

## **CHAPTER 1 PURPOSE**

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### **1.01 Authority**

Authority for development, enactment, and administration of this program is the Shoreline Management Act of 1971, Chapter 90.58, Revised Code of Washington generally, and Chapter 90.58.080 R.C.W. specifically.

### **1.02 Findings**

1. The Board of County Commissioners concurs with the state legislature in finding that the shorelines of the state are among the most valuable and fragile of our natural resources and that there is great concern throughout the state 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 their management and development. Furthermore, much of the shorelines and uplands adjacent thereto are in private ownership; that unrestricted construction on the privately owned or publicly owned shorelines is not in the best public interest; and, therefore, coordinated planning is necessary in order to protect the public interest associated with the shorelines while, at the same time, recognizing and protecting private property rights consistent with the public interest. There is, therefore, a clear and urgent demand for a planned, rational and concerted effort, jointly performed by local, state, and federal governments, to prevent the inherent harm in uncoordinated and piecemeal development of shorelines.
2. By ratifying Initiative 43B in the 1972 General Election, the people of the state approved the Shoreline Management Act of 1971 (RCW 90.58). This law vests counties and cities with the primary responsibility for comprehensively planning and reasonably regulating shoreline development and use.

3. This Board deems the goals, shoreline area designations, policies, regulations, and procedures set forth in this shoreline management master program to be essential to the protection of the public health, safety and general welfare of the people of Skagit County.

### **1.03 Purposes.**

The purposes of this program are:

1. To promote the public health, safety and general welfare by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Skagit County shorelines; and
2. To implement this program in a positive, effective, and equitable manner; and
3. To further assume and carry out the responsibilities established by the act for Skagit County, and to foster by adoption the policy contained in RCW 90.58.020 for shorelines of the state:

It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy is designed to insure the development of these shorelines in a manner which, while allowing for limited reduction of rights of the public in the navigable waters, will promote and enhance the public interest. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary rights incidental thereto.

The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The Department of Ecology in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, 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 shorelines;
- (6) Increase recreational opportunities for the public in the shoreline;

- (7) Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

In the implementation of this policy 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 shoreline. 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 developments which are particularly dependent on their location on or use of the shorelines of the state and other development that will provide an opportunity to substantial numbers of the people to enjoy the shorelines of the state.

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.

**1.04 Title**

This document shall be known and may be cited as the Shoreline Management Master Program of Skagit County.

**1.05 Short Title**

This document may refer to itself internally as "this Master Program" or "Program."