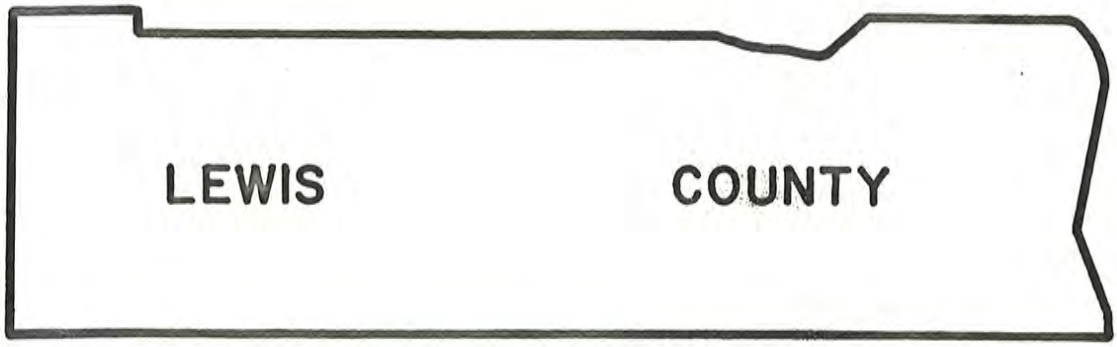
LEWIS COUNTY SHORELINE MANAGEMENT MASTER PROGRAM



LEWIS REGIONAL
PLANNING COMMISSION
Chehalis, Washington

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SHORELINE MANAGEMENT ACT OF 1971

The Shoreline Management Act was passed during the first extraordinary session of the 42nd Legislature of the State of Washington and became effective on June 1, 1971. It was subsequently approved by the electorate of the State when it appeared as Initiative 43B in the 1972 general election.

The Act is based on the philosophy that the shorelines of the State are among the most valuable and fragile of our natural resources and unrestricted development of this resource is not in the best public interest. Therefore, planning and management are necessary in order to prevent the harmful effects of uncoordinated and piecemeal development on the state's shorelines.

Local governments have the primary responsibility for initiating the planning program and administering the regulatory requirements of the Acts with the Department of Ecology acting in a supportive and review capacity. As set forth in the provisions of the Act, local governments must fulfill the following basic requirements:

1. Administration of a shoreline permit system for proposed substantial development on wetlands of designated water bodies.

2. Compilation of a comprehensive inventory which includes a survey of natural characteristics, present land uses and patterns of ownership.

3. Development of a master program to provide an objective quide for regulating the use of shorelines.

Within this document, Lewis County has set forth policy, rules and regulations on the development of the shorelines within this jurisdiction. Many of the shorelines within the County have not yet been subject to the pressures of development because of the rural nature of the County. Many of the shoreline areas designated as "Conservancy Environment" possibly could have been designated in other counties as "Natural Environment", but because of the immense resource that we have in our shorelines, Lewis County has adopted the policy of reviewing all proposals for development with an open mind. Within this framework we expect to foster development of our shorelines in a logical and concise manner that will not destroy the characteristics of the shorelines. If development is done properly and meets the pre-stated criteria, development will be considered to have met the intent of the Act.

SHORELINE MASTER PROGRAM

The administration of the Shoreline Management Act within Lewis County has been vested with the Lewis County Planning Department by Ordinance 1034 passed by the Board of County Commissioners, on June 24, 1974. The Director of the Lewis County Planning Department shall review all applications for substantial development and issue findings of fact for the permit in accordance with the Ordinance of Lewis County and of the Shorelines Management Act of the State of Washington. The Director shall have the responsibility for the interpretation of wording within the Shoreline Master Program as it relates to the issuance of a Substantial Development Permit. The Director shall also follow the procedure as outlined within the Lewis County Shorelines Ordinance for the review and administration of the Act.

Each year at the conclusion of the calendar year, the Lewis County Planning Department shall review all permits which were issued during the foregoing year and shall determine whether or not the goals, objectives and policies enumerated in the Shoreline Master Program are being met through the permits. If changes are necessary in the rules and regulations of the issuance of any particular development permits, the Planning Office will prepare and present to the Lewis County Board of County Commissioners recommended changes within the proposed program. Those recommendations shall also be forwarded to the Department of Ecology for their review and comment.

SHORELINES OF STATEWIDE SIGNIFICANCE WITHIN LEWIS COUNTY

The Shorelines of Statewide Significance within Lewis County comprise the main bodies of water within the County. The management of the shorelines of statewide significance or the issuance of development permits along the shorelines of statewide significance will be treated in much the same manner that the shorelines of Lewis County are treated. However, those developments ocurring along shorelines of statewide significance shall require thorough review and investigation by the affected state agencies or interested state agencies, to assure that the policies for development shall satisfy the need of the people of the State and residents of Lewis County to enjoy those resources.

GOALS

Lewis County enjoys an outstanding natural setting in the Puget Trough. To preserve and enhance its desirable attributes, the County's future must be carefully planned. The Shoreline Master Program is directed toward aiding the citizens of Lewis County in protecting and restoring the natural shoreline amenities while at the same time, providing for orderly economic and physical growth.

Goals are the corner stone of the planning process. Goal statements contained in this program should serve as guide posts in charting shoreline development within Lewis County.

The "Final Guidelines Shoreline Management Act of 1971", lists the following master program elements: economic development, public access, circulation, recreational, shoreline use, conservation and historical culture.

The Shoreline Advisory Committee has adopted a broad and general goal for each aforementioned element of the Master Program. At the same time, they also approved a motion allowing for refinement of the adopted goals at a later phase in program development.

The following are the adopted goals (subject to refinement) for each element.

ECONOMIC DEVELOPMENT ELEMENT

For the location and design of industries, transportation facilities, tourist facilities, commercial and other developments that are particularly dependent on shoreland locations.

ENCOURAGE FULL AND COMPLETE UTILIZATION OF RESOURCES TO IMPROVE THE STANDARD OF LIVING FOR RESIDENTS OF LEWIS COUNTY, WHILE ASSURING THESE RESOURCES ARE UTILIZED IN A MANNER CONSISTENT WITH MINIMIZING ADVERSE EFFECTS TO THE SHORELINE ENVIRONMENT.

PUBLIC ACCESS ELEMENT

For assessing the need for providing public access to shoreline areas.

UPGRADE THE QUALITY OF EXISTING PUBLIC ACCESS AND PROVIDE ADDITONAL ACCESS WHICH ARE SAFE, COMPATIBLE WITH THE NATURAL FEATURES, AND WIDELY DISTRIBUTED TO AVOID CONCENTRATION OF USER PRESSURE ASSURE THAT INTRUSIONS CREATED BY PUBLIC ACCESS WILL NOT ENDANGER LIFE, PROPERTY, PROPERTY RIGHTS, OR HAVE DETRIMENTAL EFFECTS ON FRAGILE NATURAL FEATURES.

CIRCULATION ELEMENT

For assessing the location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other public facilities.

ENCOURAGE A MULTI-MODE, MULTI-PURPOSE CIRCULATION SYSTEM WHICH PROVIDES EFFICIENT AND SAFE MOVEMENT OF PEOPLE WITH MINIMUM DISRUPTION TO THE SHORELINE

RECREATION ELEMENT

For the preservation and expansion of recreational opportunities through programs of acquisition and development.

MAINTAIN EXISTING AND ENCOURAGE DEVELOPMENT OF SUPPLEMENTAL SHORELINE RECREATIONAL OPPORTUNITIES TO SERVE THE DEMANDS OF THE CITIZENS OF LEWIS COUNTY AS WELL AS VISITORS.

SHORELINE USE ELEMENT

To consider the pattern of distribution and location requirments of land uses on shorelines and adjacent areas, including, but not limited to, housing, commercial, industry, transportation, public buildings and utilities, agriculture, and natural resources.

ASSURE THAT SHORELINE DEVELOPMENT IN LEWIS COUNTY CORRESPONDS WITH THE CHARACTER AND PHYSICAL LIMITATIONS OF THE LAND

AND WATER. PROMOTE A VIABLE PATTERN OF LAND AND WATER USE WITHOUT DISRUPTING ENVIRONMENTAL QUALITY.

CONSERVATION ELEMENT

Conservation is frequently misused as synonomous with preservation. Conservation is applicable to those managed and replenishable resources. Preservation implies a hands-off attitude. Preservation, then, may be a factor of conservation practice.

ENCOURAGE SOUND MANAGEMENT OF RENEWABLE SHORELINE RESOURCES AND PRESERVATION OF NON-RENEWABLE SHORELINE RESOURCES.

HISTORICAL/CULTURAL ELEMENT

For protection and restoration of buildings, sites and areas having historic, cultural, educational or scientific values.

PROTECT, PRESERVE, AND RESTORE AREAS AND SITES HAVING HISTORIC, CULTURAL, EDUCATIONAL OR SCIENTIFIC VALUES.

ENVIRONMENTS

The designation of the four environments - Natural, Conservancy, Rural and Urban - within the Shorelines of Statewide Significance and the shorelines of Lewis County is an identification of what those shoreline areas can be expected to withstand from development pressures. Further, the delineation of the environments also shows a proposed development pattern based on the intensity of development within given physiographic areas of the County. Criteria that was used in the delineation of these areas include soil classifications, as to the capability of the production of the soil and to the limitations of the soil to withstand certain usage; slopes were considered to the extent of development feasibility and problems that could possibly occur with development on certain percentage of slopes; ownership data was considered as to the physical characteristics of the stream and existing and projected land use probabilities for given areas. The environment designation then reflects the characteristics of a given shoreline area and its relation to the surrounding lands.

NATURAL ENVIRONMENT

The natural environment identifies those resource systems and features which are key to the maintenance of natural, physical and biological processes.

THE PRIMARY DETERMINANT FOR DESIGNATING AN AREA AS A NATURAL ENVIRONMENT IS THE ACTUAL PRESENCE OF SOME UNIQUE NATURAL OR CULTURAL FEATURES CONSIDERED VALUABLE IN THEIR NATURAL OR ORIGINAL CONDITION WHICH ARE RELATIVELY INTOLERANT OF INTENSIVE HUMAN USE. SUCH FEATURES SHOULD BE DEFINED, IDENTIFIED AND QUANTIFIED IN THE SHORELINE INVENTORY. THE RELATIVE VALUE OF THE RESOURCES IS TO BE BASED ON LOCAL CITIZEN OPINION AND THE NEEDS AND DESIRES OF OTHER PEOPLE IN THE REST OF THE STATE.

CONSERVANCY ENVIRONMENT

The conservancy environment is intended to provide for multiple use activities, although the intensity of uses will be limited becuase of extensive commercial forest areas, steep slopes, flooding, desirability for low intensity recreational use and wildlife habitat values.

THE CONSERVANCY ENVIRONMENT IS FOR THOSE AREAS WHICH ARE INTENDED TO MAINTAIN THEIR EXISTING CHARACTER. THE PREFERRED USES ARE THOSE WHICH ARE NONCONSUMPTIVE OF THE PHYSICAL AND BIOLOGICAL RESOURCES OF THE AREA. NON-CONSUMPTIVE USES ARE THOSE USES WHICH CAN UTILIZE RESOURCES ON A SUSTAINED BASIS WHILE MINIMALLY REDUCING OPPORTUNITIES FOR OTHER FUTURE USES OF THE RESOURCES IN THE AREA.

..TIVITIES AND USES OF A NONPERMANENT NATURE WHICH DO NOT SUBSTANTIALLY DEGRADE THE EXISTING CHARACTER OF AN AREA ARE APPROPRIATE USES FOR A CONSERVANCY ENVIRONMENT. EXAMPLES OF USES THAT MIGHT BE PREDOMINANT IN A CONSERVANCY ENVIRONMENT INCLUDE DIFFUSE OUTDOOR RECREATION ACTIVITIES, PASSIVE AGRICULTURAL USES SUCH AS PASTURE AND RANGE LANDS, AND OTHER RELATED USES AND ACTIVITES.

RURAL ENVIRONMENT

The rural environments are those areas predominantly for agriculture and low density residential development and which are not anticipating immediate expansion.

THE RURAL ENVIRONMENT IS INTENDED FOR THOSE AREAS CHARACTERIZED BY INTENSIVE AGRICULTURAL AND RECREATIONAL USES AND THOSE AREAS HAVING A HIGH CAPABILITY TO SUPPORT ACTIVE AGRICULTURAL PRACTICES AND INTENSIVE RECREATIONAL DEVELOPMENT. HENCE, THOSE AREAS THAT ARE ALREADY USED FOR AGRICULTURAL PURPOSES, OR WHICH HAVE AGRICULTURAL POTENTIAL SHOULD BE MAINTAINED FOR PRESENT AND FUTURE AGRICULTURAL NEEDS. DESIGNATION OF RURAL ENVIRONMENTS SHOULD ALSO SEEK TO ALLEVIATE PRESSURES OF URBAN EXPANSION ON PRIME FARMING AREAS.

URBAN ENVIRONMENT

The urban environments are those areas of intensive residential, commercial or industrial use, or which are anticipating such intensive development in the near future.

THE URBAN ENVIRONMENT IS AN AREA OF HIGH INTENSITY LAND USE INCLUDING RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT. IT IS PARTICULARLY SUITABLE TO THOSE AREAS PRESENTLY SUBJECTED TO EXTREMELY INTENSIVE USE PRESSURE, AS WELL AS AREAS PLANNED TO ACCOMMODATE URBAN EXPANSION. SHORELINES PLANNED FOR FUTURE URBAN EXPANSION SHOULD PRESENT FEW BIOPHYSICAL LIMITATIONS FOR URBAN ACTIVITIES AND NOT HAVE A HIGH PRIORITY FOR DESIGNATION AS AN ALTERNATIVE ENVIRONMENT.

SHORELINE ENVIRONMENT MAP

The Shoreline Environment Designation Map shall be made a part of this program and hereinafter referred to as the map. The only official copy of this map will be kept on file at the Lewis County Planning Office. The boundaries of the map shall be interpreted by the legal description set forth in Appendix "A" of the Shoreline Management Master Program. The environment designations are interpreted to include the surface of the adjoining water body. Where two designations are found, one on each side of the water body, each designation shall xtend to the center line of the water body.

USE ACTIVITIES

POLICY STATEMENTS AND REGULATIONS

AGRICULTURE

Agricultural practices are those methods used in vegetation and soil management, such as tilling of soil, control of weeds, control of plant diseases and insect pests, soil maintenance and fertilization. Many of these practices require the use of agricultural chemicals, most of which are water soluble and may wash into contiguous land or water areas causing significant alteration and damage to plant and animal habits. Also, large quantities of mineral and organic sediments enter water bodies through the surface when proper land management techniques are not utilized.

Policy

Soils which are extremely well suited for agriculture should be identified and protected for agricultural use.

Erosion control measures should conform to guidelines and standards established by the Soil Conservation Service and the U.S. Department of Agriculture.

Encourage maintenance of a buffer zone of permanent vegetation between tilled areas and associated water bodies in order to retard surface runoff, reduce siltation and promote valuable shade for fish habitat.

Encourage vegetative cover in areas subject to frequent flooding.

Pesticides are to be used, handled and disposed of in accordance with provisions set forth in the Washington Pesticide Application Act (R.C.W. 17.21) and the Washington Pesticide Act (R.C.W. 15.57) to prevent contamination and sanitation problems.

Livestock waste should be disposed in a manner that will prevent surface or ground water pollution.

Large animal feedlots should conform to guidelines prepared by various State and Federal agencies.

Regulations

Natural Environment

No agriculture practices shall be allowed that alter or have a harmful ecological aesthetic impact on these shorelines.

Conservancy Environment

Passive agriculture, range and pasture land and woodland pasture are permitted out right, as well as existing agricultural practices.

Rural Environment

All existing agricultural activities are permitted. New agricultural practices shall be permitted, subject to the following:

1. A minimum buffer strip of natural vegetation of ten feet (10') shall be left between all cultivated fields and the banks of streams.

2. Commercial feed lots and dairy operations shall have a minimum vegetation buffer strip of fifty feet (50') between confinement pens, feeding pens and manure piles and the shoreline.

3. No livestock operations, except for pasture, shall be conducted within the floodway of any river or stream.

4. Use of chemicals (pesticides, herbicides, fertilizers) shall be used and disposed of in accordance with the Washington State Pesticides Act, and Pesticides Application Act. (R.C.W. 15.57 and R.C.W. 17.21)

Urban Environment

All agricultural activities shall be allowed except for feed lots and dairy operations, unless the underlying zoning prohibits such activities.

AQUACULTURE

Aquaculture (popularly known as fish farming) is the culture of farming of food fish, shell fish or other aquatic organisms. Potential locations for aquacultural enterprises are relatively restricted due to specific requirements for water quality, temperature, flows and oxygen content. The technology associated with present day aquaculture is still in the formative stages. Policies should therefore recognize the necessity for latitude in the development of this emerging economic water use.

Policy

Areas possessing the specific characteristics necessary for aquaculture should be identified for that purpose.

Since aquaculture is still in the formative stages and experimental, encouragement and latitude should be allowed to foster its potential economic impact.

Recognition should be given to the possible detrimental impact aquacultural development might have on visual access and general aesthetic quality of the shoreline area.

Regulations

Aquaculture shall be made a conditional use to the Shoreline Master Program. The shoreline permit for Aquaculture activities will be subject to the policies as enumerated above and to plan review and approval by the Department of Fisheries and Game and by the Lewis County Regulatory Department.

FOREST MANAGEMENT PRACTICES

Forest management practices are those methods used for the protection, production and harvesting of timber. Trees along a body of water provide shade which insulate the waters from detrimental temperature change and dissolved oxygen release. A stable water temperature and dissolved oxygen level provide a healthy environment for fish and other more delicate forms of aquatic life. Poor logging practices on shorelines alter this balance as well as result in slash and debris accumulation and may increase the suspended sedement load and the turbidity of the water. On January 1, 1975, the State Forestry Practices Act will take effect which will compliment and further refine this section. The Forestry Practices Act will not, however, supercede this section.

Policy

Logging should be avoided on shorelines with slopes of such grade that large sediment will be precipitated, unless adequate erosion control and restoration can be expeditiously accomplished.

Shoreline areas having well-known scenic qualities, such as those providing a diversity of views, unique landscape contrasts, or landscape panoramas should be maintained as scenic views in timber harvesting areas. Timber harvesting practices, including road construction and debris removal, should be closely regulated so the quality of the view and viewpoints in shoreline areas of Lewis County are not degraded.

Timber harvesting practices in shoreline areas should be conducted to maintain the State and Federal water quality standards.

Special attention should be directed in logging and thinning operations to prevent the accumulation of slash and other debris in contiguous waterways.

Ensure that timber harvesting on shorelines of statewide significance does not exceed the limitations established in R.C.W. 98.58.150 except in cases where selective logging is rendered ecologically detrimental or is inadequate for preparation of land for other uses.

Logging within shoreline areas should be conducted to ensure the maintenance of buffer strips of ground vegetation, brush, alder and conifers to prevent temperature increases adverse to fish populations and erosion of stream banks.

Proper road and bridge design, location and construction, and maintenance practices should be used to prevent development of roads and structures which would adversely effect shoreline resources.

Reforestation should be accomplished where necessary to provide stability to areas which have been logged. Replanted vegetation should be of a similar type and concentration as existing in the general vicinity of the logged area.

Regulations

.atural Environment

Logging operations are not allowed in a natural environment.

Conservancy & Rural Environments

A. Regeneration

1. All clearcut areas shall be planted or seeded within 18 months of logging to produce at least 400 seedlings per acre.

2. If necessary, additional planting or seeding shall be performed annually until at least 400 seedlings per acre have been established.

3. The Planning Department shall grant extensions of up to one year for time for planting or seeding where seedlings or seeds are unavailable due to circumstances beyond the owner's control, such as unexpected weather conditions.

4. Regeneration shall be of a forest tree species compatible with management of adjacent stands.

B. Logging Methods and Land Clearing

1. Logging shall be by methods not requiring off-road use of wheeled or tracked vehicles, except

   a. in areas of stable soils where average slopes are less than 30 percent, or

   b. where approved by the Planning Department.

   Logs generally shall be yarded uphill when using any cable yarding system.

2. Tractor or skidder logging and land clearing is permissible only

   a. above the normal high-water mark, and

   b. when the ground is sufficiently dry and firm to prevent detrimental soil compaction.

3. No tracked or wheeled equipment shall be operated below the normal high-water mark without prior approval of the Washington Department of Fisheries and Game.

4. No logs shall be yarded across streams or water bodies without prior approval of the Washington Department of Fisheries and Game.

5. All ruts capable of transporting water to the low-water mark in exposed erodible soil caused by yarding or skidding shall be adequately water barred. Such ruts which are within 50 feet of a watercourse or on slopes exceeding 40 percent shall also be planted or seeded with an appropriate ground cover or mulched.

C. Streamside and Lakeside Vegetation

1. Sufficient vegetation shall be left with minimum feasible disturbance along all streams and bodies of water to adequately minimize temperature increases, accumulation of debris, turbidity increases and erosion of the bank.

2. All reasonable steps shall be taken to avoid falling trees into water or across streams.

3. All trees which, if left, could be expected to blow down into the water or to be uprooted by natural erosion shall be felled and removed concurrently with logging.

D. Watercourse Improvement

1. When logging operations are conducted within or to the high-water mark, all dead, down and rotten trees, logs and snags below the high-water mark shall be removed wherever requested by the Washington Department of Fisheries or Game.

2. Wherever equipment will be operated on a stream bank in the usual course of logging or road building operations and the stream bank has been eroding or is expected to erode, the Planning Department, after consultation with other appropriate agencies, may direct the operator to take reasonable measures to minimize erosion attributable to his operations.

E. Slash and Waste Control

1. All logging debris which can be removed with a one inch choker shall be yarded to above the 25-year flood mark and left on a natural bench or other location from which it could not be expected to enter the watercourse.

2. No cables, equipment or trash shall be abandoned within shorelines.

3. Culverts and ditches shall be maintained concurrent with operations and left functional and free of all obstructions.

F. Road Construction & Maintenance

Except where authorized by the Planning Department:

1. Roads and landings shall not be constructed within shorelines except where reasonably necessary to:

   a. cross or parallel streams (see G - Bridge Construction);

   b. avoid road construction on unstable slopes or on side slopes greater than 50 percent;

   c. perform water course improvement work.

2. Road subgrade widths shall be the minimum commensurate with the intended use, generally not more than 30 feet for double lane haul roads and 22 feet for single lane roads and spurs.

3. Roads shall follow natural contours where possible. Natural benches, ridge tops and flatter slopes are preferred locations.

4. Cut slopes shall not exceed:

   a. 1/4:1 (horizontal to vertical) in rock

   b. 3/4:1 in cohesive soils.

   c. 1-1/2:1 in non-cohesive soils.

5. Side cast and filled embankment slopes shall not exceed:

   a. 1-1/3:1 (horizontal to vertical) in broken rock

   b. 1-2/5:1 on cohesive soils

   c. 1-1/2:1 in non-cohesive soils.

6. Embankment fills shall:

   a. be placed in layers of three feet or less in thickness, and compacted by the construction equipment where possible, and

   b. consist of inorganic material with a minimum of buried slash and debris, except puncheon may be used in flat wet areas.

7. Right-of-way debris shall be disposed of in accordance with statute (HB 1034).

8. Erodible cut, filled and side cast slopes within 100 feet of the normal high-water mark shall be protected by planting or seeding with appropriate ground cover or by matting.

9. End-haul construction is required where side cast would rest below the 25-year flood mark.

10. Cross culverts for relief of ditch drainage shall be:

    a. installed at all low points in permanent roadways, and at the following maximum spacing depending on road grade:

--- below 8 percent grade	1,000 feet
--- 8 percent to 15 percent grade	800 feet
--- greater than 15 percent grade	600 feet

    b. installed with flumes, half-round extensions or protective rocks where necessary to prevent soil erosion below the discharge end, and,

    c. adequate in size to carry the maximum anticipated flow and in no case smaller than 15 inches diameter or equivalent, unless otherwise specified by the Planning Department.

11. Culverts across intermittent and tributary streams of less than 20 cubic feet per second mean annual flow located within shorelines associated with larger streams shall be adequate in size to carry the maximum anticipated flow and in no case smaller than 18 inches in diameter or equivalent.

12. Ditches shall be installed on the uphill side of all permanent roads, except through solid rock cuts. Ditches shall be kept clear of obstructions.

    Alternate plans which allow drainage without erosion of the road surface are permitted with Planning Department approval. (Example: United States Forest Service outsloped roads with drainage dips.)

13. Roads shall either be kept in good enough condition for travel by pickup truck or be permanently closed and reforested or planted or seeded with appropriate ground cover. Roads shall be surfaced with rock of sufficient quality whenever necessary to prevent erosion of the subgrade and siltation of the stream.

14. All road segments shall have complete drainage control by the end of the construction season in which initial grading occurred.

15. Road construction shall take place only during dry seasons (generally March through October west of the Cascade crest); except, where circumstances beyond the operator's control make necessary additional work after November 1 to complete roads on which construction has commenced, a variance will be required. Heavy grading shall not be preformed when soils are saturated.

G. Bridge Construction

1. Excavation for and placement of the sills or abutments and placement of stringers or girders shall be accomplished from outside the normal high-water mark, except when authorized by the Planning Department.

2. Any disturbed bank material shall be removed from the channel and any soils exposed by bridge construction shall be protected from erosion by planting or seeding with appropriate ground cover, by riprap or by other means approved by the Planning Department.

3. All bridges shall be high enough to pass all expectable debris and anticipated high-water flows.

4. Where aggregate earthen materials are used for paving or accumulate on bridges, curbs shall be installed to contain the surface material.

5. At least one end of each stringer bridge shall be tied to prevent it from being washed away during high-water.

6. Substantial Development Permits are required for bridges, culverts, or other substantial developments costing more than $1,000.00. One Substantial Development Permit may cover two or more bridges or other construction activities within the same watershed or associated with the same road system.

H. Additional Requirements for Culvert Installation in Streams Used by Anadromous Fish.

Where culverts are installed in streams which the Washington Department of Fisheries determines are used by anadromous fish:

1. The slope of the culvert shall not exceed 0.5 percent (1/2 ft. of fall for each 100 ft. of length)

2. The bottom of the culvert shall be at least 6 inches below the natural stream bed at the inlet and outlet.

3. If a multiple barrel culvert is installed, one barrel shall be at least 6 inches lower than the other(s).

4. The culvert shall be of sufficient size to pass all anticipated flows and debris.

5. The minimum diameter for pipe culverts and minimum height for box culverts shall be 18 inches.

6. Any bank protection material shall be placed from the bank, shall be clean and shall be of sufficient size to not be washed away by high-water or wave action.

7. All other operating standards must be complied with except where inconsistent with requirements of the Washington Department of Fisheries.

I. Chemical Applications

1. All equipment used for transportation, storage and application of forest chemicals shall be maintained in leakproof condition.

2. If water is taken from a stream or impoundment for mixing or preparing of chemicals, reasonable precautions shall be taken to prevent contamination of the source, including:

   a. maintaining an air gap or reservoir between the water source and mixing tank, or

   b. using a pump and hose equipped with check valves and used only for water from streams.

3. Chemicals shall not be mixed or transferred, except in sealed containers or through sealed hoses, within 50 feet of any watercourse of where any spillage is likely to enter the watercourse.

4. When spraying from aircraft (except fertilizers), a buffer strip of at least one swath width shall be left untreated on each side of every stream and open water area.

5. When spraying from the ground (except fertilizers):

   a. a buffer strip of at least 10 feet shall be left untreated on each side of every stream and open water area, and

b. an area adjacent to buffer strip shall be sprayed first and with nozzles pointed away from or parallel to the stream or open water area.

6. When applying fertilizers, reasonable precautions shall be taken to avoid application and spillage into streams and open water areas.

7. If any chemical is accidentally spilled, appropriate steps shall be taken immediately to contain or neutralize the spill.

8. All chemical applications shall comply with any federal and state standards regarding quantities, frequencies and methods of application.

Additional Operating Standards for Shorelines of Statewide Significance - Clearcutting

A. Only selective cutting is permitted within 200 feet of the high-water mark in shorelines of statewide significance unless an administrative authorization or variance is obtained. For this purpose, selective cutting means that no more than 30 percent of the merchantable trees may be harvested in any ten-year period of time. Trees shall be considered merchantable if more than eight inches in diameter, outside bark 4-1/2 feet above the ground level, or if the owner can demostrate that the market value of the logs producible from the trees exceeds all of the costs of harvesting, marketing and delivering the logs.

B. The Planning Department may authorize cutting in excess of the above harvest limits only:

1. in writing;

2. on the basis of written findings that either

a. the topography, soil conditions or silvacultural conditions render selective cutting ecologically detrimental, or

b. the owner has a bona fide intention of converting the land to a specific non-forestry use permitted by the Shoreline Management Act of 1971, this Master Program and all other relevant local, regional, state and federal land use regulations.

C. Dead, down and severely diseased or damaged trees may be removed at any time, unless the condition resulted from the intentional acts or negligence of their present or past owner or his employees or agents.

Variances - The legislative body, on written request of the operator, may grant a variance from normal operating standards where:

A. The Planning Department could have granted an Administrative Authorization, or

B. The legislative body finds that the aggregate of the benefits to the five categories of environmental resources* exceeds the aggregate benefits of compliance with normal operating standards, or

C. The legislative body finds that, due to peculiar circumstances, two or more normal operating standards are inconsistent and the variance is reasonably necessary to resolve the conflict with the minimum aggregate adverse effect on the five categories of environmental resources*.

* Categories of Environment Resources:

1. air and water quality,
2. fish and wildlife resources,
3. soil and geologic conditions,
4. hydrologic and aquifer capacity, and
5. regeneration of the forest cover.

Urban Environment

There are no forest areas within urban environment, therefore, use regulations have not been written.

COMMERCIAL/INDUSTRIAL DEVELOPMENT

Commercial Development

Commercial developments are those uses which are involved in wholesale and retail trade or business activities. They may range from small businesses within residences, to high-rise office buildings. Commercial developments are intensive users of space because of extensive floor areas and because of facilities, such as parking, necessary to service them.

Industrial Development

Industry encompasses manufacturing, production and processing of raw materials and other finished products. Because of the volume of wastes generated by industrial activities, they are often considered the most serious source of environmental degradation. (To compound matters, many industries require a waterfront location.)

Policy

Commercial Development

Priority should be given to those commercial developments which are dependent on a shoreline location and/or provide an opportunity for substantial numbers of people to enjoy the shoreline.

New commercial development on shorelines should be encouraged to locate in areas where current commercial uses exist, provided the current location is suitable for such use.

Parking lots and associated facilities should be placed inland away from the immediate water's edge and recreational beaches to prevent contaminants from entering the water.

An assessment should be made of the effect a commercial structure will have on a scenic view significant to a given area or enjoyed by a significant number of people.

In Commercial Development where such development may be subjected to flooding, all developments shall consider flood proofing (as found in the Uniform Building Codes) as a standard measure for the structure.

Industrial Development

Allocate sufficient quantities of suitable shoreline for water related industry.

Industries that require shoreline locations should be given priority over other industrial uses.

Preference should be given to development and redevelopment of existing industrial areas.

Sewage treatment, water reclamation and power plants should be located where they do not interfere with other public uses of the water and shoreline. Waste treatment ponds for water related industry should occupy as little shoreline as possible.

Where feasible, transportation and utility corridors should be located upland.

In Industrial Development where such development may be subjected to flooding, all developments shall consider flood proofing (as found in the Uniform Building Codes) as a standard measure for the structure.

Regulations

Natural Environment

No commercial or industrial activities or development shall be allowed in these shoreline areas.

Conservancy Environment

No commercial or industrial development shall be allowed if they are not water oriented or water dependent for operations and existance.

Commercial and industrial development shall be located in the areas of the conservancy environment where existing roads, railroads, water and sewer lines, and other utilities serve that area.

Any structure shall be located one foot above the 100-year flood level or shall be flood proofed to that elevation.

No structure may extend beyond the normal high-water mark of any stream, river or lake.

No structure may be more than thirty-five feet in height.

All parking for said development shall be upland from said structure.

The development area shall be planted and screened with vegetation. (Hard wood or conifer trees.)

Rural Environment

Commercial and industrial development and/or expansion shall occur only in those areas where existing commercial and industrial development exists.

Disposal of solid and liquid wastes shall be approved by State or local Health Department permits.

All utility lines shall be located underground wherever possible.

All development shall have buffer zones fifty feet wide between any structure and the normal high-water mark.

All parking shall be upland of any structure.

All structures shall be thrity-five feet in height or less.

All development shall be planted and screened with natural vegetation.

Urban Environment

All comercial and industrial development shall be allowed along shorelines in conformance with underlying zoning and/or existing development patterns.

All development must have public water and sewer service.

All structures proposed in excess of thirty-five feet in height shall demonstrate that no visual blockage of shorelines will occur from any point.

All parking must be located upland at the minimum of thirty feet from shoreline area and be serviced with storm sewers or dry wells.

SURFACE MINING

Mining is the removal of naturally occurring materials from the earth for economic use. Quarry operations for the extraction of mineral resources include, but are not limited to, sand, rock, gravel. Clay and coal are the dominant mining activities in Lewis County. These operations usually result in erosion of land and silting of water, which can kill bottom-living animals. Therefore, precautions are necessary to protect these resources.

Policy

Sand, gravel and minerals should be removed from only the least sensitive shoreline areas.

Excavations for the production of sand, gravel or minerals should be done in conformance with the Washington State Surface Mining Act. (R.C.W. 78.44.020)

Adjacent waters should be protected from sediment and silt production. This protection should include, but not be limited to a buffer strip.

Land reclamation should be initiated immediately after the termination of mining operations.

Regulations

Natural Environment

All surface mining activities are prohibited in natural environment.

Conservancy & Rural Environments

No mining or quarry operations shall be permitted that will alter, cause to alter, impede or retard the flow or direction of flow of a stream or river.

Stockpiling of the mineral extracted or stockpiling of spoils or overburden within the high-water channel of a stream or river is prohibited.

Stockpile areas beyond high-water mark shall have a system of controlling and diverting runoff water from the stockpile areas that will eliminate direct discharge of runoff water into the stream, river or lake.

Regulations and all mining activities that extract sand, gravel or other minerals from the bed or within the stream channel of any stream or river or from a lake, such operation shall recieve approval from the Department of Fisheries and Game prior to any extraction.

Approval from the Department of Fisheries and Game shall constitute e terms and conditions to that section of any Shoreline permit that ill be issued for such activity.

Mining and quarry operations shall be conducted in a manner which will not allow water to collect and permit stagnant water to remain in excavations. All such excavations shall be back filled and graded with material approved by the County.

Where mining and quarry operations reach a depth of water production (recharge), bodies of water may be left, provided:

1. They be useful for residential or recreational purposes;

2. Banks shall be sloped no less than one and one-half feet (1-1/2') horizontal to one foot (1') vertical from the water line;

3. Banks shall be convered with four inches (4") topsoil able to support vegetative ground cover, and planted with suitable grasses, shrubs or trees.

Mining and quarry operations shall also be conducted in accordance with all applicable State and Federal regulations.

Reclamation of mine or quarry areas shall be complete within o (2) years after the resource is completed or the operation has een discontinued for more than one (1) year. (Reclamation shall be set by a mining or quarry reclamation plan filed with the County at the time the Shoreline Permit Application is applied for).

Urban Environment

Surface mining shall be conducted in the same manner as in the Conservancy and Rural Environments, but only when the zoning of the area allows such activity.

MARINAS

Marinas are facilities which provide boat launches, storage, supplies and services for small pleasure craft. There are two basic types of marinas: open type construction (open pile) and solid type construction (bulkhead and/or landfill). Open type construction is recommended to insure that damage to fish is prevented.

Policy

In locating marinas, special plans should be made to protect fish and other resources that may be harmed by construction and operation of the facility.

The design of marianas should be aesthetically compatible with the surrounding area.

The Washington State Department of Fisheries has prepared quidelines concerning the construction of marinas. These quidelines should be consulted in planning for marinas.

Special attention should be given to the design and development of operational procedures for fuel handling and storage in order to minimize accidental spillage and provide satisfactory means for handling those spills that do occur.

Shallow water embayments with poor flushing action should not be considered for long-term moorage.

Regulations

Natural Environment

Marinas are not allowed in a natural environment.

Conservancy, Rural & Urban Environments

A. River Systems

1. Marinas shall be considered only in those areas where water recreation of all types has been established or may reasonably be established for public use.

2. Marinas shall be constructed with no obstruction to or intrusion into the water course where it is located.

3. Marinas may not be constructed on landfill that extends beyond the high-water mark of the stream or river on which the marina is located.

4. All parking areas shall be located upland from the structure that the parking serves.

5. All sewage disposal must meet the Lewis County Health Department Regulations (and U.S. Coast Guard Regulations if applicable).

B. Lake System

1. Marinas shall be considered only in those areas where water recreation of all types has been established or may reasonably be established for public use.

2. All parking areas shall be located upland from the structure that the parking services.

3. All sewage disposal must meet the Lewis County Health Department Regulations (and U.S. Coast Guard Regulations if applicable).

4. Marinas shall be so located and designed as not to obstruct or cause danger to normal public navigation of said waterbody.

5. If in construction of a marina, landfill is necessary, such landfill shall be of approved fill material under this law; further, landfill shall not extend more than one-fourth of the distance of the normal fluctuation of said waterbody, provided, it does not obstruct or cause danger to normal public usage of the water surface at the high-water level of said waterbody.

OUTDOOR ADVERTISING, SIGNS AND BILLBOARDS

Signs are publicly displayed boards whose purpose is to provide information, direction or advertising. Signs may be pleasing or distracting, depending upon their design and location. A sign, in order to be effective, must attract attention; however, a message can be clear and distinct without being offensive. There are areas where signs are not desirable, but generally it is the design that is undesirable, not the sign itself.

Policy

Off-premise outdoor advertising signs should be limited to areas of high-intensity land use, such as commercial and industrial areas.

Establish physical standards for signs locating in shoreline areas.

Vistas and viewpoints should not be degraded and visual access to the water from such vistas should not be impaired by the placement of signs.

Outdoor advertising signs should be located on the upland side of public transportation routes which parallel adjacent water bodies (unless it can be demonstrated that views will not be substantially obstructed).

Signs should be constructed in a manner that minimizes visual obstruction of the shoreline and water bodies.

Regulations

Natural Environment

Signs of any type or size shall be allowed in a natural environment only when:

1. marking a foot trail or hiking trail;
2. marking a place of historic or cultural value.

Conservancy, Rural & Urban Environment

Signs shall be allowed provided they are:

1. official in nature (i.e. traffic control);
2. a commercial sign advertising commodities for sale, non-illuminating, 32 square feet or less in size and does not exceed 10 feet at its highest point from the ground;

3. a real estate sign offering for sale, lease, or rent, non-illuminating, 32 square feet or less in size and does not exceed 10 feet at its highest point from the ground;
4. of any nature placed on the side of a building, 32 square feet or less in size and non-illuminating;
5. not obstructing a view or scenic vista;
6. integral in nature marking monuments, historic or cultural places; and
7. does not obstruct sight distance to motorized travelers.

RESIDENTIAL
(INCLUDING SUBDIVISION ACTIVITY)

The following policies should be recognized in the development of any subdivision or large lot residential development not falling under jurisdiction of the Lewis County Subdivision Resolution on shorelines of the State.

To the extent possible, planned unit developments (sometimes called cluster developments) should be encouraged within the shoreline area. Within planned unit developments, substantial portions of land are reserved for open space or recreational areas for the joint use of the occupants of the development. This land may be provided by allowing houses to be placed on lots smaller than the legal minimum size for normal subdivisions, as long as the total number of dwellings in the planned unit development does not exceed the toal allowable in a regualr subdivision.

NOTE: Construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, provided the residence does not exceed a height of thirty-five feet (35') above the average grade level, is exempt from the Substantial Development Permit requirements. However, the intent of the Act must be maintained.

Policy

Encourage residential development in presently developed areas to utilize existing improvements.

Residential developments should be designed with prime consideration given to shoreline protection, physical capabilities, ecological features and aesthetic enhancement.

Encourage developers to provide public access within the development.

Residential development should have adequate provisions for sanitary sewage, water supply and drainage control.

Encourage up-dating the Lewis County Subdivision Resolution for coordiantion with the intent of the Shoreline Management Act.

On banks subject to erosion, residential dwelling should be set well back from the waters edge.

Residential development in areas subject to frequent flooding should be controlled.

Residential development over water should be prohibited.

Regulations

Natural Environment

Single family residential homes shall be allowed when meeting all requirements of the Act and applicable State and local regulations.

Subdivisions in a natural environment will be allowed only when the natural character of the environment is not destroyed or altered.

Conservancy Environment

Only single family residences shall be constructed.

Minimum lot size shall be 10,000 square feet or more if soils for a site sewage disposal are inadaquate to meet adopted State Board of Health requirements.

All utility lines shall be placed underground unless determined physically unfeasible by the installing utility.

Public water systems shall be required if gound water supply is endangered by depletion or contamination. In all subdivisions of a density of one house per one-half (1/2) acre or less, public water systems shall be required.

All sewage disposal systems shall have approval by the County Health District prior to construction operation.

Residential development in areas of identified flooding is prohibited.

Ingress and egress to shoreline subdivisions or lots shall meet the following:

One lot access - Private driveway a width no greater than twenty feet (20').

Two-four lot access - Private roadway or public roadway having minimum width of thirty-two feet (32') with roadway bed constructed to current County adopted minor roadway standards.

Five or more lot access - Road to be built to current County minor roadway standards except that a clearing and grubbing of a sixty foot (60') right-of-way may be waived.

Rural Environment

All residential development is allowed unless the density of the development shall cause the character of the environment to change.

Minimum lot size shall be 10,000 square feet or more if soils for a site sewage disposal are inadequate to meet adopted State Board of Health requirements.

All utility lines shall be placed undergound unless determined physically unfeasible by the installing utility.

Public water systems shall be required if ground water supply is endangered by depletion or contamination. In all subdivisions of a density of one house per one-half (1/2) acre or less, public water systems shall be required.

All sewage disposal systems shall have approval by the County Health District prior to construction operation.

All parking for multi-family residential structures shall be upland of the structure, where the structure is within two hundred feet (200') of the shoreline.

Ingress and egress to shoreline subdivisions or lots shall meet the following:

<u>One lot access</u> - Private driveway width no greater than twenty feet (20').

<u>Two-four lot access</u> - Private roadway or public roadway having minimum width of thirty-two feet (32') with roadway bed constructed to current County adopted minor roadway standards.

<u>Five or more lot access</u> - Roads are to be built to current County standards.

Residential development in areas of identified flooding is prohibited.

<u>Urban Environment</u>

All residential development is allowed if in conformance with underlying zoning (if any).

Public water systems are required.

Public sewers are required if within one-half (1/2) mile of a line of adequate size and if the utility accepts the development.

All parking for multi-family units shall be upland of the structure when the structure is within 200 feet of the shoreline.

Residential development in areas of identified flooding is prohibited.

All utilities shall be underground.

Building height shall not exceed thirty-five feet (35') above average grade level, except when the proposed building in excess

of thirty-five feet (35') in height will not obstruct the view of a bstantial number of residences in the adjoining area.

NOTE: Any subdivision that is partially within a shoreline area or that has river front lots, shall be considered as a total shoreline development and the entire subdivision shall be considered under these rules and regulations.

UTILITIES

Utilities are services which produce and carry electric power gas, sewage, communications and oil. At this time the most feasible methods of transmission are the lineal ones of pipes and wires. Installation of this apparatus necessarily disturbs the landscape, but can usually be planned to have minimal visual and physical effect on the environment.

Policy

Whenever these facilities must be placed in a shoreline area, the location should be chosen so as not to obstruct or destroy scenic views. Whenever feasible, these facilities should be placed underground, or designed to minimize damage to the aesthetic quality of the shoreline area.

Utilities should be located and designed to adequately accomodate future growth and development.

Encourage restoration of shoreline areas damaged by installation or maintenance of utilities.

Whenever a major utility line utilizes a shoreline location or crossing, efforts shall be made by the installing utility to provide public access to the shoreline along that right-of-way unless the utility presents a serious hazard to the public.

Natural Environment

No utility lines shall be placed into a natural environment area unless they are utility lines that are necessary to serve a single family residence located in a natural environment.

Placement of said utility lines shall be along existing roads or driveways and shall be underground unless determined unfeasible by the installing utility and the Planning Department.

Conservancy, Rural & Urban Environments

All utility lines shall be allowed provided the utility needs a shoreline location or crossing and that alternate routes are unfeasible.

Wherever possible all utility lines shall be underground.

To the extent possible, utility line routes shall follow existing developed right-of-ways or roads.

Electrical and communication utilities that serve shoreline, commercial and industrial uses shall be placed underground from the limit of the shoreline jurisdiction to the commercial use. (In some cases where industrial users have electrical voltage lines greater

than can be safely installed undergound, those lines may be overhead lines.)

After installation of a utility line undergound, the surface of the disturbed right-of-way must be revegetated to compatible cover with the area and the utiltiy line.

LANDFILL

Landfill is the creation of dry upland area by filling or depositing of sand, soil or gravel into a wetland area. Landfills also occur to replace shoreland removed by the normal erosion processes of nature. However, most landfills destroy the natural character of land, create unnatural heavy erosion and silting problems and diminish the existing water surface.

Policy

Shoreline areas should not be considered for sanitary landfills or disposal of solid waste.

Priority should be given to landfills for water dependent uses and for public uses. In evaluating fill projects, such factors as total water surface reduction, impediment to water flow and circulation, reduction of water quality and destruction of habitat should be considered.

Filling in designated flood plains should be prohibited if the reduction in flood water storage area might endanger other areas.

Shoreline fills and cuts should be designed and located so that damage to ecological values or natural resources will be minimized.

All perimeters of fills should be provided with suitable mechanisms to prevent erosion.

Fill materials should be of such quality that it will not cause problems of water quality.

Regulations

Natural Environment

Landfill is prohibited in a natural environment.

Conservancy Environment

Landfill will be allowed only for those commercial uses dependent upon shoreline locations for operations or when necessary for construction of major roads or for bridge approaches.

If landfill is used for any of the above, such landfill will be protected by either a bulkhead or riprap as defined in this act.

The landfill will be on non-erodible soil or rock material, the landfill will not contain any solid waste material nor cause a water pollution potential through leachate material.

The landfill will not cause any detrimental change in normal lood elevations.

The landfill will not cover, fill, nor destroy any marsh, bog or swamp.

The landfill will not change normal drainage runoff patterns.

The landfill will not be used for elevating parking areas above any flood level.

Rural & Urban Environments

Landfill is allowed in rural and urban environments, provided:

1. The landfill material is sand, soil or gravel.
2. The landfill area is protected by a dike or face of non-erodible rock material.
3. The landfill will not cause a detrimental rise in flood elevations, restrict stream or river flows or increase stream or river water velocity.
4. The landfill is not to provide land area for septic tank or other sewage disposal drainfields.
5. The landfill area does not destroy any marsh, bog or swamp.
6. The landfill area does not change the normal drainage runoff pattern.
7. The landfill is not used for elevating parking areas above any flood level.

SOLID WASTE DISPOSAL

Generally, all solid waste is a possible source of much nuisance. Rapid, safe and nuisance-free storage, collection, transportation and disposal are of vital concern to all persons and communities. If the disposal of solid waste material is not carefully planned and regulated, it can become not only a nuisance but a severe threat to the health and safety of human beings, livestock, wildlife and other biota.

Policy

Sanitary landfill should be prohibited within any wetland area.

Regulations applicable to the disposal of solid waste on shorelines should be established in the Lewis County Solid Waste Management Comprehensive Plan.

Regulations

Natural Environment

Disposal of any solid waste is prohibited in a natural environment.

Conservancy Environment

Disposal of solid waste is prohibited in a conservancy environment. (Unless the site is a drop box or transfer station defined in the Lewis County Solid Waste Management Plan.)

Rural Environment

Solid waste disposal in a rural environment is allowed, provided:

1. The disposal site, transfer station or drop box is in conformance with the Lewis County Solid Waste Plan.
2. Disposal of solid waste will not create a potential pollution source through leachate.
3. The disposal site conforms to all State and local laws.
4. The disposal site is screened on all sides by a sight obscuring screen of natural vegetation.
5. The disposal site is not located on or intended to fill a marsh, bog or swamp.

6. The disposal site is not located in a 100-year flood plain of any stream or river.

Urban Environment

Disposal of solid waste in disposal site other than a sanitary landfill is not allowed.

DREDGING

Dredging is the removal of earth from the bottom of a stream, river, lake, or other water body for the purposes of deepening a navigational channel or to obtain use of the bottom materials for landfill. A significant portion of all dredged materials are deposited either in the water or immediately adjacent to it, often resulting in problems of water quality.

Policy

Dredging of bottom materials for the sole purpose of obtaining fill material should be discouraged.

Dredging activities should be controlled to minimize damage to existing ecological values and natural resources of both the area to be dredged and the area for deposit of dredge materials.

Dredge spoils should be disposed of by placement beyond high water flows except, where deposition on land is more detrimental to shoreline resources than deposition in water areas.

Shoreline vegetation which is disturbed by dredging should be re-planted and restored to pre-project configuration.

Regulations

Dredging in the form of channel improvement, harbor improvement or to obtain bottom materials for landfill is not evident within Lewis County. Dredging shall be made a conditional use to the Lewis County Shoreline Management Master Program. All shoreline permits involving dredging shall be subject to appropriate approval by the Corps of Engineers, the Department of Fisheries and Game and the applicable Lewis County Regulatory Department.

SHORELINE PROTECTION

Shoreline protection works include bulkheads, riprap, dikes, retaining walls or other measures.

Flood protection and streamway modifications are those activities occurring within the streamway and wetland areas which are designed to reduce overbank flow of high waters and stabilize eroding stream banks. Reduction of flood damage, bank stabilization to reduce sedimentation and protection of property from erosion are normally achieved through water shed, flood plain management and by structural works. Such measures are often complimentary to one another and several measures together may be necessary to achieve the desired end.

Policy

Bank stabilization measures should be located, designed and constructed to avoid the need for channelization and to protect the natural character of the streamway whenever possible.

Shoreline protection should be of a material that will not easily erode. The use of automobile bodies for shoreline protection shall be prohibited.

Flood protection measures such as dikes are planned; they should be placed landward of the streamway, including associated swamps and marshes and other wetlands interdependent with the stream.

Regulations

Natural Environment

Shoreline protection works shall not be allowed in a natural environment, unless done as an emergency as defined in RCW 90.58.140.

Conservancy Environment

Only those shoreline protection works that are necessary for bank stabilization shall be allowed.

Bank stabilization methods shall not include materials that could be eroded away or cause possible water quality problems.

Rural and Urban Environments

All shoreline protection works shall be allowed, provided:

1. Such works do not unnecessarily channelize streams or rivers, or cause a detrimental change in natural channel flow.

2. Bank stabilization methods shall not include materials that could be eroded away or cause possible water quality problems.

3. Be of material approved by the Soil Conservation Service and Department of Fisheries.

4. Dikes are located landward of the channel necessary to discharge 90% of the waters of a 100-year flood.

PIERS AND DOCKS

A pier or dock is a structure built over or floating upon water and is used as a landing place for marine transport of recreational purposes. In Lewis County, emphasis will be directed to docks. While floating docks generally create less visual impact than those on piling, they constitute an impediment to boat traffic and shoreline trolling. On lakes, an extensive number of docks along the shore can have the effect of substantially reducing the usable water surface.

Policy

The use of floating docks should be encouraged in those areas where scenic values are high and conflicts with recreational boaters and fishermen will not be created.

Priority should be given to the use of community piers and docks in all new waterfront residential development. In general, encouragement should be given to the cooperative use of piers and docks.

For boat docking facilities, careful consideration should be given to the capacity of the shoreline sites to absorb the impact of waste discharges from boats.

Regulations

Natural Environment

Piers and docks are not allowed in a natural environment.

Conservancy Environment

Only those piers and docks serving single family homes and public recreation areas are allowed.

On rivers or streams only floating docks or piers placed parallel with the water flow shall be allowed. Length of dock or pier shall be no longer than necessary to serve the number of boats the dock or pier is to serve and shall not exceed fifty feet.

On lakes piers and docks shall extend only to the extent necessary for the number of boats it is to serve and in no instance shall the extension into the water body interfere with the normal public use of that water body.

Rural & Urban Environments

Piers and docks shall be allowed provided that the pier or dock does not interfere with stream flow or normal public use of the water body.

ROAD & RAILROAD DESIGN & CONSTRUCTION

Road and railroad construction can limit access to shorelines, impair visual qualities of water oriented vistas, expose soils to erosion and retard the runoff of flood waters.

Policy

Whenever feasible, major highways, freeways and railways should be located upland of shorelines, except for industrial areas, so that shoreline roads may be reserved for slow-moving recreational traffic.

Roads located in wetland areas should be designed and constructed to minimize alteration of natural conditions, prevent erosion, permit natural movement of surface and ground water.

Scenic corridors with public roadways should have provision for safe pedestrian and other non-motorized travel. Also, provisions should be made for sufficient view points, rest areas, and picnic areas in public shorelines.

Old highways with high aesthetic value should be kept in service as pleasure bypass routes.

Road and railway structures should be designed so that minimum flood debris will be trapped by the structure.

Regulations

Natural Environment

No road or railroad construction shall be allowed in a natural environment.

Conservancy Environment

Railroad construction shall be allowed only when:

1. the railroad must have a stream crossing;
2. the railroad routes have proven any other route is unfeasible before any line shall parallel the shoreline.

Road construction for any residential or recreational development shall be allowed only when the roadway is a minor roadway serving residential or recreational uses and meets the standards used by the County Engineer for minor roadways construction or the road is used for logging purposes and meets the construction standards set forth in the section titled Forest Practices.

Road construction other than for residential or recreational developments and private driveways shall meet criteria for construction as established by the County Engineer.

If a stream crossing or culvert construction is necessary, such bridge construction or culvert installation shall meet the standards as used by the County Engineer.

Rural & Urban Environments

Minor roadways shall be allowed for all uses when constructed to standards used by the County Engineer.

Major roadways shall be allowed only when other practical routes are proven unfeasible. Major roadways shall be constructed to standards used by the County Engineer or those standard specifications of the Washington State Department of Highways.

Railroads shall be allowed provided other practical routes are proven unfeasible.

ARCHEOLOGICAL AREAS AND HISTORIC SITES

Archeological areas, ancient villages, military forts, old settlers homes, ghost towns, and trails were often located on shorelines because of the proximity of food resources and because water provided an important means of transportation. These sites are non-renewable resources and many are in danger of being lost through present day changes in land use and urbanization. Because of their rarity and the educational link they provide with the past, these locations should be preserved.

Policy

Identify areas containing valuable or potentially valuable archeological data and establish procedures for salvaging the data.

Where possible, sites should be permanently preserved for scientific study and public observation.

Development which might destroy archeological or historical sites should be delayed until the appropriate agency or organiation can be given the opportunity to purchase the site or recover the data.

Policies of the National Historic Preservation Act of 1966 and Chapter 43.51 R.C.W. which provides for the protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and objects significant in American and Washington history, architecture, archeology or culture should be adopted for the Shoreline Master Program.

Regulations

In all developments, whenever an archeological area or a historic site is discovered by new construction of an area, the developer shall notify the Planning Office and shall allow thirty days for the appropriate evaluation to determine the significance of the site for possible restoration.

RECREATION

Recreation is the refreshment of body and mind through forms of play, amusement or relaxation. Water related recreation accounts for a high proportion of all recreation activity in the Pacific Northwest. The recreational experience may be either an active one involving boating, swimming, fishing or hunting, or the experience may be passive such as enjoying the natural beauty of a vista of a lake or river.

Policy

Encourage acquisition of shoreline areas for the purpose of developing a wide variety of water-related recreation opportunities.

Access to recreational locations, such as fishing streams and hunting areas, should be a combination of areas and linear access to prevent concentrations of use pressure at few points.

Encourage the linkage of shoreline parks and public access points through the use of linear access such as hiking paths, bicycle trails and/or scenic drives.

Careful consideration should be given to the effects recreational development will have on the environmental quality and natural resources of an area.

To avoid wasteful use of the limited supply of recreational shoreland, parking areas should be located inland away from the immediate edge of the water and recreational beaches. Access should be provided by walkways or other methods.

Facilities for intensive recreational activities should be provided where sewage disposal and water supply can meet public health standards.

State and local health agency reulations which apply to recreation facilities should be consulted for proposed recreation developments.

Encourage preservation of scenic views and vistas.

Regulations

Natural Environment

Recreational development may occur in the natural environment, provided:

1. No vehicular access is used.
2. Recreation activities do not require permanent or temporary buildings.

3. If the recreational development is very passive in nature. (Nature trails, hiking trails, footpaths to scenic vistas)

Conservancy Environment

Recreational development shall be allowed, provided:

1. The recreational activitiy is low intensity, such as boating, fishing or hiking.
2. The recreational activity is high intensity and served with approved water supply by the local and State Health Departments, the activity is served by a central sewage disposal system approved by the local and State Health Departments.
3. Parking lots shall be located upland from the facility the parking serves.
4. The shoreline areas are not used for any structural building site. (Except boat launches)
5. Camping lots or parking does not occur within twenty-five feet of the normal high-water mark.
6. The activity is compatible with existing land use in the environment.

Rural & Urban Environments

All recreational activity is allowed, provided:

1. The recreational activity meets all standards of the local and State Health Departments for water supply and sewage disposal.
2. Parking shall occur upland from the recreational activity.
3. All roadways serving the interior of the activity shall be located twenty-five feet or more upland of the high-water mark.

CONDITIONAL USES AND VARIANCE

CONDITIONAL USES

Conditional uses are those uses which may be permitted to locate in shoreline areas, but are usually seen as uses which either do not need or, depending on the environment, considered not to be suitable for siting in shoreline locations. It is understood, however, that there may be special circumstances or a special type or style of conditional use that would make shoreline siting of special cases acceptable to the goals, policies, and intentions of the Master Program.

The procedure for obtaining permission to create or conduct a conditional use is the same as the Substantial Development permit procedure, except that certain additional information will be required.

The applicant must supply whatever evidence, information or agreements to assure the Planning Department that the following conditions will be met:

1. That there is some necessity for a shoreline site for the proposed use, or that the particular site applied for is essential for this use, and that denial of the conditional use request would create a hardship on the applicant to locate the proposed use anywhere outside the shoreline jurisdiction area.

2. That the design of the proposed use will make it compatible with the environment it will be placed in.

3. That water, air, noise, and other classes of pollution will not be more severe than the pollution that would result from the uses which are permitted in the particular environment.

4. That none of the Goals, Policy Statements or specific aims of the particular environment would be violated, abrogated, or ignored.

5. That no other applicable regulations will be violated.

Should the Planning Department find insufficient evidence, explanation, or guarantees that the above conditions will be met, they may deny the request or indicate to the applicant what changes he could make that would cause the local hearing board to reconsider.

Should the Planning Department approve the request, the specific conditions of approval, i.e., any specific required structures, designs, or actions of the applicant shall be written on the permit issued to the applicant.

The application must then go on to the Department of Ecology as with the regular permit procedure. Except that the Conditional Use permit shall be approved by the Department of Ecology.

VARIANCE

It is understood that these regulations may cause unnecessary hardships in particular situations, or that these regulations might be unreasonable in light of new evidence, technology, or other special circumstances, and that the goals and policies of the Master Program may not necessarily be served by the strict application of these regulations. Therefore, when a person feels that such special conditions apply to him, he can request a variance from these regualtions.

The variance procedure is the same as the substantial development procedure, and it is intended that an applicant may make a joint application for a particular project, as he would have to in most cases anyway, and for variance to any of these regulations which he deems unreasonable, or provoke an unnecessary hardship in his case. Should a conditional use also be applied for, then all three actions: (a) substantial development, (b) conditional use, and (c) variance may be applied for in the same application.

In addition to the other material required in the application, the applicant must identify each of the provisions in this ordinance that he wishes a variance for. Further, the applicant must supply evidence, information, and his rationale for each variance sought. This additional material must be, at least from the viewpoint of the applicant, sufficient to satisfy the Planning Department that:

1. There are conditions or circumstances involved with the particular project that make strict application of these regulations unnecessary or unreasonable for the applicant's proposal.

2. That the specific provision or provisions to be relaxed clearly did not foresee or consider the particular situation the applicant is facing.

3. That granting of the variance(s) will not violate, abrogate, or ignore the goals, policies, or individual environment purposes spelled out in the Master Program.

4. That no other applicable regulations will be violated, abrogated, or ignored.

5. That the public health, safety and welfare will not be adversely effected.

6. That the proposed project will still be compatible with the surrounding uses, structures, and environment.

Failure to satisfy <u>any one</u> of the aforementioned will result in denial of the variance. The medium of variance is to be used only for the relaxation of these regulations as they apply to a permitted use, or in conjunction with an application for a conditional use.

The remainder of the variance procedure is identical to that for a conditional use.

APPENDIX "A"

20 cfs MAF Point on
Streams that Fall within Jurisdiction of
The Shoreline Management Act of 1971
In Lewis County

Stream Name	Legal Description
Big Creek	From the Snoqualmie National Forest Boundary (Sec. 1, T14N, R6E) downstream to mouth at Nisqually River (Sec. 34, T15N, R6E)
Brim Creek	From confluence of Brim Creek and North Fork at (Sec. 24, T11N, R3W) downstream to mouth at Stillwater Creek (Sec. 25, T11N, R3W)
Bunker Creek	Beginning in the SE 1/4 of NE 1/4 (Sec. 17, T14N, R4W) downstream to mouth at Chehalis River (Sec. 6, T13N, R3W)
Butter Creek	Beginning at Gifford Pinchot National Forest Boundary at (Sec. 3, T13N, R9E) downstream to mouth at Cowlitz River (Sec. 10 of same Township)
Catt Creek	Beginning at Snoqualmie National Forest Boundary (Sec. 13, T14N, R6E) downstream to mouth at Big Creek (Sec. 2, T14N, R6E)
Cedar Creek	From confluence of Cedar Creek and unnamed creek (Sec. 11 T11N, R1E) downstream to mouth at Salmon Creek (Sec. 36, T11N, R1W)
Chehalis River E. Fk.	From confluence of Chehalis River East Fork and unnamed creek (Sec. 27, T11N, R5W) downstream to mouth at confluence of West Fork Chehalis River and Chehalis River (Sec. 10, T11N, R5W)
Chehalis River W. Fk.	From confluence of Chehalis River West Fork and unnamed creek (Sec. 20, T11N, R5W) downstream to mouth at confluence Of East Fork and Chehalis River Sec. 10, T11N, R5W)

Stream Name	Legal Description
Chehalis River S. Fk.	Beginning where the Chehalis River South Fork crosses the Lewis County and Cowlitz County line (Sec. 2, T10N, R4W) downstream to mouth at Chehalis River (Sec. 13, T13N, R4W)
Cinnabar Creek	Beginning at NW 1/4 of SW 1/4 (Sec. 13, T13N, R2E) downstream to mouth at Tilton River (Sec. 26, T13N, R2E)
Coal Creek	Beginning at Gifford Pinchot National Forest Boundary at east section line (Sec. 1, T13N, R9E) downstream to mouth at Cowlitz River (same section)
Connelly Creek	Beginning at approximate center of (Sec. 26, T13N, R4E) on the Snoqualmie National Forest Boundary downstream to mouth at Tilton River (Sec. 35, of same Township)
Crim Creek	From confluence of Crim Creek and unnamed creek (Sec. 19, T12N, R5W) downstream to mouth at Chehalis River (Sec. 10, same Township)
Davis Creek	Beginning at Gifford Pinchot National Forest Boundary north section line (Sec. 16, T12N, R8E) downstream to mouth at Cowlitz River (Sec. 17, of same Township)
Deep Creek	From confluence of Deep Creek and Tapp Creek (Sec. 24, T14N, R4W) downstream to mouth at Bunker Creek (Sec. 6, T13N, R3W)
Deschutes River	Beginning at the Snoqualmie National Forest Boundary (Sec. 36, T15N, R3E) downstream to Lewis County and Thurston County line (Sec. 24, same Township)
Devils Creek	Starting at NW 1/4 of NW 1/4 (Sec. 31, T11N, R3E) downstream to Lewis County and Cowlitz County line at SW corner (Sec. 36, T11N, R2E)

Stream Name	Legal Description
Dillenbaugh Creek	From confluence of Dillenbaugh Creek and Berwick Creek (Sec. 9, T13N, R2W) downstream to mouth at Chehalis River (Sec. 31, T14N, R2W)
East Creek	Beginning at approximately the 1/4 corner on west section line (Sec. 6, T14N, R5E) the Snoqualimie National Forest Boundary, downstream to mouth at Alder Reservoir (Sec. 29, T15N, R5E)
Eight Creek (Cont.)	Beginning at a point on Pacific County and Lewis County line (Sec. 7, T13N, R5W) downstream to mouth at Elk Creek (Sec. 8, T13N, R5W)
Elk Creek (Cont.)	Beginning at a point on Lewis County and Pacific County line SW corner (Sec. 6, T13N, R5W) downstream to mouth at Chehalis River (Sec. 3 of same Township)
Elk Creek	From confluence of Elk Creek and unnamed creek (Sec. 27, T11N, R4E) downstream to mouth at Green River (Sec. 32, T11N, R4E)
Gallup Creek	From confluence of Gallup Creek and unnamed creek (Sec. 1, T13N, R5E) downstream to mouth at Mineral Creek (Sec. 25, T14N, R5E)
Garrard Creek, South Fork	From confluence of Garrard Creek South Fork and unnamed creek (Sec. 16, T15N, R5W) downstream to Grays Harbor County and Lewis County line (Sec. 9, same Township)
Green River	From SE corner (Sec. 32, T11N, R4E) Lewis County and Cowlitz County line downstream to Lewis County and Cowlitz County line (Sec. 31 same Township)
Halfway Creek	From confluence of Halfway Creek and unnamed creek (Sec. 9, T12N, R4W) downstream to mouth at Stillman Creek (Sec. 14, same Township)

Stream Name	Legal Description
Hall Creek	From the North Sec. Line (Sec. 27, T13N, R9E) downstream to mouth at Cowlitz R. (Sec. 33, same Township) Exclude all Federal land
Hanaford Creek	Beginning at NE 1/4 of NW 1/4 (Sec. 5, T14N, R1E) downstream to mouth at Skookumchuch River (Sec. 33, T15N, R2W)
Hanlan Creek	From confluence of Hanlan Creek and unnamed creek (Sec. 34, T11N, R4W) downstream to mouth at Chehalis River (Sec. 35 of same Township)
Independence Creek	From confluence of Independence Creek and unnamed creek (Sec. 29, T15N, R4W) downstream to Grays Harbor County line (Sec. 15, T15N, R4W)
Johnson Creek	Beginning where Johnson Creek crosses Gifford Pinchot National Forest Boundary (Sec. 32, T13N, R9E) downstream to mouth at Cowlitz River (same section)
Jones Creek	From confluence of Jones Creek and Katula Creek (Sec. 23, T13N, R5W) downstream to mouth at Chehalis River (same section)
Kearney Creek	From confluence of Kearney Creek and Door Creek (Sec. 18, T13N, R2E) downstream to mouth at Newaukum River South Fork (Sec. 13, T13N, R1E)
King Creek	From confluence of King Creek and unnamed creek (Sec. 29, T12N, R2W) downstream to mouth at Olequa Creek (Sec. 28, same Township)
Kiona Creek	Beginning at Gifford Pinchot National Forest Boundary (Sec. 4, T12N, R6E) downstream to mouth at Cowlitz River (Sec. 20, T12N, R7E)

Stream Name	Legal Description
Klickitat Creek	From confluence of Klickitat Creek and unnamed creek (Sec. 14, T12N, R2E) downstream to mouth at Cowlitz River (Sec. 10, same Township)
Lacamas Creek	From confluence of Lacamas Creek and Baker Creek (Sec. 15, T12N, R1W) downstream to mouth at Cowlitz River (Sec. 27, T11N, R2W)
Lake Creek	Beginning at SE 1/4 of NW 1/4 (Sec. 21, T12N, R3W) downstream to mouth at Chehalis River South Fork (Sec. 30, T13N, R3W)
Lake Creek	Beginning at outlet on Anderson Lake (Sec. 15, T14N, R6E) downstream to mouth at Catt Creek (Sec. 2, T14N, R6E)
Lake Creek	Beginning at Gifford Pinchot National Forest Boundary at west section line (Sec. 12, T13N, R9E) downstream to mouth at Cowlitz River (Sec. 11, same Township)
Landers Creek	From an approximate point in center of SE 1/4 (Sec. 7, T11N, R5E) downstream to mouth on Cowlitz River (Sec. 1, T11N, R4E)
Lincoln Creek N. Fork	Beginning at the NW 1/4 of NE 1/4 (Sec. 6, T14N, R4W) downstream through Lincoln Creek to mouth at Chehalis River (Sec. 35, T15N, R3W)
Lincoln Creek S. Fork	From confluence of Lincoln Creek South Fork and Wildcat Creek (Sec. 7, T14N, R4W) downstream through Lincoln Creek to mouth at Chehalis River (Sec. 35, T15N, R3W)
Lost Creek	From confluence of Lost Creek and unnamed creek north section line (Sec. 9, T12N, R4W) downstream to mouth at Stillman Creek (Sec. 2 of same Township)

Stream Name	Legal Description
Lucas Creek	From confluence of Lucas Creek and unnamed creek (Sec. 5, T13N, R1E) downstream to mouth at Newaukum River North Fork (Sec. 2, T13N, R1W)
Mill Creek	Beginning at the NW 1/4 of SW 1/4 (Sec. 28, T13N, R2E) downstream to mouth at Cowlitz River (Sec. 23, T12N, R1E)
Mineral Creek	From confluence of Mineral Creek and unnamed creek (Sec. 9, T13N, R6E) downstream to mouth at Nisqually River (Sec. 26, T15N, R5E)
Mineral Creek N. Fk.	Beginning at the NW 1/4 of SW 1/4 (Sec. 35, T14N, R6E) downstream to mouth at Mineral Creek (Sec. 10, T14N, R5E)
Newaukum River M. Fk.	From confluence of Newaukum River Middle Fork and unnamed creek (NE of other unnamed creek) Sec. 22, T13N, R1W - downstream to mouth at North Fork Newaukum River (Sec. 20 of same Township)
Newaukum River N. Fk.	From confluence of Newaukum River North Fork and unnamed creek (Sec. 13, T14N, R1E) downstream to mouth at Newaukum River (Sec. 18, T13N, R1W)
Newaukum River S. Fk.	From confluence of Kearney Creek, Door Creek and Newaukum River South Fork (Sec. 18, T13N, R2E) downstream to mouth at Newaukum River (Sec. 19, T13N, R1W) downstream through Newaukum River to mouth at Chehalis River (Sec. 31, T14N, R2W)
Olequa Creek	From confluence of Olequa Creek and unnamed creek closest to GN, NP, UP Railroad track (Sec. 21, T12N, R2W) downstream to Lewis County and Cowlitz County line (Sec. 32, T11N, R2W)
Quartz Creek	From the National Forest Boundary (Sec. 10, T11N, R6E) downstream to mouth on Cispus River (same section)

Stream Name	Legal Description
Rainy Creek	From confluence of Rainy Creek and unnamed creek (Sec. 8, T12N, R6E) downstream to mouth at Davison Lake (Sec. 29, T12N, R5E)
Rock Creek	Beginning at a point approximately at the 1/4 corner (Sec. 1, T12N, R6W) on Pacific County and Lewis County line downstream to mouth at Chehalis River (Sec. 33, T13N, R5W)
Roger Creek	From confluence of Little Roger Creek, Big Roger Creek and Roger Creek (Sec 27, T12N, R5W) downstream to mouth at Chehalis River (Sec. 22, T12N, R5W)
Roundtop Creek	From confluence of Roundtop Creek and unnamed creek (Sec. 20, T14N, R5E) downstream to mouth at Mineral Creek (Sec. 3, same Township)
Salmon Creek	From confluence of Salmon Creek and Rapin Creek (Sec. 17, T11N, R2E) downstream to Lewis County and Cowlitz County line, excluding Salmon Creek on the Cowlitz County side (Sec. 34, T11N, R1W) downstream to mouth at Cowlitz River (Sec 19, T11N, R1W)
Salzer Creek	From the confluence of Salzer Creek and unnamed creek (Sec. 23, T14N, R2W) downstream to Chehalis River (Sec. 18, T14N, R2W)
Shelton Creek	From confluence of Shelton Creek and unnamed creek (Sec. 27, T12N, R4E) downstream to mouth at Cowlitz River (Sec. 34 same Township)
Siler Creek	From confluence of Siler Creek and unnamed creek (Sec. 27, T12N, R7E) downstream to mouth at Cowlitz River (Sec. 20 same Township) Exclude Federal Land.
Silver Creek	From Gifford Pinchot National Forest Boundary (Sec. 10, T12N, R7E) downstream to Cowlitz River (Sec. 15, same Township)

Stream Name	Legal Description
Skate Creek	From the Gifford Pinchot National Forest Boundary at SE corner (Sec. 8, T13N, R9E) downstream to mouth at Cowlitz River (Sec. 21, same Township)
Skookumchuck River	From the Snoqualmie National Forest Boundary (Sec. 1, T14N, R2E) downstream to Lewis County and Thurston County thence downstream (Sec. 28, T15N, R2W) to mouth (Sec. 7, T14N, R2W)
Smith Creek	From the Gifford Pinchot National Forest Boundary (Sec. 5, T12N, R9E) downstream to Cowlitz River (Sec. 32, T13N, R9E)
South Hanaford Creek	Beginning at the NE 1/4 of NE 1/4 (Sec. 12, T14N, R2W) downstream to mouth at Hanaford Creek (Sec. 26, T15N, R2W)
Stearns Creek	From confluence of Stearns Creek and unnamed creek (Sec, 32, T13N, R2W) downstream to mouth at Chehalis River (Sec. 2, T13N, R3W)
Stillman Creek	From confluence of Stillman Creek and unnamed creek (Sec. 14, T11N, R4W) downstream to mouth at Chehalis River South Fork (Sec. 2, T12N, R4W)
Stillwater Creek (Cont.)	From Lewis County and Cowlitz County line south section line (Sec. 34, T11N, R3W) downstream to mouth at Olequa Creek (Sec. 32, T11N, R2W)
Stowe Creek	From confluence of Stowe Creek and Sand Creek (Sec. 35, T13N, R5W) downstream to mouth at Chehalis River (Sec. 34, same Township)
Thrash Creek	Beginning at SE 1/4 of NE 1/4 (Sec. 31, T12N, R5W) downstream to mouth at Chehalis River (Sec. 33 same Township)
Tilton River	Beginning at the closest point on Tilton River to center of (Sec. 5, T13N, R5E) downstream to mouth at Cowlitz River (Sec. 3, T12N, R2E)

Stream Name	Legal Description
Tilton River E. Fk.	From confluence of Tilton River East Fork and unnamed creek NW 1/4 (Sec. 19, T13N, R6E) downstream to mouth at Tilton River South Fork on downstream to Tilton River (Sec. 25, T13N, R4E)
Tilton River N. Fk.	From Snoqualmie National Forest Boundary (Sec. 19, T13N, R4E) downstream to mouth at Tilton River (Sec. 30 same Township)
Tilton River S. Fk.	Beginning in NE 1/4 of NE 1/4 (Sec. 32, T13N, R5E) downstream to confluency point with East Fork Tilton River on downstream to mouth at Tilton River (Sec. 25, T13N, R4E)
Tilton River W. Fk.	From Snoqualmie National Forest Boundary (Sec. 13, T13N, R4E) downstream to mouth at Tilton River (Sec. 19, T13N, R5E)
Unnamed Tributary to Newaukum River S. Fk.	From confluence of unnamed creek and unnamed creek (Sec. 27, T14N, R2E) downstream to mouth at Newaukum River South Fork (same section)
Unnamed Tributary to Stillman Creek	From confluence of unnamed creek and unnamed creek (Sec. 9, T11N, R4W) downstream to mouth at Stillman Creek (Sec. 34, T12N, R4W)
Willame Creek	From Gifford Pinchot National Forest Boundary (Sec. 31, T13N, R9E) downstream to Cowlitz River (same section)
Winston Creek	From confluence of Winston Creek and Thurston Creek (Sec. 11, T11N, R3E) downstream to mouth at Cowlitz River (Sec. 20, T12N, R2E)
Winston Creek S. Fk.	From confluence of Winston Creek South Fork and unnamed creek (Sec. 9, T11N, R3E) downstream to mouth at Winston Creek (Sec. 36, T12N, R2E)

Stream Name	Legal Description
Lincoln Creek	From confluence of North fork, South Fork of Lincoln Creek and Lincoln Creek (Sec. 7, T14N, R4W) downstream to mouth at Chehalis River (Sec. 35, T15N, R3W)

LAKES IN LEWIS COUNTY THAT
FALL WITHIN JURISDICTION OF THE
SHORELINE MANAGEMENT ACT OF 1971

Name	Acreage
Carlisle	20.3
Mineral	277.

Note: WAC 173-22-070 LANDS WITHIN FEDERAL BOUNDARIES. In addition to those designations contained in the appendix, those non-Federal lands lying within the exterior boundaries of Federal lands and those Federal lands leased by the Federal government to other persons, which lands fall within the definition of wetlands contained herein, shall also be subject to the jurisdiction of Chapter 90.58 RCW.

Appendix "B"

SHORELINES OF STATEWIDE SIGNIFICANCE IN LEWIS COUNTY

Streams with a mean annual flow of 1,000 cubic feet per second, or more; and lakes with a surface acreage of 1,000 acres, or more.

River Name	Legal Description
Chehalis River	From confluence of East Fork, West Fork and Chehalis River at (Sec. 10, T11N, R5W) downstream to Lewis County and Thurston County line (Sec. 26, T15N, R3W)
Cispus River	Beginning at the Gifford Pinchot National Forest Boundary (Sec. 13 T11N, R6E) downstream to mouth at Cowlitz River (Sec. 31, T12N, R6E)
Cowlitz River	Starting at the Gifford Pinchot National Forest Boundary (Sec. 1, T13N, R9E) downstream to Cowlitz County Line (Sec. 33, T11N, R2W)
Nisqually River	Beginning at the Snoqualmie North Fork Boundary left (South) Bank only (Sec. 36, T15N, R6E) downstream through Alder Reservoir to Lewis County, Pierce County and Thurston County lines in the Reservoir (Sec. 29, T15N, R5E)

Lake Name	Acreage
Davisson	10,200
Mayfield	2,200
Alder	2,931 (124 within Lewis County)

APPENDIX "C"

SHORELINE ENVIRONMENT DESIGNATIONS

Rivers and Streams designated as a Conservancy Environment for their entire length.

Big Creek
Brim Creek
Butter Creek
Catt Creek
Cedar Creek
Chehalis River E. Fork
Chehalis River W. Fork
Cinnabar Creek
Coal Creek
Connelly Creek
Crim Creek
Davis Creek
Deep Creek
Deschutes Creek
Devils Creek
East Creek
Eight Creek (Cont.)
Elk Creek
Gallup Creek
Garrard Creek S. Fork
Green River
Halfway Creek
Hall Creek
Hanlan Creek
Independence Creek
Johnson Creek
Jones Creek
Kearney Creek
Kiona Creek
Klickitat Creek
Lacamas Creek
Lake Creek
Lake Creek
Landers Creek
Lincoln Creek N. Fork
Lincoln Creek S. Fork
Lucas Creek
Mill Creek
Mineral Creek
Mineral Creek N. Fork
Newaukum River M. Fork
Quartz Creek
Rainy Creek
Rock Creek
Roger Creek
Roundtop Creek
Shelton Creek
Siler Creek
Skate Creek
Smith Creek
Thrash Creek
Tilton River E. Fork
Tilton River N. Fork
Tilton River S. Fork
Tilton River W. Fork
Unnamed Tributary to Newaukum River South Fork
Unnamed Tributary to Stillman Creek
Willame Creek
Winston Creek
Winston Creek S. Fork

Lakes designated as a Conservancy Environment.

Carlisle Lake

Rivers of Statewide Significance designated as a Conservancy Environment.

Cispus River
Nisqually River

Lakes of Statewide Significance designated as Conservancy Environment.

Davisson Lake
Mayfield Lake
Alder Lake

Rivers and Streams designated as Rural Environment.

South Hanaford Creek

Rivers and Streams designated as Urban Environment.

Dillenbaugh Creek
King Creek
Salzer Creek
Stowe Creek

All Rivers and Streams with Multiple Environments.

NOTE: When a change in environment takes place in a 1/4, 1/4 section, it shall take place at a 16th section line.

Bunker Creek - Conservancy begins at SE 1/4 of NE 1/4, Sec 17, T14N, R4W downstream to south boundary of Sec 36, same township --- Rural begins at this point downstream to mouth at Chehalis River (Sec 6, T13N, R3W).

Chehalis River S. Fork - Conservancy begins where Chehalis River South Fork crosses the Lewis and Cowlitz County line at Sec 2, T10N, R4W downstream to N/S quarter section line of Sec 17, T11N, R3W --- Rural begins at this point downstream to north boundary of Sec 6, same township --- Conservancy begins at this point downstream to north boundary of Sec 25, T12N, R4W --- Rural begins at this point downstream to mouth at Chehalis River (Sec 13, T13N, R4W).

Elk Creek (Cont.) - Conservancy begins at a point on Lewis County and Pacific County line (SW corner Sec 6, T13N, R5W) downstream to east boundary at Sec 9, same township --- Rural begins at this point downstream to mouth at Chehalis River at Sec 3 of same township.

Hanaford - Conservancy begins at NE 1/4 of NW 1/4 Sec 5, T14N, R1E downstream to west boundary line of Sec 36, T15N, R1W --- Rural begins at this point downstream to mouth at Skookumchuck River at Sec 33, T15N, R2W.

Lake Creek - Conservancy begins at SE 1/4 of NW 1/4 Sec 21, T12N, R3W downstream to SE 1/4 of NW 1/4 Sec 31, T13N, R3W --- Rural begins at this point downstream to mouth at Chehalis River S. Fork at Sec 30, T13N, R3W.

Lincoln Creek - Conservancy begins at confluence of north fork, south fork and Lincoln Creek at Sec 5, T14N, R4W downstream to east boundary of Sec 33, T15N, R4W --- Rural begins at this point downstream to south boundary of Sec 28, T15N, R3W --- Conservancy begins at this point downstream to mouth at Chehalis River Sec 35, T15N, R3W.

Lost Creek - Conservancy begins at the confluence of Lost Creek and unnamed creek north section line at Sec 10, T12N, R4W downstream to the SE 1/4 of the SE 1/4 of Sec 2, T12N, R4W --- Rural begins at this point downstream to mouth at Stillman Creek, same section.

Newaukum River N. Fork - Conservancy begins at confluency of Newaukum River N. Fork and unnamed creek at Sec 13, T14N, R1E downstream to south boundary of Sec 17, T13N, R1W --- Rural begins at this point downstream to mouth of Newaukum River at Sec 18, same township.

Newaukum River S. Fork - Conservancy begins at confluency of Unnamed tributary and Newaukum River S. Fork SW 1/4 of Sec 27, T14N, R2E downstream to south boundary of Sec 28, T13N, R1E --- Rural begins at this point downstream to the mouth at Newaukum River at Sec 19, T13N, R1W downstream through Newaukum River to mouth at Chehalis River at Sec 31, T14N, R2W.

Olequa Creek - Urban begins from confluency of Olequa Creek and unnamed creek closest to G.N., N.P., U.P. railroad tracks at Sec 21, T12N, R2W downstream to south boundary of Sec 32, same township --- Rural begins at this point downstream to south boundary of Sec 8, T11N, R2W --- Conservancy begins at this point downstream to Lewis and Cowlitz County line Sec 32, same township.

Salmon Creek - Conservancy begins from confluency of Salmon Creek and Rapin Creek Sec 17, T11N, R2E downstream to Lewis/Cowlitz County line, excluding Salmon Creek on the Cowlitz County side Sec 34, T11N, R1W downstream to western boundary of Sec 20, T11N, R1W --- Rural begins at this point downstream to mouth at Cowlitz River Sec 19, T11N, R1W.

Iver Creek - Urban begins at Gifford Pinchot National Forest boundary at Sec 10, T12N, R7E downstream to south boundary of same section --- Conservancy begins at this point downstream to Cowlitz River at Sec 15, same township.

Skookumchuck River - Conservancy begins at Gifford Pinchot National Forest boundary at Sec 1, T14N, R2E downstream to Lewis/Thurston County line at Sec 27, T15N, R1E --- Rural begins at Lewis/Thurston County line at Sec 28, T15N, R2W downstream to south boundary of same section --- Urban begins at this point downstream to mouth at Sec 7, T14N, R2W.

Stearns Creek - Conservancy begins at confluence of Stearns Creek and unnamed creek at Sec 32, T13N, R2W downstream to north boundary of Sec 14, T13N, R3W --- Rural begins at this point downstream to mouth at Chehalis River at Sec 2, T13N, R3W.

Stillman Creek - Conservancy begins at confluence of Stillman Creek and unnamed creek at Sec 14, T11N, R4W downstream to N/S quarter section line of Sec 11, T12N, R4W --- Rural begins at this point downstream to mouth at Chehalis River South Fork at Sec 2, T12N, R4W.

Scillwater Creek (Cont.) - Conservancy begins at Lewis/Cowlitz County line at Sec 34, T11N, R3W downstream to N/S quarter section line of same section --- Rural begins at this point downstream to east boundary of Sec 25, same township --- Conservancy begins at this point downstream to mouth at Olequa Creek at Sec 32, T11N, R2W.

Tilton River- Conservany begins at closest point on Tilton River to center of Sec 5, T13N, R5E downstream to N/S quarter section line of Sec 35, T13N, R4E --- Urban begins at this point downstream to E/W quarter section line of Sec 3, T12N, R4E --- Conservancy begins at this point downstream to mouth at Cowlitz River at Sec 3, T12N, R2E.

Chehalis River - Conservancy begins from confluence of East Fork, West Fork and Chehalis River at Sec 10, T11N, R5W downstream to north boundary line of Sec 4, same township --- Urban begins at this point downstream to north boundary of Sec 34, T13N, R5W --- Rural begins at this point downstream to north boundary of Sec 27, same township --- Conservancy begins at this point downstream to north boundary of Sec 14, same township --- Rural begins at this point downstream to east boundary of Sec 7, T13N, R4W ---

Conservancy begins at this point downstream to E/W quarter section line of Sec 23, same township --- Rural begins at this point downstream to north boundary line of Sec 24, same township --- Conservancy begins at this point downstream to north boundary line of Sec 7, T13N, R3W --- Rural begins at this point downstream to the NE 1/4 of the SW 1/4 of Sec 31, T14N, R2W --- Urban begins at this point on east side of river --- Rural continues on west side downstream to the SW 1/4 of the SE 1/4 of Sec 7, T14N, R2W --- Urban begins at this point on both sides of the river and continues downstream to the west boundary of same section --- Rural begins at this point downstream to west boundary of Sec 1, T14N, R3W --- Conservancy begins at this point downstream to north boundary of Sec 2, same township --- Rural begins at this point downstream to the SE 1/4 of the SE 1/4 of Sec 26, T15N, R3W --- Conservancy begins at this point downstream to the Lewis/Thurston County line at Sec 26, T15N, R3W.

Cowlitz River - Conservancy begins at Gifford Pinchot National Forest boundary at Sec 1, T13N, R9E downstream to south boundary of Sec 8, T11N, R1W --- Urban begins at this point downstream to south boundary of Sec 18, same township --- Rural begins at this point downstream to Cowlitz County line at Sec 33, T11N, R2W.

Lakes with Multiple Environments.

Mineral Lake - Urban begins at a point where the lake shoreline crosses the N/S quarter section line of Sec 4, T14N, R5E thence in a counter-clockwise direction along the shoreline crossing into Sec 9, same township and ending at the northern boundary of Sec 9, T14N, R5E --- Conservancy begins at this point and continues along the shoreline in a counter-clockwise direction ending at the N/S quarter section line of Sec 4, T14N, R5E.

APPENDIX "D"

DEFINITIONS

As used herein, the following words and phrases shall have the following meanings:

1. "Act" means Shoreline Management Act of 1971, Chapter 90.58 RCW.

2. "Department" means State of Washington, Department of Ecology.

3. "Development" means a use, consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling, removal of any sand, gravel or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the act at any state of water level.

4. "Director" means the director of the Department of Ecology.

5. "Extreme low tide" means the lowest line on the land reached by a receding tide.

6. "Feedlot" means any dairy or commercial feedlot operation in excess of two thousand (2,000) head of cattle.

7. "Guidelines" means those standards adopted to implement the policy of this chapter for regulation of use of the shorelines of the State prior to adoption of Master Programs. Such standards shall also provide criteria to local governments and the department in developing Master Programs.

8. "Hearings board" means the shorelines hearings board established by the Act.

9. "Local government" means any county, incorporated city, or town which contains within its boundaries any lands or waters subject to the Shoreline Act of 1971.

10. "Master Prgram" means the comprehensive use plan for a described area, and the use regulations, together with maps, diagrams, charts or other descriptive material and text, a statement of desired goals and standards developed in accordance with the policies enunciated in section 2 of the Act.

11. "Ordinary high-water mark" means the mark on all lakes, streams, and tidal waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that

of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this chapter, or as it may naturally change thereafter: PROVIDED, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean higher high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high water.

12. "Permit" means that required by the Act for substantial development on shorelines, to be issued by the local government entity having administrative jurisdiction and subject to review by the Department of Ecology and the Attorney General.

13. "Shorelines" means all of the water areas of the State, including reservoirs, and their associated wetlands, together with the lands underlying them, except:

    a. Shorelines of state-wide significance;

    b. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less, and the wetlands associated with such upstream segments; and

    c. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

14. "Shorelines of state-wide significance" means the following shorelines of the state:

    a. The area between the ordinary high-water mark and the western boundary of the state from Cape Disappointment on the south to Cape Flattery on the north, including harbors, bays, estuaries, and inlets;

    b. Those areas of Puget Sound and adjacent saltwaters and the Strait of Juan de Fuca between the ordinary high-water mark and the line of extreme low tide as follows:

        (i) Nisqually Delta - from DeWolf Bight to Tatsolo Point;

        (ii) Birch Bay - from Point Whitehorn to Birch Point;

        (iii) Hood Canal - from Tala Point to Foulweather Bluff;

        (iv) Skagit Bay and adjacent area - from Brown Point to Yokeko Point; and

        (v) Padilla Bay - from March Point to William Point.

c. Those areas of Puget Sound and the Strait of Juan de Fuca and adjacent saltwaters north to the Canadian line and lying seaward from the line of extreme low tide;

d. Those lakes, whether natural, artificial or a combination thereof, with a surface acreage of 1,000 acres, or more, measured at the ordinary high-water mark;

e. Those natural rivers or segments thereof, as follows:

(i) Any west of the crest of the Cascade range downstream of a point where the mean annual flow is measured at 1,000 cubic feet per second, or more;

(ii) Any east of the crest of the Cascade range downstream of a point where the annual flow is measured at 200 cubic feet per second, or more, or those portions of rivers east of the crest of the Cascade range downstream from the first 300 square miles of drainage area, whichever is longer;

f. Those wetlands associated with (a) through (e) above.

15. "Shorelines of the state" means the total of all "shorelines" and "shorelines of state-wide significance" within the state.

16. "Solid waste" means those items included in the Lewis County Solid Waste Management Plan as stated within its definitions.

17. "State master program" means the cumulative total of all master programs approved or adopted by the Department of Ecology.

18. "Substantial development" means any development of which the total cost, or fair market value, exceeds $1,000.00, or any development which materially interferes with normal public use of the water or shorelines of the state except that the following shall not be considered substantial developments:

a. Normal maintenance or repair of existing structures or developments, including damage by fire, accident, or elements;

b. Construction of the normal protective bulkhead, common to single-family residences;

c. Emergency construction necessary to protect property from damage by the elements;

d. Construction of a barn or similar agricultural structure on wetlands;

e. Construction or modification of navigational aids, such as channel markers and anchor buoys;

f. Construction on wetlands by an owner, lessee, or contract purchaser, of a single-family residence, for his own use or for the use of his family, which residence does not exceed a height of 35 feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof.

g. Construction of a dock, designed for pleasure craft only, for the private non-commercial use of the owner, lessee, or contract purchaser of a single family residence; the cost of which does not exceed two thousand five hundred dollars ($2,500.00).

19. "Wetlands" or "Wetland areas" means those lands extending landward for 200 feet in all directions, as measured on a horizontal plane from the ordinary high-water mark and all marshes, bogs, swamps, floodways, river deltas, and flood plains associated with the streams, lakes and tidal waters which are subject to the provisions of the Act.

APPENDIX "E"

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

Filing Procedure

File Application - Lewis County Planning Office

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2 weeks - Publish legal notice in newspaper (Daily Chronicle) of application for Shoreline Permit. Legal notice appears twice on consecutive days, 7 days apart. Newspaper will furnish this office with notarized publication notice.

30-day local review period - The 30-days following legal notice will be the review period for local government to receive comment from general public regarding the proposed project. In this period, local government can and will solicit comment from other responsible agencies dependent on the nature of the proposed project.

The application will be submitted to the Director, Lewis County Planning Department, for approval or denial following the 30-day review period. At the time of submission, the Director shall set a date for public hearing, providing:

a) the estimated total cost of the proposed development exceeds Five Hundred Thousand Dollars ($500,000), or
b) The Director determines that the proposed development is one of broad public significance, or
c) One or more interested persons has submitted to the Director, within fifteen (15) days of the final publication of notice of the application, a written request for such a hearing together with a statement of the reasons for the request.

A seven (7) day appeal period shall commence from the date of the Director's decision. Appeals shall be filed in duplicate in the Planning Department. Appeal Fee: $25.00

Assuming no appeal is initiated, the Director's decision shall become final action at the termination of the seven (7) day appeal period.

45-day state review period - Within 5-days of final action of approval or denial, local government shall forward a copy of the application to the Department of Ecology and the State Attorney General's office. A 45-day review period for the state shall commence on that date of the state's receiving the application.

45-day state review period (cont.)	- During this 45-day review the State may uphold or overturn local governments' approval or denial. If the state overturns the local government decision, all interested parties are to be notified and informed of the action. If the state upholds the local government, they shall at the close of the 45-day review period notify all interested parties and construction may commence.

Total Time 89 to 94 days.

NOTE: During the review period it is possible that additional time be required due to legal requirements on public hearings. Or, the local government unit acting on the application may postpone decisions for a period of 60-days. While these two actions could extend the time period for processing an application, these actions must be considered as exceptions to the general time schedule.

FEE SCHEDULE

Project Cost	Fee
$ 0 - $49,999	$ 25.00
$ 50,000 - $99,999	$ 50.00
$100,000 and over	$100.00

APPENDIX "F"

SHORELINE ADVISORY COMMITTEE

If the Master Program is to reflect the wants and needs of the citizens of Lewis County, all persons, private groups and entities which have an interest in shoreline management should have the opportunity to be represented in planning and in decisions regarding alteration of the shoreline environment. Therefore, a Shoreline Advisory Committee, comprised of a wide variety of interests, has been formed to define goals and draft policy statements for the Master Program.

SHORELINE ADVISORY COMMITTEE MEMBERS

Gilbert Miller - Chairman
Dick Bieker - Realtor
Frank Busek - Area Farmer
John Coleman - Realtor
Lee W. Dowd - U.S.D.A., Soil Conservation Service
Frank Garland - Centralia Planning Commission
Henry Hathaway - Broker
H. A. Humphreys - Northwest Steelheader
Dr. Ed Johnson - Private Citizen
Dick McCarthy - Washington Irrigation & Development Company
Jack Morris - County Health District
Jack Palmquest - Weyerhaeuser Company
Frank Phillips - Private Citizen
Wayne Pitts - Private Citizen
Glenn Ramsey - Toledo Telephone Company
Richard Scheffel - County Parks & Recreation
Merle Stratton - Department of Natural Resources
Frank Vineyard - Private Citizen
Sue Vineyard - Private Citizen
Vern Wagar - County Engineer
John Walter - Pomona Grange

The following methodology was utilized to form the Committee:

a. Invite organizations and individuals possessing considerable knowledge in specialized fields.
b. Request political representation from Planning Commissions and Town Councils.
c. Newspaper articles invited all interested individuals and groups with an interest in shoreline management to participate in development of the Master Program.
d. Programs were conducted throughout the County to familiarize the citizens with the Shoreline Management Act. Each presentation offered an invitation to interested individuals or groups to be represented.