



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

Jefferson County No Net Loss Checklist

The purpose of completing this checklist is to show consistency between the policies and regulations in the Jefferson County Shoreline Master Program and the implications for shoreline ecological functions, as it pertains to the no net loss (NNL) requirement. This checklist is to be completed by the Planner reviewing the proposal for all development and use applications within shoreline jurisdiction.

Is the proposal within shoreline jurisdiction? Yes (Complete this form) No (Form not required)

Planner _____ Date _____

Application Information

MLA # _____ SDP # _____ or Case # _____
(If case number is used, has the 'Special Conditions tab/Shorelines' been checked in Tidemark? Yes No

Applicant Information

Landowner Name _____

Applicant (if different from landowner) _____

Representative _____

Project Information

Project Address _____

Parcel Number _____ Type of Ownership (if other than Private) _____

Proposed Project Description _____

Shoreline Information

Shoreline Type: Marine River Lake

Waterbody Name _____ Shoreline Reach _____

Shoreline Use (based on Table 18.25.220) _____

Environmental Designations: Priority Aquatic Aquatic No in-water components

Natural Conservancy Shoreline Residential High Intensity

Type of shoreline approval: Shoreline Exemption Shoreline Substantial Development

Conditional administrative Conditional discretionary Variance

PRELIMINARY NNL REVIEW

Answer all Preliminary NNL Review questions on this page. For any 'Yes' responses, also complete the Detailed NNL Review questions (with the corresponding number 1 through 13) on the following pages.

GENERAL SHORELINE MASTER PROGRAM (SMP) REGULATIONS:

1. Will the proposed project be constructed within a standard shoreline buffer and setback (JCC 18.25.270(4)(e) and 18.25.300(2)(a)) for conforming lots or exceed the provisions of JCC 18.25.270(5) for non-conforming lots?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 3)
2. Will any portion of the proposed project be constructed in a geologically hazardous area, a landslide hazard area buffer, or a setback for a landslide hazard area or a high-risk channel migration zone (Article V, Chapter 18.22 JCC.)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 4)
3. Will any portion of the proposed project be constructed in a fish and wildlife habitat conservation area, buffer, or setback (Article VI, Chapter 18.22 JCC)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 5)
4. Will any portion of the proposed project be constructed in a wetland or wetland buffer (Article VII, Chapter 18.22 JCC)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 6)
5. Will any portion of the proposed project be constructed in a frequently flooded area (Article IV, Chapter 15.15 JCC)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 7)

SHORELINE MODIFICATION REGULATIONS:

6. Does the proposal include Beach Access Structures (JCC 18.25.340)?
No _____ Yes _____ (If yes, answer Detailed Review questions on pages 8-9)
7. Does the proposal include Boating Facilities (JCC 18.25.350)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 10-11)
8. Does the proposal include Dredging or Disposal of Dredged Materials (JCC 18.25.360)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 12)
9. Does the proposal include Filling and/or Excavation (JCC 18.25.370)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 13)
10. Does the proposal include Flood Control Structures (JCC 18.25.380)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 14)
11. Does the proposal include In-stream Structures (JCC 18.25.390)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 15)
12. Does the proposal include Restoration (JCC 18.25.400)?
No _____ Yes _____ (If yes, answer Detailed Review questions on page 16)
13. Does the proposal include Structural Shoreline Armoring and/or Shoreline Stabilization (JCC 18.25.410)?
No _____ Yes _____ (If yes, answer Detailed Review question on pages 17-19)

If the answer is 'No' to all of the above, the likelihood of the project negatively affecting shoreline ecological functions is minimal and it is assumed that the 'No Net Loss' requirement is met. Sign page 20.

DETAILED NNL REVIEW

Complete the questions below if the answer is ‘Yes’ to Preliminary NNL Review Question 1.

- 1. *The proposed project will be constructed within a shoreline buffer (and 10-foot building setback) for conforming lots or will not meet the modest home provisions for non-conforming lots.***

a. How much impervious surface will be created? _____ square feet

b. How much ground disturbance will occur? _____ square feet

c. Does the proposal avoid removal of forest habitats? Yes _____ No _____

If no, how much forest cover will be removed? _____ square feet

If no, describe the mitigation measures proposed to minimize impacts to the forest canopy within shoreline jurisdiction. _____

d. Does the site plan show the area of “active use” within the shoreline buffer meeting the threshold of either 20 percent of the required buffer area or at least 15 linear feet of water frontage?

Yes _____ No _____

If no, describe how the shoreline protection requirements of JCC 18.25.310(2)(c)(ii) are met. _____

e. Describe the potential impacts to shoreline functions and processes and corresponding mitigation to show NNL of shoreline functions (based on special reports and agency comments). _____

Any additional comments relevant to shoreline buffer requirements and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 2.

2. ***The proposed project will be located partially or entirely within a geologically hazardous area, a landslide hazard area buffer, or a setback for a landslide hazard area or a high-risk channel migration zone (Article V, Chapter 18.22 JCC).***

- a. If the proposed project will be constructed within a geologically hazardous area, describe the existing conditions, such as dominant plant community (forest, shrub, herbaceous, unvegetated), percent vegetated, and native or non-native plant species present (dominant species). If proposal will not be constructed within a geologically hazardous area, fill in 'N/A'. _____

- b. If the proposed project will be constructed within a landslide hazard area buffer or setback (35 feet for landslide hazard area or 5 feet for high-risk channel migration zone, unless indicated otherwise in the geotechnical report), describe the existing conditions, such as dominant plant community (forest, shrub, herbaceous, unvegetated), percent vegetated, and native or non-native plant species present (dominant species). _____

- c. Provide the name of the professional who prepared the report and the date of the report. _____

- d. Describe measures proposed to minimize impacts to shoreline functions based on development location, project design, construction methods, ongoing uses, and maintenance activities (JCC 18.25.270(2)). _____

- e. Describe any impacts to shoreline stability and natural processes that may occur due to permitting of the proposed use or development. _____

Any additional comments relevant to geologically hazardous area requirements and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is ‘Yes’ to Preliminary NNL Review Question 3.

3. ***The proposed project will be located partially or entirely within a fish and wildlife habitat conservation area (FWHCA), buffer, or setback (Article VI, Chapter 18.22 JCC).***

- a. If the proposed project will be constructed within a FWHCA, describe the existing conditions, such as habitat type (e.g., sandy/gravelly intertidal zone, freshwater lake, mature forest), dominant plant community cover type (forest, shrub, herbaceous, unvegetated), percent vegetated, and dominant native or non-native plant species present. If proposal will not be constructed within a FWHCA, fill in ‘N/A’.

- b. If the proposed project will be constructed within a FWHCA buffer or setback, describe the existing conditions, such as dominant plant community (forest, shrub, herbaceous, unvegetated), percent vegetated, and native or non-native plant species present (dominant species).

- c. Describe any existing structures or other modifications currently existing on the parcel.

- d. Summarize the measures proposed by the applicant to minimize impacts to shoreline functions based on development location, project design, construction methods, ongoing uses, and maintenance activities (JCC 18.25.270(2)).

- e. Describe any impacts to shoreline habitats and functions that may occur due to permitting of the proposed use or development.

Any additional comments relevant to FWHCA requirements and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 4.

4. ***The proposed project will be located partially or entirely within a wetland or wetland buffer (Article VII, Chapter 18.22 JCC).***

a. If the proposed project will be constructed within a wetland, describe the existing conditions, such as dominant plant community (forest, shrub, herbaceous, unvegetated), percent vegetated, and dominant native or non-native plant species present. If the proposal is entirely outside of the wetland boundary, enter 'N/A'._____

b. If the proposed project will be constructed within a wetland buffer, describe the existing conditions, such as dominant plant community (forest, shrub, herbaceous, unvegetated), percent vegetated, and dominant native or non-native plant species present._____

c. Describe any existing structures or other modifications currently existing on the parcel._____

d. Describe measures proposed to minimize impacts shoreline functions based on development location, project design, construction methods, ongoing uses, and maintenance activities (JCC 18.25.270(2))._____

e. Describe any impacts to shoreline habitats and functions that may occur due to permitting of the proposed use or development._____

Any additional comments relevant to wetland requirements and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 5.

5. ***The proposed project will be located partially or entirely within a frequently flooded area (Chapter 15.15 JCC).***

a. Does the proposal comply with Chapter 15.15 JCC? Yes _____ No _____

If no, explain: _____

b. Has the applicant submitted a Habitat Assessment or documents submitted to the U.S. Army Corps of Engineers (such as Biological Evaluation or Biological Assessment)? Yes _____ No _____

If no, explain: _____

c. Describe the measures proposed by the applicant to minimize impacts to shoreline functions and habitats potentially used by federally-listed threatened and endangered species. _____

d. Identify the species for each 'Effects Determination':

No effect: _____

May affect, not likely to adversely affect: _____

Likely to adversely affect: _____

For any 'Likely to Adversely Affect' determination, have the Federal Services been contacted?

Yes _____ No _____

If yes, who was contacted and when: _____

If no, explain: _____

e. Describe any impacts to shoreline functions and processes that may occur due to permitting of the proposed use or development. _____

Any additional comments relevant to frequently flooded area requirements and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 6.

6. *The proposal includes Beach Access Structures.*

- a. Will any beach access structure be constructed on a feeder bluff? Yes _____ No _____

If yes, explain how proposal complies with JCC 18.25.340(2).

- b. Will the beach access structure be a private or public use? Private _____ Public _____

If public, was the proposal reviewed against regulations in JCC 18.25.290 and was the access restriction in JCC 18.25.340(4)(h) added to the plat? Yes _____ No _____

If no, explain:

- c. Will the proposed project meet the requirements of JCC 18.25.340(4)(e), (4)(f), and (4)(g)?

Yes _____ No _____

If no, explain:

- d. Was any information received during the course of the review indicating that the proposal should be prohibited (JCC 18.25.340(4)(j))? Yes _____ No _____

If yes, was the permit denied? Yes _____ No _____

If the permit was not denied, describe how the NNL requirement will be met.

- e. Summarize information from the Special Reports submitted by the applicant that shows compliance with JCC 18.25.340(4)(k):

i (existing conditions)

ii (potential slope stability effects)

iii (shoreline processes)

iv (potential future stabilization)

CONTINUED → →

v (long-term slope stability measures) _____

f. Summarize measures to be implemented that are intended to result in NNL of shoreline functions. _____

g. Describe anything in the case file that indicates that bank stabilization or shore defense work would be needed in the future to protect this proposal. _____

Any additional comments relevant to beach access structures and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 7.

7. *The proposal includes Boating Facilities.*

a. The proposed project includes:

- public boat launches _____ (answer questions a.1, and b through f)
- private boat launches _____ (answer questions a.2, and b through f)
- non-residential docks, piers, and floats _____ (answer questions a.3, and b through f)
- residential (accessory) docks, piers,
 floats, lifts, float plane moorage _____ (answer questions a.4, a.5, and b through f)
- marinas _____ (answer questions a.6, a.7, and b through f)
- mooring buoys _____ (answer questions b through f)

a.1 Has the applicant for a **public boat launch** submitted documentation to show that JCC

18.25.350(3)(a), (3)(b), and (3)(c) are met? Yes _____ No _____

If no, describe how proposal meets the NNL requirement._____

a.2 Describe the documents submitted by the applicant for a **private boat launch** that show compliance with JCC 18.25.350(4)(b)._____

a.3 Has the applicant for a **non-residential dock, pier, and/or float** submitted documentation to show that JCC 18.25.350(5)(a), (5)(d), (5)(e), and (5)(f)? Yes _____ No _____

If no, describe how the proposal meets the NNL requirement._____

a.4 Describe the documents submitted by the applicant for a **dock, pier, float, and/or lift accessory to residential development** that show compliance with JCC 18.25.350(6)(d)._____

a.5 Does the proposal for a **dock, pier, float, and/or lift accessory to residential development** include dredging to construct or maintain? Yes _____ No _____

If yes, describe how proposal complies with JCC 18.25.350(6)(n)._____

CONTINUED → →

a.6 Describe the information submitted by the applicant for a **marina** that shows compliance with JCC 18.25.350(7)(a)._____

a.7 Summarize the avoidance and minimization measures proposed by the applicant to construct a **marina**._____

b. Is the proposal to construct an entirely new structure or an expansion of an existing structure? Describe:_____

c. Will any existing man-made overwater structures be removed (and not replaced) as part of the proposal? Yes_____ No_____

If yes, how much (provided dimensions and square footage):_____

d. Identify all Special Reports prepared for this proposal:_____

e. Summarize measure to be implemented that are intended to result in NNL of shoreline functions (include mitigation measures from Special Reports)._____

f. Describe anything in the case file that indicates that bank stabilization or shore defense work would be needed in the future to protect this proposal._____

Any additional comments relevant to boating facilities and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is ‘Yes’ to Preliminary NNL Review Question 8.

8. *The proposal includes dredging or dredge material disposal in shoreline jurisdiction.*

a. Is there any feasible alternative to the proposal? Yes _____ No _____

If yes, state how proposal complies with JCC 18.25.360(3)(b) and 18.25.360(4)(a). _____

b. If dredging is proposed, describe how the proposal minimizes the need for new dredging and/or maintenance dredging (JCC 18.25.360(3)(a)).

c. If dredging is proposed, identify the use or development in JCC 18.25.360(3)(c) that the proposal meets (proposal must meet use or development i. through x., specify which one is met):

d. If dredging is proposed for flood management purposes, identify which of the criteria in JCC 18.25.360(3)(d) applies: i (comp plan requirement) _____ ii (long-term ecological benefit) _____

e. If dredging is proposed, will the primary purpose of obtaining the materials be for use in landfill, upland construction, or beach nourishment? Yes _____ No _____

If yes, state how proposal complies with JCC 18.25.360(3)(f).

f. If disposal of dredged materials is proposed, indicate which reason meets JCC 18.25.360(4)(d): i (restore) _____ ii (reestablish) _____ iii (nourish) _____ iv (remediate) _____

g. If disposal of dredge materials is proposed, has the applicant met all three requirements of JCC 18.25.360(4)(e)? Yes _____ No _____

If no, describe how the NNL requirement is met.

h. Summarize measure to be implemented that are intended to result in NNL of shoreline functions (include mitigation measures from Special Reports).

Any additional comments relevant to dredging or disposing of dredged materials and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is ‘Yes’ to Preliminary NNL Review Question 9.

9. *The proposal involves filling and/or excavation in shoreline jurisdiction.*

a. Does the proposal meet all three requirements of JCC 18.25.370(3)(c)?

Yes _____ No _____

If no, describe how the NNL requirement is met. _____

b. Describe the source of the fill materials and how the applicant is ensuring that contaminated materials will not be used (JCC 18.25.370(3)(d)).

c. Does the proposal comply with Flood Damage Prevention regulations (Title 15.15 JCC, including the FEMA BiOp requirements)? Yes _____ No _____

If no, describe how the requirement in JCC 18.25.370(3)(f) is met.

d. Has the applicant fully addressed all eight requirements in JCC 18.25.370(3)(g)?

Yes _____ No _____

If no, describe how the NNL requirement is met.

e. Summarize measure to be implemented that are intended to result in NNL of shoreline functions (include mitigation measures from Special Reports).

Any additional comments relevant to fill or excavation and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is ‘Yes’ to Preliminary NNL Review Question 10.

10. *The proposal includes Flood Control Structures in shoreline jurisdiction.*

- a. Does the proposal meet all four requirements in JCC 18.25.380(3)(a)? Yes _____ No _____

If no, describe how the NNL requirement is met. _____

- b. Does the proposal meet all six requirements in JCC 18.25.380(3)(b)?

Yes _____ No _____

If no, describe how the NNL requirement is met. _____

- c. Will the proposal be constructed in an estuary, embayment, point bar, channel bar, or in salmonid spawning areas (JCC 18.25.380(3)(d))? Yes _____ No _____

If yes, describe how the NNL requirement is met. _____

- d. Has any information from federal or state fish and wildlife agencies, tribes, or other qualified professionals been received indicating that fish and wildlife resources may be damaged or that high stages and velocities have the potential to occur as a result of the proposal? Yes _____ No _____

If yes, describe how the JCC 18.25.380(3)(e) requirement is met. _____

e. List the technical reports that were submitted to comply with JCC 18.25.380(3)(k).

- f. Describe the mitigation measures to be implemented for meeting the NNL requirement.

Any additional comments relevant to flood control structures and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is ‘Yes’ to Preliminary NNL Review Question 11.

11. *The proposal includes in-stream structures.*

a. Does the proposal include construction of a dam or associated power generating facilities?

Yes _____ No _____

If yes, describe how the proposal meets JCC 18.25.390(3)(a). _____

b. Summarize information submitted by the applicant that shows how JCC 18.25.390(3)(c) is met.

c. Describe the measures the applicant is proposing to address natural transport of bedload materials (JCC 18.25.390(3)(d)).

d. Describe the measure the applicant is proposing to address fish migration (JCC 18.25.390(3)(e)).

e. Name and firm for project engineer: _____

f. Summarize how the applicant complies with JCC 18.25.390(3)(i):
i (site suitability analysis) _____

ii (engineered hydraulic analysis) _____

iii (biological reports) _____

iv (hydropower, if proposed) _____

v (public access/on-site recreation) _____

vi (mitigation) _____

vii (construction debris) _____

Any additional comments relevant to in-stream structures and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 12.

12. *The proposal includes Restoration.*

- a. Summarize the restoration work proposed in the restoration plan._____

- b. Does the proposal comply with all other SMP policies and regulations? Yes_____ No_____

If no, describe how the proposal complies with JCC 18.25.400(3)._____

- c. Is the proposed development or use part of an approved plan? Yes_____ No_____

If yes, name of document:_____

Any additional comments relevant to restoration and NNL for this proposal:

DETAILED NNL REVIEW

Complete the questions below if the answer is 'Yes' to Preliminary NNL Review Question 13.

13. *The proposal includes shoreline armoring and/or shoreline stabilization.*

- a. If armoring is proposed, has the applicant submitted documentation (including environmental assessments) showing that non-structural alternatives are infeasible (JCC 18.25.410(10)(c) and 18.25.410(1)(b))? Yes _____ No _____

If no, explain how the policies and regulations of JCC 18.25.410 are met. _____

- b. Indicate the person or firm that prepared biological inventory and resource document (JCC 18.25.410(10)(f)): _____

- c. Is the proposal in-kind replacement of existing shoreline armoring (no expansion)?
Yes _____ (complete question below, then proceed to question f) No _____ (proceed to question d)

What information was submitted to show compliance with JCC 18.25.410(3)(a) and (3)(b)? _____

- d. Is the proposal is for a subdivision or an existing lot without any structures?

Yes _____ (complete question below, then proceed to question f) No _____ (proceed to question e)

What information was submitted to show compliance with JCC 18.25.410(4)(a) through (4)(c)? _____

- e. The proposal is for new or expanded shoreline armoring. Complete the three bulleted items below, then proceed to question f.

- Identify the waterbody, indicate the shore form type, and specify whether or not this shore form type is prohibited in JCC 18.25.410(5)(a): _____

- Based on permitting criteria specified in JCC 18.25.410(5)(b), check all that apply (the proposal must meet one or more of the following):

i _____ ii _____ iii _____ iv _____

CONTINUED → →

- Summarize how the criteria in JCC 18.25.410(5)(c) are met:
 - i (erosion) _____
 - ii (alternatives) _____
 - iii (flood damage) _____
 - iv (mitigation) _____
 - v (alternatives evaluated) _____

f. Has the proposal been designed to meet U.S. Army Corps of Engineers requirements and/or Washington State Department of Fish and Wildlife Aquatic Habitat Guidelines? Yes _____ No _____

If no, indicate how JCC 18.25.410(6)(a) requirements are met: _____

g. Summarize the measures the applicant will be implementing to prevent degradation of water quality. _____

h. Are gabions proposed? Yes _____ No _____

If yes, indicate how the NNL requirement in JCC 18.25.410(6)(g) will be met. _____

i. Are bulkheads proposed?

Yes _____ No _____

If yes, describe the bank toe protection proposed (JCC 18.25.410(7)(b)(i)). _____

j. If a revetment is proposed, will it be located in a wetland, point or channel bar, or in a salmonid spawning areas?

Yes _____ No _____ Revetments are not proposed _____

If yes, describe how the requirements of JCC 18.25.410(8)(b) are met. _____

CONTINUED → →

k. If a breakwater, jetty, or seawall is proposed, indicate which of the three criteria from JCC 18.25.410(9)(b) applies:

i _____ ii _____ iii _____ Breakwaters, jetties, and seawalls are not proposed _____

l. Summarize the information submitted by the applicant to address the following requirements in JCC 18.25.410(10), as it pertains to NNL:

c (alternative and environmental impacts) _____

d (revegetation) _____

e (hydraulic analysis) _____

f (biologist report) _____

g (materials disposal) _____

Any additional comments relevant to shoreline armoring/stabilization and NNL for this proposal:

SUMMARY

Applicant:

I agree with the responses to the completed sections of this 'No Net Loss' form.

Signature_____ Date:_____

County Reviewer (signs after applicant has returned form with his/her signature):

Based on available information, the project is not expected to result in a net loss of shoreline ecological functions. Yes_____ No_____

Signature_____ Date:_____