

Proposed Alternative Code Language to Implement DOE Required Change B-37

Rational:

The draft Island County SMP Regulations and Procedures contain two requirements applicable to demonstrating that shoreline stabilization is needed. This first, ICC 17.05A.110.A.3.c).(v), appears in a list of criteria which must be met in order to authorize new shoreline stabilization, while the second, ICC 17.05A.110.A.3.e)(ii), is included in a list of information which must be included in geotechnical reports associated with applications for new shoreline stabilization.

The first requirement, ICC 17.05A.110.A.3.c).(v) requires that a principal structure be threatened within three years in order to authorize new shoreline stabilization. Alternatively, the second provision, ICC 17.05A.110.A.3.e)(ii), contains the same requirement, but also includes the modifying statement "or where waiting until the need is that immediate would foreclose the opportunity to use measures that avoid impacts on ecological functions".

In those situations where shoreline stabilization is warranted, non structural methods which avoid ecological impacts should be prioritized. In order to ensure that permit applicants are able to explore a full range of potential stabilization measures, the language of the first code provision should be modified to be consistent with the language of the second provision. The proposed modification is illustrated in underline strike-through format below:

Proposed Change:

ICC 17.05A.110.A.3.c).(v) – *Where there is conclusive evidence documented by a geotechnical or coastal engineering analysis that erosion from waves or currents is expected to cause damage to a primary structure or appurtenance within three years based on a trend analysis of prior rates of erosion if the shoreline stabilization is not constructed, or where waiting until the need is that immediate would foreclose the opportunity to use measures that avoid impacts on ecological functions; or*