

**SAN JUAN COUNTY
HEARING EXAMINER**

FINDINGS, CONCLUSIONS AND DECISION

Applicant(s): John Pohl and Susan Wycoff Pohl

Applicant Agent: Jeff Otis, Otis Land Use Consulting
393 Bobbyann Road
Eastsound, WA 98245

File No.: PSJ000-13-0001

Parcel No: 241022020.

Location: Near 328 Burt Road, Davis Bay, Lopez Island

Summary of Proposal: Shoreline Conditional Use Permit for bulkhead removal

Land Use Designation: Rural Farm Forest

Hearing Date: May 8, 2013

Application Policies and Regulations: San Juan County Shoreline Master Program.

Decision: Approved with conditions.

S.J.C. COMMUNITY

MAY 23 2013

DEVELOPMENT & PLANNING

1 **BEFORE THE HEARING EXAMINER FOR THE COUNTY**
2 **OF SAN JUAN**

3 Phil Olbrechts, Hearing Examiner

4 RE: John Pohl and Susan Wycoff 5 Pohl 6 Shoreline Conditional Use 7 Permit 8 (PSJ000-13-0001)	9 FINDINGS OF FACT, CONCLUSIONS 10 OF LAW AND FINAL DECISION 11 S.J.C. COMMUNITY 12 MAY 23 2013 13 DEVELOPMENT & PLANNING
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14 **INTRODUCTION**

15 The applicants have applied for a shoreline conditional use permit to restore a
16 shoreline by the removal of a bulkhead that was installed in violation of San Juan
17 County shoreline regulations. The application is approved subject to conditions.

18 **TESTIMONY**

19 **Staff Testimony**

20 Julie Thompson, senior San Juan County planner, stated that more clarity is necessary
21 in the application. Specifically, she noted that the applicants need to explain how the
22 block wall will be handled. Public comments express fear that this wall will be left in
23 place and, eventually, the blocks will fall into the water.

24 **Applicant Testimony**

25 Jeff Otis, applicants' representative, stated that the Pohls' bought their property in
26 2011. A previous owner had built the existing bulkhead without county approval.
27 Recently, the county sent the Pohls' a Notice of Correction informing them that the
28 bulkhead was not legal. The county gave them two options: (1) apply for a permit to
29 authorize the bulkhead or (2) submit an application for shoreline restoration. The
30 notice of correction only refers to the bulkhead. It is unlikely that a bulkhead would
31 be authorized on the property because (1) the boat ramp/path was put in after 1971 so
32 it is not a legal facility and (2) a bulkhead would potentially starve a portion of the
33 beach. When the applicants met with Ms. Thompson to discuss the restoration option,
34 they noted that they would like to retain a small, 3-ft path and the landscape wall.
35 According to Mr. Otis, Ms. Thompson agreed to allow the path and restoration project
36 to be combined into a single application. A geotechnical engineer recommended the
37 applicants remove the bulkhead rather than using other methods of shortening the
38 existing, 10-ft path. The beach is high energy, thus, once the bulkhead is removed, the
39 wave energy will hit the tow of the bank. The removal of the bulkhead will result in

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1 eventual full restoration of the shore. In regard to the block wall, the applicants are
2 willing to remove the blocks, but it will result in the path eroding much faster. The
3 applicants would prefer to remove the blocks as they erode. The geologist for the
4 project believes these blocks will erode naturally.

5 In regard to the Friends of San Juan letter, Mr. Otis testified that the ordinary high
6 water mark is at the toe of the existing bulkhead. The ordinary high water mark will
7 migrate further landward once the bulkhead is removed. In regard to an elevation
8 certificate, a certificate is required in a flood zone with habitable structures. The
9 Pohls' property does not meet the elevation certificate requirement criteria. An
10 archaeologist who created a report on the site in 2009, Steve Kennedy, found that
11 there were no biological resources at the site of the bulkhead. In regard to Mr.
12 Eglick's letter, this project has nothing to do with the dock project, and the comments
13 are irrelevant.

14 Mr. Pohl added that he was unaware that the bulkhead was not permitted. He would
15 like to move forward with the project as quickly as possible.

16 Public Comments

17 Kyle Loring, Friends of the San Juans, testified that Friends ask that the applicants and
18 county comply fully with the Notice of Correction, including modifications to the
19 ramp/path. In regard to the blocks, it is inappropriate for the applicants to remove the
20 blocks as each falls because the county does not have process for monitoring this
21 process. When noting the ordinary high water mark, Mr. Loring used the shoreline
22 site restoration plan dated February 11, 2013. The water will move inland based on
23 this plan, and, eventually, hit the block wall. This application is a combination of
24 after-the-fact permit and restoration project because the applicants want to remove the
25 bulkhead, but keep parts of the path and wall. Therefore, some analysis of the impacts
of the wall and path should be required, including a fish hazard permit and an
elevation certificate.

Anthony Karuza stated he is representing members of the Davis Bay community. Members of the community believe the removal of the bulkhead and retention of the path/ramp is part of the Pohls' end goal of obtaining an overwater structure. The application shows no concern for the environment or surrounding neighbors. The Davis Bay community asks that a decision on this application be postponed until a final decision regarding the dock has been made. In regard to the block wall, it was installed approximately 15 years ago and has yet to erode at all. The wall is made of concrete, thus it is unlikely to erode naturally in the coming years. If the wall does collapse, it will leave a pile of rubble which will take years to break up. The Davis Bay community feels that the ramp should be grandfathered in as it predates current county requirements. It is not feasible to return the island to prehistoric state. The environment has adapted to the bulkhead and ramp, and removing the structures will damage these natural habitats.

1 Vivian Burt commented that the Davis Bay residents have not been negatively
2 impacted by the ramp. The county should not require its removal. Any decision
3 regarding the ramp should be made in conjunction with the dock application decision.

4 Staff Rebuttal

5 Ms. Thompson noted that, in regard to FEMA, the dock is considered a structure
6 because it is built of pieces put together. The grade is too high to allow the ramp to be
7 grandfathered in to the property.

8 Applicant Rebuttal

9 Mr. Otis stated that the removal of the bulkhead will allow natural processes to
10 takeover and restore the shoreline. The applicants are willing to remove the landscape
11 wall blocks now, but would prefer to remove them as they fall. In regard to the dock,
12 the applicants were issued a Notice of Correction for the existing bulkhead separately
13 from their dock application.

14 Mr. Pohl added that he is simply trying to comply with county regulations and has no
15 ulterior motive.

16 **EXHIBITS**

17 Exhibits 1-6 identified in the cover sheet to the April 24, 2013 staff report were
18 admitted into the record. In addition, the following exhibits were also admitted during
19 the hearing:

20 Exhibit 7 Letter from Friends of San Juan dated May 7, 2013

21 Exhibit 8 Addendum to Stratum Group Geotech Report dated May 6, 2013

22 Exhibit 9 Letter from Peter Eglick dated May 7, 2013

23 Exhibit 10 Anthony Karuza written comments

24 Exhibit 8: 6/8/12 letter from Scott and Judy Whiting

25 **FINDINGS OF FACT**

Procedural:

1. Applicant. The applicants are John Pohl and Susan Wycoff Pohl.
2. Hearing. The Hearing Examiner conducted a hearing on the subject application on May 8, 2013 at 10:00 am in the Islander Bank annexation building on San Juan Island.

1 **Substantive:**

2 3. Site and Proposal Description. The applicants propose a restoration
3 project triggered by a Notice of Correction (“NOC”) issued on December 4, 2012, Ex.
4 4. The NOC identifies that the Pohl property has a rock bulkhead built without
5 required shoreline permits. The NOC requires the removal of the bulkhead or the
6 acquisition of an after-the-fact shoreline permit for its authorization. The subject
7 conditional use permit application is for the removal of the bulkhead.

8 The rock bulkhead was constructed for the purpose of stabilizing a boat ramp for the
9 Pohl property. The two prior owners of the Pohl property used it as a boat ramp for
10 small boats. See Ex. 6. The ramp has lost its functionality over the years as its water
11 end has been subject to erosion and the deposition of large woody debris. See Ex. 4,
12 geological report. The boat ramp cuts into the slope of the banks of the Pohl
13 property. The slope on the landward side of the ramp is stabilized by concrete
14 landscaping blocks. The applicants proposed to remove the bulkhead but leave the
15 ramp and landscaping blocks. The applicants’ geological report concludes that upon
16 removal of the bulkhead, the ramp is expected to be reclaimed by storm events within
17 a year’s time, leaving a three foot wide path and the landscaping blocks. The three
18 foot path and landscaping blocks will also eventually erode away. Shoreline erosion
19 will undercut the landscape blocks and they will collapse into the adjoining waters.
20 An addendum to the geological report notes that once the landscape blocks fall into
21 the waters they “will readily be broken into smaller pieces”. See Ex. 8.

22 The overall height of the shoreline bluff that the ramp traverses is approximately 11
23 feet high from the top of the upper beach to the top edge of the bluff. The bluff slope
24 varies between approximately 45 degrees and 65 degrees.

25 In their comment letter, the Friends of the San Juans assert that retention of the
landscaping blocks and the temporary pathway is an implied part of the application.
See Ex. 7. Agreed. The temporary path and landscaping blocks are identified in the
application materials as part of the proposal and their (temporary) retention directly
contributes to the impacts of the proposed bulkhead removal. The path and landscape
blocks are considered a part of the application subject to the review criteria of the
requested shoreline conditional use permit.

4. Characteristics of the Area. The neighborhood is rural and residential in
nature.

5. Adverse Impacts of Proposed Use. There are no adverse impacts
associated with the proposal. As noted in the geological report, the removal of the
bulkhead will return natural shoreline processes to the immediate area. As noted in
the report, the bluff on both sides of the bulkhead has been eroded further inward,
establishing that the bulkhead has been very effective in blocking the natural
deposition of shoreline sediments into the adjoining waters. The bulkhead will be

1 removed by equipment operated landward of the bulkhead, so no adverse construction
2 impacts are anticipated.

3 One impact that has not been addressed is the collapse of the landscaping blocks into
4 the adjoining waters. Although the geological report notes that the blocks will
5 "readily" be broken up into smaller units, there is no indication how long this will
6 actually take and there has been no biological evaluation done on any impacts of the
7 proposal. It is reasonable to conclude that a large pile of landscaping blocks resting
8 within potential fish habitat could adversely affect environmental resources. For this
9 reason the conditions of approval will give the applicants the option of either
10 removing the landscaping blocks within 30 days of removal of the bulkhead, or
11 conducting a biological evaluation of the impacts of allowing the blocks to collapse
12 into the bay and following any recommended mitigation (which could include
13 removing the landscaping blocks before they collapse).

14 CONCLUSIONS OF LAW

15 Procedural:

16 1. Authority of Hearing Examiner. The Hearing Examiner issues a final
17 decision on shoreline conditional use permits, subject to approval by the Washington
18 State Department of Ecology. Section 3.70 of the San Juan County Charter; RCW
19 90.58.140(10).

20 Substantive:

21 2. Zoning/Shoreline Designations. The subject property is designated as
22 Rural Farm Forest and the shoreline designation is Conservancy.

23 3. Permit Review Criteria. SJCC 18.50.370(B)(3) authorizes shoreline beach
24 restoration and enhancement in the conservancy environment by a conditional use
25 permit. SJCC 18.20.020 defines beach enhancement/restoration as a process of
restoring a beach to a state more closely resembling a natural beach using beach
feeding, vegetation, drift sills, and other nonintrusive means. The removal of the
bulkhead will restore natural beach conditions by the introduction of natural beach
feeding from the resulting eroding bluff. Shoreline conditional use criteria are
governed by SJCC 18.80.110(J), which are quoted in italics below and applied
through corresponding conclusions of law.

Friends of the San Juans argues that the landscaping blocks qualify as a bulkhead and
are subject to shoreline permitting requirements for bulkheads. The landscape blocks
do not qualify as a bulkhead. SJCC 18.20.020 defines a bulkhead as structures
constructed parallel to the ordinary high water mark for the purpose of protecting the
adjacent bank or uplands from the action of waves or currents. The landscaping
blocks were not constructed for the purpose of protecting land from wave action.

1 They were constructed to serve as a retaining wall. Further, as noted in the geological
2 report, they ultimately will not serve to protect uplands from wave action because
3 wave erosion will occur below the toe of the landscape blocks, thereby undercutting
4 them and causing them to collapse.

5 4. NOC Compliance. The Friends of the San Juans argue in Ex. 7 that the
6 proposed restoration project fails to comply with the NOC identified in FOF No. 3.
7 That issue is beyond the scope of this shoreline conditional use permit, because no
8 conditional use permit criterion requires compliance with an NOC. Nothing in this
9 decision should be construed as a finding of compliance with the NOC identified in
10 FOF No. 3.

11 **SHORELINE CONDITIONAL USE CRITERIA**

12 **SJCC 18.80.110(J)(4):** *Uses which are classified or set forth in the Shoreline Master*
13 *Program as conditional uses may be authorized by the County provided the applicant*
14 *can demonstrate all of the following:*

15 *a. The proposed use is consistent with the policies of RCW 90.58.020 and the policies*
16 *of the Shoreline Master Program;*

17 5. As discussed more specifically below, the proposed use is consistent with the
18 policies of RCW 90.58.020 and the specifically applicable policies of the Shoreline
19 Master Program.

20 **SJCC 18.80.110(J)(4)(b):** *The proposed use will not interfere with the normal public*
21 *use of public shorelines;*

22 6. There is nothing in the record to suggest that the proposal will interfere with
23 public use of the shoreline.

24 **SJCC 18.80.110(J)(4)(c):** *The proposed use of the site and design of the project is*
25 *compatible with other permitted uses within the area;*

7. As determined in Finding of Fact No. 5, there are no adverse impacts associated
with the proposal so there should be no compatibility problems.

SJCC 18.80.110(J)(4)(d): *The proposed use will cause no unreasonably adverse*
effects to the shoreline environment in which it is to be located;

8. As determined in Finding of Fact No. 5, there are no significant environmental
impacts associated with the proposal.

SJCC 18.80.110(J)(4)(e): *The cumulative impacts of additional requests for like*
actions in the area, or for other locations where similar circumstances exist, shall not
produce substantial adverse effects to the shoreline environment, e.g., the total of the

1 *conditional uses shall remain consistent with the policies of RCW 90.58.020 and the*
2 *Shoreline Master Program; and*

3 9. As discussed in Finding of Fact No. 5, there are no significant adverse impacts
4 associated with the proposal. The cumulative impacts of removing bulkheads should
5 result in substantial enhancement of natural shoreline processes, given the significant
6 adverse impacts associated with bulkheads.

7 **SJCC 18.80.110(J)(4)(f):** *The public interest will suffer no substantial detrimental*
8 *effect.*

9 10. The project has no associated adverse impacts and provides for significant
10 environmental benefits by restoring natural shoreline processes. The public interest
11 will not suffer any detrimental effect and will in fact benefit significantly from the
12 project.

13 11. Pohl Dock Project. Several parties to the hearing have argued that the
14 proposal should not be approved because restoration will remove an alternative
15 moorage option to the currently proposed Pohl dock application (PSJ000-12-0009)
16 and thereby make it more likely that the dock will be approved. This argument is not
17 compelling because the boat ramp does not comply with the County's shoreline
18 regulations and any after-the-fact shoreline permit application for its continued use
19 would likely be denied.

20 It is telling that no one making these arguments have referenced any applicable
21 conditional use criteria. At most, it appears that the argument could be made that the
22 public interest would suffer a substantial detrimental effect if the boat ramp is
23 removed because it would facilitate the approval of the Pohl dock. This argument is
24 not compelling at several levels. First, it is highly debatable whether an independent
25 dock application that may or may not be approved is relevant to the subject
restoration project. Second, it is highly unlikely that the Pohl dock application would
be approved if the public would suffer a substantial detrimental effect, so it is at least
equally unlikely that removal of the boat ramp would result in such an impact. Third
and most important, the boat ramp does not comply with County shoreline regulations
and cannot be authorized. As noted in the staff report, SJCC 18.50.190(1)(2) prohibits
boat launches across bluffs exceeding 25% within 25 feet of the ordinary high water
mark. The bluff of this application is between 45 and 65 degrees within 25 feet of the
ordinary high water mark.

23 **Shoreline Management Act Policies**

24 **RCW 90.58.020 Use Preferences**

25 *This policy (Shoreline Management Act policy) is designed to insure the development*
of these shorelines (of the state) in a manner which, while allowing for limited
reduction of rights of the public in the navigable waters, will promote and enhance

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1 *the public interest. This policy contemplates protecting against adverse effects to the*
2 *public health, the land and its vegetation and wildlife, and the waters of the state and*
3 *their aquatic life, while protecting generally public rights of navigation and corollary*
4 *rights incidental thereto...Alterations of the natural condition of the shorelines of the*
5 *state, in those limited instances when authorized, shall be given priority for single*
6 *family residences and their appurtenant structures, ports, shoreline recreational uses*
7 *including but not limited to parks, marinas, piers, and other improvements facilitating*
8 *public access to shorelines of the state, industrial and commercial developments*
9 *which are particularly dependent on their location on or use of the shorelines of the*
10 *state and other development that will provide an opportunity for substantial numbers*
11 *of the people to enjoy the shorelines of the state....*

12 12. The proposal has no significant adverse impacts while substantially supporting the
13 public interest by restoring natural shoreline processes. The proposal is consistent
14 with the general purpose of the Shoreline Management Act.

15 **RCW 90.58.020(1)**

16 *Recognize and protect the statewide interest over local interest;*

17 13. The proposal will restore natural shoreline processes with no associated adverse
18 impacts. The proposal is consistent with the policy.

19 **RCW 90.58.020(2)**

20 *Preserve the natural character of the shoreline;*

21 14. The proposal will restore the shoreline to its natural character.

22 **RCW 90.58.020(3)**

23 *Result in long term over short term benefit;*

24 15. The proposal will restore natural shoreline processes with no associated adverse
25 impacts. The proposal is consistent with the policy.

RCW 90.58.020(4): *Protect the resources and ecology of the shoreline;*

16. The proposal will restore natural shoreline processes with no associated adverse
impacts. The proposal is consistent with the policy.

RCW 90.58.020(5): *Increase public access to publicly owned areas of the
shorelines;*

1 17. The proposal will not appreciably increase public access, although it will increase
2 the water area of the shoreline by retracting the ordinary high water mark to its
3 natural location.

4 **RCW 90.58.020(6):** *Increase recreational opportunities for the public in the*
5 *shoreline;*

6 16. No public recreation is included in the proposal nor could it be legally required.

7 **San Juan County Shoreline Use Regulations**

8 **SJCC 18.50.370(A)(1):** *Beach enhancement in all environments shall be undertaken*
9 *only for restoration, enhancement, or maintenance of natural resources.*

10 17. As determined in COL No. 3, the proposal qualifies as a restoration project. The
11 purpose of the proposal is to restore natural shoreline processes, which qualifies as
12 part of a natural shoreline resource under the criterion above.

13 **SJCC 18.50.370(A)(2):** *Beach enhancement may be permitted when the applicant*
14 *has demonstrated that no significant change in littoral drift will result which will*
15 *adversely affect adjacent properties or habitats.*

16 18. The criterion is not applicable. The applicants are proposing beach restoration as
17 opposed to beach enhancement.

18 **SJCC 18.50.370(A)(3):** *Natural Beach Restoration or Enhancement.*

19 *a. Design Alternatives. Design alternatives shall include the best available*
20 *technology such as:*

21 *i. Gravel berms, drift sills, beach nourishment, and beach enhancement*
22 *when appropriate;*

23 *ii. Planting vegetation, when appropriate. All plantings must be*
24 *maintained. Vegetation planted to restore or enhance beaches shall be*
25 *native plants suited to the habitat characteristics of the site.*

b. Design Criteria. Natural beach restoration or enhancement shall not:

i. Detrimentially interrupt littoral drift or redirect waves, current, or
sediments to other shorelines;

1 ii. Result in any exposed groin-like structures; however small "drift sill"
2 groins may be used as a means of stabilizing restored sediment where
3 part of a well planned beach restoration program;

4 iii. Extend waterward more than the minimum amount necessary to
5 achieve the desired stabilization;

6 iv. Result in contours sufficiently steep to impede easy pedestrian passage
7 or trap drifting sediments;

8 v. Create "additional dry land mass"; and

9 vi. Disturb significant amounts of valuable shallow water fish or wildlife
10 habitat, unless such habitat is immediately replaced by new habitat that is
11 comparable or better.

12 c. *Natural Beach Restoration Construction Standards.*

13 i. The size and/or mix of new materials to be added to a beach shall be as
14 similar as possible to the natural beach sediment, but large enough to
15 resist normal current, wake or wave action at the site.

16 ii. The restored beach shall approximate, and may slightly exceed, the
17 natural beach width, height, bulk, or profile (but not enough to obviously
18 create additional dry land mass).

19 19. The proposal satisfies the criteria above by facilitating beach nourishment as
20 identified in the geological report and by the planting of vegetation as suggested in the
21 geological report. The proposal will serve to re-direct waves, currents and sediments
22 to their natural state. The collapse of the landscaping blocks could form a groin-like
23 structure, but the conditions of approval require an evaluation of the impacts of the
24 collapse and mitigation to avoid any adverse impact. The proposal will not extend
25 waterward but rather extend the ordinary high water mark landward. The proposal
 will result in the replacement of the ramp/pathway by steep bluff slopes that will
 impede pedestrian access, but this is a natural condition of the shoreline. No
 additional dry land mass will be created by the proposal and in fact land mass will be
 lost. The collapse of the landscaping blocks could disturb shallow water fish or
 wildlife habitat so the conditions of approval will require evaluation and mitigation of
 this potential impact. The proposal will restore natural shoreline processes and
 characteristics, including the introduction of naturally occurring sediment as well as
 shoreline beach width, height, bulk and profile.

1 **SJCC 18.50.370(A)(4):** *All shoreline modification activities must be in support of an*
2 *allowable shoreline use that is in conformance with the provisions of this master*
3 *program. All shoreline modification activities not in support of a conforming shoreline*
4 *use are prohibited.*

5 20. As concluded in COL No. 11, the existing boat ramp violates County shoreline
6 regulations. Removal of the boat ramp will increase conformity with County shoreline
7 regulations.

8 **SJCC 18.50.370(A)(5):** *Beach enhancement is prohibited within spawning, nesting,*
9 *or breeding habitat and also where littoral drift of the materials uses adversely effects*
10 *adjacent spawning grounds or other areas of biological significance.*

11 **SJCC 18.50.370(A)(6):** *Beach enhancement is prohibited if it interferes with the*
12 *normal public use of the navigable waters of the state.*

13 21. The two criteria above are inapplicable because the proposal is for beach
14 restoration as opposed to beach enhancement.

15 **DECISION**

16 The proposed restoration project as identified in this decision and in the application
17 materials, Ex. 4, is approved subject to the following conditions:

- 18 1. The applicants shall either (1) remove the landscaping blocks within 30 days of
19 removing the bulkhead; or (2) prepare a biological evaluation of the
20 environmental impacts of leaving the landscaping blocks in place and allowing
21 them to collapse into the adjoining waters. The evaluation shall specifically
22 address potential impacts to aquatic habitat, water quality and littoral drift. The
23 evaluation shall also include mitigation measures necessary to mitigate all
24 significant adverse impacts of the collapse projected in the geological evaluation
25 provided by the applicants. Mitigation measures shall be implemented within a
time frame set by staff. Staff may order biological peer review or additional
geological review at the expense of the applicants as reasonably necessary to
ensure that the collapse of the landscaping blocks will not adversely affect
shoreline resources.
2. The recommendations of the geological report in Ex. 4 shall be implemented,
including the suggested re-vegetation.
3. All rocks from the bulkhead shall be removed from the shoreline jurisdiction,
with the exception of the two rocks identified in the geological report in Ex. 4.
4. Any debris caused by the proposal shall be removed from the shoreline
jurisdiction and properly disposed.

- 1 5. Failure to comply with any terms or conditions of this permit may result in its
2 revocation.
3 6. The applicants shall schedule a site inspection upon completion of the project.

4 Dated this 22nd day of May, 2013

5 
6 Phil A. Olbrechts

7 San Juan County Hearing Examiner

8 **Effective Date, Appeal Right, and Valuation Notices**

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

14 This land use decision is final and in accordance with Section 3.70 of the San Juan
15 County Charter. Such decisions are not subject to administrative appeal to the San
16 Juan County Council. See also, SJCC 2.22.100.

17 Depending on the subject matter, this decision may be appealable to the San Juan
18 County Superior Court or to the Washington State Shorelines Hearings Board. State
19 law provides short deadlines and strict procedures for appeals, and failure to timely
20 comply with filing and service requirement may result in dismissal of the appeal. See
21 RCW 36.70C and RCW 90.58. Persons seeking to file an appeal are encouraged to
22 promptly review appeal deadlines and procedural requirements and consult with a
23 private attorney.

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