

## **CHAPTER 1 INTRODUCTION**

### **1.1 Background and Purpose**

Island County is conducting a comprehensive update of its Shoreline Master Program (SMP). The SMP was last updated by the County in 1998 with approval from the Department of Ecology (Ecology) in 2001. In recent years, several species that depend on shorelines have been listed as threatened or endangered species, concern about public access to shorelines has grown, and there have been economic and demographic changes that were not foreseen in the late 1990s, all of which contribute to the need to update the SMP. This update is funded by grant from Washington State through the Department of Ecology (Agreement No. 110007). Per the requirements of the grant, the County is required to amend their local SMP consistent with the Shoreline Management Act (SMA), Revised Code of Washington (RCW) 90.58, and its implementing guidelines approved by the legislature in 2003, Washington Administrative Code (WAC) 173-26. Island County is scheduled to adopt their updated SMP by December 2012.

The SMA was passed in 1971 in response to a growing concern among residents of the state that serious and permanent damage was being done to shorelines of the state by development that did not consider the public interest in a healthy shoreline environment. The goal of the SMA was “to prevent the inherent harm in an uncoordinated and piecemeal development of the state’s shorelines.” While protecting shoreline resources by regulating development, the SMA is also intended to provide for appropriate shoreline use. The SMA encourages public access to public shorelines, and use of the shoreline and provision for water-dependent uses, as well as land uses like single family development that can be compatible with preserving and enhancing shoreline ecological functions and values.

The primary responsibility for administering the SMA is assigned to local governments through the mechanism of local shoreline master programs, adopted under guidelines established by Ecology. The guidelines (WAC 173-26) establish a framework for developing or updating an SMP, including standards for use and modifications in the shoreline. Each SMP is based on state guidelines but tailored to the specific conditions and needs of individual communities. The SMP is also meant to be a comprehensive vision of how the County’s shoreline area will be managed over time.

The first step in the update is to develop a vision for the future of the shoreline, a process that begins with outreach to the community and a review of County goals and plans. This inventory and characterization report is also an early step that provides the baseline for planning and measuring the progress of the SMP in achieving the vision for protection of ecological functions. The report addresses ecosystem-wide processes (also referred to as watershed or landscape processes), shoreline ecological functions, and existing and planned land uses. This information will be used in determining shoreline environment designations, and in developing goals, policies, and regulations for shoreline management. During the SMP update this information will also help in assessing potential cumulative impacts of shoreline development, and preparing a restoration plan.

### **4.2.3 Public Access**

Public access to the shorelines of the county is available in at least 65 locations where there are improvements and undisputed public rights of access. In other areas, informal access across private property has occurred and continues, sometimes with tacit acknowledgement by the owners and in other cases under protest. The process of sorting out legal rights for the public can be expensive and the County does not pursue all claims of public rights for legal and other reasons. These types of conflicts will likely continue as long as the demand for public access to some areas of the shoreline is not being fully met by clear and defined access points.

Public access can conflict with private property in other ways, as well. Over half of the tidelands in the county are privately owned, and not all property lines are clearly marked. Even in areas that are clearly private, public shoreline users may feel entitled to trespass because of limited alternatives for reaching public shoreline areas. Such trespassing can also include vandalism and other damage to private property, especially since many shoreline properties are occupied only seasonally and there may be little or no surveillance for much of the year.