

CHAPTER 6:

REGIONAL MASTER PROGRAM GOALS AND POLICIES

Introduction

As required by the Shoreline Management Act (as amended), the following goals and policies have been developed to provide the basis for implementation of the Act in Okanogan County and the incorporated communities therein.

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6.01 General Goals and Policies

6.01 A. The following goals apply to all shoreline areas, uses and activities:

6.01 A. 1. Provide for the use, development, protection and enhancement of shoreline areas in compliance with the requirements of the Shoreline Management Act.

6.01 A. 2. Shoreline management planning and regulation take place in a context that includes comprehensive land use, economic development, flood hazard management, salmon recovery, outdoor recreation, public utilities and watershed planning. The intent is to enhance the efficiency and effectiveness of natural resource planning processes through coordination.

6.01 A. 3. Provide for reasonable and appropriate use of shoreline and adjacent land areas while:

6.01 A. 3. a. Protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life;

6.01 A. 3. b. Minimizing damage to the ecology, environment, and other resources of the shoreline area;

6.01 A. 3. c. Minimizing interference with the public's use of the water; and

6.01 A. 3. d. Balancing public interest with protection of private property rights.

6.01 A. 4. Encourage a diversity of shoreline uses, consistent with Winthrop's evolving economy and patterns of land use.

6.01 A. 5. Minimize flood damage, including damage resulting from actions outside shoreline areas.

6.01 B. The following policies apply to all shoreline areas, uses and activities:

6.01 B. 1. This SMP should not deny all economic use of any property, except as the public trust doctrine would limit the use of the property. This policy should be implemented through the appropriate application of methods including but not limited to project design standards, site specific evaluation, mitigation, and variances.

6.01 B. 2. Shoreline regulations should be consistent with the Winthrop Comprehensive Plan and implementing regulations.

6.01 B. 3. Where practical, shoreline management planning and regulation should be coordinated with other natural resource planning efforts (local, state, federal and tribal) affecting the Town, Okanogan County and the other incorporated municipalities therein; a comprehensive system of consistent policies and regulations is the desired outcome.

6.01 B. 4. In designating shoreline areas on state and federally-owned land, Winthrop should consider the uses planned, local and specific agency plans and potential leases for private uses and activities by the agency with management authority.

6.01 B. 5. Development and uses within shoreline areas should be conditioned to ensure that the proposed use or activity does not result in unanticipated or undesired impacts to other property owners (such as increased flood or geohazards to other property(ies), either upstream, downstream and across the stream), or result in loss of shoreline ecological functions.

6.01 B. 6. Shoreline uses and activities should be compatible with existing and planned uses on surrounding sites and in adjacent environments.

6.01 B. 7. Permitted uses and activities should be located, sited, designed, managed, and maintained to be compatible with the shoreline environment designation where they are located and be protective of shoreline ecological resources, including the following:

6.01 B. 9. a. Water quality;

6.01 B. 9. b. Visual, cultural and historic characteristics;

6.01 B. 9. c. Physical resources (including soils);

6.01 B. 9. d. Biological resources (including vegetative cover, wildlife, and aquatic life);

6.01 B. 9. e. Ecological processes and functions; and

6.01 B. 9. f. The natural character of the shoreline area.

6.01 B. 8. Any use or activity that cannot be designed, mitigated and/or managed to prevent a net loss of shoreline ecological functions, values and resources and that are not designed to protect the integrity of the shoreline environment should be prohibited.

6.01 B. 9. Shoreline regulations, including shoreline designations, should favor preservation of resources and values of shorelines for future generations over development that would irrevocably damage shoreline resources.

6.01 B. 10. Development standards, including setbacks, densities, height and bulk limits and/or minimum frontage standards, should be established to ensure that new development results in no net loss of shoreline ecological functions. Criteria considered in establishing those standards should include, but not be limited to, the following:

6.01 B. 12. a. Biophysical limitations and ecological functions and values of the shoreline area;

6.01 B. 12. b. Surrounding development characteristics and land division pattern;

6.01 B. 12. c. Level of infrastructure and services available or planned; and

6.01 B. 12. d. Other comprehensive planning considerations.

6.01 B. 11. New uses and activities should be restricted to those that will not require extensive alteration of the land-water interface. Construction of shoreline stabilization works should be avoided. New uses and activities should be designed to preclude the need for such works. In those limited instances in which such works are found to be in the public interest and are allowed, impacts should be mitigated.

6.01 B. 12. The scenic and aesthetic quality of shorelines and vistas should be preserved to the greatest extent feasible.

6.01 B. 13. Natural plant communities within and bordering shorelines should be protected and maintained to ensure no net loss of shoreline ecological functions.

6.01 B. 14. Natural shoreline vegetation should be maintained and enhanced to reduce the hazard of bank failures and accelerated erosion. Vegetation removal that is likely to result in soil erosion severe enough to create the need for structural shoreline stabilization measures should be prohibited.

6.01 B. 15. Restoration of degraded shoreline vegetation, whether by natural or manmade causes, should be encouraged wherever feasible.

6.01 B. 16. Non-structural and “soft” methods of shoreline stabilization, such as vegetation enhancement and bioengineering, are preferred to hardened structures to control the processes of erosion, sedimentation, and flooding. Within channel migration zones, these methods can only be done to protect existing structures, development, utilities and other infrastructure (e.g. roads). The need for bank stabilization should show that the erosion/migration processes are beyond natural rates through geotechnical evaluation. Allowed shoreline stabilization structures should be designed as to not interfere with natural hydrologic and geomorphic processes.

6.01 B. 17. Removal of vegetation should be limited to the minimum necessary to reasonably accommodate the permitted use or activity.

6.01 B. 18. The physical and aesthetic qualities of the natural shoreline should be maintained and enhanced.

6.01 B. 19. Preference should be given to preserving and enhancing natural vegetation closest to the ordinary high water mark.

6.01 B. 20. Aquatic weed management should emphasize prevention as a first step in control and utilize science-based monitoring to determine eradication methods.

6.01 B. 21. Standards to ensure that new development does not result in a net loss of shoreline ecological functions or further degradation of shoreline values should be established for shoreline stabilization measures, vegetation conservation, and shoreline modifications (See Section 6.14).

6.02 Economic Development Goals and Policies

6.02 A. The following goal applies to Economic Development within shoreline areas:

6.02 A. 1. Ensure healthy, orderly economic growth by providing for economically productive industrial, commercial and mixed uses that are particularly dependent on or related to a shoreline location.

6.02 B. The following policies apply to Economic Development within shoreline areas:

6.02 B. 1. Activities and uses in shoreline areas should result in long-term over short-term benefits to the local economy.

6.02 B. 2. Projects of statewide economic interest such as hydroelectric development, water storage, port facilities, (including sites intended to accommodate recreation) and other developments that are particularly dependent on or related to a shoreline location or use of the shorelines of the state should be accommodated where such uses and the associated activities can be accomplished without irrevocable damage to unique shoreline character, its resources and ecological functions.

6.02 B. 3. Proposed hydroelectric projects should be evaluated in the context of shoreline ecological functions, public access, and navigation, and should be accommodated where said projects are consistent with the public interest and intent of the policies of the SMA.

6.02 B. 4. Water-Oriented Commercial and mixed used developments that provide for public access and protect/restore or enhance shoreline resources should be encouraged on shorelines of statewide significance.

6.02 B. 5. Non-water-oriented commercial uses shall be prohibited unless the use is part of a project that provides significant public benefit with respect SMA objectives or is physically separated from the shoreline by a public right of way or another property. Such projects should not unnecessarily impair or detract from the public's physical or visual access to the water. Provide for flexibility in regulation of shoreline development and redevelopment within the urban center of Winthrop.

6.03 Public Access, Circulation and Recreation Goals and Policies

Shoreline public access includes the ability of the general public to reach, touch and enjoy the water's edge, to travel on the waters of the state and the ability to have a view of the water and the shoreline from adjacent locations. Public access can include (but is not limited to) picnic areas, pathways and trails, floats and docks, viewing towers, bridges, boat launches, street ends, ingress and egress, and parking. Visual access can also include (but is not limited to) view corridors between buildings.

6.03 A. The following goals apply to public access, circulation and recreation within shoreline areas:

- 6.03 A. 1.** Provide, protect, and enhance physical and visual public access to shoreline areas, consistent with the natural character, features, and resources of the shoreline, private property rights, and public safety.
- 6.03 A. 2.** Provide for public and private active and passive recreational use of shoreline areas.
- 6.03 A. 3.** A safe, reasonable, and adequate vehicular and pedestrian circulation and access system, designed to minimize adverse effects on shoreline resources and ecological function wherever practical.
- 6.03 A. 4.** A multi-modal circulation and access system that, where practical, contributes to the functional and visual enhancement of shoreline resources.
- 6.03 A. 5.** Preserve, create, or enhance open space and natural amenities associated with shorelines for the benefit of the public health and wellbeing which are often lost to waterfront development.
- 6.03 A. 6.** Protect the rights of navigation.

6.03 B. The following policies apply to public access and recreation within shoreline areas:

- 6.03 B. 1.** For the purpose of this Regional SMP, locally adopted comprehensive plans and any stand alone elements thereof (Town of Winthrop Park Plan) should be considered the official public access plans.
- 6.03 B. 2.** The Town's shoreline area public access system should include provisions for people with disabilities. While it may not be practical to provide specialized facilities at all access points, physical and visual access for people with disabilities should be distributed throughout the system and should provide a variety of opportunities representative of the opportunities available to able-bodied users.

6.03 B. 3. All developments, uses, and activities on or near the shoreline should, to the extent practical, not impair or detract from the public's physical or visual access to the water.

6.03 B. 4. Provision of public access should result in no net loss of shoreline ecological functions.

6.03 B. 5. Public access to the shorelines afforded by street ends, public utilities, and rights-of-way should be inventoried, preserved, maintained, and, where consistent with locally adopted access plans, enhanced.

6.03 B. 6. Public access facilities should be located and designed to provide for public safety and minimize potential impacts to private property and individual privacy. Where appropriate, there should be a physical separation or other means of clearly delineating public and private space to avoid unnecessary user conflict.

6.03 B. 7. Where public access facilities are provided, they should be located and designed to minimize potential impacts to existing and potential uses and activities.

6.03 B. 8. Where providing public access on site that would likely cause impacts difficult or impossible to mitigate—for instance, at sites with unique or fragile geological or biological characteristics—the Regional SMP should encourage off-site public access based on opportunities identified in the *Shoreline Characterization Report* and other adopted documents.

6.03 B. 9. Public views of the shoreline from upland areas should be protected from new development where not in conflict with permitted uses and activities. Enhancement of views should not be interpreted as authorizing excessive removal of vegetation that impairs views.

6.03 B. 10. When large subdivisions (five or more lots) are proposed in shoreline areas, public open space and shoreline access should be encouraged and commensurate to the impacts of the proposed development on public access as well as, where consistent with locally adopted comprehensive plans, meet new needs that will be generated by the proposed development. Where possible the public open space requirements of this regional SMP should be integrated with any open space requirements in local land use regulations.

6.04 Fish and Wildlife Conservation and Critical Areas Goals and Policies

6.04 A. The following goals apply to Critical Areas within shoreline areas:

6.04 A. 1. Preserve and restore shoreline natural resources, and protect those resources against adverse impacts, including loss of ecological functions necessary to sustain the natural resources.

6.04 A. 2. Develop and implement management practices that will guarantee sustainability of natural shoreline systems and preserve, protect and restore unique and non-renewable resources or features including forested areas, wetlands and wildlife habitat.

6.04 A. 3. Sustained yield of shoreline natural resources—such as fish, timber, groundwater, mineral resources, and agricultural products—consistent with preservation of ecological functions and protection of the public interest in shorelines of the state should be protected.

6.04 B. The following policies apply to Critical Areas within shoreline areas:

6.04 B. 1. Critical areas in the shoreline shall include wetlands; fish and wildlife conservation areas including critical fresh water habitats; geologically hazardous areas including seismic zones, channel migration zones, steep slopes prone to erosion, sluffing, landslide and the like; frequently flooded areas including flood hazard areas and the 100-year flood plain.

6.04 B. 2. Critical areas should be managed to protect against adverse effects to public health and safety and against any loss of shoreline ecological function, including adverse effects on the land, its vegetation and wildlife; and the water and its aquatic life.

6.04 B. 3. The most current scientific and technical information shall be used in the determination and protection of critical areas in shoreline areas. (insert Local Jurisdiction) may use all relevant documents and studies, including and in addition to supporting materials for local critical areas regulations and those regulations to support decisions and condition permits.

6.04 B. 4. Unique, rare, fragile, and scenic natural and man-made features or landscapes should be preserved and protected from shoreline development activities.

6.04 B. 5. Where shoreline impacts are mitigated, the type of mitigation that will have the least impact on shoreline ecological functions shall be preferred. Mitigation measures are listed below in order of descending preference, and shall be considered in the following sequence:

- 6.04 B. 5. a.** Avoiding the impact altogether by not taking a certain action or parts of an action;
 - 6.04 B. 5. b.** Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
 - 6.04 B. 5. c.** Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - 6.04 B. 5. d.** Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
 - 6.04 B. 5. e.** Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
 - 6.04 B. 5. f.** Monitoring the impact and taking appropriate corrective measures.
- 6.04 B. 6.** The ecosystem-wide impacts of a large development, including the cumulative impacts of exempt uses and activities within the development over time, should be considered in approving, conditionally approving, or denying shoreline permits for multi-lot subdivisions and other large developments.
- 6.04 B. 7.** The adverse impacts of shoreline uses and activities on ecological processes and functions should be mitigated during all phases of development—including but not limited to design, construction, management, and use.
- 6.04 B. 8.** The local government with jurisdiction should require reasonable setbacks, buffers, and stormwater management systems for all shoreline development
- 6.04 B. 9.** All runoff treatment measures for the purpose of maintaining and/or enhancing water quality should be conducted on-site and before shoreline development affects waters or shoreline ecological functions off-site.
- 6.04 B. 10.** Development should comply with local stormwater management regulations or the Stormwater Management Manual for Eastern Washington (Washington Department of Ecology Publication 04-10-076, as amended), whichever will provide the greatest protection of shoreline functions.
- 6.04 B. 11.** All development, including subdivision, shall create no net loss in ecological functions and values of shoreline resources or further degrade, impair, or damage critical areas therein.

6.05 Historic, Cultural, Scientific, and Educational Goals and Policies

6.05 A. The following goal applies to all uses and activities within shoreline areas:

6.05 A. 1. Recognize and protect important archaeological, historic, and cultural structures, sites, and areas and other resources having historic, cultural, or educational values that are located in the shoreline area for educational, scientific, and enjoyment uses of the general public. (This goal recognizes that identification of some culturally sensitive sites may not be feasible. It is the town of Winthrop's intention to exercise due diligence in protecting cultural and archaeological resources.)

6.05 A. 2. Due to the limited and irreplaceable nature of the resource(s), prevent the destruction of or damage to any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Indian tribes, and the Washington State Department of Archaeology and Historic Preservation (DAHP).

6.05 B. The following policies apply to all uses and activities within shoreline areas:

6.05 B. 1. All uses and activities (public and private) should comply with local, state, federal, and tribal requirements for protection of any resources that have significant archeological, historic, cultural, scientific, or educational value as identified by the relevant authorities, including the Confederated Tribes of the Colville Reservation (CCT), Yakama Indian Nation (YIN) and the Washington State Department of Archaeology and Historic Preservation (DAHP).

6.05 B. 2. Where permitted by law, sites containing archaeological, cultural, and historic resources should be identified to avoid damage to the resources and the delay and expense associated with discovery of resources during development. Where disclosure of the location of such sites is restricted, relevant authorities, including the CCT, YIN and the DAHP should be notified of permit applications within 500' (five hundred feet) of known archaeological and historic resources.

6.05 B. 3. Development within 500' (five hundred feet) of an identified historic, cultural, or archaeological site should be inspected or evaluated by a profession archaeologist, in coordination with affected Indian tribes, and designed and operated to be compatible with continued protection of the historic, cultural, or archaeological resources.

6.05 B. 4. Archaeological sites located both inside and outside shorelines jurisdiction are subject to chapter 27.44 RCW (Indian graves and records) and chapter 27.53 RCW (Archaeological sites and records) and development or uses that may impact such sites

shall comply with chapter 25-48 WAC as well as the provisions of this SMP. The provisions of this section apply to archaeological and historic resources that are either recorded at the state historic preservation office and/or by local jurisdictions or have been inadvertently uncovered. Additionally, these policies apply on any other sites identified by the DAHP or the CCT and YIN as having a high probability of containing significant archaeological and historic resources, consultation with the DAHP and the CCT and YIN should be required before issuance of any permits or exemptions. This policy applies to all uses and activities, including individual single-family residences.

6.05 B. 5. Where feasible, sites containing archaeological, cultural, or historic resources should be permanently protected and preserved for study, education, and public observation. Feasibility should be assessed in consultation with the CCT, YIN and the DAHP and in the context of the proposed development or activity, the location and planned use of the site, and the nature and quality of the shoreline resources present. The CCT, YIN and the DAHP should be consulted regarding possible impacts of public access and/or interpretation. In those places where access is deemed feasible and appropriate, such access should be designed and managed to protect the resources.

6.05 B. 6. Access to educational, cultural, or historic sites should not reduce their resource value or degrade the quality of the environment.

6.05 B. 7. Historic, cultural, and archaeological site development should be planned and carried out so as to prevent impacts to the resource. Impacts to neighboring properties and other shoreline uses should be limited to temporary and reasonable levels.

6.05 B. 8. Sites deemed to have educational, cultural, or historic value should be prioritized for purchase or acquisition by gift to ensure their protection and preservation.

6.05 B. 9. Significant educational or cultural features or historic sites should be prioritized for restoration to further enhance the value of the shorelands.

SPECIFIC USE AND ACTIVITY POLICIES

6.06 Agriculture

6.06 A. New agricultural uses should be allowed where they are consistent with the applicable comprehensive plan and be subject to all applicable provisions of this SMP.

6.06 B. A vegetative buffer of native plants should be maintained, or established and maintained between agricultural lands and water bodies or wetlands in order to protect water quality and to maintain habitat for fish and wildlife.

6.06 C. Animal feeding operations, retention and storage ponds for agricultural run-off, feed lots, feed lot waste, and manure storage should be located outside of shoreline areas and constructed to prevent contamination of water bodies and degradation of the shoreline environment.

6.06 D. Appropriate farm and soil management techniques should be employed to prevent fertilizers, herbicides, and pesticides from contaminating water bodies and wetlands and from having a harmful effect on other shoreline resources such as vegetation and soil.

6.06 E. Provisions for public access to shorelines should not restrict current agricultural uses. In the event new public access poses a threat to on-going agricultural uses, the jurisdiction shall facilitate the coordination of activities between conflicting users of the shorelines.

6.06 F. Development on agricultural lands not meeting the definition of agricultural activities or the conversion of agricultural land to nonagricultural uses, should be consistent with the environment designation and the general and specific use regulations of this SMP and should not result in a net loss of ecological functions.

6.07 Aquaculture

6.07 A. Aquaculture is a water-dependent use and should be considered a preferred use of water areas when consistent with control of pollution, avoidance of adverse impact to the environment, navigation, established water-dependent uses, or aesthetic qualities of the shoreline, and preservation of habitat for resident native species.

6.07 B. Since areas suitable for aquaculture are limited by specific biophysical requirements, areas with high potential for aquaculture uses should be identified and protected from degradation by other types of land and water uses.

6.07 C. All permitted aquaculture projects should be protected from new development that would be likely to damage or destroy them. New shoreline proposals in the vicinity of an experimental aquaculture project should be restricted or denied if they might compromise the monitoring and data collection required under the permit for the experimental project.

6.07 D. Aquaculture methods and structures should be chosen to create the least impact on the visual and environmental qualities of the shorelines. In instances in which a choice of aquaculture methods is available, or where two or more incompatible aquaculture projects are proposed in the same area, preference should be given to those forms of aquaculture that involve lesser environmental and visual impacts. In general:

6.07 D. 1. Projects that require submerged structures or no structures should be preferred over those that involve substantial floating structures.

6.07 D. 2. Projects that require few land-based facilities should be preferred over those that require extensive facilities.

6.07 D. 3. Projects that involve little or no substrate modification should be preferred over those that involve substantial modification.

6.07 D. 4. Projects that involve little or no supplemental food sources, pesticides, herbicides, or antibiotic application are preferred over those that involve such practices.

6.07 E. Aquaculture should not be allowed in the following areas:

6.07 E. 1. Areas that have little natural potential for the type(s) of aquaculture under consideration.

6.07 E. 2. Areas that have water quality problems that make the areas unsuitable for the type(s) of aquaculture under consideration.

6.07 E. 3. Areas devoted to established uses of the aquatic environment with which the proposed aquaculture method(s) would substantially and materially conflict. Such uses include but are not limited to navigation, moorage, fishing, underwater utilities, and active scientific research.

6.07 E. 4. Areas where the design or placement of the facilities would substantially degrade the aesthetic qualities of the shoreline.

6.07 E. 5. Areas where an aquaculture proposal would result in any significant adverse environmental impacts that cannot be eliminated or adequately mitigated through enforceable conditions of approval.

6.07 E. 6. Areas where the proposed activity would adversely affect critical habitat use or value.

6.07 F. Because the technology associated with some forms of aquaculture is still experimental, aquaculture should be given flexibility to experiment with new techniques. However, experimental aquaculture projects should be limited in scale, should be approved for a limited and specified period of time, and should be required to develop and implement a monitoring plan to assess the outcomes of the experiment.

6.07 G. Aquaculture that involves significant risk to the environment, including risk of cumulative adverse effects on water quality, sediment, quality, benthic organisms, and/or wild fish populations through potential contribution of antibiotic-resistant bacteria, escapement of non-native species, or other adverse effects on native species should not be permitted.

6.08 Boating Facilities

6.08 A. Boating facilities (docks, piers, ramps, marinas, etc...) should be located, designed, and operated to provide maximum feasible protection and enhancement of aquatic and terrestrial life including animals, fish, birds, plants, and their habitats and migratory routes. When plastics and other non-biodegradable materials are used, precautions should be taken to ensure their containment.

6.08 B. Boating facilities, including minor accessory buildings and haul-out facilities, shall be in character and scale with the surrounding shoreline and shall be designed so their structures and operations will be aesthetically compatible with or will enhance existing shoreline features and uses.

6.08 C. Boating facilities should be located and designed so their structures and operations will be aesthetically compatible with the area visually affected and will not unreasonably impair shoreline views. Use of natural non-reflective materials should be encouraged.

6.08 D. Public and community boating facilities are preferred over individual private, commercial facilities.

6.08 E. Private boat launches shall be prohibited.

6.08 F. Community or group facilities shall be required of developments that serve at least four dwelling units if such developments intend to provide moorage.

6.08 G. Private and/or commercial boating facilities shall be sited in the appropriate environmental designation.

6.08 H. Regional as well as local needs should be considered when determining the location of marinas, boat launches and community docks. Potential sites should be identified near high-use or potentially high-use areas.

6.08 I. Dry boat storage should not be considered a water-oriented use. Boat hoists, boat launch ramps, and access routes associated with a dry boat storage facility should, however, be considered to constitute a water-oriented use.

6.08 G. Because docks can have a significant impact on shoreline habitat and functions the impacts of all docks should be reviewed to ensure that the proposed structure is suitably located and designed and that all potential impacts have been recognized and mitigated.

6.08 H. Multiple use and expansions of existing docks should be encouraged over the addition and/or proliferation of new facilities. Joint-use facilities are preferred over new single-use docks. Dock projects should be encouraged to provide for public docking, launching, and recreational access.

6.08 I. New commercial docks and marinas should be designed to accommodate public access and enjoyment of the shoreline location.

6.08 J. Docks should be designed to cause minimum interference with navigable waters and the public's use of the shoreline.

6.08 K. The proposed site of the structure and intensity of use or uses of any dock should be compatible with the surrounding environment and land and water use.

6.08 L. Docks not attached to the shoreline should not extend into navigable waters where they pose a hazard to navigation. Such docks may be allowed by conditional use permit in special situations where the use for such a dock serves a water-dependent or orient use and measures have been taken to reduce the hazard to navigation.

6.09 Commercial Uses

6.09 A. New commercial development in shoreline areas should be consistent with the applicable local Comprehensive Plan and should be located to minimize sprawl and inefficient use of shoreline areas and, where applicable, to promote trip reduction.

6.09 B. No commercial development should be allowed in wetlands or shoreline areas designated Natural.

6.09 C. Because shorelines are a limited resource, preference should be given to water-dependent and oriented uses, especially those uses particularly dependent on a shoreline location or those that will provide the opportunity for substantial numbers of people to enjoy the shoreline.

6.09 D. Over-water construction for non-water-dependent commercial developments shall be prohibited.

6.09 E. Commercial development should be designed to provide physical or visual shoreline access or other opportunities for the public to enjoy the shoreline location. Public access should include amenities appropriate to the type and scale of the development and the qualities and character of the site, which may include walkways, viewpoints, restrooms, and other recreational facilities. Where possible, commercial facilities should be designed to permit pedestrian waterfront activities.

6.09 F. Site plans for commercial developments should incorporate multiple-use concepts that include open space and recreation where appropriate to the scope and scale of the project.

6.09 G. Commercial developments should be aesthetically compatible with the surrounding area. Aesthetic considerations should be actively promoted by means such as sign control regulations, appropriate development siting, screening and architectural standards, planned unit developments, and landscaping with native plants, including, where appropriate, enhancement of natural vegetative buffers.

6.09 H. Commercial developments should be designed, constructed, operated, and maintained to ensure no net loss of shoreline ecological functions and to protect areas of cultural significance.

6.09 I. Commercial developments should include landscaping that will visually enhance the shoreline area and contribute to shoreline functions and values.

6.10 Industrial Uses

6.10 A. No new non-water-dependent industrial development should be allowed to locate within shoreline areas.

6.10 B. New industrial development in shoreline areas should be consistent with the applicable local Comprehensive Plan and should be located to minimize sprawl and inefficient use of shoreline areas and, where applicable, to promote trip reduction.

6.10 C. No industrial development should be allowed in wetlands.

6.10 D. New over-water construction for industrial uses should be prohibited unless it can be shown to be essential to a water-dependent industrial use.

6.10 E. Industrial development should be designed to provide physical or visual shoreline access or other opportunities for the public to enjoy the shoreline location unless such access would be incompatible for reasons of safety, security, or impact to the shoreline environment. Where public access is incompatible with the proposed use, any loss of public access opportunity should be mitigated. Where public access is provided, it should include amenities appropriate to the type and scale of the development and the qualities and character of the site, which may include walkways, viewpoints, restrooms, and other recreational facilities. Where possible, industrial developments should be designed to permit pedestrian waterfront activities.

6.10 F. Site plans for industrial developments should incorporate multiple-use concepts that include open space and recreation where appropriate to the scope and scale of the project.

6.10 G. To the extent feasible, industrial developments should be aesthetically compatible with the surrounding area. Aesthetic considerations should be actively promoted by means such as sign control regulations, appropriate development siting, screening and architectural standards, planned unit developments, and landscaping with native plants, including, where appropriate, enhancement of natural vegetative buffers.

6.10 H. Industrial developments should be designed, constructed, operated, and maintained to ensure no net loss of shoreline ecological functions and to protect areas and systems of cultural significance.

6.10 I. Industrial developments should include landscaping that will visually enhance the shoreline area and contribute to shoreline functions and values.

6.11 In-stream Uses or Structures

"In-stream structure" means a structure placed by humans within a stream or river waterward of the ordinary high-water mark that either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. In-stream structures may include those for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service transmission, fish habitat enhancement, or other purpose.

6.11 A. In-stream structures for the benefit of public shall be permitted and subject to all state and federal regulations for in-stream uses,

6.11 B. Any permitted in-stream structure shall provide for the protection and preservation of ecological and ecosystem-wide services including, but not limited to, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas.

6.11 C. In-stream structures for the benefit of fish enhancement and recovery adjacent to or visible from publically-owned shorelines, including bridges and overlooks, shall incorporate a public education element.

6.12 Mining

6.12 A. Commercial mining should be allowed only where the use is dependent on a shoreline location. Mineral prospecting and placer mining should be allowed subject to the *Gold and Fish Rules and Regulations* as they now exist or hereinafter amended.

6.12 B. Mining and associated activities should result in no net loss of shoreline ecological functions, including impacts to unique or fragile areas and impacts to priority habitats or species and provisions of applicable critical area regulations and shoreline setback.

6.12 C. All feasible measures should be taken to protect shoreline areas and water bodies from all sources of pollution, including but not limited to sedimentation and siltation, chemicals and petrochemicals (including both use and spillage), and mining wastes and spoils (including both storage and disposal).

6.12 D. All feasible measures should be taken to prevent disruption of ecological processes and functions in shoreline areas and water bodies.

6.12 E. Mining uses should allow the natural shoreline systems to function with a minimum of disruption during their operations and should return the site to as near a natural condition as possible upon completion.

6.12 F. Adverse impacts of mining operations on surrounding shoreline areas, including visual and noise impacts, should be minimized, and shoreline enhancement should be encouraged.

6.13 Municipal Uses

6.13 A. New municipal uses in shoreline areas should be consistent with the comprehensive and recreation plans of the local government with jurisdiction and should be located to minimize sprawl and inefficient use of shoreline areas and, where applicable, to promote trip reduction.

6.13 B. No municipal uses should be allowed in wetlands.

6.13 C. Because shorelines are a limited resource, preference should be given to water-dependent and oriented uses, especially those uses particularly dependent on a shoreline location or those that will provide the opportunity for substantial numbers of people to enjoy the shoreline.

6.13 D. Over-water construction for non-water-dependent municipal uses shall be prohibited.

6.13 E. Where appropriate, municipal uses should be designed to provide physical or visual shoreline access or other opportunities for the public to enjoy the shoreline location. Public access should include amenities appropriate to the type and scale of the development and the qualities and character of the site, which may include walkways, viewpoints, restrooms, and other recreational facilities.

6.13 F. Municipal uses should be aesthetically compatible with the surrounding area.

6.13 G. Municipal uses should include shoreline enhancement and restoration activities that will visually enhance the shoreline area and contribute to shoreline functions and values.

6.13 H. Municipal uses should be located, designed, operated, and maintained to cause no net loss of shoreline ecological functions and to be compatible with, and minimize adverse impacts on, valuable cultural and natural features and on nearby land and water uses. Favorable consideration should be given to proposals that complement their environment and surrounding land and water uses, and that protect natural areas.

6.14 Recreational Uses

- 6.14 A.** The location and design of shoreline recreational developments should be consistent with the comprehensive plan and recreation plan of the local government with jurisdiction.
- 6.14 B.** Local, regional, state, and federal recreation planning should be coordinated. Shoreline recreational developments should be consistent with applicable park, recreation, and open space plans of other jurisdictions.
- 6.14 C.** A variety of compatible recreational experiences and activities should be encouraged to satisfy diverse recreational needs. However, facilities for recreational activities that do not benefit from a shoreline location should not locate in shoreline areas.
- 6.14 D.** Recreational developments should be located, designed, operated, and maintained to cause no net loss of shoreline ecological functions and to be compatible with, and minimize adverse impacts on, valuable cultural and natural features and on nearby land and water uses. Favorable consideration should be given to proposals that complement their environment and surrounding land and water uses, and that protect natural areas.
- 6.14 E.** Priority should be given to developments that provide recreational uses and other improvements facilitating public access to shoreline areas.
- 6.14 F.** Recreational developments should be located and designed to preserve, enhance, or create scenic views and vistas. Removal of healthy native vegetation to enhance views should be discouraged.
- 6.14 G.** All recreational developments should make adequate provisions for:
- 6.14 G. 1.** Vehicular and pedestrian access, both on and off site, including, where appropriate, access for people with disabilities.
 - 6.14 G. 2.** Proper water supply and solid and sanitary waste disposal.
 - 6.14 G. 3.** Security and fire protection for the use and for any use-related impacts to adjacent property.
 - 6.14 G. 4.** The prevention of overflow and trespass onto adjacent properties, by methods including but not limited to landscaping, fencing, and posting of the property.
 - 6.14 G. 5.** Buffering from adjacent private property or natural areas.
 - 6.14 G. 6.** Trails and paths on steep slopes should be located, designed, and maintained to protect bank stability and comply with applicable Critical Areas regulations.

6.15 Overwater Structures (Docks and Piers)

6.15 A. Overwater structures shall be permitted for water-dependent and recreational uses only. As used here, a dock associated with a single-family residence is a water-dependent use provided that it is designed and intended as a facility for access to watercraft and otherwise complies with the provisions of this section.

6.15 B. Structures for the purpose of public access shall be permitted in areas that do not alter the natural character of the shoreline and be associated with appropriate environmental designation and underlying land uses.

6.15 C. Overwater structures shall only be placed on portions of the shorelines where the natural flows and velocities shall not be impeded by the structure and where the placement of the structure will not restrict the natural scour and depositional actions of the shoreline.

6.15 D. Overwater structures are subject to all state regulations and permits set forth by the Department of Natural Resources and Fish and Wildlife and should be constructed of materials approved by those departments.

6.15 E. Group and community docks and piers shall be encouraged through the platting of land through short and long subdivisions and through planned developments where more than two dwelling units is proposed.

6.15 F. Water-related and water-enjoyment uses may be allowed as part of mixed-use development on over-water structures where they are clearly auxiliary to and in support of water-dependent uses, provided the minimum size requirement needed to meet the water-dependent use is not violated.

6.15 G. New pier or dock construction, excluding docks accessory to single-family residences, should be permitted only when the applicant has demonstrated that a specific need exists to support the intended water-dependent uses. If a port district or other public or commercial entity involving water-dependent uses has performed a needs analysis or comprehensive master plan projecting the future needs for pier or dock space, and if the plan or analysis is approved by the local government and consistent with these guidelines, it may serve as the necessary justification for pier design, size, and construction. The intent of this provision is to allow ports and other entities the flexibility necessary to provide for existing and future water-dependent uses.

6.15 H. Overwater structures built for the benefit of public access on publically owned shorelines such fishing docks and platforms must be designed in a manner to provide universal access to people of varying physical faculties.

6.16 Parking

Parking is the temporary storage of automobiles or other motorized vehicles. The policies that follow apply to all areas where vehicles are parked, including parking incidental to another permitted use.

- 6.16 A.** Parking in shoreline areas should be located upland of the permitted use unless such a location is inconsistent with development patterns.
- 6.16 B.** Parking facilities should be located, designed and landscaped to minimize adverse impacts, including those related to stormwater runoff, water quality, aesthetics, public access, and vegetation and habitat maintenance.
- 6.16 C.** Parking should be planned to achieve optimum use of land within the area under shoreline jurisdiction. Where practical, parking should serve more than one use, such as recreational use on weekends and commercial use on weekdays.

6.17 Subdivision and Land Segregation

Subdivisions and land segregations are legal divisions of land for the purpose of sale, lease, or transfer of ownership.

6.17 A. All lots, whether for agricultural, residential, commercial or industrial uses or activities, should be of sufficient size that development will not cause the need for structural shoreline stabilization.

6.17 B. All lots should be designed with enough area to provide a building site with appurtenant uses (parking, outbuildings etc...), accessory utility needs and fire defensible space to meet the minimum bulk dimensional standards established in Chapter 8 for the shoreline designation within which the lot is located, without requiring shoreline variances.

6.18 Signs

6.18 A. Signs to be placed or erected in shoreline jurisdiction should be designed and placed so that they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses and in compliance with applicable local sign regulations.

6.18 B. Signs should not block or otherwise interfere with visual access to the water or shoreline areas.

6.18 C. Generally, signs should be of a permanent nature and be linked to the operation of existing or permitted uses. Temporary signs and interpretive signs related to shoreline functions should be allowed where they comply with the other policies of this SMP and, in the case of temporary signs, where adequate provisions are made for timely removal.

6.18 D. Signs attached to buildings are preferred over free-standing signs.

6.19 Utilities and Accessory Utilities

These provisions apply to services and facilities that produce, convey, store, or process power, gas, sewage, communications, oil, waste, and the like. On-site utility features serving a primary use, such as water, sewer or gas lines to a residence, are "accessory utilities" and shall be considered a part of the primary use.

6.19 A. All utilities should be designed and located to assure no net loss of shoreline ecological functions, preserve the shoreline character, protect water quality and habitats, and minimize conflicts with present and planned land and shoreline uses while meeting the needs of future populations in areas planned to accommodate growth.

6.19 B. Utilities that are nonwater-oriented including transmission facilities for communications and power should not be allowed in shoreline areas unless it can be demonstrated that no other feasible option is available.

6.19 C. Existing rights of way and corridors should be used whenever possible to accommodate the location of utilities.

6.19 D. Whenever possible, utilities shall be located to minimize obstructions of views and vistas. This includes, but is not limited to, views of the shoreline environment from the water, views of the water from shorelines, and views extending beyond the shoreline of other scenic features of local importance such as rock walls, talis slopes, cliffs and perches from the shoreline or water. To preserve views and vistas and shoreline character, placement of utilities underground shall be preferred and mitigated as appropriate with vegetation measures.

6.19 E. Accessory utilities necessary to serve shoreline uses should be properly installed so as to protect the shoreline and water from contamination and degradation.

6.19 F. Accessory utilities and associated rights-of-way should be located outside the shoreline area to the maximum extent feasible, complying with shoreline setbacks and/or buffers whichever are more protective. When utility lines require a shoreline location, they should be placed underground.

6.19 G. Accessory utilities should be designed and located in a manner that preserves the natural landscape and shoreline ecology and minimizes conflicts with present and planned land uses.

6.19 H. Accessory utilities should be designed and located to eliminate the need for topping or pruning trees.

6.19 I. Wherever possible, existing utility systems should be improved to enhance shoreline appearance and use.

6.20 Residential Development

6.20 A. Residential development on overwater structures is prohibited

6.20 B. Development of four or more residential units, whether single-family or multi-family, must provide for public access in the form of physical access and visual access unless it can be shown that public access is adequately provided for on public property within ¼ mile walking distance of the proposed development. Public access is considered adequately provided for if all the following criteria are met:

6.20 B. 1. The access is it part of a locally adopted parks, recreation and or public access plan.

6.20 B. 2. The general public has physical and visual access to access to the water

6.20 B. 3. Additional use of the access does not pose additional public safety hazard.

6.20 B. 4. The public access can accommodate anticipated additional uses and impacts as a result of the proposed residential development.

6.20 C. Residential development, including appurtenant structures and uses, should be sufficiently set back from steep slopes and shorelines vulnerable to erosion so that structural improvements, including bluff walls and other stabilization structures, are not required to protect such structures and uses.

6.20 D. Residential development or mixed use developments shall be sited so as to prevent the need for new shoreline stabilization or flood hazard reduction measures that would cause significant impacts to other properties or public improvements or a net loss of shoreline ecological functions.

6.20 E. Residential development should control runoff and drainage

6.21 Shoreline Modifications

Shoreline modifications are generally related to construction of a physical element such as a dike, breakwater, dredged basin, or fill, but they can include other actions such as clearing, grading, application of chemicals, or significant vegetation removal. Shoreline modifications are usually undertaken in support of or in preparation for a shoreline use; for example, dredging (shoreline modification) to allow for a marina (boating facility use). All shoreline uses and activities, even those that are exempt from the requirement to obtain a shoreline substantial development permit, and regardless of the Shoreline Designation in which they are undertaken, must conform to all of the applicable policies and regulations listed in this SMP. For example, a residential development project that included docks and roads would need to comply with the policies and regulations related to docks and roads as well as those related to residential development.

Shoreline Modification Policies cover the following areas (see Chapter 8, Section 8.03 for specific regulations):

- 6.21 A. General**
- 6.21 B. Clearing and Grading**
- 6.21 C. Dredging and Dredge Material Disposal**
- 6.21 D. Fill**
- 6.21 E. Flood Hazard Management Facilities**
- 6.21 F. Shoreline Stabilization**
- 6.21 G. Vegetation Conservation and Management**

6.21 A. General

- 6.21 A. 1.** The provisions of this section apply to all shoreline modifications within all shoreline areas.
- 6.21 A. 2.** All shoreline modifications should be in support of an allowed shoreline use that is in conformance with the provisions of this master program.
- 6.21 A. 3.** Shoreline modifications should cause as few environmental impacts as possible and should be limited in size and number.
- 6.21 A. 4.** The type of shoreline and the surrounding environmental conditions should be considered in determining whether a proposed shoreline modification is appropriate.
- 6.21 A. 5.** Projects that include shoreline modifications should contribute to enhancement of shoreline ecological functions, when possible.
- 6.21 A. 6.** As shoreline modifications are allowed to occur, measures to protect and restore ecological functions should be implemented.

6.21 B. Clearing and Grading

Clearing and grading are activities associated with developing property for a particular use. Specifically, "clearing" means the destruction, uprooting, scraping, or removal of vegetative ground cover, shrubs, and trees. "Grading" means the physical manipulation of the earth's surface and/or surface drainage pattern without significantly adding or removing on-site materials. "Fill" means placement of dry fill on existing dry or wet areas and is addressed later in this chapter.

Clearing and grading are regulated because they may increase erosion, siltation, runoff, and flooding, change drainage patterns; reduce flood storage capacity; and damage habitat. All clearing and grading within areas under shoreline jurisdiction, even that which does not require a permit, must be consistent with the Shoreline Management Act, the Department of Ecology rules implementing the Act, and the goals, policies, and regulations of this Master Program.

6.21 B. 1. Clearing and grading activities should only be allowed in association with an allowed shoreline use.

6.21 B. 2. Clearing and grading in shoreline areas should be limited to the minimum necessary to accommodate permitted shoreline development.

6.21 B. 3. Clearing and grading should be discouraged in required shoreline setbacks.

6.21 B. 4. All clearing and grading activities should be designed and conducted to minimize sedimentation and impacts to shoreline ecological functions, including wildlife habitat functions and water quality. Negative environmental and shoreline impacts of clearing and grading should be avoided or minimized through proper site planning, construction timing and practices, vegetative stabilization or (where required) soft structural stabilization, use of erosion and drainage control methods, and by adequate maintenance.

6.21 B. 5. For clearing and grading proposals, a plan addressing species removal, re-vegetation, irrigation, erosion and sedimentation control, and other plans for protecting shoreline resources from harm should be required.

6.21 B. 6. After completion of construction, those cleared and disturbed sites should be promptly re-stabilized, and should be replanted as required by a mitigation management plan. Vegetation from the recommended list is preferred.

6.21 C. Dredging and Dredge Material Disposal

Dredging is the removal or displacement of earth or sediments such as gravel, sand, mud, silt, and/or other materials or debris from any water body or associated shoreline or wetland. Dredging is normally done for specific purposes such as constructing or maintaining canals, navigation channels, or marinas, for installing pipelines or cable crossings, or for dike or drainage system repair and maintenance. Dredge material disposal is the depositing of dredge materials on land or into water bodies for the purposes of either creating new lands or disposing of the by-products of dredging. Dredge material disposal within shoreline jurisdiction is also subject to the filling policies later in this section.

6.21 C. 1. New development should be sited and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.

6.21 C. 2. Dredging and dredge material disposal should be located and conducted in a manner that minimizes damage to existing ecological functions and processes, including those in the area to be dredged, at the dredge material disposal site, and in other parts of the watershed. Impacts that cannot be avoided should be mitigated in a manner that assures no net loss of shoreline ecological functions.

6.21 C. 3. Dredging of bottom materials for the primary purpose of obtaining material for fill or other purposes should be prohibited, except when the material is necessary for the restoration of ecological functions.

6.21 C. 4. Dredging operations should be planned and conducted to minimize interference with water and shoreline uses, properties, and values.

6.21 C. 5. Dredging for the purpose of establishing, expanding, or relocating or reconfiguring navigation channels and basins should be allowed where necessary for assuring safe and efficient accommodation of existing navigational uses, and then only when significant ecological impacts are minimized and when mitigation is provided.

6.21 C. 6. Maintenance dredging of established navigation channels and basins should be restricted to maintaining previously dredged and/or existing authorized location, depth, and width.

6.21 C. 7. Dredge material disposal in water bodies should be discouraged, except for habitat improvement or where depositing dredge material on land would be more detrimental to shoreline resources than deposition in water areas.

6.21 C. 8. Where dredge material has suitable organic and physical properties, dredging operations should be encouraged to recycle dredged material for beneficial use in enhancement of beaches that provide public access, habitat creation or restoration, aggregate, or clean cover material at a landfill.

6.21 D. Fill

Fill is the addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the ordinary high water mark, in wetlands, or on shorelands, including channel migration areas, in a manner that raises the elevation or creates dry land. Fill does not include sanitary landfills for the disposal of solid waste.

6.21 D. 1. Fills waterward of the ordinary high water mark should be allowed only when necessary to facilitate water-dependent use, public access, or cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan, disposal of dredged material considered suitable under, and conducted in accordance with the dredged material management program of the department of natural resources, expansion or alteration of transportation facilities of statewide significance currently located on the shoreline and then only upon a demonstration that alternatives to fill are not feasible, mitigation action, environmental restoration, beach nourishment or enhancement projects and -uses that are consistent with this master program.

6.21 D. 2. Shoreline fills should be designed and located so that there will be no significant damage to existing ecological systems or natural resources, and no alteration of local currents, surface water drainage, or flood waters that would result in a hazard to adjacent life, property, or natural resource systems.

6.21 D. 3. In evaluating fill projects, such factors as potential and current public use of the shoreline and water surface area, navigation, water flow and drainage, water quality, and habitat should be considered and protected to the maximum extent feasible.

6.21 D. 4. The perimeter of any fill should be designed to avoid or eliminate erosion and sedimentation impacts, both during initial fill activities and over time. Natural-appearing and self-sustaining control methods are preferred over structural methods.

6.21 D. 5. Where permitted, fills should be the minimum necessary to provide for the proposed use and should be permitted only when they are part of a specific development proposal that is permitted by this master program. Placing fill in water bodies or wetlands to create usable land should be prohibited.

6.21 E. Shoreline Stabilization

Shoreline stabilization includes actions taken primarily to address erosion impacts to upland property and improvements caused by current, wake, or wave action. Those actions include structural, nonstructural, and vegetative methods.

Structural stabilization may be “hard” or “soft.” “Hard” structural stabilization measures refer to those with solid, hard surfaces, such as concrete bulkheads, while “soft” stabilization, such as biotechnical vegetation measures, rely on softer materials. There is a range of measures from soft to hard that includes: upland drainage control, biotechnical measures, anchor trees, gravel placement, riprap, retaining walls, and bulkheads. Generally, the harder the stabilization measure, the greater the impact on shoreline processes.

Non-structural methods include placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, established building setbacks, ground water management, and planning and regulatory measures to avoid the need for structural stabilization as established in this SMP.

Vegetative methods include re-vegetation and vegetation enhancement. In addition, vegetation is often used as part of structural stabilization methods; it is always part of biotechnical stabilization. For the purposes of this section, vegetative methods are considered to include only re-vegetation and vegetation enhancement.

- 6.21 E. 1.** Stabilization measures should be designed, located, and constructed primarily to prevent damage to existing development.
- 6.21 E. 2.** No structural stabilization measures should be allowed for a vacant lot.
- 6.21 E. 3.** New development should be located and designed to eliminate the need for future shoreline stabilization.
- 6.21 E. 4.** Shoreline vegetation, both on the bank and in the water, is very effective at stabilizing shorelines. For this reason, property owners are strongly encouraged to protect existing shoreline vegetation and restore it where it has been removed. Preserving and restoring shoreline vegetation should be the preferred method of shoreline stabilization.
- 6.21 E. 5.** Structural solutions to shoreline erosion should be allowed only if non-structural and vegetative methods would not be able to reduce existing or ongoing damage.
- 6.21 E. 6.** Public projects should be models of good shoreline stabilization design and implementation.

6.21 F. Bulkheads

A bulkhead is a type of hard structural shoreline stabilization measure. Bulkheads are walls, constructed parallel to the shoreline and usually in contact with the water, whose primary purpose is to contain and prevent the loss of soil caused by erosion or wave action. A bulkhead-like structure used as part of the structure of a cantilevered dock is not regulated as a bulkhead as long as the width is no more than what is required to stabilize the dock.

Exemption: Certain bulkheads are exempt from the requirement to obtain a shoreline substantial development permit. However, all bulkheads must comply with the Shoreline Management Act, the rules implementing the Act, and this Master Program.

6.21 F. 1. A bulkhead is not a preferred method of stabilizing the shoreline, because bulkheads tend to significantly degrade fish and wildlife habitat by the removal of shoreline vegetation, increase erosion on neighboring properties, and change the natural sedimentation process.

6.21 F. 2. Cumulative impacts of bulkheads should be considered, since over time and as more shoreline is lost to bulkheading, the resulting loss of habitat may have long-term impacts on fish populations as well as to the overall ecological value of the shoreline.

6.21 F. 3. Most areas along the shorelines in Okanogan County can be adequately stabilized using softer, more natural means, such as vegetation enhancement, rather than a bulkhead.

6.21 F. 4. If the purpose is not stabilization, a retaining wall, set back from shoreline vegetation, should be used rather than a bulkhead at the water's edge. (Retaining walls for purposes other than shoreline stabilization must comply with the setback and buffering requirements under the heading "Environmental Impacts and Water Quality" in Chapter 6 & 8 of this SMP.)

6.21 F. 5. Because a bulkhead on one property can accelerate erosion on adjacent properties, the impacts of a proposed bulkhead on adjacent properties should be analyzed and considered before the bulkhead is approved.

6.21 F. 6. A bulkhead should be allowed only for existing development for shoreline stabilization, and only if all more ecologically-sound measures are proven infeasible.

6.21 F. 7. Property owners are encouraged to remove existing bulkheads and restore the shoreline to a more natural state. As an incentive, such projects should be processed without a fee charged for the shoreline permit.

6.21 G. Breakwaters, Jetties, Groins & Weirs

6.21 G. 1. Breakwaters, jetties, groins, and weirs located waterward of the ordinary high-water mark should be allowed only where necessary to support water-dependent uses, public access, shoreline stabilization, or other specific public purpose. Breakwaters, jetties, groins, weirs, and similar structures should require a conditional use permit, except for those structures installed to protect or restore ecological functions, such as woody debris installed in streams. Breakwaters, jetties, groins, and weirs should be designed to protect critical areas and shall provide for mitigation according to the sequence defined in WAC [173-26-201](#) (2)(e).

6.21 H. Vegetation Conservation

Vegetation conservation includes activities to prevent the loss of plant communities that contribute to the ecological functioning of shoreline areas. The intent of vegetation conservation is to provide habitat, improve water quality, reduce destructive erosion, sedimentation, and flooding; and accomplish other functions performed by plant communities along shorelines. Vegetation conservation deals with the protection of existing diverse plant communities along the shorelines, aquatic weed control, and the restoration of altered shorelines by reestablishing natural plant communities as a dynamic system that stabilizes the land from the effects of erosion.

Vegetation conservation provisions are important for several reasons, including water quality, habitat, and shoreline stabilization. Shoreline vegetation improves water quality by removing excess nutrients and toxic compounds, and removing or stabilizing sediments. Habitat functions of shoreline vegetation include shade, recruitment of vegetative debris (fine and woody), refuge, and food production. Shoreline vegetation, especially plants with large root systems, can be very effective at stabilizing the shoreline.

Vegetation conservation regulations apply even to those uses that are exempt from the requirement to obtain any sort of shoreline permit.

- 6.21 H. 1.** Natural plant communities within and bordering shorelines should be protected and maintained to ensure no net loss of shoreline ecological functions.
- 6.21 H. 2.** Natural shoreline vegetation should be maintained and enhanced to reduce the hazard of bank failures and accelerated erosion. Vegetation removal that is likely to result in soil erosion severe enough to create the need for structural shoreline stabilization measures should be prohibited.
- 6.21 H. 3.** Shoreline vegetation degraded by natural or manmade causes should be restored wherever feasible.
- 6.21 H. 4.** Non-structural and “soft” methods of shoreline stabilization, such as vegetation enhancement and soil bioengineering, are preferred to hard structures to diminish the processes of erosion, sedimentation, and flooding.
- 6.21 H. 5.** Removal of vegetation should be limited to the minimum necessary to reasonably accommodate the permitted use or activity.
- 6.21 H. 6.** The physical and aesthetic qualities of the natural shoreline should be maintained and enhanced.
- 6.21 H. 7.** Preference should be given to preserving and enhancing natural vegetation closest to the ordinary high water mark and within shoreline setback and buffer areas.
- 6.21 H. 8.** Aquatic weed management should stress prevention first.

6.21 I. Flood Hazard Management:

Flood hazard management projects are those actions taken with the primary purpose of preventing or minimizing damage caused by flooding.

6.21 I. 1. Construction shall comply with local flood hazard reduction or flood damage prevention ordinances.

6.21 I. 2.

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