

What is JARPA?

JARPA is the abbreviation for Joint Aquatic Resources Permit Application. To streamline the permitting process for projects near the shoreline, multiple regulatory agencies (Federal, State and Local) joined forces to create one application that people can use to apply for more than one permit at a time.

When Would A JARPA Be Required?

In 1971, the Shoreline Management Act was approved by the voters of the State of Washington. In response, Thurston County, along with the cities and towns in the County, adopted the Shoreline Master Program for the Thurston Region (SMP) in 1976. The SMP governs uses and activities on marine shorelines, lakes and rivers in Thurston County. The shoreline jurisdiction extends 200 feet landward from the ordinary high water mark or to the edge of any associated floodplain or wetland.

Most development activities within these shoreline areas require JARPA approval. Single family residences and their normal appurtenances are exempt from the shoreline permitting process so long as standard shoreline setbacks are maintained. Whether or not your proposal requires a permit, it must comply with the regulations contained in the SMP.

The intent of the SMP is to protect the natural environment of the shoreline. This includes preserving the quality of the water and aquatic habitat, encouraging land uses along the shoreline which are water dependent, and preservation of the public's opportunity to enjoy the shoreline.

Thurston County has four types of shoreline approvals that could be obtained through the JARPA application process. They are Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, Shoreline Variance Permit, and Shoreline Exemption. When application is made at the local level, the application will be sent to the appropriate federal and state agencies by the County.

- A **Shoreline Substantial Development Permit** is required whenever:

- 1) The cost of materials and labor for private residential docks in saltwater exceeds \$2,500; or
- 2) The cost of materials and labor for private residential docks in freshwater exceeds \$10,000; or
- 3) The cost of materials and labor for any other non-exempt project within the shoreline exceeds \$7,047 in fair market value, as defined in WAC 173-27-030(8).

A Shoreline Substantial Development Permit requires a public hearing and the approval authority is the Hearing Examiner for Thurston County.

Substantial Development Permits are reviewed against the criteria in the SMP and State criteria in WAC 173-27-150.

- A **Shoreline Conditional Use Permit** is required whenever a use is proposed that is not classified within the SMP (e.g. retaining wall that exceeds 4 feet in height, swimming pool, utility lines). The purpose of the Conditional Use Permit is to allow greater flexibility in varying the application of the use regulations of the SMP. If the fair market value of the project exceeds \$7,047, a Shoreline Substantial Development Permit is also required. Uses which are specifically prohibited by the SMP cannot be authorized.

A Shoreline Conditional Use Permit requires a public hearing before the Hearing Examiner. If a Substantial Development Permit is also required, the hearings will be combined.

Conditional Use Permits are reviewed against the criteria in the SMP and State criteria in WAC 173-27-160.

- A **Shoreline Variance Permit** is required to allow relief from specific bulk, dimensional or performance standards of the SMP in extraordinary situations.

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A Shoreline Variance Permit requires a public hearing before the Hearing Examiner. The Hearing Examiner will make a recommendation to the Washington State Department of Ecology (DOE) which will make the final decision.

Shoreline Variance Permits are reviewed against the criteria in the SMP and State criteria in WAC 173-27-170.

➤ A **Shoreline Exemption** determination is required for all developments that are not defined as substantial developments. However, these developments must still comply with the standards of the SMP. Examples include:

- 1) Private residential docks in saltwater less than \$2,500 in fair market value;
- 2) Private residential docks in fresh water less than \$10,000 in fair market value;
- 3) Dock maintenance and repair regardless of cost
- 4) New or repair of residential bulkheads regardless of cost

The review authority for the Shoreline Exemption process is staff of the Planning and Environmental Section.

Are Other Permits Needed In Conjunction with JARPA?

Compliance with the State Environmental Policy Act (SEPA) is required for **any** work requiring a JARPA that is conducted over the water or in the water. This is a separate application process and must be submitted with the JARPA application.

How Do I Apply?

Submit a completed application package to the Permit Assistance Center with the applicable fee. Complete package requirements are outlined in the application.

Review Process and Timing

Shoreline Substantial Development, Shoreline Conditional Use, and Shoreline Variance Permits require a Type III procedure. The review time can be up to 148 days. This is a public notification and public hearing process. If the Hearing Examiner finds in favor of a proposal, it is sent to DOE for their review. DOE has a

45 day review process. Once the project has either received DOE approval or there is no objection by DOE, application for a building permit may be submitted.

Shoreline Exemption determinations follow a Type I procedure if SEPA exempt. This means that staff is the review authority and the review time can be up to 58 days. Public notification is not required.

If SEPA is required, the Shoreline Exemption determination follows a Type II procedure. This means that staff is the review authority and the review time can be up to 128 days. Public notification is required.

Note: Review times listed above may be longer if a request for additional information is required. Workload may also affect any of the timelines listed above.

Appeals

All decisions may be appealed. Administrative decisions may be appealed to the Hearing Examiner for Thurston County. Hearing Examiner decisions may be appealed to the Board of County Commissioners (BOCC). Each must be submitted within 14 days from the date of the decision. BOCC decisions and DOE decisions may be appealed to the Shoreline Hearings Board (SHB) within 21 days of the “filing date” as defined in RCW 90.58.140(6). SHB decisions may be appealed to the courts.

All administrative, Hearing Examiner and BOCC appeals are submitted to the Building Development Center.

General Regulations

The following are general requirements for projects that are most commonly requested. The information provided is only an overview. Refer to the SMP for specific requirements.

Prior to any work being conducted, approval must be obtained.

Docks – In fresh water, new docks shall not exceed 50 feet in length and 8 feet in width, and must be setback a minimum of 10 feet from the side property line. If a float is attached, the float may be parallel to the dock or

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form a tee. The float cannot exceed 200 gross square feet and is counted toward the 50-foot maximum length.

Note: Docks and piers are prohibited on lakes or marine water bodies where the distance to the opposite shore is 150 feet or less. This is to insure the maintenance of navigation.

Boathouses – A boathouse for residential property may be permitted landward of the ordinary high water mark and is generally limited to 100 square feet with a maximum height of 10 feet. A deck on the roof of a boathouse is not permitted. Covered moorage, including a boathouse, is prohibited over fresh water.

Bulkheads – Protective structures may be allowed when evidence is presented that one of the following conditions exists:

- a. Erosion or an active feeder bluff is threatening agricultural land, public roads or bridges, existing residential structures or areas of unique public interest.
- b. It is necessary to the operation and location of shoreline dependent and related activities consistent with the SMP.
- c. Repair or replacement of an existing protective device is necessary to maintain its function.

The SMP does not allow shoreline protective structures for the purpose of creating new land.

Stair Towers – Stair towers meeting any one of the following conditions must be designed by a licensed civil engineer and shall be designed to minimize obstruction of views enjoyed by adjoining residences:

- a. The location proposed is mapped as “unstable” or “intermediate stability” in the Washington Coastal Zone Atlas prepared by the State Department of Ecology.
- b. The tower is 24 feet in height or greater.
- c. Other instances where the building official determines that site conditions dictate the preparation of plans by a licensed civil engineer.

I Still Have Questions...

The information provided in this bulletin is meant as a general overview of the procedures and rules. For more details, talk to a staff member at the Permit Assistance Center. Contact information is listed below. You may also review all Thurston County Codes online on the County website referenced at the bottom of this page.

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