

## **Legal decisions bolster state, local efforts to update shoreline rules**

### **Local News**

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OLYMPIA - Recent legal decisions have bolstered efforts by the Washington Department of Ecology (Ecology) to help cities and counties across the state update their locally tailored land-use plans and development regulations for shoreline areas. The Western Washington Growth Management Hearings Board upheld Whatcom County's Shoreline Master Program in response to challenges by local citizens and development interests. In a companion case, the Skagit County Superior Court also refused to invalidate Whatcom County's Shoreline Master Program. The parties have 30 days to appeal these decisions. Whatcom County was the first county in the state to overhaul its Shoreline Master Program using guidelines Ecology put in place more than six years ago. Ecology also has approved revised Shoreline Master Programs for the cities of Chewelah, Marysville, Monroe, Orting, Port Townsend and Sultan, and the towns of Coupeville and Darrington. Under state law, Washington's remaining 249 cities and counties with shorelines have until 2014 to update their current shoreline programs.

Although more than 70 cities and counties are in the process of revising their programs, most haven't done this comprehensively in more than 30 years. From 1978 through 2008, the state population has grown from about 3.8 million to an estimated 6.6 million people. "First, I would like to say congratulations to Whatcom County. People from across the county worked together on an outstanding master program update, and I'm gratified that their efforts were upheld by the judiciary," said Ecology Director Jay Manning. "All over Washington, beaches and stream banks have been eroded, flood damage has increased, habitat has been destroyed and species are being lost. If we hope to protect the economic and environmental health of our waters - including Puget Sound - it is imperative we work together with local communities to update our Shoreline Master Programs." Manning said Shoreline Master Programs are the cornerstone of the state Shoreline Management Act, passed by voter referendum in 1972. Individual cities and counties are required to develop locally-tailored programs that minimize environmental damage to state shoreline areas, reserve appropriate areas for water-oriented uses and reduce interference with the public's access to water. Ecology has final approval authority for each city and county shoreline program, which becomes part of the overall state Shoreline Master Program. "The state guidelines we adopted in 2003 are intended to help each municipality understand the scope, criteria and issues its individual Shoreline Master Program needs to address under the law," said Gordon White, who manages Ecology's Shorelands and Environmental Assistance Program. "However, each city and county still maintains the flexibility to customize the regulations to fit its local land-use circumstances and vision of local waterfront development." Every city and county shoreline program update starts with a thorough inventory of existing land-use patterns and environmental conditions that must be protected to sustain future economic development while preserving existing shoreline resources. White said the Shoreline Master Program process often takes time to complete successfully. It is designed to bring diverse local interests to the table to work collaboratively together. For example, it took Whatcom County five years of hard work to update its final Shoreline Master Program and included groups representing waterfront property owners, builders, realtors, farmers environmental interests, local governments, tribes and state agencies. Starting July 1, 2009, Ecology will provide \$7.5 million in

state grants to 77 cities and counties to help them begin updating their Shoreline Master Programs - including \$3 million earmarked by the 2009 Legislature to specifically help municipalities throughout the Puget Sound region revise their state shoreline programs.