



Cost Effective Compliance with Shoreline Regulations

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Shoreline Stabilization Forum

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future
wise

PRACTICAL GUIDE:

SHORELINE PERMITTING
AND MITIGATION
TO ACHIEVE NO NET LOSS

PRACTICAL GUIDE:

INTERAGENCY COORDINATION
IN IMPLEMENTING SHORELINE
REGULATIONS

PRACTICAL GUIDE:

INCENTIVES TO HELP MEET
PRIORITY SHORELINE RESTORATION AND
PROTECTION OBJECTIVES

PRACTICAL GUIDE:

COST-EFFECTIVE COMPLIANCE
WITH SHORELINE REGULATIONS

Shoreline Practical Guides

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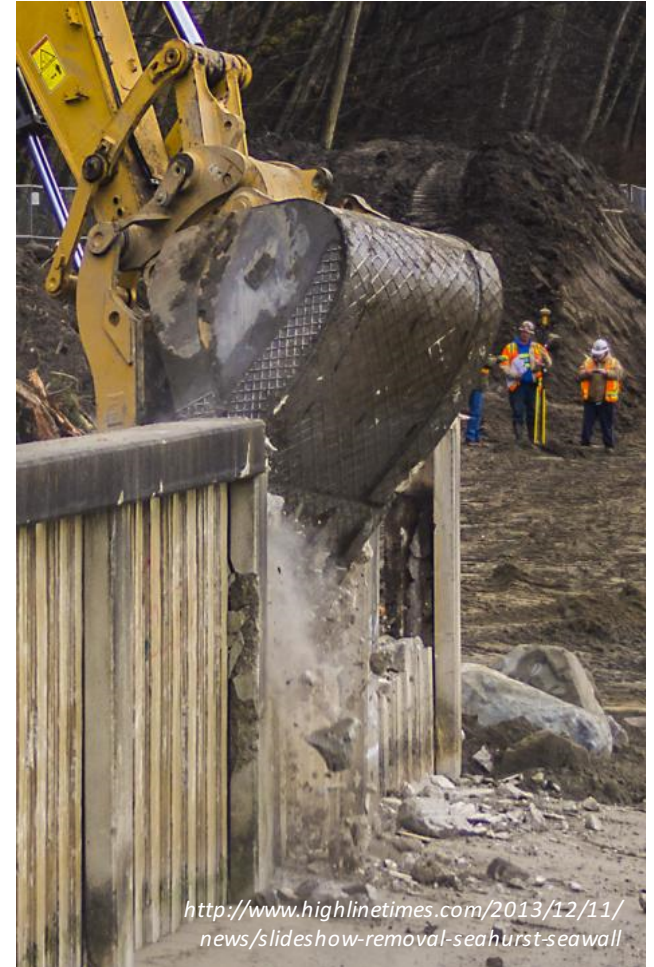
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Building communities
Protecting the land

August 2014

Methods

- Literature review
- Interviews (>100 people)
 - Local planners
 - State and federal agency staff



Current Conditions

- Funding (Staffing, unable to proactively look for violations, lack of good tracking systems)
- Political will (After-the-fact permits)
- Legal (Enforcement takes a long time, other)
- Monitoring (sparse!).
- Feelings of a lack of backing by the State



Deterrence Gap

3 principles of classic deterrence theory:

- Detection and penalty of a violation must be certain.
- The penalties must exceed the benefit of the illegal activity.
- Penalties must be swiftly applied.



Specific examples

- Structures with no permits or not to permit specs.
- Putting in plants that that owners prefer.
- Building accessory “sheds” at the top of the bank and then converting to guest homes.



Mom and Pop Do-It-Yourself (DIY) and Weekend Warriors



23 Recommendations

Tools for Improving:

- Compliance with Shoreline Permits
- Violation Enforcement
- Legal and Regulatory process



Gap: Staff resources

*“Could use much more enforcement.
Right now it is 95% regulatory,
5% compliance and 0% education.”*

Gap: Tracking

- Lack of good systems
- Not integrated into permitting system
- Apples to oranges



Gap: Citizen complaints

*“People do report
violations.*

*Usually when someone ticks
off a neighbor.”*

Gap: Lack of clarity of regulations

“Setbacks for houses are identified by establishing ‘top of bank.’

Top of bank is more a term of art than a scientifically documented shoreline location. One particularly descriptive definition for top of bank: ‘The edge of where you would comfortably park your new Mercedes.’ ”



Gap: Legal system (including judges)

*“We have already compromised.
Don’t compromise more!”*

- Education
- 3rd party experts

Gap: Sparse Monitoring





SELECTION OF SOLUTIONS

1 (800) ??



“Get a permit” not “Fix the damage”

Enhance cost
and other
features of
After the fact
permits



YOU CAN HELP! Donate clothing for students...

UPDATE: Outrage after 100+ trees cut without permission on city-owned West Seattle slopes

MARCH 26, 2016 4:04 PM | 150 COMMENTS | CRIME | ENVIRONMENT | WEST SEATTLE NEWS



(UPDATED 7:27 PM with additional information from Councilmember Herbold)

Publicly Disclose Violations

Companies Violate Wastewater Pretreatment Standards

King County's Industrial Waste Program is responsible for making sure that water used by industries returns to our waterways clean and safe. This protects our water resources, our public health, workers at treatment plants, and the biosolids produced there.

The vast majority of King County's businesses do an excellent job of meeting these clean water goals by treating their industrial wastewater before they discharge it to the sewer. Whenever possible, we work to provide technical assistance and help industries reach compliance before enforcement actions become necessary. If companies and facilities violate clean water standards, however, we do take enforcement actions.

The following companies and facilities are users of the County sewer system that violated treatment requirements between January and June 2011 (or have not had their violations previously published). They were found in significant non-compliance during the reporting period; received fines; had violations that were unique or warranted special attention; or met a combination of those actions.

King County Wastewater Treatment Division (Kenmore Construction Site), Kenmore

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Permit violations for: 1) Failure to report changes in waste discharge characteristics; 2) Failure to obtain prior approval for modification of pretreatment system; 3) Failure to notify King County within 24 hours of becoming aware of a violation.	King County Wastewater Treatment Division (Kenmore Portal Construction Site) had violations that warranted a monetary penalty.	King County Wastewater Treatment Division completed all required items in the compliance order.

Penalty: A \$16,093 fine, \$1,205 post-violation charge and a compliance schedule.

Puget Sound Recycling, Auburn

Nature of Violation/Type of Pollutant:	Basis for Publication:	Comment:
Discharge violations-n-Octadecane (4); n-Decane (1); copper (1); Non-Polar FOG (1).	Puget Sound Recycling had a violation that warranted a fine and was in significant non-	Puget Sound Recycling was required to provide engineering plans and details for

Integrate compliance and enforcement with permit review system

- Build compliance checks into permits
- Use permit system for tracking



Financial guarantees

“This has worked pretty well...They would never call us back if we didn't have this. It is the only hook we have.”

Basic public education

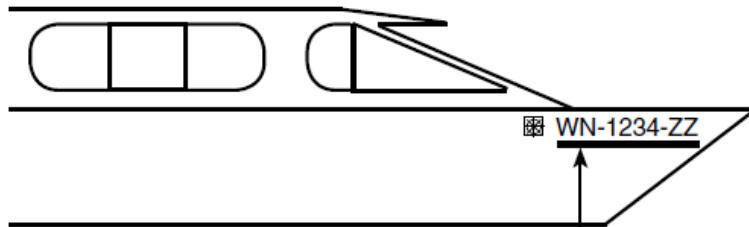
“Did you know that if you want to replace your bulkhead, you have to get a permit?”



Permit Registration – Posted on Structures

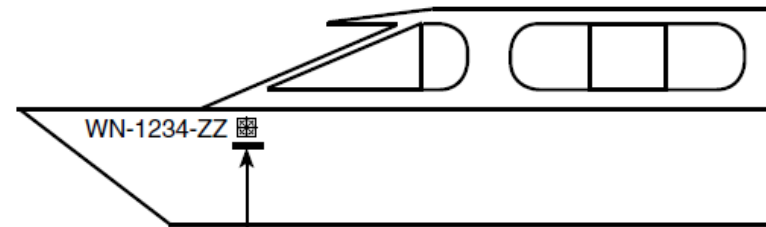
STARBOARD

PORT



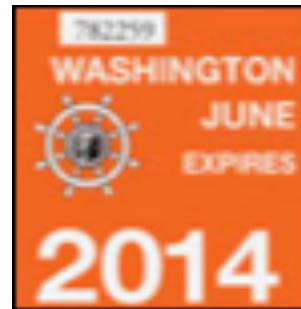
Registration numbers and letters must:

- Have a hyphen or equivalent space between the three segments of the number
- Be BLOCK style
- Be painted or attached to both sides of the bow
- Be at least 3 inches high
- Contrast with the color of the background
- Be distinctly visible
- Always read from left to right



Decals must:

- Be within 6 inches of the registration number
- Be placed on both sides of the bow
- Be aft of and directly in line with the registration number



Interagency Coordination

- Significant efficiencies to be gained
- Barriers:
 - Staff resources
 - Communication between agencies and to the public
 - Coordination role is sometimes falling to the applicant
 - Time lags



Take-Aways

- More time, hassle and money if you don't follow the regs
- Financial guarantees
- Education for decision-makers, judges, etc.
- Money – staff, tracking systems, interagency
- Innovative solutions/new technology



Thank you



<http://www.publicbroadcasting.net/kplu/news.newsmain/article/0/0/1666870/Environment/Interactive.Puget.Sound.Map>.