

TIMING AND DURATION OF PERMITS

Start-up period:

Construction or other actions approved under a shoreline permit must begin within two years of the date the permit was issued by the local government. The applicant must demonstrate "substantial progress toward completion" within this time period.

"Substantial progress" shall include all the following, where applicable:

- Making of contracts
- Signing of notice to proceed
- Completion of grading and excavation; and
- Laying of major utilities

Where no construction is involved, substantial progress is considered to be the initiation of the activity.

Before the end of the two years, the local government may grant a single extension of up to one year to this time limit, based on "reasonable factors". Department of Ecology and interested parties of record must first be notified. (See WAC 173-27-090).

Completion Period:

Shoreline permits are valid for five years, i.e. the construction or any "development" activity must be completed during that period. Local government may issue permits that expire in less than five years as an option. Per WAC 173-27-090 a single extension of up to one year may be granted by the local government.

Rescission of permits:

If a local government finds that a permittee has not complied with the conditions of a permit, the permit may be rescinded after a hearing with proper public notice of the permittee and the public. Ecology can also independently petition the Shoreline Hearings Board to rescind a permit that the department believes is in noncompliance. Ecology must first provide written notice to the local government that the noncompliance exists and wait thirty days for the local government to have the opportunity to rescind the permit. Within fifteen days after the end of the thirty day period and upon written notice to the permittee and local government, Ecology may petition the Shoreline Hearings Board to rescind the permit (See RCW 90.58.140(8)).