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Before Hearing Examiner
Gary N. McLean

**BEFORE THE HEARING EXAMINER
FOR SAN JUAN COUNTY**

S.J.C. DEPARTMENT OF

JUL 11 2019

COMMUNITY DEVELOPMENT

In the Matter of a Shoreline Substantial
Development Permit Application filed by)

PORT OF FRIDAY HARBOR,)

Applicant,)

PROJECT: *To construct a covered, outdoor picnic
pavilion at the northeastern end of the Jackson's
Beach peninsula which runs along the north end of
Griffin Bay, south of the Town of Friday Harbor,
on San Juan Island.*)

File No. PSJ000-18-0008

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
DECISION APPROVING SHORELINE
SUBSTANTIAL DEVELOPMENT
PERMIT FOR A PICNIC PAVILION**

I. SUMMARY OF DECISION.

The Shoreline Substantial Development Permit for the Port of Friday Harbor's proposed new picnic pavilion at Jackson's Beach on San Juan Island is approved, subject to Conditions of Approval that are based upon evidence in the Record.

II. RELEVANT CODE PROVISIONS.

Shoreline Regulations: The County's Shoreline Master Plan/Program (SMP) is comprised of Chapter 18.50 of the San Juan County Unified Development Code (UDC), together with Element 3 of the County's Comprehensive Plan, the official maps and common descriptions of shoreline designation boundaries that do not follow property lines (Ordinance 1-2016, Exhibit D), Section 2(B) Figures 130-6, 130-7 of the Eastsound Subarea Plan, SJCC 18.30.480, the Eastsound Waterfront Access Plan, and SJCC 18.80.110. *See SJCC 18.50.020(A).* The County's current SMP and shoreline regulations

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
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SUBSTANTIAL DEVELOPMENT PERMIT FOR
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1 took effect on October 30, 2017, and apply for purposes of this application, which was filed
2 in December of 2018 and substantially modified by the applicant in late March of 2019 to
3 remove a proposed pull out/parking space as part of the project, leaving only a proposed
4 picnic pavilion. (*Staff Report, page 3*).

5 ***Circumstances that trigger requirement to obtain a Shoreline Substantial***
6 ***Development Permit:*** “Substantial Development” is defined in RCW 90.58.030(3)(e) and
7 SJCC 18.20.190, and means any development proposed in the shoreline areas of San Juan
8 County of which the total cost, or fair market value, exceeds the dollar threshold established
9 by the Washington State Office of Financial Management (RCW 90.58.030(3)(e)) or any
10 development which materially interferes with the normal public use of the water or
11 shorelines of the state, except for the exemptions specified in WAC 173-27-040 or
12 Chapter 18.50 SJCC.

13 There is no dispute that the pending picnic pavilion, which would be located
14 approximately 140 feet from the Ordinary High Water Mark (OHWM) of Griffin Bay to the
15 south and approximately 100 feet from the Argyle Lagoon OHWM to the north, requires a
16 Shoreline Substantial Development Permit. (*Staff Report, page 3, citing Ex. 1a, at page 4*).

17 ***Approval Criteria for Shoreline Substantial Development Permits:*** The
18 procedures for review of shoreline permit applications are contained in Chapter 18.80.110
19 of the county’s code, with the Criteria for Approval of Shoreline Substantial Development
20 Permits found in SJCC 18.80.110(H), which reads as follows:

21 1. A shoreline substantial development permit will be granted by the County if the applicant
22 demonstrates the proposal is:

- 23 a. Consistent with the policies of the SMA, Chapter 90.58 RCW and Chapters 173-26 and 173-
24 27 WAC, as amended;
25 b. Consistent with the policies and regulations of this SMP;
26 c. Consistent with other applicable sections of this code; and
27 d. Consistent with the goals and policies of the Comprehensive Plan.

28 2. The conditions specified by the hearing examiner to make the proposal consistent with the SMP
29 and to mitigate or avoid adverse impacts to shoreline ecological functions will be attached to the
30 permit.

31 ***Jurisdiction:*** Under SJCC 18.80.110(E)(1), the Hearing Examiner is given the
32 authority to hear and approve, approve with conditions, or deny shoreline substantial
33 development permits following receipt of the recommendations of the director, based upon
34 the criteria found in SJCC 18.80.110(H), as set forth above.

35 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
36 **DECISION – APPROVING SHORELINE**
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1 **Burden of Proof:** Under SJCC 18.80.010(A), “Shoreline Permits” are specifically
2 listed as “Project Permits” covered by the provisions of SJCC Chapter 18.80 re: application,
3 notice, review and appeal requirements for the County’s Unified Development Code, which
is found in Title 18 of the SJCC and includes Chapter 18.50, the County’s Shoreline Master
Program. SJCC 18.80.040(B) reads as follows:

4 *“[t]he burden of proof is on the project permit applicant. The project permit
5 application must be supported by evidence that it is consistent with the
6 applicable state law, County development regulations, the Comprehensive
7 Plan, and the applicant meets his burden of proving that any significant
adverse environmental impacts have been adequately analyzed and
addressed.”*

8 **Standard of Review:** SJCC 2.22.210(H) explains that “for an application to be
9 approved, a preponderance of the evidence presented at the hearing must support the
conclusion that the application meets the legal decision criteria that apply.”

10 **Review Criteria for the Department of Ecology:** Finally, if the Examiner approves
11 or denies the Shoreline Permit, such decision must be forwarded to the Department of
12 Ecology and the Attorney General, for state review and any appeals of the Shoreline Permit,
13 in accord with Washington Shoreline Management regulations found in WAC 173-27-130.
14 This Decision is subject to review and approval, approval with conditions, or denial by the
15 Washington Department of Ecology. Ecology’s review criteria for Shoreline Substantial
Development Permits is found at WAC 173-27-150¹. The San Juan County review criteria
for the requested shoreline permit is consistent with and substantially similar to those that
will be used by the Department of Ecology.

16 **III. RECORD AND EXHIBITS; SUMMARY OF PUBLIC HEARING.**

17 Exhibits entered into evidence as part of the record, and an audio recording of the
18 public hearing, are maintained by the San Juan County Department of Community
19

20 ¹ 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:

21 (a) The policies and procedures of the act;

(b) The provisions of this regulation; and

22 (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.

23 (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.

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25 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND
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1 Development, in accord with applicable law.

2 **Exhibits:** The Staff Report, prepared by Mr. Maycock, dated April 8, 2019, for the
3 pending application (13 pages), and all Exhibits, numbered 1 through 9 and identified on
4 page 13 of the Staff Report, are included as part of the Record for this matter. The
5 complete list is provided below:

6 1	Staff Report	Colin Maycock	April 4, 2019
7 1a	Project narrative	Todd Nicholson	November 26, 2018
8 1b	Remove parking/pullout	Todd Nicholson	March 26, 2019
9 1c	Response to UW comment	Todd Nicholson	March 26, 2019
10 1d	SEPA Determination and Checklist	Colin Maycock	March 20, 2019
11 1e	Permit application and receipt	Colin Maycock	December 17, 2018
12 2	GeoHazard Report – Shoreline Erosion Evaluation	Todd Nicholson	November 26, 2018
13 3	Jackson Beach Facility Upgrade Critical Areas Report	Todd Nicholson	August 3, 2018.
14 4	Notification affidavit	Todd Nicholson	March 22, 2019
15 5	University of Washington comment letter	Dr. Megan Dethier	March 22, 2019
16 6	Lummi Nation Tribal Historic Preservation Office	Tamela Smart	March 25, 2019
17 7	Approved Pavilion plan	Todd Nicholson	August 3, 2018
18 8	Certification of Compliance – Stormwater Management Minimum Requirement #2	Colin Maycock	April 3, 2019
19 9	San Juan County Inadvertent Discovery Plan	Colin Maycock	April 8, 2019

1 **Hearing Testimony, written comments:** The following individuals presented
2 testimony under oath at the duly noticed open record public hearing held on April 24, 2019:

- 3 1. Colin Maycock, Planner IV for San Juan County, who prepared the Staff Report
4 for the pending application, summarized his analysis, noted that all notice and
5 comment requirements were satisfied, emphasized that specific BMPs will be
6 required during the construction process and highlighted that the design should
7 pose no flood or stormwater problems; and
8
9 2. Shane Krause appeared for the applicant, the Port of Friday Harbor, noting that
10 the applicant accepts the Staff Report analysis and recommended conditions of
11 approval without objection or requests for changes.

12 No one appeared at the public hearing or presented written comments to oppose the
13 pending application, as amended to only address a proposed new picnic pavilion.

14 Letters from UW Friday Harbor Labs and the Lummi Tribe are included in the
15 record as part of Exhibit 5 and 6 respectively. The Staff Report, on page 5, addressed each
16 written comment, noting that the UW comments were submitted before the application was
17 amended to exclude parking space, which reduces the potential new impervious surface
18 area at the site by about 2,400 square feet, and that the requested silt fencing would be
19 included as a condition of approval, in addition to other BMPs intended to protect the
20 adjacent lagoon and other critical areas. The Port offered responsive comments, expressing
21 their willingness to add additional garbage receptacles at the new pavilion and to regularly
22 empty the garbage containers. The concerns expressed by the Tribe should be adequately
23 addressed with the condition of approval requiring an inadvertent discovery plan to protect
24 any archaeological or cultural resources found during the construction process. (*See
25 discussion on page 5 of the Staff Report*).

26 The Examiner has had a full and fair opportunity to consider all evidence and
testimony submitted as part of the record, visited the site of the proposed project several
times, reviewed and researched relevant codes and caselaw, and is fully advised.
Accordingly, this Decision is now in order.

IV. FINDINGS OF FACT.

Based on the Record, the Examiner issues the following findings of fact:

1. All statements of fact included in any other section of this Decision, are hereby

1 incorporated by reference and adopted as Findings of Fact supporting this Decision and the
2 attached Conditions of Approval.

3 2. In December of 2018, the Port of Friday Harbor submitted an application for a
4 shoreline substantial development permit for two actions: a) to construct a picnic pavilion
5 that would be 32 feet long, 22 feet wide, and 17 feet tall, with a 704 sq.ft. concrete pad, a
6 barbecue pit, and anchored posts to support the roof, via a post and pier system; and b) a
7 new parking/pull out space, 100 feet long by 20 feet wide, adjacent to the county right-of-
8 way, known as Jackson's Beach Road.

9 3. Based on the original application and project elements, staff reviewed the
10 application materials and relevant environmental documentation before issuing a SEPA
11 threshold determination for the project, a DNS (Determination of Non-Significance),
12 published/noticed/distributed on or about March 20, 2019 (*Ex. 1d*). The County issued a
13 Notice of Application, SEPA determination and hearing date for the Port's proposal on the
14 same date, publishing such notice in the Journal of the San Juans and The Islands Sounder
15 newspapers on March 20th. (*Staff Report, page 4; Ex. 4*). Shortly thereafter, both the UW
16 Friday Harbor Labs and Lummi Tribe submitted written comments, on March 22nd and
17 March 25th respectively. (*Staff Report, page 5; Exhibits 5 and 6*).

18 4. On March 26, 2019, the applicant formally amended its application to exclude the
19 proposed parking elements, leaving only the small picnic pavilion. Given the reduced
20 scope and nature of the proposal, Staff deemed that remaining project addressed in this
21 permit to be exempt from SEPA, citing WAC 197-11-800(1)(b)(iv)(*exempts construction of*
22 *recreational building with less than 4,000 sq.ft of gross floor area*). (*Staff Report, page 4*).

23 5. The proposed new picnic pavilion would entail pouring a concrete pad measuring 32
24 x 22 feet, creating 704 feet of new impervious surface on the Port's 10.28 acre parcel. The
25 pavilion will be "open-sided", i.e. will not have any walls, so it is not deemed a "structure"
26 under otherwise applicable Flood Hazard Control Regulations found in SJCC Chapter
15.12. (*Staff Report, page 4*).

19 6. The application materials and environmental documentation submitted for the
20 project includes a critical areas report, prepared by qualified professionals at JenJay Inc.
21 (*Ex. 3*). The JenJay report, dated April 2, 2018, credibly identifies and evaluates potential
22 impact on Fish and Wildlife Conservation Areas surrounding the proposed pavilion. The
23 report expressly concludes that the Port's project will result in no net loss of shoreline
24 ecological functions. (*Ex. 3, at pages 14-21*).

25 7. Mr. Maycock prepared and submitted the Staff Report, recommending approval of

1 the requested permit, subject to conditions. At the public hearing, he explained that no one
2 submitted any written comments opposing the permit as amended and conditioned in the
3 Staff Report. The Staff Report and Mr. Maycock's testimony confirm that applicable
4 notice, mailing and publication requirements were satisfied. (*Testimony of Mr. Maycock;*
5 *Staff Report, page 4; Exhibit 4*). Other than the two written comments referenced above, no
6 agency or member of the general public submitted comments of any kind regarding the
7 pending application. As noted above, the applicant's representative at the public hearing,
8 Mr. Krause, fully supported and accepted the Staff Report as written, with all recommended
9 conditions of approval.

10 8. All of the unchallenged BMPs and other recommended conditions of approval are
11 supported by evidence in the Record, reasonable, and capable of being accomplished.
12 Accordingly, as recommended by Staff and fully supported by the applicant witness who
13 testified at the public hearing, they are all included as Conditions of Approval for the
14 pending Shoreline Permit.

15 9. No individual or government agency invited to comment on the project application
16 offered any evidence or information that would rebut or materially challenge the findings
17 and analysis provided in the Staff Report, the applicant's environmental analysis and
18 project construction recommendations that are included as part of the Record.

19 ***Merits of the project.***

20 10. *Comprehensive Plan.* The Staff Report and the application materials included as
21 part of the Record include facts and analysis that comprise far more than a preponderance
22 of evidence to establish that the pending Shoreline application satisfies, and in many
23 respects, promotes or implements, applicable provisions of the County's Comprehensive
24 Plan, including without limitation those found in Section B, Element 3, at 3.2.D and 3.4.M,
25 generally promoting and encouraging public access to public shorelines, and recreational
26 development. (*Staff Report, pages 10 and 11*).

11. Except as modified in this Decision, the Examiner hereby adopts by reference all
statements of fact included in the Staff Report, which address the project's consistency with
applicable County Comprehensive Plan provisions. The statements of fact adopted herein
shall be deemed Findings of Fact supporting this Decision and Conditions of Approval.

12. Substantial evidence in the record, including without limitation the application
materials, environmental reports, and hearing testimony, fully support Staff's conclusions
in the Staff Report, explaining that the proposed project satisfactorily complies with
applicable county code provisions, and/or can be mitigated through recommended

1 conditions and BMPs.

2 13. For instance, there is substantial, credible, and un rebutted information in the record
3 and application materials to demonstrate that no net loss of shoreline ecological functions
4 will occur. These materials include, without limitation, the report and analysis prepared by
5 Jen-Jay, Inc. for the project, included as part of Ex. 3.

6 14. The application materials also include “Best Management Practices” that will be
7 observed throughout the construction process. (See Ex. 3, page 19). Conditions of approval
8 mandate compliance with standards that are consistent with the recommended BMPs.

9 15. The probable, significant, adverse environmental impacts of the proposal are
10 virtually all related to the construction process, which can be minimized and fully addressed
11 through implementation of the BMPs, conditions/mitigation measures identified in the
12 County’s unchallenged DNS and Staff Report issued for the proposal.

13 16. No one presented any testimony or evidence that would justify denial of the pending
14 shoreline application.

15 ***The Record includes substantial evidence that the application meets requirements to***
16 ***approve the Substantial Development Permit.***

17 17. Substantial and credible evidence in the record, including without limitation
18 un rebutted findings and analysis provided in the Staff Report, and Applicant’s Project
19 Narrative, included in the Record as Exhibit 1a, establishes that the applicant has met its
20 burden to prove that the pending application satisfies all criteria for approval of a
21 Substantial Development Permit, found at SJCC 18.80.110(H). Specifically, the applicant
22 has met its burden to establish that: a) The proposal is consistent with the policies of the
23 Shoreline Management Act and its implementing regulations, Chapter 90.58 RCW and
24 Chapter 173-27 WAC, as amended; b) The proposal is Consistent with the policies and
25 regulations of the Shoreline Master Program in Chapter 18.50 SJCC; c) The proposal is
26 consistent with applicable provisions of SJCC chapter 18.80 and other applicable sections
of the SJCC; and d) The proposal is consistent with the goals and policies of the
Comprehensive Plan.

27 18. Consistent with SJCC 18.80.110(H)(2), the Examiner has conditioned approval of
the project to make the proposal consistent with the shoreline master program and to
mitigate or avoid adverse impacts.

28 19. All findings, statements of fact, and analysis provided in the Staff Report, are

29 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
30 **DECISION – APPROVING SHORELINE**
31 **SUBSTANTIAL DEVELOPMENT PERMIT FOR**
32 **PORT OF FRIDAY HARBOR’S NEW PICNIC**
33 **PAVILION AT JACKSON’S BEACH ON SAN JUAN**
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1 incorporated herein as findings of fact by the undersigned hearing examiner, except as
2 modified herein.

3 V. CONCLUSIONS OF LAW.

4 1. The Record, including without limitation the County's Staff Report and the
5 applicant's supporting environmental report by JenJay, includes substantial, credible and
6 convincing proof that the Shoreline application satisfies the County's approval criteria.

7 2. In this matter, the applicable Shoreline Master Program provisions and policies
8 expressly encourage public access to public shorelines such as the Port's Jackson's Beach
9 site. The project will enhance ADA accessibility, and provide a venue that may be more
10 attractive to people with special needs, or families looking for a covered space to gather.

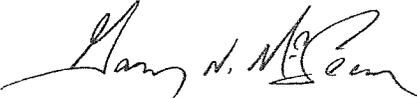
11 3. As shown above, the Record establishes that the proposed picnic pavilion project
12 has been designed and conditioned to minimize, avoid, or prevent impacts on the
13 surrounding shoreline environment, and will comply with appropriate BMPs during
14 construction.

15 4. Any finding or other statement contained in a previous section of this Decision that
16 is deemed to be a Conclusion of Law is hereby adopted as such and incorporated by
17 reference.

18 VI. DECISION, CONDITIONS OF APPROVAL.

19 Based on the record, and for the reasons set forth above, the Shoreline Substantial
20 Development Permit for the Port of Friday Harbor's Picnic Pavilion at Jackson's Beach
21 Project is approved, subject to the following Conditions of Approval, which are attached
22 hereto, and incorporated herein by reference.

23 ISSUED this 11th Day of July, 2019

24 

25 _____
26 Gary N. McLean
Hearing Examiner

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CONDITIONS OF APPROVAL

Port of Friday Harbor, Jackson's Beach Picnic Pavilion Project
Shoreline Substantial Development Permit
File No. PSJ000-18-0008

Based on the Record, and under authority of applicable county code provisions, the Examiner imposes the following Conditions of Approval on the above-referenced permit.

1. The Project elements approved by this permit include construction of a single picnic pavilion (32 ft. x 22 ft., up to 17 ft. tall), with a concrete pad not to exceed 704 square feet.

2. The picnic pavilion shall be developed in a manner and design substantially in the form as depicted in the project drawings signed by the Department of Community Development, included in the record as part of *Exhibit No. 7*.

3. All agents and contractors working on behalf of the applicant to construct or develop any aspect of the approved project shall implement and comply with each and every of the applicable Best Management Practices (BMPs) proposed for this project, as set forth in Exhibit 3, the Critical Areas Report prepared by JenJay Inc.

4. The BMPs imposed for all work performed as part of this project shall include, without limitation, the following:

- No deleterious materials shall enter the water.
- Equipment shall be maintained to be leak-free while on the site.
- Engines shall be run only when needed.
- Disposal of waste shall be at an approved upland disposal site.
- Spill prevention and cleanup plans shall be implemented as required by local, state and federal regulations.
- Mark clearing limits.
- Establish construction access from Jacksons beach road.
- Control flow rates.
- Install sediment controls.
- Stabilize soils.
- Protect slopes.
- Control pollutants.
- Follow these BMPs throughout the construction:
 - *BMP C103: High Visibility Fence*
 - *BMP 233: Silt Fence*
 - *BMP C151: Concrete handling*
 - *BMP C162, Construction sequencing*
 - *BMP 235, Wattles*

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1 5. Prior to any construction activity on the site, the applicant must submit a certificate of
2 compliance with Stormwater Management Minimum Requirement No. 2 to the Community
Development Director, with specific reference to this permit number, PSJ000-18-0008.

3 6. Revegetation of disturbed areas must be completed using native plant materials, subject to
4 review and approval of the Department Director.

5 7. Garbage receptacles must be included in the construction design of the picnic pavilion, subject
to review and approval of the Department Director.

6 8. Consistent with the applicant's written response (*Ex. 1c*) to comments provided by the UW
7 Friday Harbor Labs (*Ex. 5*), the Port shall confer with Dr. Dethier or other UW representatives to
8 improve and/or add additional signage at the ends of the lagoon fencing that runs along the northern
edge of the Port's parcel.

9 9. Upon completing all construction work associated with the project, the Port must submit a
10 survey/site plan with relevant measurements depicted as required by the Building Official, fully
illustrating the "as-built" structure and associated features.

11 10. All Project construction and development activities that might occur following issuance of this
12 permit and any other associated permit shall be subject to compliance with the San Juan County
13 Inadvertent Discovery Plan, included in the Record as *Exhibit 9*. A complete copy of the
Inadvertent Discovery Plan must be maintained onsite throughout the construction phase of this
project.

14 11. The applicant shall obtain any associated permit, license, or approval required by any state,
15 federal, or other regulatory body with jurisdiction over aspects of the project. Any conditions of
16 regulatory agency permits, licenses, or approvals issued for any aspect of this project shall be
considered conditions of approval for this permit and are incorporated herein by this reference.

17 12. The project shall comply with all applicable provisions of the Unified Development Code,
found in Title 18 of the San Juan County Code.

18 13. Consistent with SJCC 18.80.110.G.5, construction or substantial progress toward construction
19 of this picnic pavilion project must be undertaken within two years after WDOE's date of
20 filing. Substantial progress toward construction includes letting bids, making contracts, purchase of
21 materials, utility installation and site preparation, but does not include use or development
22 inconsistent with the SMP or the terms of permit approval. However, the two-year period does not
include time when development could not proceed due to related administrative appeals or
litigation, nor include time necessary to obtain other required permits for the project from state and
federal agencies.

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25 **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
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1 14. Consistent with SJCC 18.80.110.G.6, all development authorized by this shoreline permit shall
2 be completed within five years of the WDOE date of filing or the permit shall become null and void.
3 A permittee may request a time extension before the permit expires by making a written request to
4 the Director, stating the reasons. The hearing examiner will review the permit, and upon a finding of
5 good cause:

- 6 a. Extend the permit for a period not to exceed one year; or
- 7 b. Terminate the permit.

8 15. The applicant shall comply with all professional report conclusions and recommendations
9 submitted in connection with this Shoreline Permit and associated approvals issued by the San Juan
10 County for this project, as approved, referenced, relied-upon, and/or modified by the County.

11 16. Failure to comply with these Conditions of Approval shall be grounds for rescission of the
12 Shoreline Permit. As provided in SJCC 18.80.110(L), captioned "Rescission of Shoreline Permits,"
13 any shoreline permit may be rescinded by the hearing examiner pursuant to RCW 90.58.140(8),
14 upon the finding that the permittee has failed to comply with the terms and conditions thereof. In
15 addition, if the permittee is denied any other permit or authorization required by a state or federal
16 agency with jurisdiction over aspects of the Project, the underlying shoreline permit may be
17 rescinded.

18 **Effective Date, Appeals, Valuation Notices**

19 Hearing Examiner decisions become effective when mailed or such later date in accordance with the laws and ordinance
20 requirements governing the matter under consideration. SJCC 2.22.170. Before becoming effective, shoreline permits
21 may be subject to review and approval by the Washington Department of Ecology, pursuant to RCW 90.58.140, WAC
22 173-27-130 and/or SJCC 18.80.110.

23 Decisions of the Hearing Examiner are final and not subject to administrative appeal to the San Juan County Council,
24 unless the County council has adopted, by ordinance, written procedures for the discretionary review of such decisions.
25 See Section 4.50 of the San Juan County Home Rule Charter and SJCC 2.22.100.

26 Depending on the subject matter, this decision may be appealable to the San Juan County Superior Court or to the
Washington State Shorelines Hearings Board. State law provides short deadlines and strict procedures for appeals and
failure to timely comply with filing and service requirements may result in dismissal of any appeal. See RCW 36.70C and
RCW 90.58. Persons seeking to file an appeal are encouraged to promptly review appeal deadlines and procedural
requirements and confer with advisors of their choosing, possibly including a private attorney.

Affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of
revaluation.

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