A) (Water Quality Standards...). [WAC 173-26-221(6)(b)(ii)]

3. Utilize pervious materials and other appropriate low impact development techniques where soils and geologic conditions are suitable and where such practices could reduce stormwater runoff. [WAC 173-26-221(6)(b)(iii)]

4. All shoreline use and development shall be conducted in accordance with KCC Title 15 (Flood Hazard Areas). The subdivision of land should not be established when it would be reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the channel migration zone or floodway. When evaluating alternate flood control measures or floodplain restoration opportunities, consider the removal or relocation of structures in flood-prone areas. [WAC 173-26-221(3)(b)]

F. Shoreline Use and Site Planning.

Goal.
Preserve and develop shorelines in a manner that allows for an orderly balance of uses by considering the public and private use and development of shorelines and adjacent land areas with respect to the general distribution, location and extent of such uses and development. [RCW 90.58.100(2)(e)]

Policies.
1. For shoreline use and development activities, including plats and subdivisions at full build-out, employ innovative development features to achieve no net loss of ecological functions, such as sustainable and low impact development practices where appropriate. [WAC 173-26-241(3)(j)(i)]

2. Give preference to water-dependent and single family residential uses that are consistent with preservation of shoreline ecological functions and processes. Secondary preference should go to water-related and water-enjoyment uses. Non-water-oriented uses should be limited to those locations where the above described uses are inappropriate or where non water oriented uses demonstrably contribute to the objectives of the Shoreline Management Act. For use preference within shorelines of statewide significance, please refer to Chapter 4 of this title. [WAC 173-26-201(2)(d)(i-v) and WAC 173-26-241(2)(a)]

3. Designate and maintain appropriate areas for protecting and restoring shoreline ecological functions and processes to control pollution and prevent damage to the shoreline environment and/or public health. [WAC 173-26-201(2)(d)(i)]

4. Through appropriate site planning and use of the most current, accurate and complete scientific and technical information, shoreline use and development should be located and designed to avoid the need for shoreline stabilization or actions which would result in a net loss of shoreline ecological functions. [WAC 173-26-201(2)(a) and WAC 173-26-231(3)(a)(iii)(A)]

G. Public Access and Recreation.

Goal.
Provide physical and visual public access opportunities and space for diverse forms of water-oriented recreation, such that private property rights, public safety, and shoreline ecological functions and processes are protected, in accordance with existing laws and statutes. [WAC 173-26-221(4)(b)]

Policies.

1. Protect the public’s opportunity to enjoy the physical and visual qualities of the shoreline by balancing shoreline use and development in such a way that minimizes interference with the public’s use or enjoyment of the water. This may be achieved through regulatory provisions, incentives or other cooperative agreements. [WAC 173-26-221(4)(d)(iv)]

2. Evaluate site-appropriate types and methods of required public access when reviewing all public shoreline development projects and private subdivision of land into more than four parcels. This may include on-site physical or visual access or an in-lieu fee for providing or maintaining public access off-site. [WAC 173-26-221(4)(d)(ii and iii)]

3. Acquire, maintain and improve diverse physical and visual shoreline access through public and private efforts. This should be accomplished in a comprehensive and prioritized manner through the use of existing plans and programs, including those that address population growth and shoreline access demands such as the Kitsap County Comprehensive Plan, Kitsap County Parks, Recreation and Open Space (PROS) Plan, port and state park plans. [WAC 173-26-221(4)(c)]
4. Publicly owned, undeveloped road-ends, tax-title lands and right-of-ways adjacent to salt and freshwater shorelines should be evaluated for use as public access points. These lands may be developed for access by a community organization, consistent with Kitsap County Ordinance #322-2004. [WAC 173-26-201(3)(c)(vi)]

5. Use shoreline public access points to enhance the public’s understanding and appreciation of shoreline ecology, cultural history, maritime heritage, and location specific rules and boundaries by incorporating educational and interpretive signage and other tools into public access facilities.

H. Economic Development.

Goal.
Provide for the location and design of industries, transportation, port and tourist facilities, commerce and other developments that are particularly dependent upon a shoreline location and/or use, when the shoreline can accommodate such development. [RCW 90.58.100(2)(a)]

Policies.
1. Accommodate and promote, in priority order, new 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 SMP, areas already zoned for such uses consistent with the Kitsap County Comprehensive Plan, or areas appropriate for water-oriented recreation.

2. Water-oriented economic development shall be carried out in such a way that has minimal adverse effects and that unavoidable adverse impacts are mitigated.

I. Transportation and Utilities.

Goal.
Plan, locate and design transportation systems and essential utility facilities in shoreline areas where they will have the least possible adverse effect on shoreline ecological functions and/or processes and existing or planned water-dependent uses. [WAC 173-26-241(3)(k)and (l)]

Policies.
1. Plan, locate and design proposed transportation, parking facilities, and utility facilities where routes will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water-dependent uses. [WAC 173-26-241(3)(k)]
2. Parking facilities in shorelines are not a preferred use. Such facilities should only be allowed as necessary to support an authorized use and only when environmental and visual impacts are minimized. [WAC 173-26-241(3)(k)]

3. New or expanded transportation routes and essential utility facilities should, to the extent feasible:
   a) Be located in areas that do not require shoreline stabilization, dredging, extensive cut/fill and other forms of shoreline alteration;
   b) Be limited to local access and public shoreline access routes; and
   c) Be located in existing rights of way and corridors; and
   d) Not be built within shoreline jurisdiction when other options are available. [WAC 173-26-231(3)(a)(iii)(A) and 231(3)(f); WAC 173-26-231(3)(k and l)]

4. Transportation and utility projects shall be consistent with the public access policies and plans of this Shoreline Master Program. [WAC 173-26-241(k)]

5. Provide for alternate modes of travel, including pedestrian, bicycle and public transportation, where appropriate. [WAC 173-26-241(k)]

6. Maintenance of existing transportation corridors and utility facilities shall be carried out in a manner that will not result in a net loss of shoreline ecological functions. Unavoidable adverse impacts shall be mitigated. [WAC 173-26-241(3)(l); WAC 173-26-201(2)(e)]

J. Historic, Archaeological, Scientific, Cultural and Educational (HASCE) Resources.

Goal. Protect shoreline features of historic, archaeological, scientific, cultural and educational value or significance through coordination and consultation with the appropriate local, state and federal authorities, affected Indian tribes, and property owners. [RCW 90.58.100(2)(g); WAC 173-26-221(1); Memorandum of Understanding (MOU) #KCC-422-07 between Kitsap County and the Washington Dept. of Archaeology and Historic Preservation]

Policies.
1. Prevent damage or destruction of HASCE sites through coordinated identification, protection and management with the appropriate local, state and federal authorities and registrars, affected Indian tribes, and property owners. [WAC 173-26-221(1)(b)]

2. Provide opportunities for education and appreciation related to HASCE features where appropriate and where maximum protection of the resource can be achieved. [WAC 173-26-221(4)]

3. If archaeological resources are uncovered during excavation, developers and property owners must immediately stop work and notify Kitsap County, the office of archaeology and historic preservation and affected Indian tribes. Permits may be conditioned after review by a professional archaeologist, pursuant to MOU #KCC-422-07. [WAC 173-26-221(1)(c)]