

Chapter 25-16
Rules and Regulations of the
Department of Development and Environmental Services

Shoreline Master Program:
Repair or Replacement of Shoreline Protection,
Piers, Moorage Facilities, or Launching Facilities

Effective Date: May 4, 2000

Sections:

- 25-16-001 Purpose and Authority
- 25-16-120 Repair or replacement of piers, moorage, or launching facilities
- 25-16-180 Shoreline Protection
- 25-16-900 Applicability
- 25-16-901 Severability

25-16-001 Purpose and Authority.

These rules are adopted under the authority of K.C.C., 25.32.110. It is the purpose of these rules to implement the provisions of K.C.C. 25.16.120-.150, 25.16.180, and 25.24.130 by establishing standards for repair or replacement of piers, moorage, launching facilities, and shoreline protection.

25-16-120 Repair or replacement of piers, moorage, or launching facilities.

The applicant for a shoreline substantial development permit or an exemption from a shoreline substantial development permit to repair or replace a pier, moorage, or launching facility made pursuant to K.C.C. Title 25 shall comply with the following:

A. To the extent feasible, toxic materials, including treated wood products, shall not be used to construct, repair, maintain, paint, or preserve portions of the structure that may come in contact with the water body;

B. Replacement materials on any surface shading the water shall use prisms or be otherwise designed to allow at least fifty percent of incident light to penetrate to the water surface;

C. To the extent feasible in the repair or replacement of a pier, moorage, or launching facility for residential use, considering engineering constraints:

1. Pilings shall be 4 inches or smaller in diameter; and
2. The span between pilings shall be at least eighteen feet unless the length of the structure is less than eighteen feet;

Shoreline Master Program:
Repair or Replacement of Shoreline Protection,
Piers, Moorage Facilities, or Launching Facilities

Page 2

Effective Date: May 4, 2000

D. The structure shall be the minimum necessary for the intended function; and

E. The location of the structure shall minimize covering waters of between three and thirteen feet deep or placing pilings in waters of between three and thirteen feet deep.

25-16-180 Shoreline Protection.

A. Consistent with the provisions of WAC 197-27-020(2)(b), if a bulkhead has deteriorated such that an ordinary high water mark has been established by the presence and action of water landward of the bulkhead, the replacement shoreline protection shall be located at or shoreward of the actual ordinary high water mark.

B. An applicant for a shoreline substantial development permit or for an exemption from the requirement for a shoreline substantial development permit for shoreline protection shall submit to the department for its review a geotechnical report acceptable to the department analyzing the causes and rates of erosion at the site. The department shall issue a shoreline substantial development permit or an exemption from the requirement for a shoreline substantial development permit for a shoreline protective structure only if the geotechnical report demonstrates that wave or current action is the primary agent of erosion, and only after feasible, non-structural alternatives have been analyzed. If poor drainage, improper vegetation management, slope failure, or other phenomena are the primary causes of shoreline or bluff erosion at the site, these problems shall be corrected before a permit for repairing or replacing a shoreline protective structure will be granted.

C. The department shall apply the standards set forth in KCC 25.16.180C to determine the appropriate method of shoreline protection.

25-16-900 Applicability. The provisions of these rules shall apply to all applications that are deemed complete on or after the effective date of these rules.

25-16-901 Severability. If a provision of the rules contained herein or its applicability to any person or circumstance is held invalid, the remainder of the provisions of these rules or the application of the provision to other persons or circumstances shall not be affected.

25-16-120 -- 25-16-901