KEY ISSUE: PUBLIC ACCESS

What is the Issue?
According to Shoreline Master Program WAC 173-26-221 (4) (b) local shoreline master programs shall:

- Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
- Protect the rights of navigation and space necessary for water-dependent uses.
- To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public’s opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.
- Regulate the design, construction and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public’s use of the water.

The public access goal in Kitsap County’s 1999 SMP Update says: Safe, convenient, and diversified public access to public shorelines will ensure maximum use and enjoyment by the public. However, such access should not be allowed to affect fragile or otherwise sensitive shoreline areas adversely. Private property rights should be respected.

Role of the SMP Task Force: The SMP Task Force will review current policies governing public access in Kitsap County, as well as plans that are currently in the works to increase public access opportunities. Are these policies and plans adequate? What additional policy recommendations might the Task Force make regarding public access to Kitsap County shorelines?

Background Information
WAC Section 173-26-221 (pages 51-52).

Shoreline Inventory and Characterization, pg. 423
Washington State Parks, Kitsap County Parks and DCD will present information on September 2.

WAC 173-26-201(3)(c)(vi) requires that the inventory of shoreline conditions include existing and potential public access sites, including public rights of way and utility corridors. DCD has provided a list of these potential sites in Map C-27 in the Draft Inventory and Characterization.

WAC 173-26-221 (2) (c) (iii)(A) & (B) where critical saltwater habitats require an evaluation of the current data regarding the level of human activity in such area, including
the presence of roads and the level of recreational types (passive or active recreation may be appropriate for certain areas and habitats).

Other background data sent to Task Force members and available on the kitsapshoreline.org website by Aug. 31 includes:

- KC Ordinance 322-2004 for Right-of Way
- DCD/WSU Potential Public Access Project Description
- KC Parks and Comp Plan Summary on Public Access Policy

**What Does the Task Force Policy Need to Do?**

The public access policy recommendation developed by the Task Force will be used to:

- Set the stage for the way in which public access will be characterized and accommodated in the SMP Update.
- Reinforce the existing County/State plans for increased public access, and/or provide additional guidance on how public access might be further pursued within the County.

- Provide the framework for DCD staff as they develop and write the SMP regulations related to public access.

**Lessons Learned**

A summary of the public access policies in the SMP’s of other jurisdictions has been provided via email and will be available on the website by Aug. 31.

**QUESTIONS FOR THE TASK FORCE**

For our discussion on September 2, please come prepared to weigh in on the following:

1) Considering the September 2 presentations and all of the background information made available, what are your thoughts about a Task Force policy related to public access? Is the 1999 goal adequate, or do you believe it should be modified? If so, what types of changes would you propose?

2) Do you have any additional suggestions/comments on the overall issue of public access to Kitsap County shorelines?