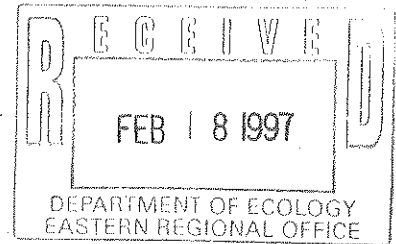




STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006



February 12, 1997

The Honorable Jimmie D. Walker
Mayor, City of Oroville
PO Box M
Oroville, WA 98844

Dear Mayor Walker:

Thank you for your letter of January 22, concurring with Ecology's suggested language for Oroville's Shoreline Master Program (SMP) amendment. By this letter I am confirming Ecology's approval of the city's proposed definition of "selective pruning" regarding shoreline vegetation along the Similkameen and Okanogan Rivers. This letter therefore constitutes final action on the proposed amendment.

Should any questions arise regarding this final action, please contact Doug Pineo at (509) 456-2796 in Ecology's Eastern Regional Office in Spokane.

Sincerely,



Tom Fitzsimmons
Director

TF:to



City of Oroville

Clerk's Office, P.O. Box M, Oroville, Washington, 98844, (509) 476-2926 FAX (509) 476-2943

OFFICERS:

Jimmie D. Walker, Mayor
Kathy M. Jones, Clerk-Treasurer
Rodney L. Noel, City Superintendent

January 22, 1997

RECEIVED

JAN 30 1997

DEPARTMENT OF ECOLOGY
SHORELANDS AND
WATER RESOURCES PROGRAM

COUNCIL MEMBERS

Rod Leavell
Nancy Young
Forrest D. Boyer
M.W. "Mick" Munson
C.F. "Chuck" Spleth

Doug Pineo, Shoreline Specialist
Department of Ecology Eastern Regional Office
North 4601 Monroe, Suite 100
Spokane, WA 99205-1295

Subject: Shoreline Master Program Amendment

Dear Doug,

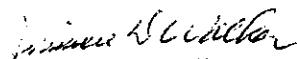
The City of Oroville received a letter from Mary Riveland dated January 14, 1997 approving the City's proposed amendment to the Oroville SMP conditioned upon the inclusion of a definition for "selective pruning". The City concurs with Ecology regarding the need for a definition; however, the City Council feels that the Department's proposed definition needs to allow for the removal of vegetation in cases where a hazard may exist. Chris Branch, our Planning Coordinator, reports having discussion with you regarding this issue where you agreed that the Administrator should be able to approve removal of vegetation in such circumstances.

The City Council has voted to approve a modification to the proposed amendment to the Oroville SMP to include the following definition:

"Selective pruning" means that pruning (not cutting down or removing) minimally necessary to allow pedestrian access to the shoreline, such that no more than 20% of the native vegetation on the shoreline of any single ownership is shaped, modified or disturbed. Selective pruning shall include the physical removal of native vegetation only when it is determined by the Administrator that such vegetation poses a physical hazard to persons or property.

Unless otherwise notified, the City will consider the mailing of this letter to Ecology as meeting the condition for approval of the proposed modified amendment to the Oroville Shoreline Master Program.

Sincerely,


Jimmie D. Walker
Mayor, City of Oroville

pc: Linda Rankin, Shorelines Master Program Coordinator



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

January 14, 1997

Mr. Chris Branch, Planning Coordinator
City of Oroville
PO Box M
Oroville, WA 98844

Dear Mr. Branch:

The Department of Ecology's public comment period for the proposed amendment to the City of Oroville's Shoreline Master Program ended on August 16, 1996. During the 30 day comment period we received no substantive comments on the proposal.

The proposed amendment, to adopt a parallel environment designation of Suburban and Conservancy on approximately 2000 feet of shorelands of the Similkameen River annexed from Okanogan County, appears consistent with the goals and policies of the Oroville Shoreline Master Program, and the Shoreline Management Act. The only area of concern is with the vegetation management language for the Conservancy environment, in the city's Shoreline Master Program and Comprehensive Plan. A definition of "selective pruning" should be developed to prevent unnecessary damage to the riparian corridor designated for protection in the city's Conservancy environments. Ecology recommends defining "selective pruning" as "that pruning (not cutting down or removing) minimally necessary to allow pedestrian access to the shoreline, such that no more than 20% of the native riparian vegetation on the shoreline of any single ownership is shaped, modified or disturbed". Ecology's evaluation of the proposal is contained in the findings and conclusions prepared by Doug Pineo in Ecology's Eastern Regional Office.

The proposed amendment is hereby approved by the Department of Ecology and adopted into the Oroville Shoreline Master Program, upon receipt of a letter of concurrence from the City of Oroville regarding the modification proposed by Ecology.

Sincerely,

Mary Riveland, Director

Enclosure

MEMORANDUM

August 22, 1996

TO: Files

FROM: Doug Pineo, Shorelands Specialist, Eastern Regional Office

SUBJECT: Findings and Conclusions, City of Oroville Shoreline Master Program Revision

The Department of Ecology's public comment period for the proposed amendment to the City of Oroville's Shoreline Master Program (SMP) ended on August 16, 1996. The proposed amendment, to adopt a parallel environment designation of Suburban and Conservancy on approximately 2000 feet of shorelands of the Similkameen River annexed from Okanogan County, appears consistent with the goals and policies of the Oroville Shoreline Master Program, and the Shoreline Management Act. During the 30 day comment period we received no substantive comments on the proposal.

The existing environment designation in the Okanogan County SMP is Rural. The land within the proposed amendment is within urban and suburban density and character of land use in the city's northwest section. It has been annexed by the city and is within the Interim Urban Growth Area, and the Priority Planning Area of the city's Comprehensive Plan. The Similkameen River is a shoreline of statewide significance, where the highest priority is protecting natural character, resources and ecology (RCW 90.50.020). An existing corridor of riparian vegetation extends along the shoreline in its entirety, and landward about 50 feet from the ordinary high water mark, within the B zone on the applicable Flood Insurance Rate Map (FIRM).

The designation of Conservancy in Oroville's SMP will increase protection for the riparian corridor of the shoreline in the area of the proposal, while the proposed Suburban environment designation is consistent with the Multi-family High Density designation in the Land Use Plan Map.

The language in the city's SMP protecting vegetation in the Conservancy shoreline environment does not define "selective pruning for access and viewing purposes", and is overly vague. Much license could be taken with such language, resulting in significant damage to the riparian corridor. Ecology recommends the city define "selective pruning", lest this damage occur in the future. Damage to riparian vegetation is one of the most common shoreline impacts following suburban and urban land use changes in formerly rural shoreline environments.

With this change to the vegetation protection language in the SMP and Comprehensive Plan, the plan would be consistent with the SMA and the goals and policies of the Oroville SMP. I recommend approval of this amendment, subject to clarification of the vegetation protection language for the Conservancy environment.

TOWN OF OROVILLE
SHORELINE MASTER PROGRAM

AUGUST 21, 1990

Prepared By: Town of Oroville
Shoreline Advisory
Committee

and

Kurt E. Danison
Circuit Rider
Planner/Administrator

CODE REVISOR'S OFFICE
STATE OF WASHINGTON
H.F.D.

JAN 23 1991

TIME 5:00
WSR 91-03-146
PERM

TOWN OF OROVILLE
SHORELINE MASTER PROGRAM
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Town of Oroville
Shoreline Master Program
August 21, 1990

CHAPTER 1.00 INTRODUCTION

Enactment of the Shoreline Management Act in 1971 (RCW 90.58) reflected a growing concern among the residents of Washington State with the adverse effects of unplanned and uncoordinated development on the states shorelines. While the Act provides the basis for the management and regulation of shoreline development, it also aims to foster and plan for all reasonable and appropriate shoreline uses which enhance and conserve shorelines rather than detract from them.

The Shoreline Management Act establishes a cooperative program of shoreline management between local government and the state. Local government has the primary responsibility for initiating and administering the regulatory program for shoreline development. The state Department of Ecology acts primarily in a supportive and review capacity with primary emphasis on ensuring consistency with the policy and provisions of the Act and local shoreline program. The authority for passage of this Master Program is granted and required by the Shoreline Management Act of 1971 as amended.

Where a local shoreline is designated a "shoreline of statewide significance", as is the case for all of Oroville's shorelines, the local government is required to give priority to statewide objectives and goals enumerated in RCW 90.58.020 (see Chapter 4.00). In this regard the Shoreline Master Program serves as the standard for implementation of state policy. From the Town's perspective the Master Program also articulates local policies and use regulations governing the physical development of land and water resources affecting shorelands.

On March 9, 1976, in compliance with the Act, the Town of Oroville adopted its first Shoreline Master Program. This revision to the program reflects recent changes in the Act and it's supporting WAC's, areas recently annexed to the Town, and other changed circumstances relating to development policies and provisions affecting Oroville's Shorelines.

Four (4) environmental designations have been developed which apply to the shorelines of Oroville: (1) Urban Environment, (2) Suburban Environment, (3) Rural Environment, and (4) Conservancy Environment. Each environment designation is delineated geographically and regulations are promulgated for activities and development within each area. Appendix A (attached) contains a purpose statement for each of the four environments, followed by a list of environment designation criteria used to apply (i.e. locate) the environment designations on the shorelines of Oroville, and a series of management policies addressing appropriate shoreline use and development in each environment.

Maps and descriptive material showing the geographic location and extent of each shoreline environment are hereby adopted as part of these regulations and Master Program. The official map of

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Shoreline Master Program
August 21, 1990

shorelines for Oroville is included in Appendix B. Appendix C contains "common" legal descriptions for mapped environment designations. Appendix D contains information on native plant species.

The provisions of this Master Program apply to all shorelines and shorelines of statewide significance as defined herein which are within the jurisdiction of the Town of Oroville as defined by law. Shoreline jurisdiction includes all that area encompassed within 200 feet (landward) on a horizontal plain from the ordinary high water mark or floodway boundary as defined by FEMA, whichever is greater, of the Okanogan and Similkameen Rivers and any marshes, bogs, and swamps associated with these rivers (see "shoreline jurisdiction" definition). Oroville's shoreline jurisdiction is also graphically depicted in Appendix B, Official Shoreline Environment Map. Where conflicts arise between the Master Program and the Town Zoning, Subdivision, and other land use regulations applicable in the shoreline area, the more restrictive will apply.

CHAPTER 2.00 DEFINITION OF TERMS

"Accessory Structure or Use" means a structure or use, incidental, appropriate, and subordinate to the main structure or use of the property, and which is located on the same lot or in the same building with the main use.

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

"Administrator" shall, in the context of this master program, mean the Town of Oroville Building Inspector/Permit Administrator or other official designated by the Mayor.

"Agriculture" means the tilling of the soil, the raising of crops, horticulture, gardening, keeping or raising of livestock and poultry for commercial purposes, and any agricultural industry or business such as dairies, nurseries, greenhouses, or similar uses.

"Average grade level" means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure.

"Conditional Use" means a use, development, or substantial development which is classified as a conditional use or is not classified within the applicable master program.

"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.

"Dwelling, Multi-Family" means a building containing two or more dwelling units.

"Dwelling, Single-Family" means a detached building containing one dwelling unit.

"Dwelling Unit" means a building or portion thereof designed for occupancy by one family having cooking and toilet facilities.

"Exempt" development means any development of which the total cost or fair market value, whichever is higher, does not exceed two thousand five hundred dollars, if such development does not materially interfere with the normal public use of the water or shorelines of the state, and any development which does not meet the definition of substantial development contained herein.

Town of Oroville
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August 21, 1990

"Fair market value" of a development is the expected price at which the development can be sold to a willing buyer. For developments which involve nonstructural operations such as dredging, drilling, dumping, or filling, the fair market value is the expected cost of hiring a contractor to perform the operation or where no such value can be calculated, the total of labor, equipment use, transportation, and other costs incurred for the duration of the permitted project.

"Floodplain" is synonymous with one hundred year floodplain and means that land area susceptible to being inundated by stream derived waters with a one percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps.

"Floodway" means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition. The floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

"Landfill" is the filling of a shoreline area or wetland by the deposition of sand, soil, gravel or other organic debris (excluding solid waste as defined herein).

"Local Government" means the town of Oroville which contains within its boundaries any lands or waters subject to the Shoreline Management Act.

"Master Program" 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 in accordance with the policies enumerated in the Act.

"Official Shoreline Environment Maps" shall mean all maps adopted as part of this Master Program delineating the geographic boundaries of all water bodies and shoreline environments designations of Oroville coming under the jurisdiction of the Shoreline Management Act of 1971 and this master program.

"Ordinary High-Water Mark" on all rivers and streams is that mark that will be found by examining the bed 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 June 1, 1971, as it may naturally change thereafter, or as it may change thereafter

in accordance with permits issued by a local government or the Department of Ecology. The following criteria clarify this mark on rivers and streams:

Where the ordinary high water mark cannot be found, it shall be the line of mean high water. For braided streams, the ordinary high water mark is found on the banks forming the outer limits of the depression within which the braiding occurs.

"Permit" means any form of permission required under the act or this master program prior to undertaking activity on shorelines of the state, including substantial development permits, variances, conditional use permits, permits for oil or natural gas exploration activities, permission which may be required for selective commercial timber harvesting, and shoreline exemptions.

"Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local government unit however designated.

* "Shorelines" means all of the water areas of the state, including reservoirs, and their associated "wetlands", as defined in RCW 90.58.030, together with the land underlying them; except (i) shorelines of statewide significance (ii) 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 (iii) shorelines on lakes less than 20 acres in size and "wetlands" associated with small lakes.

"Shoreline Jurisdiction" - For the purposes of this master program shoreline jurisdiction, which is used interchangeably with shoreline area, shall include the total combined area within the designated "floodway" of the Okanogan and Similkameen Rivers, and those areas adjacent and extending landward 200 feet on a horizontal plane from the ordinary high water mark or floodway boundary, whichever is greater, of said rivers such designated "floodways", and any wetland/s (as defined herein) associated therewith.

"Shorelines of State-wide Significance" in Oroville shall include:

- A. The Okanogan River; and
- B. The Similkameen River

"Shorelines of the State" are the total of all "shorelines" and "shorelines of state-wide significance" within the state;

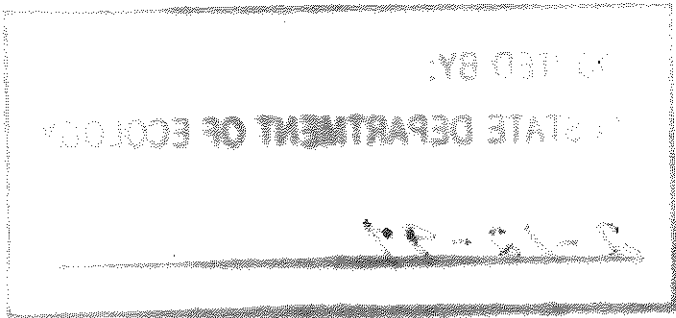
"Short Subdivision" is the division of land into four (4) or fewer lots, tracts, or parcels for the purpose of sale or lease, excepting division not containing a dedication in which the smallest lot created exceeds five (5) acres.

ADOPTED BY:

WA STATE DEPARTMENT OF ECOLOGY

2-12-97

* "Selective pruning" means that pruning (not cutting down or removing) minimally necessary to allow pedestrian access to the shoreline, such that no more than 20% of the native vegetation on the shoreline of any single ownership is shaped, modified or disturbed. Selective pruning shall include the physical removal of native vegetation only when it is determined by the Administrator that such vegetation poses a physical hazard to persons or property.



Solid Waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities. This includes all liquid, solid and semisolid, materials which are not the primary products of public, private, industrial, commercial, mining, and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage, from septic tanks, woodwaste, dangerous waste, and problem wastes. Definition is the same as WAC 173-304-100-(73).

"Subdivision" is the division of land into five (5) or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease, excepting division not containing a dedication in which the smallest lot created exceeds five (5) acres.

"Substantial Development" shall mean any development of which the total cost or fair market value exceeds two thousand five hundred dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state; except that the following shall not be considered substantial developments for the purposes of this program;

- A. Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition with a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment;
- B. Construction of the normal protective bulkhead common to single family residences. A "normal protective" bulkhead is constructed at or near the ordinary high water mark to protect a single family residence and is for protecting land from erosion, not for the purpose of creating land. Where an existing bulkhead is being replaced, it shall be constructed no further waterward of the existing bulkhead than is necessary for construction of new footings;
- C. Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with the act or this master program;
- D. Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities, and the construction and

Town of Oroville
Shoreline Master Program
August 21, 1990

maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels: Provided that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the area by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

- E. Construction 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 thirty-five feet above average grade level and meets all requirements of the state agency or local government having jurisdiction thereof;
- F. Construction of a dock, designed for pleasure craft only, for the private noncommercial 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;
- G. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water for the irrigation of lands;
- H. The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with the normal public use of the surface water;
- I. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed, or utilized primarily as part of an agricultural drainage or diking system.

"Uplands" means that land area lying outside of the shoreline jurisdiction or shoreline area as defined herein.

"Use" means the purpose for which land or a structure is primarily designed, arranged or intended, or for which it is primarily occupied or maintained.

"Variance" is a means to grant relief from the specific bulk, dimensional or performance standards set forth in the master program and not a means to vary a use of a shoreline.

"Wetland/s" are areas synonymous with "marshes, bogs and swamps" as defined in WAC 173-22-030(5) and as associated with those water

Town of Oroville
Shoreline Master Program
August 21, 1990

areas subject to Chapter 90.58 RCW, this master program, and all rules promulgated thereby.

"Water-dependent use" means a use or portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. Examples of water-dependent uses may include marinas, water intake systems and sewer outfalls.

"Water-related use" means a use or portion of a use which is not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a shoreline location. Water-related uses may include fish hatcheries.

"Water-enjoyment use" means a recreational or similar use facilitating public access to the shoreline as a primary character of the use; or, a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general character of the use and which, through location, design and operation assures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the public and the shoreline oriented space within the project must be devoted to the specific aspects of the use that foster shoreline enjoyment.

Primary water-enjoyment uses may include, but are not limited to, parks, piers and other improvements facilitating public access to shorelines of the state; and general water enjoyment uses may include but are not limited to restaurants, museums, aquariums, scientific/ecological reserves, resorts, and mixed use commercial; PROVIDED that such uses conform to the above water enjoyment requirements and the provisions of the Master Program.

"Water-oriented use" means any one or a combination of water-dependent, water-related or water-enjoyment uses.

"Non-water-oriented use" means upland uses which have little or no relationship to the shoreline. All uses which do not meet the definition of water-dependent, water-related or water-enjoyment are classified as non-water-oriented uses. Adding public access features to a non-water-oriented use does not automatically change the inherent use to a water-enjoyment use. Examples may include, but are not limited to, professional offices, automotive sales or repair shops, mini-storage facilities, multi-family residential development, convenience stores, and gas stations.

Words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; the word "shall" is mandatory and not permissive.

Additional definitions applicable to this Master Program, and adopted by reference herein, are found in RCW 90.58 and WAC 173-14, 173-16, 173-17, 173-19, 173-20 and 173-22.

CHAPTER 3.00 MASTER PROGRAM ELEMENTS - GOALS AND POLICIES

As required by the Shoreline Management Act, the following elements have been considered in the preparation of this Master Program for the shorelines of Oroville: Economic Development, Public Access and Circulation, Conservation, Recreation, Historical/Cultural, Residential, and Shoreline Use.

3.01 Economic Development Element:

A. Goal:

To insure healthy, orderly economic growth by allowing those economic activities within the shorelines of Oroville which will be an asset to the economy of the area and which result in the least possible adverse effect on the quality of the shoreline environment.

B. Policy:

1. Protect current agricultural land uses and provide for environmentally sensitive agricultural development.
2. Develop, as an economic asset, the new recreational industry along shorelines in a manner that will enhance the public enjoyment of the shorelines.
3. Encourage economic activity taking place in shoreline areas within Oroville that operates with out significantly harming the quality of the environment of the site or adjacent shoreline areas.
4. Before new commercial/industrial development is permitted within the shoreline, it is the proponent's responsibility to demonstrate that upland areas of the property are not economically feasible for the intended activity.
5. Proposed economic use of the shoreline should be consistent with the Oroville Comprehensive Plan and upland uses should be consistent with RCW 90.58.340.
6. Limit new shoreline industrial and commercial activities to those that are classified as water dependent, water related, or water-enjoyment.

3.02 Public Access and Circulation
Element:

A. Goal:

To provide safe, reasonable and adequate pedestrian access for the public to shorelines in Oroville where such access and circulation routes will have the least possible adverse effect on unique or fragile shoreline features, existing ecological systems and private property rights.

B. Policy:

1. Public access to shorelines should be incorporated into both private and public shoreline development proposals EXCEPT where deemed inappropriate due to safety hazards, inherent security problems, environmental impacts, conflicts with adjacent uses or other Town planning documents (i.e. zoning, access plans, etc...) The following uses are exceptions to this policy:
 - a) low density (4 or fewer du/acre) residential development;
 - b) agricultural development
2. Public access afforded by shoreline street-ends (i.e., right-of-ways) should be made available and enhanced.
3. Retain existing public access to shorelines and continue to obtain recreational access easements, for non-motorized (e.g. pedestrian & bicycle) use (including handicapped access) and vehicular access to, where appropriate and reasonable, shorelines of Oroville. In this regard, encourage the development of bicycle and hiking paths along the shorelines of Oroville.
4. Locate and construct access routes that will provide off-road rest and scenic stops where topography, natural, cultural and aesthetic features warrant and encourage acquisition of such sites by purchase, lease or gift where deemed appropriate to the public interest.
5. Discourage those shoreline uses which curtail or reduce physical and visual access to the water and shoreline area.
6. Public views from the shoreline and upland areas should be preserved and enhanced. Enhancement of views should not be construed to mean excessive removal of vegetation that obstructs or impairs views.

7. Insure that public access is provided in a manner sensitive to the unique characteristics of the shoreline and preserve the natural character and quality of the environment and adjacent wetlands.
8. Public access and circulation routes should be located so as to preserve agricultural land recognizing that it is in the state-wide interest to do so.

3.03 Conservation Element:

A. Goal:

Develop and implement management practices that will insure a sustained yield of renewable resources of the shorelines and preserve, protect and restore those unique and non-renewable resources or features.

B. Policy:

1. Unique, rare and fragile natural and manmade features as well as scenic vistas, and wildlife habitats should be preserved.
2. Insure that utilization of a resource takes place with a minimum adverse impact to natural systems and quality of the environment of the shoreline.
3. Preserve the scenic and aesthetic quality of the shorelines and vistas to the greatest extent feasible.

3.04 Recreation Element:

A. Goal:

Insure adequate recreational opportunities in shoreline areas that can reasonably tolerate active, passive, competitive, or contemplative uses without destroying the integrity and character of the shoreline.

B. Policy:

1. Recreational developments should provide public facilities which will adequately protect the shoreline during average use so as to preserve the integrity of the environment in which it is located.
2. Insure that proposed and existing recreational uses are of a safe and healthy nature.

3. Encourage recreational opportunities that are compatible with adjacent uses and enhance the value of tourism as an asset to Oroville.
4. Encourage state and local government to acquire through purchase, lease or donation additional shoreline property for public recreational use.
5. In the development of recreational areas, consideration should be made for both passive and active recreational activities.
6. Encourage the development of a parks and recreation element of the Town's Comprehensive Plan which sets forth goals and plans for shoreline area recreation and public access.

3.05 Historical/Cultural Element:

A. Goal:

Protect, preserve and restore important historical, cultural, educational and scientific sites located in the shorelines of Oroville for general public use and enjoyment.

B. Policy:

1. Identify, and where possible, acquire those sites which are deemed valuable in an educational or cultural sense through purchase or gift to insure their protection and preservation.
2. Restore those unique educational or culturally significant features to further enhance the value of the shorelines as an asset to Oroville and Okanogan County.
3. Insure that access to such sites does not reduce their cultural attraction or degrade the quality of the environment.
4. Known significant sites and newly discovered sites should be preserved for a maximum of 90 days to allow a determination of their value for retention and alternatives are explored.
5. Historical or culturally significant sites should be of high priority in the selection of recreational areas.
6. The existence of a significant site need not preclude all other uses, rather the site can be considered for multiple uses.

3.06 Residential Element:

A. Goal:

Insure that residential growth and development takes place in suitable areas of the shorelines of Oroville in a manner that is sensitive to the shoreline environment and will be safe, orderly, and efficient.

B. Policy:

1. Insure that proposed residential developments are compatible with or enhance the aesthetic quality of the area.
2. Discourage strip development along shorelines which effectively reduce the possibility of public access and increase the cost of community services. (e.g. fire and police protection, utilities, streets, etc.)
3. Insure that residential developments do not become places of environmental decay by the wastes they produce. Such development should be designed and located to preserve the natural landscape and shoreline ecology and minimize conflicts with present and planned land uses.
4. Insure that residential development located in shoreline areas complies with all applicable floodplain management ordinances.

3.07 Shoreline Use Element:

A. Goal:

Establish and implement policies and standards for land use consistent with the Shoreline Management Act of 1971 along the shorelines of Oroville. These policies and standards should insure that the overall design of land use patterns will locate activity and development in areas of the shoreline that will be compatible with adjacent uses and will be sensitive to existing shoreline environments, habitat, and ecological systems.

B. Policy:

1. Insure that proposed shoreline uses are developed, distributed, and located in a manner that will maintain or improve the health, safety and welfare of the public when such uses must occupy shoreline areas.

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2. Insure that activities and facilities are located on the shorelines in such a manner as to retain or improve the quality of the environment as it is designated for that area.
3. Encourage joint-use activities in proposed shoreline developments.
4. Insure that proposed shoreline uses do not infringe upon the rights of others or upon the rights of private ownership.
5. Locate utility facilities and rights-of-ways outside of the shoreline area to the maximum extent possible. When utility lines require a shoreline location, they should be placed underground.
6. Design and locate utility facilities in a manner which preserves the natural landscape and shoreline ecology and minimizes conflicts with present and planned land uses.

**CHAPTER 4.00 SHORELINES OF
STATE-WIDE
SIGNIFICANCE**

**Management Principles and Development
Guidelines**

The Shoreline Management Act of 1971 designated certain shoreline areas as shorelines of state-wide significance. Within the Oroville town limits all shorelines of the Okanogan and Similkameen rivers are designated by RCW 90.58.030(2)(e)(v)(B) as shorelines of statewide significance. Shorelines thus designated are important to the entire state. Because these shorelines are major resources from which all people in the state derive benefit, Oroville's Master Program must give preference to uses which favor public and long range goals.

Accordingly, the Act has established that Oroville's Master Program shall give preference to shoreline uses which meet the principles outlined below in the following order of preference. Development guidelines for ensuring that these principles are incorporated into the Master Program and adhered to in implementing the Act follow each principle.

**4.01 Recognize and Protect the State-
wide Interest Over Local
Interest.**

A. Development Guidelines:

1. Invite and encourage comments and opinions from local citizens and from groups and individuals representing state-wide interests by making reasonable efforts to inform the people of the state of this program and any amendments hereto.
2. Recognize and take into account state agencies' policies, programs and recommendations in developing and administering use regulations and in approving shoreline permits.
3. Invite and encourage comments, opinions and advice from individuals with expertise in ecology, geology, limnology, aquaculture and/or other scientific fields pertinent to shoreline management.

4.02 Preserve the Natural Character of the Shoreline

A. Development Guidelines:

1. Designate and administer shoreline environments and use regulations to minimize damage, to the extent feasible, to the ecology and environment of the shoreline as a result of manmade intrusions on shorelines.
2. Upgrade and redevelop those areas where intensive development already exists in order to reduce their adverse impacts on the environment and to accommodate future growth rather than allowing high intensity uses to extend into low intensity use or underdeveloped areas.
4. Protect and preserve existing wetlands and riparian corridors associated with shoreline areas.

4.03 Result in Long-Term Over Short-Term Benefit

A. Development Guidelines:

1. Encourage development activities which promote long term ecological benefit over short term economic gain in shoreline areas.
2. In general, preserve shorelines of statewide significance for future generations and restrict or prohibit development that would irretrievable damage shoreline resources.
3. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities or for the general enhancement of shoreline areas.

4.04 Protect the Resources and Ecology of the Shoreline

A. Development Guidelines:

1. Minimize development activity that will interfere with the natural functioning of the shoreline ecosystem.
2. All shoreline development should be located, designed, constructed, and managed as much as possible to avoid disturbance of and minimize adverse impacts to fish and

wildlife resources, including spawning, nesting, rearing, and habitat areas and migratory routes.

3. Shoreline developments should control runoff that may adversely affect shoreline features and resources.
4. Where possible, Restrict public access into areas which have been identified as environmentally sensitive.
5. Disturbance of Shoreline materials including but not limited to bank soils, beach sands and gravel bars should be minimized by shoreline development. Gravel mining should be prohibited in shoreline areas.
6. Preserve environmentally sensitive wetlands for use as open space or buffers and encourage restoration of presently degraded wetland areas.

4.05 Increase Public Access to Publicly Owned Areas of the Shorelines

A. Development Guidelines:

1. Give priority to developing paths and trails to shoreline areas, linear access along the shorelines and to developed parking.

4.06 Increase Recreational Opportunities for the Public on the Shorelines

A. Development Guidelines:

1. Plan for and encourage development of facilities for recreational use of the shorelines.

CHAPTER 5.00 GENERAL REGULATIONS FOR ALL SHORELINE USES

Based upon the goals and policies established in this Master Program the following general regulations apply to all shoreline uses and activities in Oroville.

Miscellaneous:

5.01 Any development or use activity which occurs within shoreline areas, whether it requires a permit or not, (i.e., exempt) must be consistent with the policies and intent of the Act as amended, and the Oroville Shoreline Master Program.

5.02 The disposal of solid waste in all shoreline environments is prohibited except in temporary containers designed to collect litter.

5.03 Bridges, piers and similar structures must be designed in a manner that does not significantly constrict the flow of rivers and streams.

5.04 Any development designed for human habitation is not permitted on or over water. (e.g. Floating homes, pile supported or cantilever type construction).

5.05 All shoreline developments and uses shall utilize effective measures to minimize any increases in surface water run off and to control, treat and release runoff so that receiving water quality and shore properties and features are not adversely affected. Such measures may include but are not limited to dikes, berms, catch basins or settling ponds, installation and required maintenance of oil/water separators, grassy swales, interceptor drains and landscaped buffers.

5.06 All shoreline development shall be located, designed, constructed, and maintained to minimize interference with beneficial natural shoreline processes such as water circulation, sand and gravel movement, accretion and erosion.

5.07 Land clearing, grading, filling and alteration of natural drainage features and landforms shall be limited to the minimum necessary for development. Surfaces cleared of vegetation and not to be developed must be replanted as soon as possible. Surface drainage systems or substantial earth modifications involving greater than 500 cubic yards of material shall be designed to prevent maintenance problems or adverse impacts on shoreline features.

5.08 All development shall be located, designed, constructed and managed to protect and/or not adversely affect those natural features which are valuable, fragile or unique to the region, including but not limited to:

- A. Marshes, bogs, swamps, and river deltas;
- B. Natural resources including but not limited to, sand and gravel deposits, timber or natural recreational beaches;
- C. Fish, shellfish and wildlife habitats, migratory routes and spawning areas;
- D. Accretion shore forms; and
- E. Natural or man-made scenic vistas or features.

5.09 All shoreline development shall be designed in accordance with all applicable local and FEMA flood control and management codes and regulations, the State Environmental Policy Act, and other applicable local land use codes.

Parking:

5.10 Parking in shoreline areas must directly serve a shoreline use.

5.11 Parking facilities within the shoreline area shall be designed and landscaped to minimize adverse impacts upon adjacent shorelines and abutting properties. The landscaping shall consist of preferable native vegetation, to be planted within one year after completion of construction and provide an effective screening three (3) years after planting.

5.12 Parking facilities within shoreline areas. Programs for shoreline activities shall provide safe and convenient pedestrian circulation within the parking area and to the shorelines.

5.13 Commercial parking facilities shall not be permitted over water or in shoreline areas.

5.14 Parking facilities serving individual buildings on the shoreline shall be located landward from the principal building being served, EXCEPT when the parking facility is within or beneath the structure and adequately screened or in cases when an alternate orientation would have less adverse impact on the shoreline.

5.15 Parking facilities shall provide adequate provisions to control surface water runoff to avoid contamination of water bodies.

Utilities:

5.16 Applications for installation of utility facilities shall include the following:

- A. Description of the proposed facilities;
- B. Reason(s) why the utility facility requires a shoreline location;
- C. Alternative locations considered and reasons for their elimination when the utility is not serving existing or proposed shoreline uses;
- D. Location of other utility facilities in the vicinity of the proposed project and any plans to include the facilities of other types of utilities in the project;
- E. Plans for reclamation of areas disturbed by construction;
- F. Plans for control of erosion and turbidity during construction; and
- G. Identification of any possibility for locating the proposed facility within an existing utility right-of-way.

5.17 Utility development shall, through coordination with government agencies, provide for compatible, multiple use of sites and rights-of-way. Such uses include shoreline access points, trail systems and other forms of recreation and transportation, providing such uses will not unduly interfere with utility operations, or endanger public health and safety.

5.18 The following utility facilities, which are not essentially water-oriented, are prohibited in shoreline areas unless authorized by conditional use permit (in all environmental designations) where it can be shown that no reasonable alternatives exist:

- A. Water and sewer system treatment plants;
- B. Utility substations and control facilities; and
- C. Accessory uses and administrative structures for utilities.

5.19 Power generating facilities shall comply with all policies and general regulations contained in this master program and shall require approval of a shoreline conditional use permit (in all environments).

5.20 In shoreline areas, utility transmission lines, pipelines, and cables shall be placed underground unless demonstrated to be not feasible. Further, such lines shall utilize existing rights-

of-way, corridors and/or bridge crossings whenever possible. Proposals for new corridors in shoreline areas involving water crossings must fully substantiate the infeasibility of existing routes.

5.21 Utility facilities shall be located and designed to avoid destruction of or damage to marshes, bogs and swamps; important wildlife areas; and other unique and fragile areas.

5.22 Necessary underwater pipelines which transport material intrinsically harmful to aquatic life or potentially injurious to water quality, including sewer lines, shall be provided with automatic shut off valves at each end of the underwater segments.

5.23 Where major utility facilities must be placed in a shoreline area, the location and design shall be chosen so as not to destroy or obstruct existing scenic views.

5.24 Utility development allowed in shoreline areas shall utilize required setback areas (see Chart 2) for screening of facilities from water bodies. Additional screening may be required as determined on a case-by-case basis.

5.25 Clearing for the installation or maintenance of utilities shall be kept to a minimum and upon project completion any disturbed area shall be restored as nearly as possible to preproject conditions including replanting with native species and maintenance care until the newly planted vegetation is established.

Archeological/Cultural/Historic:

5.26 Archeological and historic sites include significant excavations, ghost towns, military forts, old settlers homes, historic buildings, historic trails, kitchen middens or any other site, facility or structure which is educationally significant. Developers shall immediately stop work and notify the Town if any item of archeological interest is uncovered during excavations. In such case, the developer shall be required to allow site inspection and evaluation by a professional archeologist to ensure that all possible valuable archeological data is properly salvaged.

5.27 Significant archeological and historic sites of community or regional interest should be permanently preserved for scientific study, education and public observation. When the Town determines scientific or historical value, a substantial development permit will not be issued which would pose a threat to the site. The Town may require that development be postponed in such areas to allow investigation of public acquisition potential and/or retrieval and preservation of significant artifacts.

5.28 In the event that unforeseen factors constituting an emergency as defined in RCW 90.58.030 necessitate rapid action to

retrieve or preserve artifacts or data identified above, the project may be exempted from permit requirement of these regulations. The Town shall notify the State Department of Ecology and the State Attorney General's Office of such a waiver in a timely manner.

5.29 Archeological excavations are permitted in shoreline areas subject to these General Regulations.

5.30 Commercial developments focusing on archeological and historic sites and facilities are subject to the policies and regulations for Commercial Development.

Public Access:

5.31 Development shall not block or interfere with existing, lawful access to, publicly-owned shorelines and water bodies.

5.32 Developments shall be required to protect and enhance reasonable physical and visual public access to the water and shorelines.

5.33 Developments located in shoreline areas may be required to provide view corridors, public accessways, recreational trail easements or other amenities upon a determination by the Town that the action would enhance public enjoyment of the shoreline and not unduly conflict with the proposed use, adjacent uses or public safety nor adversely impact the shoreline environment.

5.34 Any required public access easements shall be of a size and design appropriate to the site, size and general nature of the proposed development. Such easements shall be recorded on a property deed or face of a plat as a condition running in perpetuity with the land.

5.35 Signs which indicate the public's right of access shall be installed and maintained by the Town in conspicuous locations at required public access sites. Public use may be limited to daylight hours.

5.36 Public access sites shall have direct and easy access from a public road.

5.37 Consideration of Public access shall be required for all shoreline development except single family residential and agricultural/ranching activities provided that, public access may not be required where it is demonstrated by the applicant and determined by the Town in its findings that one or more of the following provisions apply:

- A. Unavoidable hazards to the public exist which cannot be prevented by any practical means;

- B. Inherent security requirements of the use cannot be satisfied through the use of alternative design features or other solutions;
- C. The cost of providing the access, easement, or an alternative amenity, is unreasonable disproportionate to the total cost of the proposed development;
- D. Unacceptable environmental harm will result from the public access which cannot be mitigated; or
- E. Significant undue and unavoidable conflict between the proposed access and adjacent uses would occur and cannot be mitigated.

Provided, that the applicant has first demonstrated and the Town has determined in its findings that all reasonable alternatives have been exhausted, including but not limited to:

- A. Regulating access by such means as maintaining a gate and/or limiting hours of use;
- B. Designing separation of uses and activities, i.e. fences, terracing, use of one-way glazings, hedges, landscaping, etc.;
- C. Provision of an access at a site geographically separated from the proposal such as a street end or trails system.

5.38 Required public access sites shall be available for public use at the time of occupancy of the development.

Signs:

5.39 Off premises detached outdoor advertising signs are prohibited in all shoreline environments.

5.40 The following types of signs are permitted in any shoreline environment:

- A. Highway or railroad signs necessary for direction, safety, or public information
- B. Public information signs directly relating to a permitted local shoreline activity
- C. Temporary directional signs to public or quasi-public events. Such signs shall be removed within ten (10) days following the event.

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5.41 On premises signs, related to specific on-site activities shall not exceed 32 square feet in surface area. On premise freestanding signs shall not exceed 6 feet in height.

5.42 Spinners, streamers, pennants, flashing lights used for commercial purposes (excepting flashing highway and railroad signs) and other attention getting devices are prohibited in all shoreline environments.

5.43 Lighted signs shall be hooded, shaded or aimed so that direct light of lamps will not result in glare when viewed from surrounding properties, rights-of-way, or watercourses.

5.44 All signs shall be located and designed to minimize interference with vistas, viewpoints, visual access to the shoreline. Whenever feasible signs shall be flush mounted against existing buildings.

5.45 Temporary or obsolete signs shall be removed within ten (10) days of elections, closures of business, or termination of any other intended function.

CHAPTER 6.00 SHORELINE USE ACTIVITY POLICIES & REGULATIONS

Shoreline Uses and Activities

As required by the Shoreline Management Act, this master program sets forth categories of uses and activities typically found in shoreline areas and policies and regulations covering the following uses and activities: Agriculture, Boating Facilities, Commercial, Industrial, Landfill, Mining, Recreational, Residential, Shoreline Stabilization and Flood Protection, Solid Waste Disposal and Transportation. The policies and regulations, which provide basic criteria for evaluating shoreline permit applications, are used to implement the broader goals, policies and intent of the Shoreline Management Act and this master program.

Each use and activity section is separated into three parts: Part A sets forth shoreline management policies that relate to the subject use or activity; Part B contains regulations which apply to the use or activity in all shoreline environments; and, Part C describes or references additional regulations for the use or activity by specific shoreline environment. These regulations were developed with consideration given to each shoreline environment and with recognition of the needs and desires of Oroville residents. All regulations are directly supportive of the adopted policies for each designated environment.

Use Activity and Dimensional Standards Charts

The following Use and Activity Charts summarize the regulations of this master program for each shoreline environment regarding use or activity permit and dimensional requirements.

Chart 1 indicates, by shoreline environment, which uses and activities require a substantial development permit, a conditional use permit, are exempt from permit requirements or are prohibited. All uses and activities must comply with applicable policies and regulations contained in this master program (e.g. Chapters 5.00 and 6.00), whether permitted by substantial development permit, conditional use permit or are exempt from permit processes.

Chart 2 indicates setback, height, and other dimensional requirements for structures, uses and activities in each shoreline environment. These setback, height, and dimensional requirements and the specific regulations set forth in the use and activity sections must be complied with for development in shoreline areas.

CHART 1 USE ACTIVITIES

ENVIRONMENTAL DESIGNATION

Legend:

S = Substantial Development Permit (SDP)
 CU = Conditional Use Permit (CUP)
 X = Prohibited
 E = Exempt from SDP

USE ACTIVITY	U R B A N	S U B U R B A N	R U R A L	C O N S E R V A N C Y
Agriculture	E	E	E	E
Manure lagoons	X	X	X	X
Feedlots	X	X	X	X
Archeological/Cultural/Historic	S ⁱ	S ⁱ	S ⁱ	S ⁱ
Boating Facilities	S	S	CU	CU
Commercial Development:				
Water-dependent	S	S	CU	CU
Water-related and enjoyment	S	S	CU	CU
Non-water-oriented	S	CU	CU	X
Industrial Development:				
Water-dependent	S	CU	CU	CU
Water-related	S	S	CU	X
All other industrial uses	(See Section 7.14)			
Landfill:				
Waterward of floodway boundary	X ⁱ	X ⁱ	X ⁱ	X ⁱ
Landward of floodway boundary	S	S	S ⁱ	CU ²
Mining	X ¹	X ¹	CU ³	CU ³
Parking:				
Serving a permitted use	S ⁱ	S ⁱ	S ⁱ	S ⁱ
Commercial (paid parking)	X	X	X	X
Recreational Development	S	S	CU	CU

Notes:

- 1) except for water dependent and public uses, provided no alternative exists;
- 2) provided toe of fill is setback 50' from ordinary high water mark and vegetation waterward of fill is undisturbed;
- 3) provided 100' of undisturbed buffer is maintained unless waived for approved streamway bar scalping operations;
- 4) provided 75' of undisturbed buffer is maintained;
- 5) provided applicable general regulations (Chapter 5.00) contained herein are met;
- 6) except for stabilization utilizing native vegetation; and,
- 7) subject to applicable standards, prohibitions, and permit requirements contained in General Regulations (Chapter 5.00). Note: non-water-oriented utility facilities require a CUP (see Sec. 5.18 and 5.19)

CHART 1
USE ACTIVITIES
(continued)

ENVIRONMENTAL DESIGNATION

Legend:

S = Substantial Development Permit (SDP)
 CU = Conditional Use Permit (CUP)
 X = Prohibited
 E = Exempt from SDP

USE ACTIVITY	U R B A N	S U B U R B A N	R U R A L	C O N S E R V A N C Y
Residential Development:				
Single-family	E	E	E	E
Duplex (two family)	S	S	CU ²	CU
Multi-family (three or more units)	S	S	CU ²	X
Residential Subdivision	S ⁹	S ⁹	CU ¹	S ⁹
Shoreline Stabilization & Flood Protection	S	S	S	X ³
Signs:				
On premises	S ⁵	S ⁵	S ⁵	CU ⁵
Off premises outdoor advertising	CU	CU	X	X
Highway/Public Information/ Temporary	S ⁵	S ⁵	S ⁵	S ⁵
Solid Waste Disposal	X	X	X	X
Transportation	S	S	S	CU
Utilities	S ⁷	S ⁷	S ⁷	S ⁷

Notes:

- 1) except for water dependent and public uses, provided no alternative exists;
- 2) provided toe of fill is setback 50' from the ordinary high water mark and vegetation waterward of fill is undisturbed;
- 3) provided 100' of undisturbed buffer is maintained unless waived for approved streamway bar scalping operations;
- 4) provided 75' of undisturbed buffer is maintained;
- 5) provided applicable general regulations (Chapter 5.00) contained herein are met;
- 6) except for stabilization utilizing native vegetation;
- 7) subject to applicable standards, prohibitions, and permit requirements contained in General Regulations (Chapter 5.00). Note: non-water-oriented utility facilities require a CUP (see Sec. 5.18 and 5.19),
- 8) such development requires CUP if 4 or fewer units per acre, residential development with more than 4 units per acre shall be prohibited in the rural environment, 9) only when uses and activities involved qualify as substantial development, and as defined herein.

**CHART 2
SETBACK, HEIGHT, & DIMENSIONAL
REQUIREMENTS**

USE ACTIVITY	ENVIRONMENTAL DESIGNATION			
	U R B A N	S U B U R B A N	R U R A L	C O N S E R V A N C Y
Agriculture:				
cultivation & grazing setback ¹⁾	25	25	25	25
buildings setback	50	50	75	100
height limit (excepting silos) ²⁾	35	35	35	25
Boating facilities:				
water dependent use setback	0	0	0	0
building setback (except parking)	25	25	50	75
height limits ³⁾				
0-100 feet from OHWM	25	25	25	15
101-200 feet from natural OHWM	35	35	35	25
Commercial development:				
water-dependent setback	0	0	0	0
water-related and water-enjoyment setback	50	75	100	100
non-water-oriented setback	100	100	100	NA
building height limit ⁴⁾	35	35	25	15

Notes:

- 1) measured in feet from the ordinary high water mark (OHWM) unless otherwise noted;
- 2) measured in feet from average grade level;
- 3) setbacks measured in feet from toe of fill to OHWM;
- 4) for water-dependent and public uses only, provided no alternatives exist;
- 5) except streamway bar scalping permitted in floodway subject to mining regulations;
- 6) parking facilities shall be setback landward of the principle building being served a minimum of 25 feet or the required building setback, whichever is greater (see Chapter 5.00);
- 7) includes all impermeable surfaces;
- 8) excepting buried lines and approved water crossings;
- 9) measured in square feet of surface area.
- 10) except for pre-existing uses.

CHART 2
SETBACK, HEIGHT, & DIMENSIONAL
REQUIREMENTS (continued)¹

ENVIRONMENTAL DESIGNATION

USE ACTIVITY	ENVIRONMENTAL DESIGNATION			
	U R B A N	S U B U R B A N	R U R A L	C O N S E R V A T I O N
Industrial Development:				
building setback	50	75	100	100
building height limit ²	35	35	35	35
Landfill ³ :				
waterward of floodway setback	0 ⁴	0 ⁴	NA	NA
landward of floodway boundary setback	25	25	50	50
Mining and related structures setback:	100	100	100	100
Parking ⁶ :	25 ⁶	25 ⁶	25 ⁶	25 ⁶
Recreational Development:				
Picnic areas, & related uses setbacks	50	50	50	75
Access roads, restrooms, & accessory structure setbacks	25	25	50	75
Camping Sites	50	50	50	50
Parking area, setbacks ⁶	50	50	50	50
Height limit ²	35	35	25	15
Maximum site coverage (percent)	60	50	40	20
Minimum golf course, playfield & related setback	25	25	25	25
Recreational Trails (non-motorized)	5	5	5	5

Notes:

- 1) measured in feet from the ordinary high water mark (OHWM) unless otherwise noted;
- 2) measured in feet from average grade level;
- 3) setbacks measured in feet from toe of fill to OHWM;
- 4) for water-dependent and public uses only, provided no alternatives exist;
- 5) except streamway bar scalping permitted in floodway subject to mining regulations;
- 6) parking facilities shall be setback landward of the principle building being served a minimum of 25 feet or to required building setback, whichever is greater (see Chapter 5.00);
- 7) includes all impermeable surfaces;
- 8) excepting buried lines and approved water crossings;
- 9) measured in square feet of surface area.

CHART 2
SETBACK, HEIGHT, & DIMENSIONAL
REQUIREMENTS (continued)¹

ENVIRONMENTAL DESIGNATION

USE ACTIVITY	ENVIRONMENTAL DESIGNATION			
	U R B A N	S U B U R B A N	R U R A L	C O N S E R V A N C Y
Residential Development:				
All dwelling units setbacks ¹⁰	50	50	50	100
Height limit ²	35	35	35	25
Maximum site coverage (percent) ⁷	60	50	50	25
Signs (on premises):				
Maximum height	35 ¹¹	35 ¹¹	35 ¹¹	35 ¹¹
Maximum surface area ⁹	32	32	32	32
Transportation facility setback:				
Non-arterial, secondary, access roads	50	50	50	75
Arterials, highways,	100	100	100	150
Utilities:				
Distribution lines, buildings setbacks ³	50	50	75	100
Height limit (buildings, storage tanks, accessory uses)	25	25	25	15
Height limit (distribution poles)	35	35	35	35

Notes:

- 1) measured in feet from the ordinary high water mark (OHWM) unless otherwise noted;
- 2) measured in feet from average grade level;
- 3) setbacks measured in feet from toe of fill to natural floodway boundary;
- 4) for water-dependent and public uses only, provided no alternatives exist;
- 5) except streamway bar scalping permitted in floodway subject to mining regulations;
- 6) parking facilities shall be setback landward of the principle building being served a minimum of 25 feet or the required building setback, whichever is greater (see Chapter 5.00);
- 7) includes all impermeable surfaces;
- 8) excepting buried lines and approved water crossings;
- 9) measured in square feet of surface area.
- 10) see page 54, #B10 for exception to residential setback requirements.
- 11) maximum height only, signs will be limited to height of structure sign serves.

6.01 Agriculture

Agriculture refers to all methods of livestock, tree fruit, crop, vegetation and soil management. These include but are not necessarily limited to the related activities of tilling, fertilizer application, soil preparation and maintenance, harvesting and the control of weeds, plant diseases and insect pests. Also included are animal husbandry practices associated with the feeding, housing, maintenance and marketing of animals such as beef cattle, milk cows, breeding stock, horses and poultry and their by-products. Facilities contained within this category include, but are not limited to, storage, feed lots, fences and ditches. Excluded are agricultural processing industries.

A. Policies

1. The creation of new agricultural lands by diking, draining or filling of wetlands should be prohibited.
2. Farm management techniques, operations and control methods should protect the productivity of the land base by maintaining or improving soil quality and minimizing soil losses through erosion in accordance with applicable Soil Conservation Service guidelines.
3. A vegetative buffer should be maintained between new agricultural lands and water bodies or wetlands in order to reduce harmful bank erosion and resulting sedimentation, enhance water quality by slowing and filtering runoff and maintain habitat for fish and wildlife.
4. Animal feeding operations, retention and storage ponds, feed lot waste storage and manure storage should be prohibited in the shoreline area.
5. Appropriate farm management techniques should be utilized to prevent contamination of nearby water bodies and adverse effects on valuable plant, fish and animal life from fertilizer and pesticide use and application.
6. Cooperative arrangements should be encouraged between farmers and public recreation agencies to allow public use of shorelines where it does not conflict with agricultural operations.
7. The scenic beauty of natural shorelines as well as the historic value of many rural agricultural landscapes should be protected in agricultural development.

B. Regulations

1. Agricultural development shall conform to all applicable state and federal policies and regulations.

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2. Confinement lots, feedlot operations, lot wastes, stockpiles of manure solids and storage of noxious chemicals are prohibited in the shoreline area.
3. A buffer of natural or induced permanent vegetation shall be established and maintained between areas converted to cultivation or intensive grazing and adjacent waters and marshes, bogs and swamps. The plant composition and width of the buffer shall be based on site conditions, including type of vegetation, soil types, drainage patterns and slope, but shall not be less than 25 feet measured from the OHWM on lakes and streams. The buffer shall be sufficient to retard surface runoff, reduce siltation and provide adequate riparian habitat.
4. Streambanks and water bodies shall be protected from damage due to concentration and overgrazing of livestock by providing the following when warranted:
 - a. Suitable bridges, ramps and culverts for stock crossing;
 - b. Ample supplies of clean water in tanks on dry land for stock watering; and
 - c. Fencing or other grazing controls to prevent overgrazing and damage to buffer vegetation, bank compaction, or bank erosion.
5. Manure spreading shall be kept back from the shoreline a sufficient distance, no less than 25 feet from the OHWM, or otherwise conducted in a manner that prevents animal wastes from entering water bodies or wetlands adjacent to water bodies.
6. The disposal of inorganic farm wastes, chemicals, fertilizers and associated containers and equipment within shorelines is prohibited, except organic wastes may be used for fertilization or soil improvement. The disposal of solid waste, including junk vehicles and equipment, debris and brush, is also prohibited within the shoreline area.
7. The application of agricultural chemicals shall prevent the direct runoff of chemical laden waters into water bodies. Adequate provision shall be made to minimize their entry into any body of water.

C. Environment Specific Regulations

Agricultural uses and activities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

6.02 Boating Facilities

Boating facilities include marinas, boat launch ramps (public and private), wet and dry storage, related sales and service for pleasure and commercial water craft, and community and public docks.

A. Policies

1. Boating facilities should be located and designed to minimize adverse effects upon, riparian habitat and wildlife as well as scarce and valuable shore features including accretion shoreforms and wetlands.
2. Boating facilities should be located and designed so their structures, other features and operations will be aesthetically compatible with or will enhance the area visually affected, and will not unreasonably impair shoreline views of local residents and user groups.
3. Boating facilities should be designed to accommodate public access and enjoyment of the shoreline location, including provisions for walkways, view points, restroom facilities and other recreational uses according to the scale of the facility.

B. Regulations

1. Boating facility development shall comply with all applicable federal, state and local agency policies and regulations.
2. The Town shall require and utilize the following information in its review of boating facility proposals:
 - a. Existing natural shoreline and backshore features and uses;
 - b. Geohydraulic processes and characteristics;
 - c. Biological resources and habitats in the shoreline area;
 - d. Area of surface waters appropriated;
 - e. Site orientation; exposure to wind, waves, flooding, erosion; type and extent of shore defense works or shoreline stabilization and flood protection necessary;
 - f. Impact upon existing shoreline and water uses including public access and recreation;
 - g. The regional need for facilities; and

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- h. The design of the facilities, including the provisions for the prevention and control of fuel spillage, stormwater runoff and a landscaping plan.
3. Accessory uses at boating facilities or public launch ramps shall be limited to those which are necessary for facility operation or which provide physical or visual shoreline access. Accessory uses shall be consistent in scale and intensity with the facility and surrounding uses.
4. Boat launch ramps shall locate in areas which require minimal shoreline modification.
5. Boating facilities shall not be located in wetlands.
6. River boat launch sites shall be located, designed and constructed so as to not adversely affect flood channel capacity or otherwise create a flood hazard.
7. Boating facilities shall be designed so their structures, other features and operations will be aesthetically compatible with or will enhance existing shoreline features and uses and so views from the uplands and the water are not significantly diminished.
8. Landscape plans shall enhance views from upland areas.
9. The perimeter of parking, dry moorage and other storage areas shall be landscaped to provide a visual and noise buffer between adjoining similar uses or scenic areas. The permit application shall identify the size, type and location of landscaping.
10. Provisions for dedicated public access, both visual and pedestrian, shall be an integral part of all boating facility development (both public and private) and shall be designed to be aesthetically compatible with adjacent areas and commensurate with the particular proposal. Examples may include pocket parks and picnic areas, public recreational pathway easements, fishing and viewing platforms.
11. Garbage or litter receptacles shall be provided and maintained by the boating facility operator at several locations convenient to users.
12. Marinas and boat launch ramps shall have adequate restroom facilities operated and maintained in compliance with local Health Board regulations.

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C. Environment Specific Regulations

Boating facilities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter. 6.03

6.03 Commercial

Commercial development means those activities which are involved in wholesale, retail, service, and business trade. Included are such activities as hotels, motels, grocery markets, shopping centers, restaurants, gas stations, shops, and private recreation facilities. Excluded from this category are residential and recreational subdivisions, boating and marina facilities, ports and industry, and mining activities.

A. Policies

1. All new Commercial developments should be located inland from the shoreline area where ever possible. Commercial developments should be prohibited over water.
2. New commercial development in shorelines should be located in those areas with existing commercial uses and in a manner that will minimize sprawl and the inefficient use of shoreline areas.
3. In order to minimize adverse impacts, an assessment should be made of and consideration given to, the effect new commercial development will have on a scenic view. Structures should not significantly impact views from upland properties, public roadways or from the water.
4. Encourage commercial developments on the shoreline to provide physical and/or visual access to the shoreline.
5. Locate parking facilities so as to minimize their impact on the shoreline by placing such facilities inland away from the waters edge and recreational beaches, by screening parking areas to minimize visual impacts and by including in such developments devices to control surface water runoff, erosion, and pollution of nearby water bodies.
6. Ensure that commercial development is aesthetically compatible with the surrounding area and protects natural areas or systems identified as having geological, ecological, biological or cultural significance.
7. Commercial development should be prohibited within the floodway.

B. Regulations

1. Commercial developments permitted on the shoreline, in descending order of preference are:
 - a. water-dependent uses
 - b. water-related uses

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- c. water-enjoyment uses
 - d. non-water oriented uses
2. The Town shall require and utilize the following information in its review of commercial development proposals:
- a. Specific nature of the commercial activity;
 - b. Need for shoreline frontage;
 - c. Special considerations for enhancing the relationship of the activity to the shoreline;
 - d. Provisions for public visual and/or physical access to the shoreline; and
 - e. Provisions to ensure that the development will not cause severe negative environmental impacts.
3. Commercial development shall be designed and maintained in an environmentally sound manner. To this end, the Administrator may adjust the project dimensions and increase required setbacks established in Chart 2 and/or prescribe reasonable use intensity and screening as deemed appropriate. Need and special considerations for landscaping and buffer areas shall also be subject to review and approval.
4. Drainage and surface runoff from commercial areas shall be controlled so that pollutants will not be carried into water bodies.

C. Environment Specific Regulations

Commercial uses and activities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

6.04 Industrial Development

Industrial developments are facilities for processing, manufacturing, and storage of agricultural products, finished and semi-finished goods. This includes the processing and packaging of agricultural products, manufacture of molded or cast concrete or asphalt products, or asphalt mixing and concrete batching operations.

A. Policies

1. All new industrial uses of the shoreline should be water-dependent and/or water-related.
2. Cooperative use of common industrial facilities is encouraged in shoreline areas.
3. New or expanded industrial development along shorelines should be designed, constructed, and maintained to minimize adverse visual and environmental impacts. New development should be located adjacent to existing or planned industrial development.
4. Public access along shoreline industrial areas is encouraged when it does not endanger public health, safety, or welfare.

B. Regulations

1. Storage and/or disposal of industrial wastes are prohibited in shoreline areas.
2. All new or expanded industrial development shall be set back and buffered from adjacent shoreline properties which are in nonindustrial use (see setbacks contained in table 2). Buffers shall be landscaped and maintained so as to provide a transitional area and to protect shorelines and adjacent properties from visual or noise intrusion, minimize erosion and protect water quality. Buffer areas shall not be used for storage of industrial equipment or materials, nor for waste disposal, but may be used for outdoor recreation activity.
3. Display and other exterior lighting shall be designed and operated to minimize glare, avoid illuminating nearby properties and prevent hazards for public traffic.
4. Accessory development which does not require a shoreline location shall be sited in upland areas away from the shoreline; such development includes parking, warehousing, open air storage, waste storage and treatment or storm runoff control facilities, utilities and land transportation development unless permitted as a conditional use.

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5. Proposals for new industrial developments shall demonstrate the need for expansion into an undeveloped area.
6. The developer must demonstrate that adequate consideration has been given to and plans made to mitigate negative environmental impacts including but not limited to air, water and noise pollution and the loss of fish and wildlife habitat.

C. Environment Specific Regulations

Industrial development shall comply with environment specific requirements set forth in Charts 1 and 2 of this chapter.

6.05 Landfill

Landfill is the filling or depositing of sand, soil, or gravel (excluding solid waste) into a shoreline area.

A. Policies

1. Landfills should be allowed only when necessary to facilitate uses which are permitted by this master program.
2. Shoreline fills should be designed and located so that there will be no significant damage to existing ecological systems or natural resources, and no alteration of local currents, surface water drainage or flood waters which would result in a hazard to adjacent life, property, and natural resource systems.
3. In evaluating fill projects, such factors as total water surface reduction, navigation restriction, impediment to water flow and circulation, reduction of water quality, and destruction of habitat should be considered. Further, the Town should assess the overall value of the landfill site in its present state versus the proposed shoreline use to be created to ensure consistency with the Act and this master program.
4. The perimeter of landfills should be designed to avoid or eliminate erosion and sedimentation impacts, both during initial landfill activities and over time.
5. Where permitted landfills should be the minimum necessary to provide for the proposed use.
6. Sanitary landfills should not be located in the shoreline area.

B. Regulations

1. Applications for landfill permits shall include the following:
 - a. Proposed use of the landfill area;
 - b. Physical, chemical and biological characteristics of the fill material;
 - c. Source of landfill material;
 - d. Method of placement and compaction;
 - e. Location of landfill relative to natural or existing drainage patterns;
 - f. Location of the perimeter relative to the OHWM;

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- g. Perimeter erosion control or stabilization means;
and,
 - h. Type of surfacing and runoff control devices.
2. Landfill shall be permitted only when in conjunction with and necessary to facilitate use permitted (or exempt) by this master program.
 3. Landfills are not permitted in floodplains unless it can be clearly demonstrated that the geohydraulic and floodplain storage capacity will not be altered to increase flood hazard or other damage to life or property.
 4. Perimeters of permitted fill projects shall be designed and constructed with silt curtains, vegetation, retaining walls, or other mechanisms and appropriately sloped to prevent erosion and sedimentation both during initial landfill activities and afterwards.
 5. Fill materials shall be of such quality that they will not cause degradation of water quality.
 6. Sanitary landfills and solid waste disposal sites are prohibited uses within shoreline areas.
 7. Landfill shall be permitted only where it is demonstrated that the proposed action will not:
 - a. Result in significant damage to water quality, fish, and/or riparian wildlife habitat; or
 - b. Adversely alter natural surface water drainage and circulation patterns, currents, river flows or significantly reduce flood water capacities.
 8. Where landfill is permitted, the fill shall be the minimum necessary to provide for the proposed use.
 9. Landfills shall be permitted only when used as preparation for a specific development otherwise permitted by this Master Program.

C. Environment Specific Regulations

Landfill activities shall comply with environment specific requirements set forth in Charts 1 and 2 of this chapter.

Rural Environment

Landfills are permitted, subject to the regulations contained herein, PROVIDED the toe of the fill is setback a minimum of 50 feet from the OHWM , and FURTHER PROVIDED that the

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shoreline and all natural vegetation is left undisturbed waterward of the fill.

Conservancy Environment

Landfills waterward of the OHWM or in wetlands are prohibited, except for water dependent and public uses, PROVIDED no upland or structural alternatives exist. Landfills landward of the OHWM are permitted subject to approval of a conditional use permit PROVIDED the toe of the fill is setback a minimum of 50 feet from the OHWM, and FURTHER PROVIDED that the shoreline and all natural vegetation is left undisturbed waterward of the fill.

6.06 Mining

Mining is the removal and primary processing of naturally occurring materials from the earth for economic use. For purposes of this definition, "processing" includes screening, crushing, stockpiling, all of which utilize materials removed from the site where the processing activity is located. Processing does not include general manufacturing, such as the manufacture of molded or cast concrete or asphalt products, or asphalt mixing and concrete batching operations. (See Industrial development section). Mining activities also include in-stream dredging activities related to mineral extraction.

A. Policies

1. Mining should be strictly regulated in shoreline areas.
2. All practical measures should be taken to protect water bodies from all sources of pollution, including but not limited to sedimentation and siltation, chemical and petrochemical use and spillage, and storage or disposal of mining wastes and spoils. Maximum protection should be provided for anadromous fisheries resources.
3. Mining activities should allow the natural shoreline systems to function with a minimum of disruption during their operations and should return the site to as near natural a state as possible upon completion.
4. Mining operations should minimize adverse visual and noise impacts on surrounding shoreline and residential areas.
5. Mining activities should be encouraged to locate outside shoreline areas in preference to shoreline locations.

B. Regulations

1. Excavation of sand, gravel, and other minerals shall be done in strict conformance to the Washington State Mine Surface Reclamation Act (Chapter 78.44 RCW) and applicable policies and regulations of Oroville.
2. Mining proposals shall provide the following information as part of an application for a Shoreline Permit:
 - a. Materials to be mined;
 - b. Quantity of materials to be mined by type;
 - c. Quality of materials to be mined by type. For certain minerals, a qualified geologist's evaluation may be required;
 - d. Mining technique and equipment to be utilized;

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- e. Depth of overburden and proposed depth of mining;
 - f. Lateral extent and depth of total mineral deposits;
 - g. Cross section diagrams indicating present and proposed elevations and/or extraction levels;
 - h. Existing drainage patterns, seasonal or continuous, and proposed alterations thereof including transport and deposition of sediment and channel changes that may result.
 - i. Proposed means of controlling/handling surface runoff and preventing or minimizing erosion and sedimentation; including impacts to bank erosion both upstream and downstream of the excavation.
 - j. The location and sensitivity of any affected flood hazard areas;
 - k. Subsurface water resources: origin, depth and extent;
 - l. Quality analysis of overburden, excavation material and tailings with plans for storage, usage or disposition;
 - m. Mining plan and scheduling, including seasonal, phasing and daily operation schedules;
 - n. Reclamation plan that meets the requirements of this chapter and, at a minimum, Chapter 78.44 RCW, for surface mining operations only;
 - o. Screening, buffer and/or fencing plans that meet the requirements of this section; and
 - p. Impacts to aquatic and riparian habitat.
3. Mining operations shall comply with all local, state and federal water quality standards and pollution control laws. Operations shall utilize effective techniques to prevent or minimize surface water runoff, erosion and sedimentation; prevent reduction of natural flows; protect all shoreline areas from acidic or toxic materials; and maintain the natural drainage courses of all streams. Surface water runoff shall be impounded as necessary to prevent accelerated runoff and erosion.
4. Overburden, mining debris and tailings shall not be placed in water bodies or floodways and shall be stored and protected in such a manner so as to prevent or minimize erosion or seepage to surface and ground waters.

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5. Mining operations shall provide maximum protection for anadromous fisheries resources, including but not limited to limitations on the periods of the year during which mining activities may occur.
6. If substantial evidence indicates that mining operations are causing, or continuation of operations would cause, significant adverse impacts to water quality or to the geohydraulic functioning of a river, the Town, after consultation with resource agencies, may terminate the mining permit or impose further conditions on the mining operation.
7. In no case shall mining operations impair lateral support and thereby result in earth movements extending beyond the boundaries of the site.
8. Adequate precautions shall be taken to insure that stagnant or standing water, especially that of a toxic or noxious nature, does not develop, and that flooding and evaporation will not lead to the stranding of fish in open pits.

Reclamation

1. Reclamation plans shall be submitted with each permit application shall provide for reclamation of the site into a use which is permitted by this program and shall indicate when reclamation shall occur.
2. In order to insure the future use and viability of shoreline areas subsequent to mining activities, the reclamation plan shall include the following provisions to be fulfilled within one (1) year of completed mining operations:
 - a. All equipment, machinery, buildings and structures not involved in reclamation activities shall be removed from the site. All equipment utilized for reclamation shall be removed from the site upon review and approval of the reclamation as required by state and local agencies.
 - b. No stagnant or standing water shall be allowed to collect or remain except as provided in an approved site reclamation plan.
 - c. Backfill material shall be of natural, compatible materials. Combustible, flammable, noxious, toxic or solid waste materials are not permitted as backfill.
 - d. All overburden, waste and nontoxic material storage piles and areas shall either be leveled, sodded and

planted or returned to the excavated area for reuse as backfill and subsequently sodded and planted.

- e. The site shall be rehabilitated so as to prevent erosion and sedimentation during and after reclamation.
3. Suitable drainage systems approved by the Town engineer shall be installed and maintained if natural, gradual drainage is not possible. Such systems should collect, treat and release surface runoff so as to prevent erosion and sedimentation.
4. To the extent possible, topography of the site shall be restored to the contours existing prior to mining activity. Contours of the reclaimed site shall be compatible with the surrounding land and shoreline area.
5. All banks, slopes and excavation areas containing unconsolidated materials shall be sloped to no steeper than 2-1/2 feet horizontal to 1-foot vertical. All slopes shall be sodded or surfaced with appropriate soil to at least the depth of the surrounding, undisturbed soil and subsequently revegetated.
6. All banks, slopes, and excavated areas of consolidated material shall be sloped to no steeper than 1-foot horizontal to 1-foot vertical.
7. Slopes of quarry walls shall not have a prescribed slope unless a hazardous condition is created, whereupon the quarry shall be backfilled and sloped according to Regulation #6 above.
8. Revegetation shall consist of compatible, self-sustaining trees, shrubs, legumes or grasses.
9. All toxic and acid-forming mining refuse and materials shall be either treated so as to be nonpolluting prior to on-site disposal, or removed and disposed of away from shoreline areas.
10. The amount of land and shoreline area being excavated or lying disturbed and unreclaimed at any time without simultaneous reclamation being undertaken shall not exceed ten (10) acres.

Mining in the floodway

1. Scalping of streamway bars is permitted, provided that no more than one half of the material may be removed in one mining season than will predictably be replaced by natural processes during the subsequent wet season.

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2. Excavation of sand, gravel and other minerals by the open pit method (not including the scalping of streamway bars) shall not be allowed within floodways.

C. Environment Specific Regulations

Mining operations shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

Rural Environment

1. A minimum seventy five (75) foot buffer of undisturbed soils and vegetation shall be maintained between the mining site (including all accessory facilities) and adjacent properties and abutting bodies of water or wetlands.

Conservancy Environment

1. A minimum one hundred (100) foot buffer of undisturbed soils and vegetation shall be maintained between the mining site (including all accessory facilities) and adjacent properties and abutting bodies of water or wetlands; provided that the water body buffer requirement may be waived for approved streamway bar scalping operations.

6.07 Recreational Development

Recreational development provides opportunities for play, sports, relaxation, amusement or contemplation. It includes facilities for recreational activities such as hiking, canoeing, kayaking, photography, viewing and fishing. It also includes facilities for more intensive uses such as parks, campgrounds, golf courses and other outdoor recreation areas. This section applies to both publicly and privately owned shoreline facilities intended for use by the public or a private club, group or association.

A. Policies

1. Existing and acquired publicly owned lands, including street ends, should be inventoried to determine suitability for recreational opportunities. Sale or vacation of such lands should not occur, unless there is demonstrated limited recreational use and minimal natural environmental value.
2. Sensitive shoreline areas which have good potential for recreation or public access should be acquired by lease, donation or purchase and incorporated into the public open space system.
3. The use of shoreline street ends for access and recreational development is encouraged.
4. The coordination of local, state, and federal recreation planning should be encouraged. Shoreline developments should be consistent with all adopted park, land use, recreation, and open space plans. Public agencies, private individuals, groups, and developers should be encouraged to coordinate development projects to mutually satisfy recreational needs.
5. Shoreline developments that serve diverse recreational needs should be encouraged.
6. All proposed recreational developments should be designed, located and operated to protect the quality of scenic views and to minimize adverse impacts on the environment. Favorable consideration should be given to those projects which compliment their environment and surrounding land and water uses and which leave natural areas undisturbed.
7. Recreational facilities should make adequate provisions for:
 - a. Access, both inside and outside the development;
 - b. Proper water, solid waste and sewage disposal methods;

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- c. Security and fire protection;
 - d. The prevention of overflow and trespass onto adjacent properties; including but not limited to landscaping, buffering, fencing and posting of property; and
8. Facilities for recreational activities should be permitted only where sewage disposal and garbage disposal can be accomplished without adversely affecting the environment.
 9. Linkage of shoreline parks, recreation areas and public access points by linear systems, such as hiking paths, bicycle paths, easements and scenic drives should be encouraged.
 10. Trails and pathways on should be designed to protect bank stability.
 11. The development of small, dispersed recreation areas should be encouraged so as to avoid undue use pressures at a few points along the shoreline.
 12. The use of off-road vehicles should be prohibited.

B. Regulations

1. All proposed recreational developments shall be analyzed for their potential effect on shoreline environmental quality and natural resources.
2. Recreational developments shall comply at all times with the current local and State Health regulations and such compliance made a condition of the permit.
3. Favorable consideration shall be given to developments which provide public recreational uses and which facilitate public access to shorelines.
4. Motorized vehicles are prohibited on beaches, bars, spits and streambeds, except for boat launching and maintenance activities.
5. Perimeters of parking areas shall be landscaped to minimize visual impacts to the shorelines, roadways and adjacent properties.
6. Recreational developments shall provide facilities for non-motorized access, such as pedestrian or bicycle paths to link upland recreation areas to the shoreline.
7. Recreational facilities shall make adequate provisions for water supply, sewage disposal and garbage collection.

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8. Recreational facilities shall make adequate provisions, such as screening, buffer strips, fences and signs, to prevent overflow and to protect the value and enjoyment of adjacent or nearby private properties.
9. To protect natural resources and adjacent properties, recreational facility design and operation shall prohibit the use of all-terrain and off-road vehicles in the shoreline area.
10. All permanent recreational structures and facilities shall be located outside officially mapped floodways EXCEPT the Town may grant exceptions for nonintensive accessory uses (e.g., picnic tables, etc.). Trailer spaces, developed camping sites and similar facilities shall not be located in the floodway.
11. Accessory facilities, such as restrooms, recreation halls, commercial services, access roads and parking areas shall be located outside of the floodway unless it can be shown that such facilities are shoreline dependent. These areas shall be linked to the shoreline by walkways.
12. For recreation developments that will require the use of fertilizers, pesticides or other toxic chemicals, such as golf courses and playfields, the applicant shall submit plans demonstrating the methods to be used to prevent leachate from entering adjacent water bodies. Buffer strips shall be included in the plan. The Town shall determine the maximum width necessary for buffer strips, but in no case shall the buffer strip be less than 25 feet.
13. In approving shoreline recreational developments, the Town shall ensure that the development will maintain, enhance or restore desirable shoreline features including fragile areas, wetlands, scenic views, public access and aesthetic values. To this end, the Town may condition project dimensions, location of project components on the site, intensity of use, screening, parking requirements and setbacks, as deemed appropriate to accomplish this.
14. No recreation building or structure, except piers, docks, or bridges shall be built over the water.
15. Proposals for recreational development shall include plans for sewage disposal. Where treatment facilities are not available, the Town shall limit the intensity of development to meet strict County and State on-site sewage disposal requirements.
16. Signs indicating the public's right of access to shoreline areas shall be installed and maintained by the

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Town in conspicuous locations at the point of access except in identified environmentally sensitive areas.

17. Proposals for recreational developments shall include a landscape plan. Native, self-sustaining vegetation is preferred. The removal of on-site native vegetation shall be limited to the minimum necessary for the development of campsites, selected views or other permitted structures or facilities.

C. Environmental Specific Regulations

Recreational development shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

6.08 Residential Development

Residential development shall mean the division and/or subdivision of land for residential use and/or the construction or exterior alteration of one or more buildings or structures or portions thereof, which are designed for and used to provide a place of abode for human beings, including one and two family detached dwellings, multifamily residences, row houses, townhouses, mobile home parks, planned developments and subdivisions, and other similar group housing, together with accessory uses and structures normally common to residential uses (including decks, garages, and fences). Residential development shall not include hotels, motels, or any type of overnight or transient housing or camping facilities.

Although a Substantial Development Permit is not required for construction within shoreline jurisdiction by an owner, lessee or contract purchaser of a single family residence for his/her own use or the use of his/her family, such construction and all normal appurtenant structures must otherwise conform to this Master Program.

A. Policies

1. Residential development should be permitted only where there are adequate provisions for utilities, circulation and access.
2. Residential development should be prohibited in environmentally sensitive areas including but not limited to marshes, bogs and swamps.
3. The overall density of development, lot coverage and height of structures should be appropriate to the physical capabilities of the site.
4. Recognizing the single purpose, irreversible and space consumptive nature of shoreline residential development, new development should provide adequate setbacks from the water and ample open space between structures to provide space for outdoor recreation, protect natural features, preserve views and minimize use conflicts.
5. Residential development should be designed to, preserve shoreline vegetation, control erosion and protect water quality, shoreline aesthetic characteristics, and public use of the water.
6. Residential developments should provide public access to the water in a manner which is appropriate to the site and the nature and size of the development. Subdivisions should dedicate and maintain usable waterfront areas for the common use of all property owners within the development and the general public.

7. Residential development and accessory uses should be prohibited over water.
8. New residential development should be encouraged to cluster dwelling its in order to preserve natural features and wetlands, minimize physical impacts and reduce utility and road costs.
9. Sewage disposal facilities, as well as water supply facilities, should be provided in accordance with appropriate state and local health regulations. Storm drainage facilities should be separated, not combined with sewage disposal systems.

B. Regulations

1. New residential development shall not be approved for which flood control, shoreline protection measures or bulkheading will be required to create residential lots or site area. Residential development shall be located and designed to avoid the need for structural shore defense and protection works.
2. If marshes, bogs, swamps or other fragile features are located on a development site, clustering (or similar design) of residential units shall be required in order to avoid any development in such areas.
3. Residential development is prohibited within floodways and within other hazardous areas such as steep slopes and areas with unstable soils or geologic conditions.
4. Residential structures and accessory structures are prohibited over water or floating on the water.
5. All residential structures, accessory uses and facilities shall be arranged and designed to preserve views and vistas to and from shorelines and water bodies and
6. Prior to issuance of a building permit, Substantial Development Permit or other development approval, the developer shall submit adequate plans for preservation of preferred shore vegetation, for control of erosion during and after construction and for the replanting of the site after construction resulting in permanent shoreline stabilization.
7. Storm drainage facilities shall be required for residential development projects involving five (5) or more lots, building sites or residential units. Storm drainage facilities shall be separate from sewage disposal transport facilities and include provisions to prevent uncontrolled and untreated direct entry of surface water runoff into receiving waters. Storm drainage facilities may include, but not be limited to

retention ponds, vegetated swales, and artificial and natural wetlands PROVIDED no adverse impacts to the receiving wetlands would occur.

8. Subdivisions and planned unit developments of five (5) or more waterfront lots, building sites or residential units shall dedicate, improve, and provide maintenance provisions for a pedestrian easement which provides area sufficient to ensure usable access to and/or along the shoreline for all residents of the development and the general public. When required, public access easements shall be a minimum of ten (10) feet in width.
9. Residential development in shoreline areas shall meet the dimensional requirements established in Chart 2, EXCEPT as provided in Regulation #10 below.
10. The residential setbacks in Chart 2, shall not apply in cases where the majority of existing development in the area does not meet these established setback standards. In such cases residential structures shall be setback common to the average of setbacks for existing dwelling units within three hundred (300) feet of side property lines or a minimum of twenty-five (25) feet, whichever is greater. If there is only one or no dwelling units within three hundred (300) feet of side property lines, the shoreline setback requirements of Chart 2 shall apply. Setback relaxation allowed in this section is subject to approval by the Shoreline Administrator. Any further deviation from setback requirements, beyond that allowed in this section shall require approval of a shoreline variance permit.

C. Environment Specific Regulations

Residential development shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

Urban and Suburban Environments

Single family residential development is permitted (exempt) subject to the regulations contained herein. Single family development greater than thirty-five (35) feet high requires approval of both a substantial development permit and shoreline variance permit. Duplexes are permitted subject to approval of a substantial development permit. Multifamily development is permitted subject to approval of a conditional use permit.

Rural Environment

Single family residential development is permitted (exempt) subject to the regulations contained herein. Single family development greater than thirty-five (35) feet high requires approval of a substantial development permit and shoreline

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variance permit. Duplexes are permitted subject to approval of a conditional use permit. Multifamily residential development is prohibited.

Conservancy Environment

Single family residential development is permitted (exempt) subject to the regulations contained herein. Single family development greater than twenty-five (25) feet high requires a shoreline variance permit. Single family development greater than thirty-five (35) feet high requires approval of both a substantial development permit and a shoreline variance permit. Duplexes and multifamily residential development are prohibited.

6.09 Shoreline Stabilization and Flood Protection

Shoreline stabilization and flood protection are actions taken to reduce adverse impacts caused by current, flood, wake or wave action. These actions include all structural and non-structural means to reduce impacts due to flooding, erosion and accretion. Specific structural and non-structural means included in this use activity are riprap, bulkheads, jetties and groins, bank stabilization and other means of shoreline protection.

When appropriate, proposals for shoreline stabilization and flood protection shall conform to other applicable master program use and activity policies and regulations, including Landfill; Transportation facilities; and Mining.

A. Policies

1. Shoreline stabilization and flood protection activities planning should be undertaken in a coordinated manner among affected property owners and public agencies and should consider entire systems or sizeable stretches of riverine shorelines. This activity should consider the off-site erosion, accretion or flood damage that may occur as a result of stabilization or protection structures.
2. Shoreline stabilization and flood protection works should be located, designed, constructed and maintained to provide:
 - a. Protection of the physical integrity of shore processes and other properties which may be damaged by interruptions of the geohydraulic system;
 - b. Protection of water quality and natural ground water movement;
 - c. Protection of valuable fish and wildlife habitat;
 - d. Preservation of valuable recreation resources and aesthetic values such as point and channel bars, islands, braided streamway banks, other shoreline features and scenery; and
 - e. Upon completion, restoration of shoreline areas to as near preproject configuration as possible, reestablishing vegetation with native species. See Appendix D for a listing of NATIVE SPECIES.
3. Bank stabilization measures should be located, designed and constructed primarily to prevent damage to existing development. All new development should be located and designed to prevent or minimize the need for shoreline

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stabilization measures and flood protection works. New development requiring shoreline stabilization should be discouraged.

4. Stabilization and protection works which are more natural in appearance, more compatible with on-going shore processes and more flexible for long term streamway management such as protective berms or vegetative stabilization should be encouraged over structural means such as concrete revetments or extensive riprap.
5. Structural solutions to reduce shoreline damage should be allowed only after it is demonstrated that non-structural solutions would not be able to reduce the damage.
6. Use of car bodies, uprooted tree stumps, scrap building material, asphalt from street work, or any discarded equipment or appliances for shoreline stabilization should be prohibited.
7. Substantial stream channel direction modification realignment and straightening should be discouraged as a means of shoreline stabilization and flood protection.
8. The design of stabilization or protection works should provide for the long term multiple use of streamway resources and public access to public shorelines. In the design of publicly financed or subsidized works, consideration should be given to providing public pedestrian access to shorelines for low-intensity outdoor recreation.
9. Natural features such as snags, stumps or uprooted trees which support fish and other aquatic systems, and which do not intrude on the navigational channel or threaten agricultural land and existing structures and facilities, should be left undisturbed.
10. All flood protection measures should be placed landward of the floodway boundary, including associated marshes bogs and swamps which are directly interrelated and interdependent with the stream proper.

B. Regulations

1. All applicable federal and state permits shall be obtained and complied with in the construction and operation of shoreline stabilization and flood protection works.
2. All new development activities shall be located and designed to prevent or minimize the need for shoreline stabilization and flood protection works, such as bulkheads, riprap, landfills, levees, dikes, groins, jetties, or substantial site regrades.

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3. The Town shall require and utilize the following information during its review of shoreline stabilization and flood protection proposals:
 - a. Purpose of project;
 - b. Hydraulic characteristics of river within one-half mile on each side of proposed project;
 - c. Existing shoreline stabilization and flood protection devices within one-half mile on each side of proposed project;
 - d. Construction material and methods;
 - e. Physical, geological and/or soil characteristics of the area;
 - f. Predicted impact upon area shore and hydraulic processes, adjacent properties and shoreline and water uses; and
 - g. Alternative measures (including non-structural) which will achieve the same purpose.
4. Shoreline stabilization and flood protection measures shall not be designed and constructed in such a manner as to result in channelization of normal stream flows.
5. River and stream channel direction modification, realignment and straightening are prohibited unless they are essential to uses that are consistent with this program.
6. Flood control diking shall be landward of the floodway of the base (100-year frequency) flood and any marshes, bogs, swamps, associated or directly interrelated and interdependent with the river.
7. Upon project completion, all disturbed shoreline areas shall be restored to as near preproject configuration as possible and replanted with native grasses, shrubs, and/or trees in keeping with existing bank vegetation. If native species cannot be obtained, acceptable substitutes may be used for stabilization purposes.
8. Shoreline stabilization and flood protection works are prohibited in wetlands and on point and channel bars. They are also prohibited in salmon and trout spawning areas except for fish or wildlife habitat enhancement.
9. Dikes and levees shall be limited in size to that height required to protect adjacent lands from the predicted 100-year flood.

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10. The Town shall require dedication and improvement of linear public access along new dikes when it determines such access to be in the public interest.
11. Shoreline stabilization or flood control works shall, to the extent possible, be planned, designed and constructed to allow for channel migration. These works shall not reduce the volume and storage capacity of rivers and adjacent wetlands or flood plains.
12. Use of car bodies, uprooted tree stumps, scrap building materials, asphalt from street work, or any discarded pieces of equipment or appliances for the stabilization of shorelines shall be prohibited.

C. Environment Specific Regulations

Shoreline stabilization and flood protection shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

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6.10 Solid Waste Disposal

Solid waste disposal includes any biodegradable or non-biodegradable material discarded as unwanted.

A. Policy

1. Solid waste disposal should not be permitted within the shoreline area.

B. Regulations

1. Shorelines shall not be used for any sanitary landfill operations or the disposal of solid wastes.

C. Environmental Specific Regulations

Solid waste disposal is prohibited in all shoreline environments. Temporary storage in litter and refuse containers is permitted in the shoreline area if maintained in sanitary condition in compliance with all state and local health requirements.

6.11 Transportation

Transportation facilities are those structures and developments that aid in land and water surface movement of people, goods and services. They include roads and highways, bridges and causeways, bikeways, trails, railroad facilities, airports and other related facilities. (See Chapter 5.00 for General Regulations for parking areas).

A. Policies

1. All transportation facilities in shoreline areas should be located, designed, constructed and maintained to cause the least possible adverse impact on the land and water environment, and should respect the natural character of the shoreline and make every effort to preserve wildlife, aquatic life, their habitats, and wetland areas.
2. Major highways, freeways and railways should be located away from shoreline areas.
3. Road locations should be planned to fit the topographical characteristics of the shoreline such that minimum alterations of natural conditions will be necessary. New transportation facilities should also be located and designed to minimize the need for shoreline protection measures. The number of waterway crossings should be minimized to the maximum extent possible.
4. Trail and bicycle systems that are sensitive to the shoreline environment should be encouraged along shorelines to the maximum extent feasible.
5. Transportation facilities should avoid hazardous shoreline areas (i.e. slide and slump areas, poor foundation soils, and wetlands).
6. Joint use of transportation corridors within shoreline areas for roads, utilities and non-motorized forms of transportation should be encouraged.
7. Abandoned or unused road or railroad rights-of-way which offer opportunities for public access to or adjacent to the water should be acquired and/or retained for such use.
8. Location of roads and railroads should not require the rerouting of river channels.
9. Roads and railroads should be designed, constructed and maintained to minimize erosion and to permit natural movement of ground water and flood waters to the maximum extent practical.

10. All debris, overburden, and other waste materials from construction should be handled, maintained, and disposed of in such a way as to prevent their entry into any surface water body.

B. Regulations

1. Proposals for shoreline transportation facilities shall adequately demonstrate the following:
 - a. Need for a shoreline location and that no reasonable alternative exists.
 - b. That the construction is designed to protect the adjacent shoreline against erosion, uncontrolled or polluting drainage and other factors detrimental to the environment both during and after construction.
 - c. That the project has been designed to fit the existing topography as much as possible, thus minimizing alterations to the natural environment.
 - d. That all debris, overburden and other waste materials from construction will be handled, maintained, and disposed of in such a way as to prevent their entry into any water body.
2. Culvert installations in rivers used by anadromous fish shall meet the requirements of the Washington State Department of Fisheries.
3. All excess construction materials shall be removed from the shoreline area following completion of construction.
4. All excavation materials and soils exposed to erosion by all phases of road, bridge and culvert work shall be stabilized and protected by seeding, mulching or other effective means, both during and after construction.
5. Where permitted to parallel shorelines, roads or railroads shall be set back a sufficient distance from the ordinary high water mark to leave a usable shoreline area for shoreline recreation, access or natural riparian zone.
6. Major highways, freeways, and railways shall be located outside of shoreline areas wherever feasible.
7. Transportation and utility facilities shall make joint use of rights-of-way and consolidate crossings of water bodies where adverse impact to the shoreline can be minimized by doing so.
8. Landfills for transportation facility development are not permitted in water bodies or on associated wetlands EXCEPT when all structural or alternatives have been

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- proven infeasible and the transportation facilities are necessary to support uses consistent with this program.
9. New transportation facilities in shoreline areas should be located and designed to minimize or prevent the need for shoreline protective measures such as riprap or other bank stabilization, landfill, bulkheads, groins, jetties or substantial site regrading.
 10. Roads and railroads shall cross shoreline areas and water bodies by the shortest, most direct route feasible, unless such route would cause more damage to the environment.
 11. Transportation facilities that are allowed to cross over water bodies and associated wetlands shall utilize elevated, open pile or pier structures whenever feasible.
 12. Roads and railroads shall be located to minimize the need for routing surface waters into and through culverts.
 13. Bridge construction shall conform to the following:
 - a. Bridge approach fills shall not encroach in the floodway of any river.
 - b. All bridges shall be high enough (minimum of three feet above 100-year flood elevation) to pass all expected debris and anticipated high water flows from a 100-year flood.
 14. Foot or vehicular bridges crossing rivers for the private use of individual land owners shall be evaluated for need and design. They shall meet the same standards for water quality protection and erosion control as all other bridges.
 15. Private road construction and maintenance shall conform to the following standards:
 - a. Road subgrade widths shall be the minimum commensurate with the intended use, generally not more than 20 feet for single lane roads.
 - b. Roads shall follow natural contours where possible. Natural benches, ridge tops and flat slopes are preferred locations.
 - c. Erodible cuts and filled slopes shall be protected by planting or seeding with appropriate ground cover or by matting immediately following construction.

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C. Environment Specific Regulations

Transportation facilities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

CHAPTER 7.00 ADMINISTRATION

7.01 General

There is hereby established an administrative system designed to assign responsibilities for implementation of the Master Program and Shoreline Permit review, to prescribe an orderly process by which to review proposals and permit applications, and to ensure that all persons affected by this Master Program are treated in a fair and equitable manner.

7.02 Administrator

- A. The Mayor or his/her designee, hereinafter known as the Administrator, is vested with:
1. Overall administrative responsibility for this Master Program;
 2. Authority to approve, approve with conditions or deny shoreline Substantial Development Permits and permit revisions in accordance with the policies and provisions of this Master Program;
 3. Authority to grant statements of exemption from Shoreline Substantial Development Permits; and
 4. Authority to determine compliance with RCW 43.21C, State Environmental Policy Act.
- B. The duties and responsibilities of the Administrator shall include:
1. Establishing the procedures and preparing forms deemed essential for the administration of this program.
 2. Advising interested citizens and applicants of the goals, policies, regulations, and procedures of this program.
 3. Making administrative decisions and interpretations of the policies and regulations of this program and the Shoreline Management Act.
 4. Collecting applicable fees.
 5. Determining that all applications and necessary information and materials are provided.
 6. Making field inspections, as necessary.

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7. Reviewing, insofar as possible, all provided and related information deemed necessary for appropriate application needs.
8. Determining if a shoreline Substantial Development Permit, Conditional Use Permit or Variance Permit is required.
9. Conducting a thorough review and analysis of shoreline Substantial Development Permit applications making written findings and conclusions and approving, approving with conditions, or denying such permits.
10. Submitting Variance and Conditional Use Permit Applications and making written recommendations and findings on such permits to the Town Council for their consideration and official action. The Administrator shall assure that all relevant information and testimony regarding the application is made available to the Council during their review.
11. Assuring that proper notice is given to appropriate persons and the public for all hearings.
12. Providing technical and administrative assistance to the Town Council as required for effective and equitable implementation of this program and the Act.
13. Provide summary report of the shoreline management permits issued during the past calendar year to the Town Council and Planning Commission in February of each year. The report should include findings and conclusions on significant administrative determinations and appeals, identification of problem areas and recommendations on how the Master Program can be improved.
14. Informing the citizens of Oroville of the purposes, goals, policies, and regulations of this program and any changes or amendments thereto.
15. Investigate, develop, and propose amendments to this program as deemed necessary to more effectively and equitably achieve its goals and policies.
16. Seeking remedies for alleged violations of this program, the provisions of the act, or of conditions of any approved Shoreline Permit issued by Oroville.
17. Coordination of information with affected agencies.

7.03 Oroville Town Council

- A. The Oroville Town Council, hereinafter known as the Council, is vested with authority to:
1. Approve, approve with conditions, or deny shoreline Variance and Conditional Use Permits after considering the findings and recommendations of the Administrator and forward such decisions to the Department of Ecology for final action; PROVIDED that any decisions on this matter made by the Council may be further appealed to the State Shorelines Hearings Board as provided for in the Act;
 2. Decide local administrative appeals of the Administrator's actions and interpretations; and
 3. Approve any revisions or amendments to the Master Program in accordance with the requirements of the Act and related WACs.
- B. The duties and responsibilities of the Council shall include:
1. Consideration of Variances, Conditional Uses, and administrative appeals of the Administrator's actions on regular meeting days or public hearings.
 2. Review of the findings and conclusions for permit applications or appeals of the Administrator's actions and interpretations.
 3. Approve, approve with conditions, or deny shoreline Variance and Conditional Use permits and forward said actions to the Department of Ecology for final action.
 4. Conducting public hearings on appeals of the Administrator's actions, interpretations and decisions.
 5. Basing all decisions on shoreline permits or administrative appeals on the criteria established in this Master Program.
 6. At the discretion of the Council, requiring any applicant granted a shoreline permit to post a bond or other acceptable security with the Town conditioned to assure that the applicant and/or his successors in interest shall adhere to the approved plans and all conditions attached to the shoreline permit. Such bonds or securities shall have a face value of at least 150 percent of the estimated development cost including attached conditions. Such bonds or securities shall be approved as to form by the Town Attorney.
 7. Reviewing and acting upon any recommendations of the Administrator for amendments to or revisions of this

Program. The Council shall enter findings and conclusions setting forth the factors it considered in reaching its decision. To become effective any amendments to the Program must be reviewed and approved by the Department of Ecology, pursuant to RCW 90.58.190 and Chapter 173-19 WAC.

7.04 County Tax Assessor

As provided for in RCW 90.58.290, the restrictions imposed upon the use of real property through the implementation of the policies and regulations of the ACT and this Master Program shall be duly considered by the County Assessor and the County Board of Equalization in establishing the fair market value of such properties.

7.05 Applicability to Substantial Development

Any person wishing to undertake substantial development or exempt development on shorelines shall apply to the Administrator for a shorelines permit or a Statement of Exemption.

Whenever a development falls within the exemption criteria outlined below and the development is subject to a U.S. Army Corps of Engineers Section 10 or Section 404 Permit, the Administrator shall prepare a Statement of Exemption, and transmit a copy to the applicant and the Washington State Department of Ecology. Exempt development as defined herein shall not require a Substantial Development Permit, but may require a Conditional Use Permit, Variance and/or a Statement of Exemption.

Before determining that a proposal is exempt, the Administrator may conduct a site inspection to ensure that the proposal meets the exemption criteria. The exemption granted may be conditioned to ensure that the activity is consistent with the Master Program and the Shoreline Management Act.

Note: EXEMPTION FROM SUBSTANTIAL DEVELOPMENT PERMIT REQUIREMENTS DOES NOT CONSTITUTE EXEMPTION FROM THE POLICIES AND USE REGULATIONS OF THE SHORELINE MANAGEMENT ACT, THE PROVISIONS OF THIS MASTER PROGRAM, AND OTHER APPLICABLE CITY, STATE OR FEDERAL PERMIT REQUIREMENTS.

7.06 Statement of Exemption

Applicants for all non-shoreline permits or approvals within the shoreline area must obtain a written "Statement of Exemption" from securing a Substantial Development Permit. This process verifies

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that the action is exempt and offers an applicant an itemization of SMP and other requirements applicable to the proposed project. In the case of development subject to the policies and regulations of this Master Program but exempt from the Substantial Development Permit process, the Building Official or other permit authorizing official shall attach shoreline management terms and conditions to the building permits and other permits and approval pursuant to RCW 90.58.140. For example, the approval of a building permit for a single-family residence can be conditioned with provisions from the Master Program. Other permit approvals may be conditioned on the basis of SMP policy and use regulations as well.

7.07 Fees

A filing fee in an amount established by the Town Council shall be paid to the Town of Oroville at the time of application.

7.08 Permit Application

The Administrator shall provide the necessary application forms for shoreline Substantial Development, Conditional Use and Variance Permits. In addition to the information requested on the application the applicant shall provide, at a minimum, the following information:

- A. SITE PLAN - drawn to scale and including:
1. site boundary;
 2. property dimensions in vicinity of project;
 3. ordinary high water mark;
 4. typical cross section or sections showing:
 - a) existing ground elevation
 - b) proposed ground elevation
 - c) height of existing structures
 - d) height of proposed structures;
 5. Where appropriate, proposed land contours using five-foot intervals in water area and ten-foot intervals on areas landward of ordinary high water mark, if development involves grading, cutting, filling, or other alteration of land contours;
 6. Show dimensions and location of existing structures which will be maintained;
 7. Show dimensions and locations of proposed structures; parking and landscaping;

8. Identify source, composition, and volume of fill material;
9. Identify composition and volume of any extracted materials, and identify proposed disposal area;
10. Location of proposed utilities, such as sewer, septic tanks and drain fields, water, gas and electricity;
11. If the development proposes septic tanks, does proposed development comply with local and state health regulations?
12. Shoreline designation according to the Master Program.
13. Show which areas are shorelines and which are shorelines of statewide significance.

B. VICINITY MAP

1. Indicate site location using natural points of reference and sufficient detail and scale to accurately locate the site (roads, state highways, prominent landmarks, etc.).
2. If the development involves the removal of any soils by dredging or otherwise, identify the proposed disposal site on the map. If disposal site is beyond the confines of the vicinity map, provide another vicinity map showing the precise location of the disposal site and its distance to nearest city or town.
3. Give brief narrative description of the general nature of the improvements and land use within 1,000 feet in all directions from development site.

C. ADJACENT LAND OWNERS. Provide names and addresses of all real property owners within 300 feet of property where development is proposed.

Complete application and documents for all shoreline permits shall be submitted to the Administrator for processing and review. Any deficiencies in the application or documents shall be corrected by the applicant prior to further processing.

7.09 Permit Process

Within ten (10) days of receipt of a complete application and associated information, the Administrator shall mail notice of proposed project to all real property owners named on the list as supplied by the applicant, and shall post or require the applicant to post notice (minimum of 8"x 10" in size) in a conspicuous manner on the property upon which the project is to be constructed. The

Administrator shall also be responsible for delivering legal notice to the newspaper, to be published at least once a week on the same day of the week for two consecutive weeks in a newspaper of general circulation within the area in which the development is proposed. Advertising costs will be the responsibility of the applicant. Further, the burden of proving that a proposed development is consistent with the approval criteria and master program policies and regulations shall be the applicants.

The Administrator shall schedule a public hearing before the Town Council in the case of a Conditional Use Permit (CUP) or Variance Permit. No public hearing is required for shoreline Substantial Development permits acted upon by the Administrator. For the purpose of scheduling a public hearing, the date of submittal of a complete application shall be considered the date of application. The minimum allowable time required from the date of application to Town Council hearing date shall be 45 days. Any interested person may submit his/her written views upon the application to the Town within 30 days of application or notify the Town of his/her desire to receive a copy of the action taken upon the application. All persons who so submit their views shall be notified in a timely manner of the action taken upon the application.

A. Application Review - Administrator Action

The Administrator shall make recommendations in the case of Variance and Conditional Use permits and decisions in the case of Substantial Development permits or requests for revisions to approved permits pursuant to Section 7.10, based upon:

1. The policies and procedures of the Act, and related WAC's as amended;
2. The Shoreline Master Program for Oroville, as amended.
3. Other applicable Town land use regulations.

B. Public Hearings

1. At least one public hearing shall be held by the Town Council regarding applications for permits where:
 - a. The proposal involves a Variance
 - b. The proposal involves a Conditional Use.
 - c. The Administrator or the Town Council determines that the proposed development is one of public significance and/or would have a significant impact upon the shoreline environment.
 - d. The proposal involved an appeal of the Administrator's decision on a Substantial Development Permit or Exemption.

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2. The Town Council shall review applications for Conditional Use Permits, Variances and appeals of Substantial Development Permits and Exemption decisions based upon any or all of the following:
 - a. The application.
 - b. Applicable SEPA documents, Shoreline Management Act regulations and master program provisions and local land use regulations.
 - c. Evidence presented at the public hearing.
 - d. Written and oral comments from interested persons.
 - e. The findings and conclusions, decisions and recommendations of the Administrator.

C. Town Council Action

1. Upon receipt of a recommendation from the Administrator, the Town Council shall either approve, conditionally approve, or deny the application.
2. The Town Council shall review the permit application at the first regularly scheduled public hearing of the Council following transmittal of the Administrator's recommendation.
3. The Council shall review the application and make decisions regarding permits based upon:
 - a. The Master Program for Oroville.
 - b. Policies and Procedures of Chapter 90.58 RCW, the Shoreline Management Act and its supporting WAC's.
 - c. Written and oral comments from interested persons.
 - d. The comments and findings of the Administrator.
4. A written notice of the public hearing at which the Council considers the application, shall be mailed or delivered to the applicant a minimum of five days prior to hearing.
5. The decisions of the Council shall be the final decision of the Town of Oroville on all applications and the Council shall render a written decision including finding, conclusions, and a final order, and transmit copies of the decision within five days of the Council's final decision to the following:
 - a. The applicant.

- b. The Department of Ecology.
- c. Attorney General.

D. Washington State DOE Review

Development pursuant to a shoreline permit shall not begin and is not authorized until 30 days from the date the Administrator files the approved permit with the Department of Ecology and the Attorney General, in the case of a Substantial Development Permit, or up to 60 days in the case of Variance or Conditional Use Permit PROVIDED all review and appeal proceedings initiated within 30 days of the date of such filing of a Substantial Development Permit or 30 days of final approval by the Washington State Department of Ecology for a Conditional Use Permit or Variance have been terminated.

E. Duration of Permits

The Town of Oroville may issue permits with termination dates of up to five years. If a permit does not specify a termination date, the following requirements apply, consistent with WAC 173-14-060:

1. Time Limit for Substantial Progress. Construction, or substantial progress toward completion, must begin within two years after approval of the permits.
2. Extension for Substantial Progress. Oroville may at its discretion, with prior notice to parties of record and the Department, extend the two-year time period for the substantial progress for a reasonable time up to one year based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.
3. Five Year Permit Authorization. If construction has not been completed within five years of approval by the Town the Town will review the permit and, upon showing of good cause, wither extend the permit for one year, or terminate the permit. Prior to the Town authorizing any permit extensions, it shall notify any parties of record or the Department. Note: Only one single extension is permitted.

7.10 Revision of Permits

When an applicant desires to revise a permit, the applicant must submit detailed plans and text describing the proposed changes. If the Administrator determines that the revisions proposed are within the scope and intent of the original permit, consistent with WAC 173-14-064, the Administrator may approve the revision. "Within

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the scope and intent of the original permit" means all of the following:

- A. No additional over-water construction is involved, except that pier, dock or float construction may be increased by five hundred (500) square feet or ten percent (10%), whichever is less;
- B. Ground area coverage and height is not increased more than ten percent (10%);
- C. Additional structures do not exceed a total of two hundred fifty (250) square feet;
- D. The revision does not authorize development to exceed height, setback, lot coverage, or any other requirement of the Oroville Shoreline Master Program;
- E. Additional landscaping is consistent with conditions (if any) attached to the original permit;
- F. The use authorized pursuant to the original permit is not changed; and
- G. No Substantial adverse environmental impact will be caused by the project revision.

If the sum of the proposed revision and any previously approved revisions do not meet the criteria above, an application for a new shoreline permit must be submitted. If the revision involves a Conditional Use or Variance which was conditioned by the Department of Ecology, the revision also must be reviewed and approved by the Department of Ecology (see WAC 173-14-064).

A Town or Department decision on revision to the permit may be appealed within thirty (30) days of such decision, in accordance with RCW 90.58.180 and WAC 173-14-064.

Construction allowed by the revised permit that is not authorized under the original permit is undertaken at the applicant's own risk until the expiration of the appeals deadline.

7.11 Local Appeals

Any decision made by the Administrator on a substantial development permit, master program policy or regulation interpretation, permit revision, or other action within the purview and responsibility of the Administrator, may be appealed by the applicant, private or public organization, or individual to the Town Council within five regular town business days following the issuance of a written decision by the Administrator. Such appeals shall be initiated by filing with the Town Clerk, a notice of appeal setting forth the action being appealed and the principal points upon which the

appeal is based, together with a filing fee as prescribed by the Town Council.

The Town Council shall hear the appeal at its next regularly scheduled public meeting, or as soon thereafter as is feasible. The Town Council, using the applicable decision making criteria established in this master program, shall affirm, modify, or reverse the decision of the Administrator. This decision of the Town Council shall be the final local government decision.

7.12 Appeal to State Shorelines Hearings Board

Any person aggrieved by the granting, denying, rescission or modification of a Shoreline Permit made by the Town Council may seek review from the State Shorelines Hearings Board by filing an original and one copy of request for the same with the Hearings Board within 30 days of receipt of the final decision by the Town Council. Said request shall be in the form required by the rules for practice and procedure before the Hearings Board, the person seeking review shall file a copy of the request for review with the State Department of Ecology and the Attorney General. Hearing Board regulations are contained in Chapter 461-08 WAC.

7.13 Variances and Conditional Uses Permits

The Shoreline Management Act states that Master Programs shall contain provisions covering conditional uses and variances. These provisions should be applied in a manner which, while protecting the environment, will assure that a person will be able to use his/her property in a fair and equitable manner.

- A. Variances: The purpose of a Variance Permit is strictly limited to granting relief to specific bulk, dimensional, or performance standards set forth in the Master Program, and where there are extraordinary or unique circumstances relating to the property such that the strict implementation of the Master Program would impose unnecessary hardships on the applicant or thwart the Shoreline Management Act policies as state in RCW 90.58.020.

Construction pursuant to this permit shall not begin nor can construction be authorized except as provided in RCW 90.58.020. In all instances, extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.

1. Application: An application for a Shoreline Variance shall be submitted on a form provided by the City accompanied by maps, completed environmental checklist,

applicable fees, and any other information specified in this Master Program or requested by the Administrator.

2. Criteria for Granting Variances: Variance Permits for development that will be located landward of the ordinary high water mark, except those areas designated by DOE as marshes, bogs, or swamps pursuant to WAC 173-22, may be authorized provided the applicant can demonstrate all of the following:

- a. That the strict requirements of the bulk, dimensional, or performance standards set forth in the Master Program preclude or significantly interfere with a reasonable use of the property not otherwise prohibited by the Master Program.
- b. That the hardship described above is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the Master Program, and not, for example, from deed restrictions or the applicant's own actions.
- c. That the design of the project will be compatible with other permitted activities in the area and will not cause adverse effects to adjacent properties or the shoreline environment.
- d. That the Variance authorized does not constitute a grant of special privilege not enjoyed by the other properties in the area, and will be the minimum necessary to afford relief.
- e. That the public interest will suffer no substantial detrimental effect.

Variance Permits for development that will be located either waterward of the ordinary high water mark or within marshes, bogs, or swamps as designated in WAC 173-22, may be authorized provided the applicant can demonstrate all the criteria stated above as well as the following:

- f. That the public rights of navigation and use of the shorelines will not be adversely affected by granting the Variance.

In the granting of all Variance Permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if Variances were granted to other developments in the area where similar circumstances exist, the total of the Variances should also remain consistent with the policies of RCW 90.58 and should not produce substantial adverse effects to the shoreline environment.

Requests for varying the use to which a shoreline area is to be put are not requests for Variances, but rather requests for Conditional Uses. Such requests shall be evaluated using the criteria set for below.

- B. Conditional Uses: The purpose for a Conditional Use Permit is to allow greater flexibility in varying the application of the use regulations of the master program in a manner consistent with the policies of RCW 90.58.020; provided, that Conditional Use Permits should also be granted in a circumstance where denial of the permit would result in a thwarting of State policy enumerated in RCW 90.58.020. In authorizing a Conditional Use, special conditions may be attached to the permit by the Town of Oroville or the Department of Ecology to prevent undesirable effects of the proposed use. **USE WHICH ARE SPECIFICALLY PROHIBITED BY THE MASTER PROGRAM SHALL BE AUTHORIZED WITH APPROVAL OF A CONDITIONAL USE PERMIT.**

Uses classified as conditional uses in Chapter 6.00 may be authorized provided that the applicant can demonstrate all of the following:

1. That the proposed use will be consistent with the policies of RCW 90.58.020 and the policies of the Master Program.
2. That the proposed use will not interfere with the normal public use of public shorelines.
3. That the proposed use of the site and design of the project will be compatible with other permitted uses within the area.
4. That the proposed use will cause no unreasonably adverse effects to the Shoreline Environment designation in which it is to be located.
5. That the public interest suffers no substantial detrimental effect.

7.14 Unclassified Uses

Uses not specifically listed and not synonymous with or substantially or materially the same as a listed use shall be prohibited unless the Town Council finds, by formal written findings of fact, by clear and convincing evidence that such use is consistent with the goals and policies and the management principles and guidelines of this Master Program and the Shoreline Management Act and with the shoreline environmental designation criteria of the particular shoreline environment in which the proposal is to be located. Such uses, once reviewed by the

Council, may be authorized through the issuance of a Conditional Use Permit.

7.15 DOE Approval of Conditional Uses and Variance Permits

After Oroville's approval of a Conditional Use of Variance Permit, the Administrator shall submit the permit to the Department of Ecology for its approval, approval with conditions, or denial. Upon receipt of the DOE decision, the Administrator shall notify those interested persons having requested notification of the such decision.

7.16 Nonconforming Development

Nonconforming development is a shoreline use or structure which was lawfully constructed or established prior to the effective date of the act or the Master Program, or amendments thereto, but which does not conform to present regulations or standards of the Master Program or policies of the act. In such cases, the following standards shall apply.

- A. Nonconforming development may be continued provided that it is not enlarged, intensified, increased, or altered in any way which increases its nonconformity unless authorized by a Conditional Use Permit;
- B. A nonconforming development which is moved any distance must be brought into conformance with the Master Program and the Act;
- C. If a nonconforming development is damaged to an extent not exceeding seventy-five (75) percent of the replacement cost or market value of the original structure, it may be reconstructed to those configurations existing immediately prior to the time the structure was damaged, so long as restoration is begun within one year and completed within three years of the date of damage, with the exception that, single family nonconforming development may be one hundred (100) percent replaced if restoration is completed within three years of the date of damage.
- D. If a nonconforming use is discontinued for twenty-four (24) consecutive months any subsequent use shall be conforming;
- E. A nonconforming use shall not be changed to another nonconforming use, regardless of the conforming or nonconforming status of the building or structure in which it is housed; and

- F. An undeveloped lot, tract, parcel, site, or division which was established prior to the effective date of the act and the Master Program but which does not conform to the present lot size or density standards may be developed so long as such development conforms to all other requirements of the Master Program and the act.

7.17 Enforcement and Penalties

The choice of enforcement action and the severity of any penalty should be based on the nature of the violation and the damage or risk to the public or to public resources. The existence or degree of bad faith of the persons subject to the enforcement action, the benefits that accrue to the violator, and the cost of obtaining compliance may also be considered.

A. Civil Penalty

1. Action: The Town Attorney when authorized by the Mayor or State shall bring such injunctive, declaratory, or other actions as are necessary to insure that no uses are made of the shorelines of the state in conflict with the provisions of the Act and this Master Program and to otherwise enforce the provisions of the Act and the Master Program.
2. Non-Compliance: Any person who fails to conform to the terms of a permit or exemption issued under this Master Program or who undertakes a development or use on the shorelines of the state without first obtaining any permit required under the Master Program or who fails to comply with a cease and desist order issued under regulations shall also be subject to a civil penalty not to exceed one thousand (1000) dollars for each violation. Each permit violation or each day of continued development without a required permit shall constitute a separate violation.
3. Aiding and Abetting: Any person who, through an act of commission or omission procedures, aids, or abets in the violation shall be considered to have committed a violation for the purposes of the civil penalty.
4. Notice of Penalty: The penalty provided for in this section shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same from the Town of Oroville. The notice shall include the "content of order" specified in subsection f. Regulatory Order.
5. Remission and Joint Order: Within thirty (30) days after the notice is received, the person incurring the

penalty may apply in writing to the Town of Oroville for remission or mitigation of such penalty. Upon receipt of the application, the Town may remit or mitigate the penalty only upon a demonstration of extraordinary circumstances, such as the presence of information or factors not considered in setting the original penalty. Any penalty imposed pursuant to this section by the Town shall be subject to review by the Town Council. In accordance with RCW 90.58.050 and RCW 90.58.210(4), any penalty jointly imposed by the Town and the Department of Ecology shall be appealed to the Shorelines Hearings Board. When a penalty is imposed jointly by the Town and the Department of Ecology, it may be remitted or mitigated only upon such terms as both the Town and the Department agree.

6. Regulatory Order: Content of order shall set forth and contain:
 - a. A description of the specific nature, location, extent, and time of violation and the damage or potential damage; and
 - b. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time. A civil penalty under this section may be issued with the order and same shall specify a date certain or schedule by which payment will be complete.
 7. Effective Date: The cease and desist order issued under this subsection shall become effective immediately upon receipt by the person to whom the order is directed.
 8. Compliance: Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
- B. Delinquent Permit Penalty: Permittees applying for a permit after commencement of a use or activity may, at the discretion of the Town be required, in addition, to pay a delinquent permit penalty not to exceed three times the appropriate permit fee paid by the permittee. A person who has caused, aided, or abetted a violation within two (2) years after the issuance of a regulatory order, notice of violation, or penalty by the Town or the Department against said person may be subject to a delinquent permit penalty not to exceed ten times the appropriate permit fee paid by the permittee. Delinquent permit penalties shall be paid in full prior to resuming the use or activity.
- C. Property Lien: Any person who fails to pay the prescribed penalty as authorized in this section shall be subject to a

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lien upon the affected property until such time as the penalty is paid in full. The Town Attorney shall file said lien against the affected property at the office of the Okanogan County Assessor and record said lien with the Okanogan County Auditor.

- D. Mandatory Civil Penalties: Issuance of civil penalties is mandatory in the following instances:
1. The violator has ignored the issuance of an order or notice of violation.
 2. The violation causes or contributes to significant environmental damage to shorelines of the state as determined by the Town.
 3. A person causes, aids, or abets in a violation within two (2) years after issuance of a similar regulatory order, notice of violation, or penalty by the Town or the Department against said person.
- E. Minimum Penalty Levels:
1. Regarding all violations that are mandatory penalties, the minimum penalty is two hundred and fifty (250) dollars.
 2. For all other penalties, the minimum penalty is one hundred (100) dollars.
- F. General Criminal Penalty: In addition to incurring civil liability under Section 1., any person found to have willfully engaged in activities on the shorelines of the state in violation of the provisions of the Act or the Master Program shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than one hundred (100) dollars nor more than one thousand (1000) dollars or by imprisonment in the county jail for not more than ninety (90) days for each separate offense, or by both such fine and imprisonment. Provided, that the fine for each separate offense for the third and all subsequent violations in any five-year period shall be not less than five hundred (500) dollars nor more than ten thousand (10,000) dollars.
- G. Violator Liabilities - Damages, Attorney's Fees/Costs: Any person subject to the regulatory program of the Act or the Master Program who violates any provision thereof or permit issued pursuant thereto shall be liable for all damage to public or private property arising from such violation, including the cost of restoring the affected area to its condition prior to violation. The Town Attorney shall bring suit for damages under this section on behalf of the Town. Private persons shall have the right to bring suit for damages under this section on their own behalf and on the behalf of all persons similarly situated. If liability has been

established for the cost of restoring an area affected by a violation, the court shall make provisions to assure that restoration will be accomplished within reasonable time at the expense of the violator. In addition to such relief, including money damages, the court in its discretion may award attorney's fees and costs of the suit to the prevailing party.

- H. Development and Building Permits: No building permit, septic tank permit, or other development permit shall be issued for any parcel of land developed or divided in violation of the Master Program. All purchasers or transferees of property shall comply with provisions of the Act and the Master Program, and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling, transferring, or leasing land in violation of the Act or the Master Program, including any amount reasonably spent as a result of inability to obtain any development permit and spent to conform to the requirements of the Act or the Master Program as well as cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser, transferee, or lessor may, as an alternative to conforming his property to these requirements, rescind the sale, transfer, or lease and recover cost of investigation and reasonable attorney's fees occasioned thereby from the violator.

7.18 Master Program Review

This Master Program shall be periodically reviewed and adjustments shall be made as are necessary to reflect changing local circumstances, new information or improved data, and changes in State statutes and regulations. This review process shall be consistent with WAC 173-19 requirements and shall include a local citizen involvement effort and public hearing to obtain the views and comments of the public.

7.19 Amendments to Master Program

Any of the provisions of this Master Program may be amended as provided for in RCW 90.58.120 and .200 and Chapter 173-19 WAC. Amendments or revisions to the Master Program, as provided by law, do not become effective until approved by the Washington State Dept. of Ecology.

Proposals for shoreline environment redesignations (ie. amendments to the shoreline maps and descriptions, Appendices B & C) must demonstrate consistency with the criteria set forth in Appendix A, Shoreline Environment Designation Criteria.

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7.20 Severability

If any provisions of this Master Program, or its application to any person or legal entity or parcel of land or circumstances, is held invalid, the remainder of the Master Program, or the application of the provisions to other persons or legal entities or parcels of land or circumstances, shall not be affected.

APPENDIX A
SHORELINE ENVIRONMENT
DESIGNATION CRITERIA

The following provisions address the four shoreline environment designations applied to Oroville's shorelines. Each section begins with a statement of purpose for the subject environment, followed by a list of designation criteria used to apply (ie. locate) the environment designation on the shorelines of Oroville, and a series of management policies relating to shoreline use and development appropriate in the given environment. These management policies have been used as the basis for determining which uses and activities are permitted in each shoreline environment.

The following provisions are also designed for use when considering future proposals for establishing environment designations in newly annexed shoreline areas or for modifying (ie. amending) existing environment designations. In all cases, these provisions should serve as a basis for the appropriate delineation of environment designations for the shorelines of Oroville such that they remain consistent with the purpose and intent of the Act and this master program.

A. URBAN ENVIRONMENT

1. Purpose

The Urban Environment is an area of high intensity land use including residential, commercial and industrial development. The purpose of this environment is to ensure optimum utilization of shorelines which are either presently urbanized or planned for urbanization and which are typically served by urban services and infrastructure. Development in urban areas should be managed to maintain and enhance the shorelines for a variety of urban uses, with priority given to water-oriented uses.

2. Designation Criteria

Areas designated Urban should not have biophysical limitations to development such as floodplains, steep slopes, slide hazard areas and/or wetlands and should meet one or more of the following:

- a. Shorelines used or designated for high intensity commercial, industrial or recreational use or for multi-family residential development;
- b. Shorelines of lower intensity use, where surrounding land use is urban and urban services are available;

3. Management Policies

- a. Because shorelines are a finite resource, and because urban uses tend to preclude other shoreline uses, emphasis should be given to directing new development into already developed areas.

- b. Full utilization of existing urban areas should be encouraged before further expansion is allowed.
- c. Reasonable long range projections of regional economic need should guide the amount of shoreline designated Urban.
- d. Priority should be given to water-oriented uses over other uses.
- f. Visual and physical public access should be encouraged. Industrial and commercial facilities should be designed to permit pedestrian waterfront activities. Planning for the acquisition of land for permanent public access to the water in the Urban Environment should be encouraged.
- g. Aesthetic considerations should be actively promoted by means such as sign control regulations, development siting and architectural standards, and planned unit developments.
- h. In order to make maximum use of the available shoreline resource and to accommodate future water-oriented uses, the redevelopment and renewal of substandard or obsolete urban shoreline areas should be encouraged.

B. SUBURBAN ENVIRONMENT

1. Purpose

The Suburban Environment is intended to serve as a transitional area between the more intensive Urban Environment and the low intensity uses of the Rural Environment. It includes shoreline areas that presently support low to medium intensity uses, where existing densities permit space for small numbers of livestock, gardens or woodlots. The Suburban Environment is designed to provide for permanent residential and recreational areas outside urban areas, where adequate facilities for sewage disposal and water supply can be provided.

2. Designation Criteria

Areas designated Suburban should meet one or more of the following:

- a. Areas presently developed or platted for residential uses.
- b. Areas planned and zoned for residential development with lot sizes ranging from 1/4 acre (with public sewer and water) to 5 acres. Also included are existing extensive small, single lot shoreline developments.
- c. Areas which could support and serve the needs of planned unit residential developments.

- d. Areas which could serve as transition zones between urban and rural, conservancy or natural shoreline areas.
- e. Areas having the physical ability to support low to medium density residential uses and associated commercial, recreational and public service facilities.
- f. Areas which are appropriate for low to medium intensity recreational uses compatible with residential and/or small scale agricultural activities.
- g. Areas which are capable of supporting small scale, low intensity agricultural activities such as livestock grazing, small scale crops, gardens or woodlots.
- h. Areas which can provide and have the capabilities to support the necessary public services, utilities and access to accommodate low to medium density development. Sewage disposal and water supply facilities may be provided on an individual or community basis or could possibly be provided via future regional sewer or water systems.
- i. Areas officially designated on comprehensive plans for future expansion of single family residential use.

3. Management Policies

- a. Residential, recreational and agricultural activities of low to medium intensity are preferred over other more land and resource consumptive development or uses.
- b. Residential and other developments should be located, sited, designed and maintained to protect and enhance the shoreline environment.
- c. Developments should be permitted only in those shoreline areas that are environmentally capable of supporting the proposed use in a manner which protects and enhances the shoreline environment.
- d. Public access opportunities to publicly owned shorelines and/or water bodies should be encouraged.
- e. Residential and recreational developments should provide shoreline areas for community or public open space.
- f. Commercial development should be limited to uses that serve the surrounding low and medium intensity residential, recreational or agricultural activities and should not conflict with these activities.
- g. Access, utilities and public services should be available and adequate to serve existing needs and planned future development.

C. RURAL ENVIRONMENT

1. Purpose

The Rural Environment is intended to protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, function as a buffer between urban areas, and maintain open spaces and opportunities for recreational uses compatible with agricultural and forestry uses.

2. Designation Criteria

Areas designated Rural should meet one or more of the following:

- a. Areas dominated by agricultural, forestry or recreational uses;
- b. Areas possessing a high capability of supporting agricultural uses and compatible forms of development;
- c. Areas modified from their natural vegetative cover and surface drainage patterns but generally supporting low density development;
- d. Areas where residential development is or should be low density because of biological or physical limitations, utility capabilities, access problems and/or potential incompatibility with other uses;
- e. Areas of undeveloped land not appropriate for Natural or Conservancy Environment designations and not planned for significant development;
- f. Areas which serve as buffers between shoreline areas supporting greater and lesser intensities of use;
- g. Areas possessing valuable sand, gravel and mineral deposits.

3. Management Policies

- a. Areas with a high capability of supporting agricultural or forestry uses should be protected from incompatible patterns of development and should be maintained for those uses.
- b. New developments in a Rural Environment should reflect the character of the surrounding area by limiting residential density, providing permanent open space and by maintaining adequate building setbacks from the water.
- c. Public and private recreational facilities and uses which are compatible with agriculture and forestry should be encouraged.

- d. Intensive development should not be permitted.
- e. Low density residential development should be allowed when supporting community facilities, such as public sewer, water and power, are available.
- f. Sand, gravel and mineral extraction should be allowed in suitable areas not designated as prime agricultural land.
- g. Industrial and commercial uses (not including agriculture, forestry and mining) should be prohibited.

D. CONSERVANCY ENVIRONMENT

1. Purpose

The intent of the Conservancy Environment is to protect, conserve and manage existing natural resources and valuable historic and cultural areas in order to achieve sustained resource utilization and provide recreational opportunities. The Conservancy Environment is also intended to protect environmentally sensitive areas which are not suitable for intensive use, such as steep slopes, flood-prone areas, eroding bluffs, wetlands and areas which cannot provide adequate sewage disposal. Examples of uses that are appropriate in a Conservancy Environment include dispersed outdoor recreation activities, timber harvesting on a sustained yield basis, passive agricultural uses such as pasture and range lands, and other related uses and activities.

2. Designation Criteria

Areas designated Conservancy should meet one or more of the following:

- a. Areas containing natural resources which lend themselves to management on a sustained-yield basis, such as commercial forest land and agricultural land;
- b. Areas subject to the severe biophysical limitations such as:
 - (1) Steep slopes and landslide hazard areas;
 - (2) Areas subject to severe erosion;
 - (3) Unstable banks or bluffs;
 - (4) Flood-prone areas;
 - (5) Areas with soils that have poor drainage;
 - (6) Wetlands

- c. Areas which play an important part in maintaining the regional ecological balance such as:
 - (1) Areas rich in quality and quantity of life forms;
 - (2) Areas important to the maintenance of natural water quality and flow;
 - (3) Areas important to maintaining the food chain process;
- d. Areas free from extensive development;
- e. Areas where intensive development or use would interfere with natural processes and result in significant damage to other resources;
- f. Areas of high scenic or recreational value; and
- g. Historic areas.

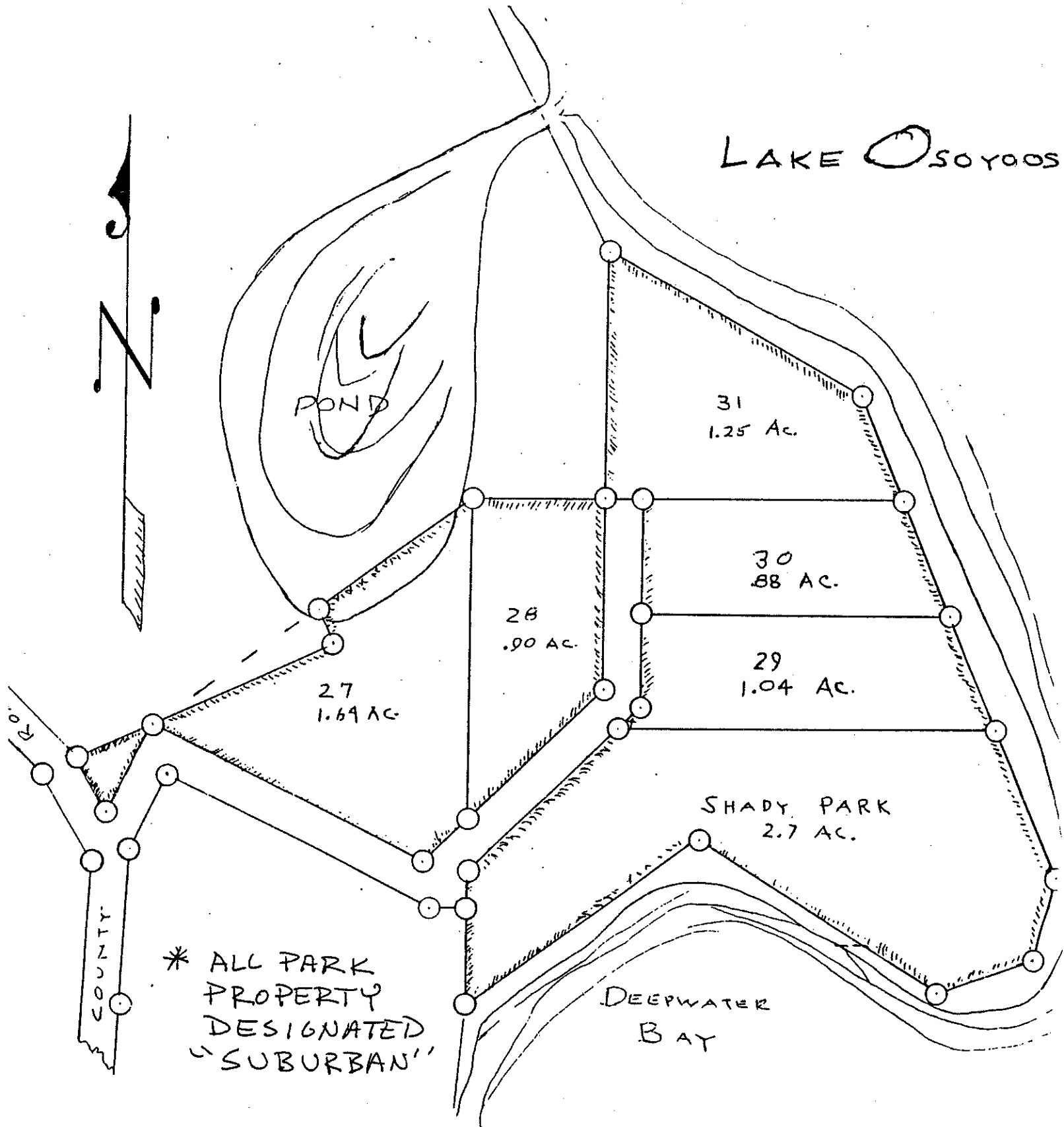
3. Management Policies

- a. Preferred uses in the Conservancy Environment are those which are non-consumptive of the physical and biological resources of the area and activities and uses of a non-permanent nature which do not substantially degrade or alter the existing character of the areas. Non-consumptive uses are those uses which utilize resources on a sustained yield basis while minimally reducing opportunities for other future uses of the resources of the area.
- b. Activities and uses which would substantially degrade or permanently deplete the physical or biological resources of the area should be prohibited.
- c. New development should be restricted to that which is compatible with the natural and biological limitations of the land and water and will not require extensive alteration of the land/water interface.
- d. Development in the Conservancy Environment should be designed to protect the shore process corridor and its operating systems.
- e. Activities or uses which would strip the shoreline of vegetative cover, cause substantial erosion or sedimentation or adversely affect aquatic life should be prohibited.
- f. Recreational activities which will not be detrimental to the shoreline character, natural systems and geohydraulic processes and aquacultural and agricultural uses should be encouraged. Residential development should be restricted as necessary to protect such uses and features.

- g. Commercial and industrial uses other than low intensity agricultural practices, commercial forestry and extraction of renewable sand, gravel and mineral resources should be prohibited.
- h. Construction of structural shoreline stabilization and flood control works should be minimized. New developments should be designed to preclude the need for such works and should be compatible with shoreline characteristics and limitations.

APPENDIX B
SHORELINE ENVIRONMENT MAPS

DEEP POND & PARK SHORELINE MAP*



CITY PARK PROJECT

CROVILLE KIWANIS CLUB

APPENDIX C
SHORELINE DESIGNATIONS

ADOPTED BY:
WA STATE DEPARTMENT OF BIOLOGY

SEPA CHECKLIST ATTACHMENT - SITE MAP

Bulldog/Carpenter Placer
Annexation/Zoning

WA STATE DEPARTMENT OF ECOLOGY

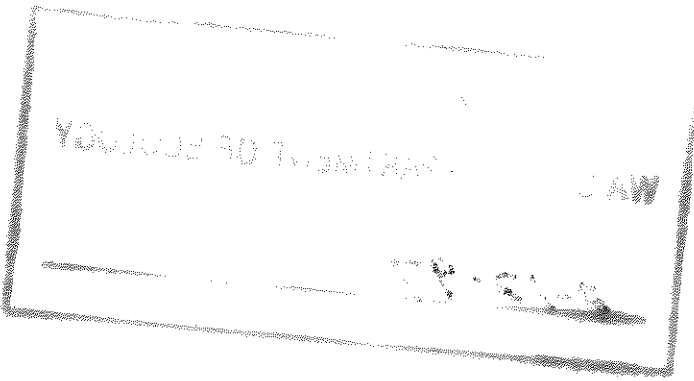
County Existing Zoning 2-13-97
Minimum Requirement District
MATT CARPENTER PLACER



* All existing zoning in Annexation Area is Minimum Requirement District

Annexation Boundary

DAN BROTHERS PLACER



ADOPTED BY:
WA STATE DEPARTMENT OF ECOLOGY
2-12-97

DESCRIPTIONS OF SHORELINE ENVIRONMENT DESIGNATIONS:

TOWN CITY OF OROVILLE

Okanogan River:

Right Bank

All shoreline areas within the jurisdiction of the City of Oroville beginning at or near the north corporate limit line in the ~~SW 1/4 of the SE 1/4 of Section 21~~ **NW 1/4 of the NW 1/4 of Section 28**, Township 40 N., Range 27 E. W.M thence south along said river to the south corporate limit line in the NW 1/4 of the SW 1/4 of Section 27, Township 40 N.,

ADOPTED BY:
WA STATE DEPARTMENT OF ECOLOGY
10-1-80

Range 27 E.W.M. shall be designated as follows:

Similkameen River:

Left Bank

All shoreline areas within the jurisdiction of the City of Oroville beginning where the corporate limit line and Ordinary High Water Mark of the Similkameen River intersect, in the North Half of the SW 1/4 of the NW 1/4 of Section 28, Township 40 N., Range 27 E.W.M., thence south along said river to the center of the 12th Avenue Bridge, shall be designated as follows:

- 1) **from the OHWM landward fifty (50) feet on a horizontal plane - Conservancy**
- 2) **the remainder of the shoreline area (from the boundary of the area noted above landward to a line parallel to and at least 200 feet from the OHWM) - Suburban**

All shoreline areas within the jurisdiction of the Town City of Oroville beginning at **the centerline of the 12th Avenue Bridge in the NE 1/4 of the SW 1/4** ~~or near the corporate limit line in the SE 1/4 of the NW 1/4~~ of Section 268 Township 40 N., Range 27 E.W.M., thence south along said river to the southern corporate limit line in the SE 1/4 of the NW 1/4 of Section 33, Township 40 N., Range 27 E.W.M. shall be designated as follows:

- 1) from the OHWM landward to the waterward side of the top of the flood control levee - Conservancy
- 2) the remainder of the shoreline area (from the boundary of the area noted above landward to a line parallel to and at least 200 feet from the crown of the flood control levee on the Similkameen River) - Suburban

Section 3. The following language, indicated in **boldface** type, is hereby added to Subsection 6.03.C of the City of Oroville Shoreline Master Program to read as follows:

C. **Environment Specific Regulations**

Commercial uses and activities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

Conservancy Environment

1. **The removal of natural vegetation in the Conservancy Environment shall be limited to selective pruning of trees for view and shoreline access purposes, and selective noxious weed control where care is taken not to damage other existing vegetation. Whenever possible, noxious weed control should be accomplished by hand pulling in order to protect existing beneficial vegetation. Replacement of shoreline vegetation with lawns in the Conservancy Environment shall be prohibited.**

Section 4. The following language, indicated in **boldface** type, is hereby added to Subsection 6.04.C of the City of Oroville Shoreline Management Program to read as follows:

C. Environment Specific Regulations

Industrial uses and activities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

Conservancy Environment

1. **The removal of natural vegetation in the Conservancy Environment shall be limited to selective pruning of trees for view and shoreline access purposes, and selective noxious weed control where care is taken not to damage other existing vegetation. Whenever possible, noxious weed control should be accomplished by hand pulling in order to protect existing beneficial vegetation. Replacement of shoreline vegetation with lawns in the Conservancy Environment is prohibited.**

Section 5. The following language, indicated in **boldface** type, is hereby added to Subsection 6.07.C of the City of Oroville Shoreline Management Program to read as follows:

C. Environment Specific Regulations

Recreational uses and activities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

Conservancy Environment

1. **The removal of natural vegetation in the Conservancy environment shall be limited to selective pruning of trees for view and shoreline access purposes, and selective noxious weed control where care is taken not to damage other existing vegetation. Whenever possible, noxious weed control should be accomplished by hand pulling in order to protect existing beneficial vegetation. Replacement of shoreline vegetation with lawns in the Conservancy Environment is prohibited.**

Section 6. The following language, indicated in **boldface** type, is hereby added to Subsection 6.08.C of the City of Oroville Shoreline Management Program to read as follows:

C. Environment Specific Regulations

Residential uses and activities shall comply with the environment specific requirements set forth in Charts 1 and 2 of this chapter.

Conservancy Environment

1. Single family residential development is permitted (exempt) subject to the regulations contained herein.
2. Single family development greater than twenty-five (25) feet high requires a shoreline variance permit.
3. Single family development greater than thirty-five feet high requires approval of both a substantial development permit and a shoreline variance permit.
4. Duplexes and multifamily residential development are prohibited.
5. **The removal of natural vegetation in the Conservancy Environment shall be limited to selective pruning of trees for view and shoreline access purposes, and selective noxious weed control where care is taken not to damage other existing vegetation. Whenever possible, noxious weed control should be accomplished by hand pulling in order to protect existing vegetation. Replacement of shoreline vegetation with lawns in the Conservancy Environment is prohibited.**

Section 7. The Oroville Shoreline Master Program Map, contained in Appendix B of said Master Program, is hereby amended as described in Section 2 above and depicted on attached Exhibit "A".

Section 8. Severability. If any section, sentence clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. This ordinance shall take effect five (5) days after publication of an approved summary thereof consisting of the title. Said summary shall not be submitted for publication until notice is received by the City indicating that amendments contained herein are approved by the Washington State Department of Ecology.

APPENDIX D

NATIVE VEGETATION SPECIES

REVEGETATION GUIDE TO WETLAND RESTORATION/MITIGATION
EASTERN WASHINGTON

Restoration of wetland and riparian communities on the eastern side of Washington, with the extreme weather patterns and drier summers, requires advanced planning prior to vegetation or obtaining plant materials.

1. PLANNING CONSIDERATIONS

- A. Observe the characteristics of the site to revegetate. In particular, the dynamics of the system, soils and hydrology need to be observed. Staff from the Washington Department of Wildlife and Ecology have collaborated on the enclosed revegetation information. It is divided into Scrub-shrub wetland and riparian areas, transitional (drier) areas, eastside forested wetland and riparian areas, transitional forested areas (drier), eastside emergent wetlands (non-woody grasslike plants and flowering plants), eastside grasses, saline and alkaline areas, vernal pond vegetation, bog vegetation, and agricultural riparian areas. These plant lists are in the developmental phases, and as we continue to develop information on this subject, we will continue to provide it. Washington Department of Ecology will be developing a restoration guidebook this year.
- B. Each site has individual characteristics. If a site is undisturbed or relatively pristine, we strongly recommend avoidance of impacts. Undisturbed natural systems should not be "enhanced" by pond construction or introduction of plant species, as this constitutes degradation of wetland condition, values and functions. In some cases, exclusion of grazing will allow natural revegetation to occur with little additional planting. In all cases, revegetation efforts will be unsuccessful if grazing is allowed to continue in the area to be restored - cattle trample and browse the tender young shoots that have been recently planted. Trespass cattle also provide significant deterrence to revegetation success. Do not plant cuttings on a site unless cattle are to be excluded for at least five years.
- C. Revegetation success is very poor when reed canary grass has been established on the site. Attempts to remove the canary grass through burning, spraying with herbicides and mulching have been largely unsuccessful. Red alder and some shrubs have been planted in these areas with some success; conifers have not some well at all. We recommend that reed canary grass, Russian Olive and purple loosestrife never be a component of any vegetation plan. These plants are invasive weeds that crowd out other native vegetation, are difficult to remove, and provide very poor wildlife habitat.

2. SITE PLAN AND DEVELOPMENT

- A. Review the hydrology of the site. Wetland or riparian areas along rivers tend to experience radical fluctuations in water level: either extremely high flooding water during some years or some

times of the year, and drought conditions other times of the year. These sites often have very porous sandy or gravelly soils, which further reduces their moisture holding capability and increases drought conditions.

- B. Review hydrology information for the period of record. Pay particular attention to average or normal year floods, 10 year events and 100 year events. This becomes significant if water is unusually high during spring, when it is in the optimum time to plant. Sometimes these sites are under water at this time, and will have to be planted later. Also, vegetation planted in areas likely to flood should have more rhizomatous or binding roots and flexible stems to withstand flooding (such as willows and red osier dogwood).
- C. Irrigation is critical to revegetation success. Even when planting native woody species, irrigation until the root system develops (for at least two years) is critical. For transitional or non-wetland riparian areas, sandy or cobbled soils along river floodplains, and elevated benches along rivers irrigation is particularly important.
- D. When designing the revegetation plan, attempt to replicate native vegetation communities which occur on similar undisturbed areas adjacent to the site. Try to replant with the same types and relative numbers of plants which occur on undisturbed but similar sites. This ensures both planting species which are easy to maintain, as they are adapted to the environmental conditions of the site, and are also the same species wildlife have evolved with as food, shelter and cover.

3. PLANTING TECHNIQUES

A. Woody Vegetation

- 1) Willow, red osier dogwood and hardhack may be propagated by cutting. Cuttings are taken in January and February and kept in cold storage until tugged to the planting site at the beginning of the growing season. The cuttings should be planted within two weeks after being removed from cold storage. Willows have a 20 to 30 percent survival rate (Soil Conservation Service), with red osier dogwood and hardhack having somewhat lower rates.
- 2) Cutting are about twelve inches long (sometimes longer if the water table is deep where they are to be planted). The majority of the cuttings come without root mass. The bottoms of the cuttings are dipped in white latex paint to ensure that they are planted top site up. The cuttings are easier to transport than long, uncut whips or rooted saplings. All but the top two or three buds on the cuttings are planted.

- 3) Planting density of cuttings is about 18-inch on center.
- 4) Fascine planting includes bundling slips together and burying them in a trench. This is usually done perpendicular to the slope as an erosion control, slope stabilization measure. 8 inch bundles of 6-foot cuttings were placed in a trench. The method was considered labor intensive, but rejuvenation did occur.
- 5) Red alder has been planted as 3-to-4 foot pull ups planted on 6-foot centers. The pullups are placed in saw dust and transported to the planting sites.
- 6) In rip rap environments, rebar is used to punch in the shoots. Depending on the size of the rock, additional soil is usually not required in the crevices between the rocks. Best results were achieved planting the shoots one year or later after the rip rap was installed.
- 7) Cottonwoods are best planted in areas with few other species.

5. DONOR SITES

- A. Woody Vegetation. Be very careful to avoid adversely impacting the donor site. Trampled soils, creating trails, destroying vegetation and allowing invasion by exotic plant or animal species are all adverse impacts. Move through the site, taking a few cuttings throughout the site, and leaving areas with no impact. Don't take more than half of the twigs or any particular plant clone.
- B. Herbaceous Vegetation. Seeds or transplanting sprigs can be used for herbaceous revegetation. Since most wetlands plants reproduce asexually, and often have poor seed viability, use rooted bunches or clumps from nurseries or donor sites are most often used. Use of nursery stock is preferred.

A list of nurseries with available native plants can be obtained by contacting Town Hall. The density is generally 18 inches to 3 feet on center. Irrigation is critical for vegetation establishment when intermittent hydrology is present.

Wetlands composed almost entirely of soft rush, cattail or bulrushes are good donor sites which would not likely be significantly adversely impacted by harvesting sprigs, provided large buffer areas remain undisturbed to recolonize the site. High quality emergent marshes should not be touched for donor sites.

Seeds and nursery stock are available from commercial nurseries. Grass mixtures are included in the revegetation plan which had been attached. Few native grass systems remain in Washington; where the appropriate substrate is available, re-establishment of these systems is highly preferred. If aggressive non-natives such as

hackberry (Celtis reticulata)
ocean spray (Holodiscus discolor)

Eastside forested:

Wetter sites:

black cottonwood (Populus trichocarpa)
mountain alder (Alnus incana)
white alder (Alnus rhombifolia)
water birch (Betula occidentalis)
red-osier dogwood (Cornus stolonifera),

Eastside Transitional areas:

aspen (Populus tremuloides)
Oregon white oak (Quercus garryana)
ninebark (Physocarpus malvaceous)
ocean spray (Holodiscus discolor)
serviceberry (Amelanchier alnifolia)
wild rose (Rosa gymnocarpa, R. woodsii),
mock orange (Philadelphus lewisii)
clematis (Clematis ligusticifolia)
blue elderberry (Sambucus cerulea)
Oregon grape, tall (Berberis aquilifolium)
spirea (Spirea douglasii)

Eastside Emergent:

false solomon seal (Smilacina stellata, S. racemosa)
monkeyflower (Mimulus guttatus)
woolley sedge (Carex lanuginosa)
beaked sedge (Carex rostrata)
Nebraska sedge (Carex nebrascensis)

field sedge (Carex praegracilis)
common spike-rush (Eleocharis palustris)
hardstem bulrush (Scirpus acutus)
baltic rush (Juncus balticus)
three-square bulrush (Scirpus americanus)
softstem bulrush (Scirpus validus)
broadfruited burreed (Sparganium eurycarpum)
common cattail (Typha latifolia)

Eastside Grasses:

Giant wildrye (Elymus cinereus)
Tufted hairgrass (Deschampsia cespitosa)
wheatgrass (Agropyron smithii, A. dasystachyum)
fowl mannagrass (Glyceria straita)

Saline or Alkaline Areas, Eastside:

black greasewood (Sarcobatus vermiculatus)
alkalai saltgrass (Distichlis stricta)
great wildrye (Elymus cinereus)

Vernal Pond Vegetation:

April-May

Gray's desert parsley (Lomatium grayi)
narrowleaved montia (Montia linearis)

Mid-May to Mid-June

Geyer's onion (Allium geeyeri)
Navarretia (Navarretia intertexta var. propinqua)
close-flowered knotweed (Polygonum confertifolium)

Mid-June to Mid-July

Showy downingia (Downingia elegans)

reed canary grass, cheatgrass, timothy or medusahead are present, it is a waste of time and money to attempt revegetation with native grasses. Do not allow livestock in the area for five years after planting to allow establishment of native species.

4. MANAGEMENT

- A. A detailed vegetation plan should be developed giving planting densities, quantities and types of plants. Washington Department of Ecology technical staff will be happy to review these plans and provide technical assistance. Timing of the planting, types of planting (seeds, cuttings, sprigs), hydrology, and soils are important information to include.
- B. Implementation of the revegetation plan should be reviewed in the field to ensure success. This is especially important where the water levels are critical to plant survival. After completion of the planting, a site review should be made to make sure the contract specifications are met.
- C. Irrigation, specified fertilization, replacing transplants that have suffered mortality, replanting unsuccessfully seeded areas with transplants and, if required, temporarily protecting the vegetation from wildlife during this period are critical. Livestock are extremely damaging to any revegetation effort, and must be kept out of the area.

5. MONITORING

- A. Revegetation is similar to gardening in that a certain amount of maintenance is necessary. Irrigation must be checked to ensure that it is working properly, and that the frequency and duration of watering is sufficient to sustain young plants. Weedy species, particularly purple loosestrife, must be eliminated or they will crowd out native species. Manual removal is preferred over herbicide use, as herbicides often eliminate non-target species.
- B. The site should be visited once a year to ensure successful vegetation has occurred. The area should be replanted if 80 percent of the woody vegetation has not survived. For herbaceous plants, 80 percent cover is expected.

SELECTED NATIVE VEGETATION SPECIES

Eastside scrub/shrub wetland and riparian areas:

Douglas Hawthorn (Cataegus douglasii var. douglasii)
white alder (Alnus rhombifolia)
water birch (Betula occidentalis)
willows (salix lasiandra, s. exigua, S. amydaloides.)
red-osier dogwood (Cornus stolonifera),
black twinberry (Lonicera utahensis),
honeysuckle (Lonicera utahensis),
Black cottonwood (Populus trichocarpa)

Transitional areas:

Black hawthorn (Crataegus douglasii)
Columbia hawthorn (C. columbiana)
bitter cherry (Prunus emarginata var. emarginata)
common chokecherry (Prunus virginiana)
wild rose (Rosa gymnocarpa, R. woodsii),
snowberry (Symphoricarpo albus)
serviceberry (Amelanchier alnifolia)
mock orange (Philadelphus lewisii)
clematis (Clematis ligusticifolia)
blue elderberry (Sambucus cerulea)
virgin's bower (Clematis ligustisifolia),
gooseberry (Ribes aureum)
scouler's willow (Salix scouleriana),
ninebark (Physocarpus malvaceus),
syringa (Philadelphus lewisii)

alkalai bluegrass (Poa juncifolia)
common spikerush (Eleocharis palustris)

Mid-July to early August

low gumweed (Grindelia nana)

Bog:

sphagnum moss (Sphagnum)
labrador tea (Ledum groenlandicum)
bog cranberry (Vaccinium oxycoccos)
bog laural (Kalmia occidentalis)

Agricultural Riparian Areas:

cattail (Typha latifolia)
willows (Salix sp.)
wild rose (Rosa nutkana)

Exotic Plants Will Be Discouraged:

The following exotic plant species invade native plant communities and shall be discouraged. Existing stands of these plants will be restored to native plant communities whenever possible:

reed canarygrass (Phalaris arundinacea)
purple loosestrife (Lythrum salicaria)
Russian olive (Elaeagnus angustifolia)
smooth cordgrass (Spartina alterniflora, Spartina townsendii).

Note: reed canarygrass may be used to control the spread of purple loosestrife or other noxious weeds and prevent erosion, if no acceptable native plant material can be found.

