King County
Department of Permitting and Environmental Review
35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266
206-296-6600 TTY Relay: 711
www.kingcounty.gov

Received
AUG 25 2014
D.N.R. Aquatic Lands

Notice of Decision

File No.:	**SHOR13-0021 and SHOR13-0022 – Quartermaster Harbor Moorage Buoy Management Plan**
Permits Requested:	**Shoreline Conditional Use Permit (SCUP)** **Shoreline Management Substantial Development Permit (SSDP)**
DPER Project Manager: Telephone No. and Email:	**Laura Casey, Environmental Scientist III** **206-477-0368, laura.casey@kingcounty.gov**
Applicant:	**Wash State Dept. of Natural Resources** **Aquatic Resources Division** **Attn: Lisa Randlette** **PO Box 47027** **Olympia, WA 98504-7027**
Location/Description:	**Quartermaster Harbor, Vashon Island / Implement Mooring Buoy Management Plan to place up to 200 buoys in Quartermaster Harbor. Remove unauthorized mooring buoys on State-owned lands in Harbor.**
Department Decision:	**Approve, subject to conditions**
Date issued:	**August 22, 2014**

Shoreline Decision: The Shoreline Management Substantial Development Permit and Shoreline Conditional Use Permit decisions may be appealed to the State Shoreline Hearings Board. Information on appeal procedures may be obtained from the Shoreline Hearings Board at 360-459-6327 or the Washington State Department of Ecology Shoreline Appeals Coordinator at 360-407-6528. Requests for review by the Hearings Board must be received by the Shoreline Hearings Board within twenty-one (21) days of the "date of filing." The "date of filing" of a local government final decision involving approval or denial of a substantial development permit is the date of actual receipt by the department of a local government's final decision on the permit.

DATE
August 22, 2014

If you have any questions regarding the appeal procedures, please contact the Project Manager at the phone number or e-mail identified above. Note: To request this information in alternative formats for people with disabilities please call 206-296-6600 or TTY Relay: 711.

King County has made a decision on an application for a development proposal on property at the address listed above. You are receiving notice of this decision because our records indicate that you own property within approximately 500 feet or because you requested to receive notice of the decision.

Received

AUG 26 2019

D.N.R. Aquatic Lands

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SHORELINE MANAGEMENT ACT OF 1971
SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT PERMIT AND
SHORELINE CONDITIONAL USE PERMIT
APPLICATION DECISION

DATE: August 22, 2014

DATE APPLICATIONS FILED: May 30, 2013
DATE DETERMINED COMPLETE: June 27, 2013

APPLICATION #: SHOR13-0021 Shoreline Conditional Use Permit and SHOR13-0022 Shoreline Management Substantial Development Permit – Quartermaster Harbor Moorage Buoy Management Plan

APPLICANT NAME: Washington State Dept. of Natural Resources
Aquatic Resources Division
Attn: Lisa Randlette
PO Box 47027
Olympia, WA 98504-7027

The following decision is hereby rendered in regard to the above-referenced applications:
Shoreline Conditional Use Permit #: SHOR13-0021 and
Shoreline Management Substantial Development Permit #: SHOR13-0022

> **APPROVED**: August 22, 2014 **to undertake the following development**:
> Implement Mooring Buoy Management Plan to place up to 200 buoys in Quartermaster Harbor. Remove unauthorized mooring buoys on State-owned lands in Harbor.

On the following described property: Quartermaster Harbor, Vashon Island

SHORELINE DESIGNATIONS: Aquatic, surrounded by Rural, Conservancy, Natural and High Intensity shoreline environments
WATERBODY: Puget Sound / Quartermaster Harbor
SHORELINE STATEWIDE SIGNIFICANCE: Yes
CODE SECTION(S): KCC 21A.25; 21A.24; and WAC 173-27-150

Conditions of approval are as stated in the Permit Report and Decision. Development authorized by this permit shall conform to the approved plans and modifying conditions on file with the Department of Permitting and Environmental Review (DPER).

SIGNATURE _____ DATE 8/22/14

Jim Chan
Assistant Director for Permitting

Enclosures

King County

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AUG 25 2014
D.N.R. Aquatic Lands

Department of Permitting and Environmental Review
35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

Shoreline Management Substantial Development and Shoreline Conditional Use Report and Decision

Date of Transmittal: August 22, 2014

SUBJECT: Quartermaster Harbor Mooring Buoy Management Plan

File No: SHOR13-0021 and SHOR13-0022

Date of Application: May 30, 2013

Applicant: Washington Dept. of Natural Resources
Aquatic Resources Division
PO Box 47027
Olympia, WA 09504-7027

Attn: Lisa Randlette
360-902-1085
Lisa.randlette@dnr.wa.gov

Project Location: Quartermaster Harbor, Vashon

Project Proposal: Implement the State's Quartermaster Harbor Mooring Buoy Management Plan to place up to 200 buoys in Quartermaster Harbor with embedded helical anchors (or similar system). Remove unauthorized mooring buoys on State-owned lands in Quartermaster Harbor.

Request: Shoreline Management Substantial Development Permit (SSDP)
Shoreline Conditional Use Permit (SCUP)

Water Body: Puget Sound – Quartermaster Harbor

Shoreline of Statewide Significance: Yes

Shoreline Environment: Aquatic, surrounded by Rural, Conservancy, Natural and High Intensity shoreline environments

BACKGROUND:

Prior to the issuance of this Shoreline Substantial Development Permit (SSDP) and Shoreline Conditional Use Permit (SCUP) report and decision, the complete written record contained in the subject file was reviewed. The record includes the applicant's submittal, notification forms, pertinent information included by Department of Permitting and Environmental Review (DPER) staff and all correspondence and comments in response to the proposal.

FINDINGS:

1. The criteria for authorizing shoreline substantial development permits and shoreline conditional use permits, as set forth in King County Code (KCC) 21A.25 and Washington Administrative Code (WAC) 173-27, are incorporated into the findings by this reference. The shoreline management substantial development permit (SSDP) and shoreline conditional use permit (SCUP) are being sought to implement a mooring buoy management plan.

2. The purpose of the SSDP and SCUP requests are to obtain consistency with the Shoreline Management Act of 1971 (RCW 90.58) and the King County Shoreline Management Master Program (KCSMP), including relevant regulations.

3. Washington State Department of Natural Resources (WDNR) as lead agency under the State Environmental Policy Act (SEPA) issued a Determination of Non-Significance (DNS) on March 26, 2013. WDNR received several comments. No appeals were received. The Determination of Non-Significance and responses to comments are incorporated into the text of this report by reference.

4. The project application was received by King County DPER on May 30, 2013.

5. The project is not providing new parking facilities. The project assumes that most mooring buoy licensees with waterfront property will access their moored boats with a smaller boat directly from their property. WDNR expects that people with mooring buoys that do not own waterfront property would use the parking lots at boat launch sites at Dockton Park or Jensen Point. King County Parks and Recreation Division provided a letter dated August 8, 2014, concurring with the use of the Dockton Park parking lot by local boaters who will park their vehicles at the Park and row out to buoys in Quartermaster Harbor. Vashon Park District provided a letter dated March 26, 2014 concurring with the proposed use of parking at Jensen Point by local boaters to access moorage buoys. In addition, WNDR will encourage Vashon Park District or King County parks to establish a public access point in Burton, to lessen public use of dead-end streets for parking access to Quartermaster Harbor.

6. Puget Sound – Quartermaster Harbor is a Type S Aquatic Area under the King County's Critical Areas Code. Mooring buoys are an allowed alteration in an aquatic area as a shoreline dependent use in KCC 21A.24.045.D.65 if in compliance with KCC 21A.25.180 in the County Shoreline Code. The relevant criteria in 21A.25.180 and discussion are found in Item 10 below.

7. The shoreline area of Quartermaster Harbor in Puget Sound consists of rural residential uses, public parks, two private and one public marina, and a couple areas of more intensive commercial uses.

8. The King County Code Title 21A.25 Shoreline Management Master Program designates parts of the shoreline of Quartermaster Harbor in Puget Sound as Rural, Conservancy, Natural, and a couple of small areas of High Intensity environments, with the open water area designated an Aquatic environment.

9. Mooring buoys are permitted uses in High Intensity and Rural shoreline environments. A Shoreline Conditional Use Permit is required for mooring buoys in Conservancy and Aquatic shoreline environments. Mooring buoys are not allowed in a Natural shoreline environment.

10. Puget Sound – Quartermaster Harbor is a Shoreline of the State and subject to the Shoreline Management Act permit requirements. The State Department of Natural Resources' Quartermaster Harbor Mooring Buoy Management Plan requires both a Shoreline Substantial Development Permit and a Shoreline Conditional Use Permit.

APPLICABLE POLICIES from the County's Shoreline Master Program found in Chapter 5 of the Comprehensive Plan include:

SHORELINES OF STATEWIDE SIGNIFICANCE

S-206 The interests of all people shall be paramount in the management of shorelines of statewide significance within King County.

COMMENT: The mooring buoy management plan takes into account the interests of boaters, recreational users, shoreline residents, and environmentalists.

STATE-OWNED SHORELINE POLICY GOALS

S-209 King County should encourage and help facilitate the use of state-owned shorelines for public recreational activities, where appropriate.

COMMENT: King County is reviewing this proposal by the State Department of Natural Resources, which will facilitate public use of Quartermaster Harbor by improving navigation through areas currently limited by unpermitted buoys.

PUBLIC ACCESS ELEMENT

S-302 King County shall:
a. Support the public interest with regard to rights to access waters held in public trust by the state, while protecting private property rights and public safety, as well as considering impacts on shoreline ecological processes and functions.
b. Protect the rights of navigation and the space necessary for water-dependent uses.
c. To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.
e. Regulate the design, construction, and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public's use of the water.

COMMENT: The design of the mooring buoy fields will improve public access and safety in Quartermaster Harbor by improving navigation through areas currently limited by unpermitted buoys.

AQUATIC ENVIRONMENT

S-535 King County shall allow new in-water and over-water structures in the Aquatic Shoreline Environment only for water-dependent uses, public access, or ecological restoration.

S-538 King County shall require all developments and uses on navigable waters or their beds in the Aquatic Shoreline Environment to be located and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife and materials necessary to create or sustain their habitat, particularly those species dependent on migration.

COMMENT: This project is a water dependent use that minimizes interference with surface navigation, and does not constrict passage of fish and wildlife.

CUMULATIVE IMPACTS AND "NO NET LOSS" OF ECOLOGICAL PROCESSES AND FUNCTIONS

S-601 King County shall ensure that new uses, development and redevelopment within the shoreline jurisdiction do not cause a net loss of shoreline ecological processes and functions.

COMMENT: This project will not cause a net loss and will improve shoreline ecological processes and functions through the use of a less damaging moorage buoy design.

S-612 King County should use the shoreline permitting or shoreline conditional use permitting processes for development proposals that may have impacts that cannot be anticipated or uncommon impacts that have not been considered or identified at time of adoption of the King County Shoreline Master Program to ensure that all impacts are addressed and that there is no net loss of ecological function of the shoreline after mitigation.

COMMENT: King County is processing this request as both a shoreline substantial development permit and a shoreline conditional use permit, since this use was not identified at the time of adoption of the Shoreline Master Program. The project will not cause a net loss of ecological functions.

FISH AND WILDLIFE HABITAT CONSERVATION AREAS – CRITICAL SALTWATER HABITAT

S-631 Docks, bulkheads, bridges, fill, floats, jetties, utility crossings, and other human-made structures shall not intrude into or over critical saltwater habitats except when all of the conditions below area met:

a. The public's need for such an action or structure is clearly demonstrated, and the proposal is consistent with protection of the public trust;

b. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose;

c. The project, including any required mitigation, will result in no net loss of

ecological functions associated with critical saltwater habitat; and
d. The project is consistent with state and Tribal interests in resource protection and species recovery.

COMMENT: Formal approval is required from and has been granted by Washington Department of Fish and Wildlife. The local Tribes have been provided opportunities for input on the project. This project will not cause a net loss and will improve shoreline ecological processes and functions.

SHORELINE CONDITIONAL USES

S-706 The following types of uses and development should require a shoreline conditional use permit:
1. Uses and development that may significantly impair or alter the public's use of the waters of the state;
2. Uses and developments which, by their intrinsic nature, may have a significant impact on shoreline ecological processes and functions depending on location, design, and site conditions; and
3. Development in critical saltwater habitats.

COMMENT: This project is proposed within Quartermaster Harbor, a critical saltwater habitat. Moorage buoys may have a significant impact on shoreline ecological processes and functions depending on their design, location and site conditions. Therefore, a shoreline conditional use permit is required.

SHORELINE USE AND SHORELINE MODIFICATION - BOATING FACILITIES

S-728 Boating facilities shall be located only at sites with suitable environmental conditions, shoreline configuration, access, and neighboring uses, and:
a. Meet health, safety and welfare requirements;
b. Mitigate aesthetic impacts;
c. Provide public access in new marinas, unless there is a safety or security concern;
d. Prevent the impacts to shoreline resources from boaters living on their vessels;
e. Vessels should be restricted from extended mooring on waters of the state unless authorization is obtained from the Washington Department of Natural Resources and impacts to navigation and public access are mitigated;
f. Assure no net loss of shoreline ecological processes and functions or other significant adverse impacts; and
g. Protect the rights of navigation.

COMMENT: This project poses no risk to health, safety and welfare. The proposed mooring buoy field would be managed by the Washington Department of Natural Resources (WDNR) located on the waters of the State. The project will not cause a net loss and will improve shoreline ecological processes and functions. Rights of navigation will be protected by the mooring buoy field design.

TRANSPORTATION AND PARKING FACILITIES

S-758 Transportation and parking facilities located in the shoreline jurisdiction shall be planned, located and designed to have the least possible adverse impact on unique or fragile shoreline features, not result in a net loss of shoreline ecological processes and functions or adversely impact existing or planned water-dependent uses. Where other options are available and feasible, new transportation facilities or transportation facility expansions should not be constructed within the shoreline jurisdiction.

COMMENT: No new parking facilities are proposed for this mooring buoy field. Most mooring buoy licensees with waterfront property will access their mooring buoy from their own property. Existing parking locations within two public parks will be utilized for buoy licensees that do not own waterfront property.

APPLICABLE REGULATIONS from the King County Code (KCC Title 21A, and 21A.25) are as follows:

21A.18.020 Authority and application.
B. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. If the site is located in an activity center or community business center, the minimum requirement shall be set at a level less than the anticipated demand, but at no less than seventy-five percent of the anticipated demand. In the study, the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.
C. If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking shall be provided in a manner consistent with this chapter. The contracts shall be reviewed by the director for compliance with this chapter, and if approved, the contracts shall be recorded with the records and licensing services division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the director.

COMMENT: The County Code does not specify a parking requirement for a mooring buoy field. This plan is based on the assumption that the majority of mooring buoy licensees will access the buoys from their own waterfront property. Some mooring buoy licensees will use off-site parking at with Jensen Point owned by the Vashon Park District, and Dockton Park owned by King County Parks. Documents from the King County Parks and the Vashon Park District have been provided allowing this use of available public parking. .

21A.24.045.D.65. Allowed alterations. Alterations such as a mooring buoy field can be allowed within an aquatic area as a water dependent use if consistent with the shoreline regulations KCC 21A.25, RCW 90.58, and the King County Comprehensive Plan.

COMMENT: This water-dependent project is consistent with King County shoreline regulations KCC 21A.25, RCW 90.58, and the King County Comprehensive Plan.

21A.25.080. Sequence of mitigation measures – priority. A. Mitigation measures shall be applied in the following sequence of steps listed in order or priority, with subsection A.1. of this section being top priority:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations;
5. Compensating for the impact by replacing, enhancing or providing substitute resources or environments; and
6. Monitoring the impact and the compensation projects and taking appropriate corrective measures.

21A.25.090.C. Shoreline use and modification – defined – no net loss of shoreline ecological functions allowed – sequencing compliance. King County shall ensure that uses and modifications within the shoreline jurisdiction do not cause a net loss of shoreline ecological functions and comply with the sequencing requirements under 21.25.080.

COMMENT: This project has been designed to minimize and reduce adverse impacts to critical areas and shorelines. It will not cause a net loss and will improve shoreline ecological functions.

21A.25.100.C3 Shoreline Use.

a. New marinas are not allowed along the east shore of Maury Island, from Piner Point to Point Robinson.
b. Marinas must meet the standards in 21A.25.120.

COMMENT: This project does not meet the definition of a marina. It is a plan to create mooring buoy fields within Quartermaster Harbor. Nevertheless, none of the buoy fields will be located along the east shore of Maury Island, and the project will be consistent with KCC 21A.25.120.

21A.25.120 Public boat launching facilities.

A. The traffic generated the facility must be safely and conveniently handled by the streets serving the proposed facility;
B. The facility must provide adequate parking in accordance with K.C.C. chapter 21A.18;
C. Live-aboards on a vessel are only allowed in a marina and only as follows:
   1. They are for residential use only;
   2. The marina shall provide shower and toilet facilities on land;
   3. There shall be no sewage discharges to the water;

4. Live-aboards shall not exceed ten percent of the total slips in the marina; and

5. The vessels shall be owner-occupied;

D. The marina must be sited to protect the rights of navigation;

E. The marina must be equipped with pumpout facilities;

F. The marina must have provisions available for cleanup of accidental spills of contaminants;

G. Marinas and boat ramps must be located where their development will not interrupt littoral currents, at the ends of drift cells and away from erosional pocket beaches;

H. Lighting shall be maintained to avoid creating shading for aquatic predator species and other impacts to upland wildlife;

I. Vessels moored on waters of the state shall obtain any required lease or permission from the state; and

J. New covered or enclosed moorages are not allowed in the Maury Island aquatic reserve.

COMMENT: This project is not a marina. However, adequate parking will be available for those buoy licensees who do not own waterfront property and cannot otherwise access Quartermaster Harbor. Navigation will be improved by planned buoy fields replacing current unpermitted and uncoordinated buoy installations. The plan includes all state-owned aquatic lands lying within the Quartermaster Harbor portion of the Maury Island aquatic reserve. No live-aboard vessels will be allowed to use the mooring buoy field.

21A.25.160.C.3 Shoreline Modification.

Docks, piers, mooring buoys, floats or launching facilities must meet the standards in KCC 21A.25.180.

21A.25.180 Dock, pier, mooring pile or buoy, float or launching facility. Any dock, pier, mooring pile or buoy, float or launching facility authorized by this chapter shall be subject to the following conditions:

A. Docks, piers, moorage piles or buoys, floats or launching facilities are allowed only for water dependent uses or for public access and shall be limited to the minimum size necessary to support the use. New private boat launch ramps are not allowed;

B. Any dock, pier, moorage pile or buoy, float or launching facility proposal on marine waters:

1. Must include an evaluation of the nearshore environment and the potential impact of the facility on that environment; and

2. Avoid impacts to critical saltwater habitats unless an alternative alignment or location is not feasible;

C. In the High Intensity, Residential, Rural and Conservancy environments, the following standards apply:

1. Only one dock, pier, moorage pile or buoy, float or launching facility may be allowed for a single detached residential lot and only if the applicant demonstrates there is no feasible practical alternative;

2. For subdivisions or short subdivisions or for multiunit dwelling unit development proposals:

a. Only one joint use dock, pier, float or launching facility is allowed; and

b. One moorage pile or buoy if a dock, pier, float or launching facility is allowed or two moorage piles or buoys if a dock, pier, float or launching facility is not allowed;

3. Only one dock, pier, moorage pile or buoy, float or launching facility is allowed for each commercial or industrial use; and

4. Multiuser recreational boating facilities serving more than four single detached residences shall comply with K.C.C. 21A.25.120.

L. New, expanded, replacement or repaired piers, docks, floats, boatlifts, boat canopies and moorage piles or buoys shall comply with the following:

1. Existing habitat features, such as large and small woody debris and substrate material, shall be retained and new or expanded moorage facilities placed to avoid disturbance of such features;

2. Invasive weeds, such as milfoil, may be removed as provided in K.C.C. chapter 21A.24;

3. In order to mitigate the impacts of new or expanded moorage facilities, the applicant shall plant site-appropriate emergent vegetation and a buffer of vegetation a minimum of ten feet wide along the entire length of the lot immediately landward of ordinary high water mark. Planting shall consist of native shrubs and trees and, when possible, emergent vegetation. At least five native trees will be included in a planting plan containing one or more evergreen trees and two or more trees that like wet roots, such as willow species. Such planting shall be monitored for a period of five years consistent with a monitoring plan approved in accordance with K.C.C. chapter 21A.24. This subsection is not intended to prevent reasonable access through the shoreline critical area buffer to the shoreline, or to prevent beach use of the shoreline critical area;

COMMENT: The nearshore environment has been evaluated by WDNR for this project as referenced in the Moorage Buoy Management Plan. The mooring buoy plan is designed to improve shoreline ecological functions by removing existing buoys with an anchor design that can damage the benthic environment and instead using a buoy anchor design that minimizes damage. Compensatory mitigation is not required since the removal of old unpermitted moorage buoys will improve the shoreline environment.

21A.25.290 Development limitations - mitigation - substantial development - record of review - conditions of approval - programmatic statement of exemption - exception to statement of exemption.

A. Development within the shoreline jurisdiction, including preferred uses and uses that are exempt from permit requirements, shall be undertaken only if that development is consistent with the policies of RCW 90.58.020, chapter 173-26 WAC, the King County shoreline master program and will not result in a net loss of shoreline ecological functions or in a significant adverse impact to shoreline uses, resources and values, such as navigation, recreation and public access. The proponent of a shoreline development shall employ measures to mitigate adverse impacts on shoreline functions and processes following the sequencing requirements of K.C.C. 21A.25.080.

B. A substantial development permit shall be required for all proposed uses and modifications within the shoreline jurisdiction unless the proposal is specifically exempt from the definition of substantial development in RCW 90.58.030 and WAC 173-27-040 or is exempted by RCW 90.58.140.

COMMENT: The project is consistent with RCW 90.58.020 and WAC 173-26, and will

not result in a net loss of shoreline ecological functions or create a significant adverse impact to shorelines uses, resources and values. It is not exempt from a shoreline substantial development permit.

Washington Administrative Code (WAC) 173-27-150 Review criteria for substantial development permits.
(1) A substantial development permit shall be granted only when the development proposed is consistent with:
(a) The policies and procedures of the act;
(b) The provisions of this regulation; and
(c) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.
(2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.

COMMENT: This project is consistent with the State Shoreline Management Act, King County Shoreline Code 21A.25, and the King County Shoreline Master Program.

WAC 173-27-160 Review criteria for conditional use permits. The purpose of a conditional use permit is to provide a system within the master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020. In authorizing a conditional use, special conditions may be attached to the permit by local government or the department to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the act and the local master program.
(1) Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:
(a) That the proposed use is consistent with the policies of RCW 90.58.020 and the master program;
(b) That the proposed use will not interfere with the normal public use of public shorelines;
(c) That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;
(d) That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
(e) That the public interest suffers no substantial detrimental effect.
(2) In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.
(3) Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate

consistency with the requirements of this section and the requirements for conditional uses contained in the master program.
(4) Uses which are specifically prohibited by the master program may not be authorized pursuant to either subsection (1) or (2) of this section.

COMMENT: The proposed mooring buoy field is a shoreline use that is not classified or set forth in the King County Shoreline Master Program. It is unlikely that there will be any cumulative impact from any other similar proposal in this area. The applicant has demonstrated consistency with the Revised Code of Washington and the King County Shoreline Master Program.

OTHER CONSIDERATIONS:

1. The subject SSDP and SCUP Notice of Application (NOA) describing the proposal was published in the Seattle Times and the Vashon Beachcomber on September 25, 2013. The public notice describing the SSDP and SCUP proposal was mailed to property owners within a 500-foot radius of the subject property on August 2, 2013 and re-issued September 27, 2013 due to an error in posting the site. The site was posted on September 16th, 2013. The Department of Permitting and Environmental Review received no comments from the tribes, or government agencies during the 30-day comment period. Nineteen telephone comments were received, many of them requests for information as to how to obtain approval for a mooring buoy. Other comments asked for clarification regarding the project and permit process. One complained of the cost of a new mooring buoy. Nearly thirty requests were received to be made a party of record for the Shoreline Management Substantial Development Permit and Shoreline Conditional Use Permit.
2. No additional permits will be required from the King County Department of Permitting and Environmental Review (DPER).

CONCLUSIONS:

1. Mooring buoys are boating facilities and are permitted in the Aquatic shoreline environment. This is a plan to create three mooring buoy fields and perform mooring buoy management in Quartermaster Harbor. As an unclassified use in the shoreline environment, a shoreline conditional use permit is required as well as a shoreline substantial development permit.
2. The application and supporting documentation for the SSDP and SCUP provide a sufficient level of information from which to establish conditions to ensure that the proposed project will be compatible with the surrounding environment and meet the goals and regulations of the Shoreline Management Act and King County Shoreline Master Program.
3. Washington Department of Natural Resources has provided sufficient information to support the proposed project design as the most favorable for limiting adverse impacts to the environment.
4. Provided the conditions listed below are implemented, granting of this permit will comply with the Shoreline Management Act and the King County Shoreline Master Plan.

5. The approval of the Quartermaster Harbor Mooring Buoy Management Plan, as designed and conditioned, is in the public interest since it will improve shoreline ecological functions in Quartermaster Harbor.

ACTION:

APPROVE Shoreline Conditional Use Permit SHOR13-0021 and Shoreline Management Substantial Development Permit No. SHOR13-0022, subject to the following conditions:

1. Nothing in this permit shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinances, or regulations applicable to this project other than the permit requirements of the Shoreline Management Act of 1971.
2. This permit may be rescinded pursuant to the Shoreline Management Act of 1971 in the event the permittee fails to comply with any conditions thereof.
3. Construction pursuant to this permit may not begin or be authorized until twenty-one (21) days from the date of filing the final order of King County with the Department of Ecology or the Attorney General; or until all review proceedings initiated within twenty-one (21) days from the date of such filing have been terminated.
4. TIME REQUIREMENTS OF THE PERMIT (WAC 173-27-090). The following requirements shall apply to all permits:
    a. Upon a finding of good cause, based on the requirements and circumstances of the project proposed and consistent with the policy and provisions of the master program and the act, local government may adopt appropriate time limits as a part of action on a substantial development permit and local government, with the approval of the department, may adopt appropriate time limits as a part of action on a conditional use or variance permit: "Good cause based on the requirements and circumstances of the project," shall mean that the time limits established are reasonably related to the time actually necessary to perform the development on the ground and complete the project that is being permitted, and/or are necessary for the protection of shoreline resources.
    b. Where neither local government nor the department include specific provisions establishing time limits on a permit as a part of action on the permit, the following time limits shall apply:
        i. Construction shall be commenced or, where no construction is involved, the use or activity shall be commenced within two years of the effective date of a shoreline permit. Provided, that local government may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and the department.

        ii. Authorization to conduct development activities shall terminate five years after the effective date of a shoreline permit. Provided, that local government may authorize a single extension for a period not to exceed one year based on

reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and the department.

iii. The effective date of a shoreline permit shall be the date of the last action required on the shoreline permit and all other government permits and approvals that authorize the development to proceed, including all administrative and legal actions on any such permit or approval. It is the responsibility of the applicant to inform the local government of the pendency of other permit applications filed with agencies other than the local government and of any related administrative and legal actions on any permit or approval. If no notice of the pendency of other permits or approvals is given to the local government prior to the date established by the shoreline permit or the provisions of this section, the expiration of a permit shall be based on the shoreline permit.

iv. When permit approval is based on conditions, such conditions shall be satisfied prior to occupancy or use of a structure or prior to commencement of a nonstructural activity: Provided, that an alternative compliance limit may be specified in the permit.

v. Revisions to permits under WAC 173-27-100 may be authorized after original permit authorization has expired under subsection (ii) of this section: Provided, that this procedure shall not be used to extend the original permit time requirements or to authorize substantial development after the time limits of the original permit.

vi. Local government shall notify the department in writing of any change to the effective date of a permit, as authorized by this section, with an explanation of the basis for approval of the change. Any change to the time limits of a permit other than those authorized by this section shall require a new permit application.

5. Construction shall occur in general conformance to the project plans and information provided by Washington Department of Natural Resources in application materials received by King County Department of Permitting and Environmental Review on May 30, 2013, except as modified by conditions of approval contained herein or as otherwise approved by the Department of Permitting and Environmental Review.

6. Any substantive changes to the approved shoreline plans may require the applicant to obtain a new shoreline permit or a revision to this shoreline permit pursuant to WAC 173-27-100.

7. This project shall be constructed in a manner consistent with the King County Shoreline Master Program and regulations.

8. Erosion and sedimentation controls and Best Management Practices as found in the King County Surface Water Design Manual shall be implemented and maintained during implementation of this project.

9. All human-made debris from the project within the construction zone shall be removed and disposed of at a location licensed for such disposal.

10. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, or any other toxic or deleterious materials are allowed to enter or leach into surface waters. The permittee shall report all spills immediately to the Washington Department of Ecology (425-649-7000).

11. All equipment that is used for in-water work shall be cleaned to remove external oil, grease, dirt and mud prior to placing the equipment in the water. Accumulation of soils or debris shall be removed from the vehicle prior to working below the ordinary high water line. Wash sites shall be placed so that wash water does not flow into the Puget Sound without adequate treatment.

12. Any barge used for this project shall not be allowed to ground on the bottom of Quartermaster Harbor at any time during this project.

13. A copy of the approved plans shall be kept on-site at all times during construction.

14. This project requires approval from other governmental agencies. Any conditions of a Hydraulic Project Approval from Washington State Department of Fish and Wildlife, or the US Army Corps of Engineers, shall be considered conditions of these shoreline permits.

NOTE: This decision may be appealed to the State Shoreline Hearings Board. Information on appeal procedures may be obtained from the Shoreline Hearings Board at (360) 459-6327 or the Washington State Department of Ecology Shoreline Appeals Coordinator at (360) 407-6528. Requests for review by the Hearings Board must be received by the Shoreline Hearings Board within twenty-one (21) days of the "date of filing." "Date of filing" of a local government final decision involving approval or denial of a substantial development permit is the date of actual receipt by the department of a local government's final decision on the permit.

Jim Chan, Assistant Director for Permitting
King County Department of Permitting and Environmental Review

8/22/14
Date of signature

ATTACHMENTS:

Attachment A – Parties and Persons of Interest
Attachment B – Site Plan received and date-stamped May 30, 2013

TRANSMITTED to the Parties and Persons of Interest listed in Attachment A

ATTACHMENT A

Transmitted to the following Parties of Record for SHOR13-0021 and SHOR13-0022

Assistance Program Shorelands & Env. WA State DOE
3190 160th Ave SE Bellevue WA 98008-5452

Berry Nanny
10038 SW Dock St Vashon WA 98070

Bourke Wm
23702 99th Ave SW Vashon WA 98070

Bowers Phil
9133 SW Quartermaster Dr Vashon WA 98070

Capps Nancy
9513 SW Dock St Vashon WA 98070

Carhart Mary
P.O. Box 1897 Vashon WA 98070

Casey Env Laura KC DPER Commercial
35030 SE Douglas St Ste 210 Snoqualmie WA 98065

D'Atri Rippo Madeline
P.O. Box 13310 Burton WA 98013

Dehkordi Fereshteh KC DPER Rural Resource
35030 SE Douglas St Ste 210 Snoqualmie WA 98065

Du Pen Carolyn
802 33rd Ave East Seattle WA 98112

Ecology Div OAG Temple of Justice WA State
P.O. Box 40117 Olympia WA 98504-0117

Endlich George
P.O. Box 841 Vashon WA 98070

Hall Shayla
4203 NE 33rd St Seattle WA 98105

Hammerstrom Jeff
28707 Manzanita Beach Rd Vashon WA 98070

Heflin Tom & Brenda
1905 47th Ave SW Seattle WA 98116

Hennessey & Holley
9045 SW Bayview Dr Vashon WA 98070

Hiller Dorothy
1858 Skyline Dr Tacoma WA 98406-1931

Hutchinson Marc
6308 105th Ave NE Kirkland WA 98033

Jungers Robert
P.O. Box 528 Vashon WA 98070

Lemons Glenn
P.O. Box 347 Leavenworth WA 98826

Morser Bruce & Juli
8144 SW 246th St Vashon WA 98070

Otto Edward
10408 SW 238th St Vashon WA 98070

Owen Marilyn
2924 Wise Lane Billings MT 59101

Peterson Ty KC DPER Commercial
35030 SE Douglas St Ste 210 Snoqualmie WA 98065

Pickett John
9424 SW Harbor Dr Vashon WA 98070SHOR13-0022

Randlette Lisa WA State DNR Aquatics Div
P.O. Box 47027 Olympia WA 98504-7027

Rohrer Ronald
317 Ruby Ave Balboa Island CA 92662

Sandin Randy KC DPER Rural Resource
35030 SE Douglas St Ste 210 Snoqualmie WA 98065

Schafer Gary
10643 19th Ave S Seattle WA 98168

Thies Hazel
P.O. Box 1308 Tonasket WA 98855

Van Zonneveld Patricia
7739 44th St W Apt 25 University Place WA 98466

Vogel Todd
715 Second Ave #1901 Seattle WA 98104

Webster Louis Seattle Dept Parks & Recreation
800 Maynard Ave S PK-01-01 Mailbox 19 Seattle WA 98134

Williams DL
22554 101 Ln SW Vashon WA 98070

Wu Stephen & Jane
P.O. Box 52972 Bellevue WA 98015

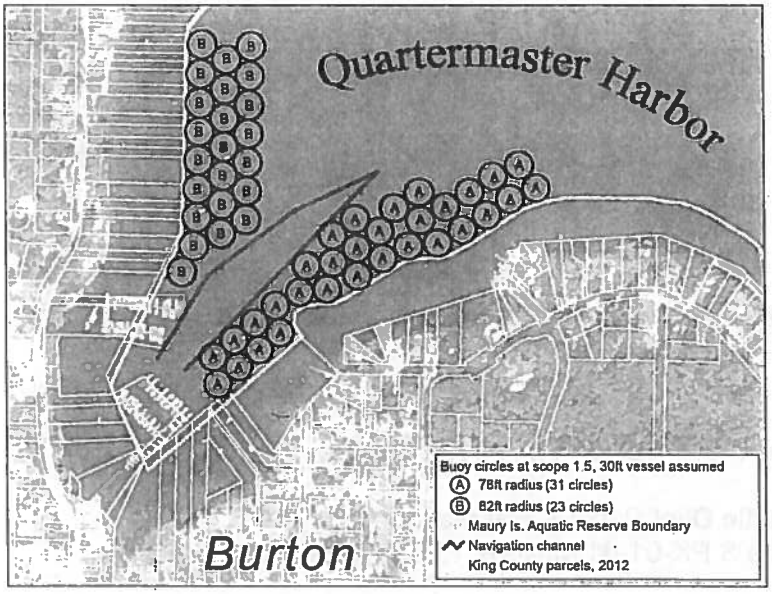

Figure 4. Map of proposed buoy field for Burton Cove with 54 buoy circles.

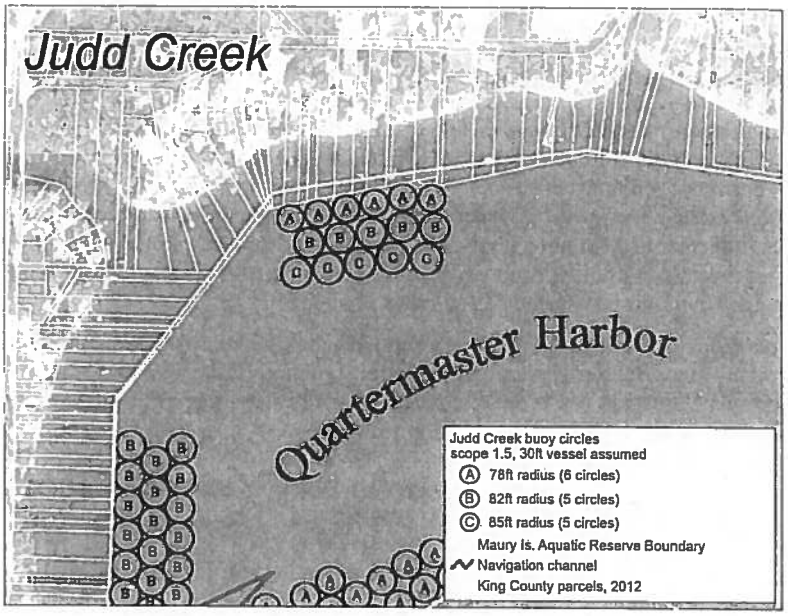

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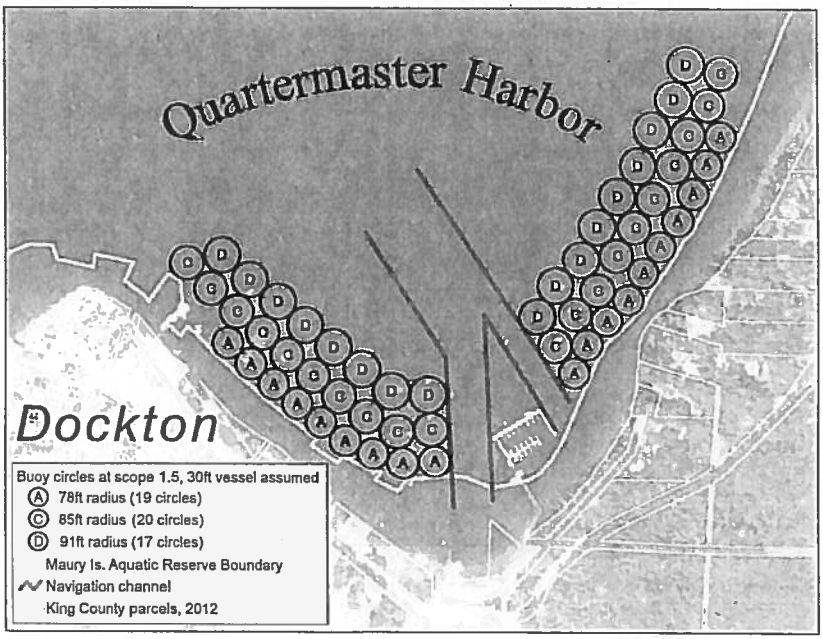
Figure 5. Map of proposed buoy field for Judd Creek with 16 buoy circles.



ATTACHMENT 6
1 OF 1 PAGE

Figure 6. Map of proposed buoy field for Dockton with 56 buoy circles. SH 2013 - 2021 & 2022