

1           **REGIONAL MASTER PROGRAM GOALS AND POLICIES**

2           **Introduction**

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

6           **General Goals and Policies**

- 7           A. The following goals apply to all shoreline areas, uses and activities.
- 8           1. Provide for the use, development, protection and enhancement of shoreline  
9           areas in compliance with the requirements of the Shoreline Management Act.
  - 10          2. Shoreline management planning and regulation take place in a context that  
11          includes comprehensive land use, economic development, flood hazard  
12          management, salmon recovery, outdoor recreation, public utilities and  
13          watershed planning. The intent is to enhance the efficiency and effectiveness  
14          of natural resource planning processes through coordination.
  - 15          3. Planning for and fostering all reasonable and appropriate uses. This policy is  
16          designed to insure the development of these shorelines in a manner which,  
17          while allowing for limited reduction of rights of the public in the navigable  
18          waters, will promote and enhance the public interest. This policy  
19          contemplates protecting against adverse effects to the public health, the land  
20          and its vegetation and wildlife, and the waters of the state and their aquatic  
21          life, while protecting generally public rights of navigation and corollary rights  
22          incidental thereto. Coordinated planning is necessary in order to protect the  
23          public interest associated with the shorelines of the state while, at the same  
24          time, recognizing and protecting private property rights consistent with the  
25          public interest. Encourage a diversity of shoreline uses, consistent with  
26          Okanogan County's evolving economy and patterns of land use.
  - 27          4. Minimize flood damage, including damage resulting from actions outside  
28          shoreline areas.
  - 29          5. In each local jurisdiction's Shoreline Master Program the policies and  
30          regulations should be integrated and coordinated with those policies and rules  
31          of that jurisdiction's Comprehensive Plan and development regulations.
  - 32          6. Where practical, shoreline management planning and regulation should be  
33          coordinated with other natural resource planning efforts (local, state, federal  
34          and tribal) affecting Okanogan County; a comprehensive system of consistent  
35          policies and regulations is the desired outcome.
  - 36          7. Okanogan County recognizes and honors the sovereignty of the Confederated  
37          Tribes of the Colville Reservation (CCT) and the tribal government's  
38          authority over lands within the exterior boundary of the Colville Indian  
39          Reservation.

- 40 8. In administering this SMP, Okanogan County should defer to its  
41 Intergovernmental Land Use Planning Agreement with the Colville Tribes  
42 when addressing shoreline management issues on tribal trust lands outside the  
43 boundaries of the Colville Indian Reservation.
- 44 9. In designating shoreline areas on state and federally-owned land, Okanogan  
45 County should consider the uses planned, local and specific agency plans and  
46 potential leases for private uses and activities by the agency with management  
47 authority.
- 48 10. Development and uses within shoreline areas should be conditioned to ensure  
49 that the proposed use or activity does not result in unanticipated or undesired  
50 impacts to other property owners (such as increased flood or Geohazards to  
51 other properties or result in loss of shoreline ecological functions.
- 52 11. Shoreline uses and activities should be compatible with existing and planned  
53 uses on surrounding sites and in adjacent environments.
- 54 12. Permitted uses and activities should be located, sited, designed, managed, and  
55 maintained to be compatible with the shoreline environment designation  
56 where they are located and be protective of shoreline ecological resources.
- 57 13. Any use or activity that cannot be designed, mitigated and/or managed to  
58 prevent a net loss of shoreline ecological functions, values, and resources and  
59 that are not designed to protect the integrity of the shoreline environment  
60 should be prohibited.
- 61 14. Shoreline regulations, including shoreline designations, should favor  
62 preservation of resources and values of shorelines for future generations over  
63 development that would irrevocably damage shoreline resources.
- 64 15. The scenic and aesthetic quality of shorelines and vistas should be preserved  
65 to the greatest extent feasible consistent with the overall goals to foster  
66 appropriate uses, protect rights of navigation and access and assure no net  
67 loss.
- 68 16. Natural shoreline vegetation should be maintained and enhanced to reduce the  
69 hazard of bank failures and accelerated erosion. Vegetation removal that is  
70 likely to result in soil erosion severe enough to create the need for structural  
71 shoreline stabilization measures should be prohibited.
- 72 17. Restoration of degraded shoreline vegetation, whether by natural or manmade  
73 causes, should be encouraged wherever feasible.
- 74 18. Non-structural and “soft” methods of shoreline stabilization, such as  
75 vegetation enhancement and soil bioengineering, are preferred to hardened  
76 structures to diminish arrest the processes of erosion, sedimentation, and  
77 flooding. Allowed shoreline stabilization structures should be designed as to  
78 not interfere with natural hydrologic and geomorphic processes.
- 79 19. Removal of vegetation should be limited to the minimum necessary to  
80 reasonably accommodate the permitted use or activity.

- 81 20. The physical and aesthetic qualities of the natural shoreline should be  
82 maintained and enhanced.
- 83 21. Preference should be given to preserving and enhancing natural vegetation  
84 closest to the ordinary high water mark.
- 85 22. Aquatic weed management should emphasize prevention as a first step in  
86 control and utilize science-based monitoring to determine eradication  
87 methods.
- 88 23. Standards to ensure that new development does not result in a net loss of  
89 shoreline ecological functions or further degradation of shoreline values  
90 should be established for shoreline stabilization measures, vegetation  
91 conservation, and shoreline modifications.

92 **Economic Development Goals and Policies**

- 93 A. The following goal applies to Economic Development within shoreline areas.  
94
- 95 1. Ensure healthy, orderly economic growth by providing for economically  
96 productive industrial, commercial and mixed uses that are particularly  
97 dependent on or related to a shoreline location.  
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- 99 B. The following policies apply to Economic Development within shoreline areas.  
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- 101 1. Activities and uses in shoreline areas should result in long-term over short-  
102 term benefits to the local economy.
- 103 2. Projects of statewide significance, hydroelectric and water storage projects of  
104 statewide significance, transportation facilities, port facilities, tourist facilities,  
105 commerce, agricultural operations, recreational facilities (including sites  
106 intended to accommodate passive recreation) and other developments that are  
107 particularly dependent on or related to a shoreline location or use of the  
108 shorelines of the state should be accommodated where such uses and the  
109 associated activities can be accomplished without irrevocable damage to  
110 unique shoreline resources and ecological functions.
- 111 3. Proposed hydroelectric projects should be evaluated in the context of  
112 shoreline ecological functions, public access, and navigation, and should be  
113 accommodated where said projects are consistent with the public interest and  
114 the intent of the policies of the SMA.
- 115 4. Commercial mixed use developments that include water dependent uses and  
116 provide for public access and protect/restore or enhance shoreline resources  
117 should be encouraged on shorelines of statewide significance.
- 118 5. Provide for flexibility in regulation of shoreline development and  
119 redevelopment within the urban centers of Okanogan County.

120 **Public Access, Circulation and Recreation Goals and Policies**

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

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

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- 130 1. Provide, protect, and enhance physical and visual public access to shoreline  
131 areas, consistent with the natural character, features, and resources of the  
132 shoreline, private property rights, and public safety.
  - 133 2. Provide for public and private active and passive recreational use of shoreline  
134 areas.
  - 135 3. A safe, reasonable, and adequate vehicular and pedestrian circulation and  
136 access system, designed to minimize adverse effects on shoreline resources  
137 and ecological function wherever practical.
  - 138 4. Preserve, create, or enhance open space and natural amenities associated with  
139 shorelines for the benefit of the public health and wellbeing which are often  
140 lost to waterfront development.
  - 141 5. Protect the rights of navigation and space necessary for water-dependent uses.

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144 B. The following policies apply to public access, circulation and recreation within  
145 shoreline areas.

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- 147 1. For the purpose of this Regional SMP, locally adopted comprehensive plans  
148 and any stand-alone elements thereof (e.g. Okanogan County Outdoor  
149 Recreation Plan, Douglas PUD Recreation Management Plan, City of Omak  
150 Park and Recreation Plan) should be considered the official public access  
151 plans.
- 152 2. Okanogan County's shoreline area public access systems (including those of  
153 the incorporated municipalities within the county) should include provisions  
154 for people with disabilities. While it may not be practical to provide  
155 specialized facilities at all access points, physical and visual access for people  
156 with disabilities should be distributed throughout the system and should  
157 provide a variety of opportunities representative of the opportunities available  
158 to able-bodied users.
- 159 3. Provision of public access should result in no net loss of shoreline ecological  
160 functions.

- 161 4. Public access to the shorelines afforded by street ends, public utilities, and  
162 rights-of-way should be inventoried, preserved, maintained, and, where  
163 consistent with locally adopted access plans, enhanced.
- 164 5. Public access facilities should be located and designed to provide for public  
165 safety and minimize potential impacts to private property and individual  
166 privacy. Where appropriate, there should be a physical separation or other  
167 means of clearly delineating public and private space to avoid unnecessary  
168 user conflict.
- 169 6. Where public access facilities are provided, they should be located and  
170 designed to minimize potential impacts to existing and potential uses and  
171 activities.
- 172 7. Where providing public access on site that would likely cause impacts  
173 difficult or impossible to mitigate—for instance, at sites with unique or fragile  
174 geological or biological characteristics—the Regional SMP should encourage  
175 off-site public access based on opportunities identified in the *Shoreline*  
176 *Characterization Report* and other adopted documents.
- 177 8. Public views of the shoreline from upland areas should be protected from new  
178 development where not in conflict with permitted uses and activities.  
179 Enhancement of views should not be interpreted as authorizing excessive  
180 removal of vegetation that impairs views.
- 181 9. When large subdivisions (five or more lots) are proposed in shoreline areas,  
182 public open space and shoreline access should be encouraged and  
183 commensurate to the impacts of the proposed development on public access as  
184 well as, where consistent with locally adopted comprehensive plans, meet new  
185 needs that will be generated by the proposed development. Where possible  
186 the public open space requirements of this regional SMP should be integrated  
187 with any open space requirements in local land use regulations.

188 **Conservation and Critical Areas Goals and Policies**

- 189 A. The following goals apply to Critical Areas within shoreline areas.  
190
- 191 1. Preserve and restore shoreline natural resources, and protect those resources  
192 against adverse impacts, including loss of ecological functions necessary to  
193 sustain the natural resources.
- 194 2. Develop and implement management practices that will guarantee  
195 sustainability of natural shoreline systems and preserve, protect and restore  
196 unique and non-renewable resources or features including forested areas,  
197 wetlands and wildlife habitat.
- 198 3. Sustained yield of shoreline natural resources—such as fish, timber,  
199 groundwater, mineral resources, and agricultural products—consistent with  
200 preservation of ecological functions and protection of the public interest in  
201 shorelines of the state.

- 203 B. The following policies apply to Critical Areas within shoreline areas.
- 204 1. Critical areas should be managed to protect against adverse effects to public  
205 health and safety and against any loss of shoreline ecological function,  
206 including adverse effects on the land, its vegetation and wildlife; and the  
207 water and its aquatic life.
- 208 2. Unique, rare, and fragile natural and man-made features as well as scenic  
209 vistas and valuable wildlife habitats should be preserved and protected from  
210 unnecessary degradation or interference.
- 211 3. Where shoreline impacts are mitigated, the type of mitigation that will have  
212 the least impact on shoreline ecological functions shall be preferred.  
213 Mitigation measures are listed below in order of descending preference, and  
214 shall be considered in the following sequence:
- 215 a. Avoiding the impact altogether by not taking a certain action or parts of an  
216 action;
- 217 b. Minimizing impacts by limiting the degree or magnitude of the action and  
218 its implementation, by using appropriate technology, or by taking  
219 affirmative steps to avoid or reduce impacts;
- 220 c. Rectifying the impact by repairing, rehabilitating, or restoring the affected  
221 environment;
- 222 d. Reducing or eliminating the impact over time by preservation and  
223 maintenance operations during the life of the action;
- 224 e. Compensating for the impact by replacing, enhancing, or providing  
225 substitute resources or environments; and/or
- 226 f. Monitoring the impact and taking appropriate corrective measures.
- 227 4. The ecosystem-wide impacts of a large development, including the cumulative  
228 impacts of exempt uses and activities within the development over time,  
229 should be considered in approving, conditionally approving, or denying  
230 shoreline permits for multi-lot subdivisions and other large developments.
- 231 5. Shoreline uses and activities should protect ecological functions and  
232 ecosystem-wide processes and adverse impacts should be mitigated during all  
233 phases of development to result in no net loss of ecological function—  
234 including but not limited to design, construction, management, and use.
- 235 6. Encourage land use activities and development to incorporate restoration of  
236 degraded ecological functions and ecosystem-wide processes in project  
237 design.
- 238 7. Tools to achieve no net loss include reasonable setbacks to promote public  
239 safety, storm water management and controls to protect water quality and  
240 quantity and, where reasonably necessary easements in the form of buffers  
241 and other restrictions to protect existing native vegetation in areas which have  
242 not previously been developed and where necessary to preserve no net loss of  
243 existing functions at that site.

- 244 8. All runoff treatment measures for the purpose of maintaining and/or  
245 enhancing water quality should be conducted on-site and before shoreline  
246 development affects waters or shoreline ecological functions off-site.
- 247 9. Development should comply with local storm water management regulations  
248 or the Storm water Management Manual for Eastern Washington (Washington  
249 Department of Ecology Publication 04-10-076, as amended); whichever will  
250 provide the greatest protection of shoreline functions.
- 251 10. Regulations designed to encourage enhancement of ecological functions over  
252 time should be established for all uses and activities (including both  
253 development and redevelopment). Specifically, those regulations should  
254 address subdivision, vegetation management, critical areas, and water quality;  
255 and should include development standards for shoreline modifications.

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#### C. Wetlands

- 258 1. Wetlands should be categorized based on the rarity, irreplaceability, or  
259 sensitivity to disturbance of a wetland and the functions the wetland provides  
260 using the Eastern Washington Wetland rating system.
- 261 2. Alteration to wetlands should be designed to avoid impacts to the wetland area  
262 functions. Where there is no feasible alternative, impacts should be mitigated  
263 to achieve no net loss of wetland functions.
- 264 3. Buffers established should be adequate to ensure that wetland functions are  
265 protected and maintained in the long term. The requirements for buffers  
266 should take into account ecological functions of the wetland, the  
267 characteristics and setting of the buffer, the potential impacts associated with  
268 adjacent land use, and other factors.
- 269 4. Mitigation requirements should be based on the wetland rating.
- 270 5. Compensatory mitigation should be allowed only after mitigation sequencing  
271 is applied and higher priority means of mitigation are determined to be  
272 infeasible.

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#### D. Geologically Hazardous Areas

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Development in designated geologically hazardous areas should not allow:

- 275 1. New development or the creation of new lots that would cause foreseeable  
276 risk from geological conditions to people or improvements during the life of  
277 the development.
- 278 2. New development that would require structural shoreline stabilization over the  
279 life of the development. Exceptions may be made for the limited instances  
280 where stabilization is necessary to protect allowed uses where no alternative  
281 locations are available and no net loss of ecological functions will result. The  
282 stabilization measures shall conform to WAC 173-26-231 and Chapter 14.15.

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3. Where no alternatives, including relocation or reconstruction of existing structures are found to be feasible, and less expensive than the proposed stabilization measure, stabilization structures or measures to protect existing primary residential structures may be allowed in strict conformance with WAC 173-26-231 and Chapter 14.15 and then only if no net loss of ecological functions will result.
  4. The County shall map channel migration zones, Severe Hazard (50 year change) and Moderate hazard (100 year change) and limit development in high hazard zones to preserve natural protections.
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293 E. Critical Freshwater Habitats

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1. Shoreline Fish and wildlife habitat conservation areas (Critical Freshwater habitats) shall conform to RCW 36.70A.480(5) and the definitions of WAC 365-190-030(6). This designation coincides with the criteria for the: Natural “shoreline environment designation under WAC 17326-211(5) and all such habitats shall be designated Natural.
  2. Regulating uses and development within lake basins and stream channels, associated channel migration zones, wetlands, and the flood plains, to the extent such areas are in the shoreline jurisdictional area, as necessary to assure no net loss of ecological functions, including where applicable the associated hyporheic zone, results from new development.
  3. Planning for protection and restoration where appropriate, along the entire length of the corridor from river headwaters to the mouth.
  4. Encourage protection of hydrologic connections between water bodies, water courses, and associated wetlands.
  5. Develop incentives and other means to restore water connections that have been impeded by previous development, and where appropriate, be based on the information from comprehensive watershed management planning.
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313 F. Flood Hazard Reduction: Flood hazard management projects are those actions  
314 taken with the primary purpose of preventing or minimizing damage caused by  
315 flooding.

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1. Prevent and minimize flood damage potential in Okanogan County.
  2. The county shall maintain the requirements of the National Flood Insurance Program.
  3. New Development shall occur in conformance with applicable flood hazard prevention codes.
  4. Assure that flood hazard reduction measures do not result in a net loss of ecological functions associated with lakes, rivers, and streams.
  5. Where feasible, give preference to nonstructural flood hazard reduction measures over structural measures.

- 325 6. Base flood hazard reduction measures on applicable watershed management  
326 plans, comprehensive flood hazard management plans, and other  
327 comprehensive planning efforts, provided those measures are consistent with  
328 the Shoreline Management Act and this chapter.
- 329 7. Plan for and facilitate returning river and stream corridors to more natural  
330 hydrological conditions. Recognize that seasonal flooding is an essential  
331 natural process.
- 332 8. When developments are evaluating alternate flood control measures, consider  
333 the removal or relocation of structures in flood-prone areas.
- 334 9. Plan for and facilitate removal of artificial restrictions to natural channel  
335 migration, restoration of off channel hydrological connections and return river  
336 processes to a more natural state where feasible and appropriate.  
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339 G. Vegetation Conservation

- 340 1. Vegetation conservation in areas which have not been previously developed is  
341 one tool for effectively maintaining existing functions and values at a site.  
342 Where natural vegetation is necessarily disturbed, compensating measures  
343 need to be taken to achieve the no net loss objectives of this plan.

344 H. Water Quality

- 345 1. The location, construction, operation, and maintenance of all shoreline uses  
346 and developments should maintain or enhance the quantity and quality of  
347 surface and ground water over the long term.
- 348 2. Shoreline use and development should minimize the need for chemical  
349 fertilizers, pesticides or other similar chemical treatments to prevent  
350 contamination of surface and ground water and/or soils and adverse effects on  
351 shoreline ecological functions and values.
- 352 3. Appropriate buffers along all wetlands, streams, and lakes should be provided  
353 and maintained in a manner that avoids the need for chemical treatment for  
354 vegetation management and be consistent with best management practices.

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357 **Historic, Cultural, Scientific, and Educational Goals and Policies**

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

- 359
- 360 1. Recognize and protect important archaeological, historic, and cultural  
361 structures, sites, and areas and other resources having historic, cultural, or  
362 educational values that are located in the shoreline area for educational,  
363 scientific, and enjoyment uses of the general public.
- 364 2. Due to the limited and irreplaceable nature of the resource(s), prevent the  
365 destruction of or damage to any site having historic, cultural, scientific, or  
366 educational value as identified by the appropriate authorities, including

367 affected Indian tribes, and the Washington State Department of Archaeology  
368 and Historic Preservation.

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

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

378 2. Where permitted by law, sites containing archaeological, cultural, and historic  
379 resources should be identified to avoid damage to the resources and the delay  
380 and expense associated with discovery of resources during development.  
381 Where disclosure of the location of such sites is restricted, relevant  
382 authorities, including the CCT and the DAHP should be notified of permit  
383 applications within known archaeological and historic resources.

384 3. Development within an identified historic, cultural, or archaeological site  
385 should be inspected or evaluated by a professional archaeologist, in  
386 coordination with affected Indian tribes, and designed and operated to be  
387 compatible with continued protection of the historic, cultural, or  
388 archaeological resources.

389 4. Archeological sites located both inside and outside shoreline jurisdiction are  
390 subject to RCW 27.44(Indian Graves and Records) and RCW  
391 27.53(Archeological sites and records) and development or uses that may  
392 impact such sites shall comply with WAC 25-48 as well as the provisions of  
393 this SMP. The provisions of this section apply to archaeological and historic  
394 resources that are either recorded at the state historic preservation office  
395 and/or by local jurisdictions or have been inadvertently uncovered.

396 5. In Shorelines of Statewide Significance and on any other sites identified by  
397 the DAHP or the CCT as having a high probability of containing significant  
398 archaeological and historic resources, consultation with the DAHP and the  
399 CCT should be encouraged before issuance of any permits or exemptions.  
400 This policy applies to all uses and activities, including individual single-  
401 family residences.

402 6. Opportunities for education related to archeological, historic, and cultural  
403 features should be provided where appropriate and be incorporated into public  
404 and private programs and development.

405 7. Access to educational, cultural, or historic sites should not reduce their  
406 resource value or degrade the quality of the environment.

407 8. Historic, cultural, and archaeological site development should be planned and  
408 carried out so as to prevent impacts to the resource. Impacts to neighboring

409 properties and other shoreline uses should be limited to temporary and  
410 reasonable levels.

411 **Shorelines of Statewide Significance**

412 A. The legislature declares that the interest of all of the people shall be paramount in  
413 the management of shorelines of statewide significance. The Department of  
414 Ecology and the County give preference to uses in the following order of  
415 preference which:

- 416 1. Recognize and protect the statewide interest over local interest;
- 417 2. Preserve the natural character of the shoreline;
- 418 3. Result in long term over short term benefit;
- 419 4. Protect the resources and ecology of the shoreline;
- 420 5. Increase public access to publicly owned areas of the shorelines
- 421 6. Increase recreational opportunities for the public in the shoreline;
- 422 7. Provide for any other element as defined in RCW 90.58.100 deemed  
423 appropriate.

424 In the implementation of this policy the public's opportunity to enjoy the physical  
425 and aesthetic qualities of natural shorelines of the state shall be preserved to the  
426 greatest extent feasible consistent with the overall best interest of the state and the  
427 people generally. To this end uses shall be preferred which are consistent with  
428 control of pollution and prevention of damage to the natural environment, or are  
429 unique to or dependent upon use of the state's shoreline. Alterations of the natural  
430 condition of the shorelines of the state, in those limited instances when  
431 authorized, shall be given priority for single family residences and their  
432 appurtenant structures, ports, shoreline recreational uses including but not limited  
433 to parks, marinas, piers, and other improvements facilitating public access to  
434 shorelines of the state, industrial and commercial developments which are  
435 particularly dependent on their location on or use of the shorelines of the state and  
436 other development that will provide an opportunity for substantial numbers of the  
437 people to enjoy the shorelines of the state.

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439 **Shoreline Designations**

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441 A. Aquatic Designation Policies

- 442 1. Developments within the Aquatic Designation should be compatible with the  
443 adjoining upland designation.
- 444 2. Diverse opportunities for public access to the water should be encouraged and  
445 developed where such access is compatible with the existing shoreline and  
446 water uses and environment.
- 447 3. Over-water structures should be allowed only for water-dependent uses,  
448 public access, or ecological restoration. The size of such structures should be

- 449 limited to the minimum necessary to support the structure's intended use.  
450 Structures that are not water-dependent should be prohibited.
- 451 4. Multiple-use of over-water facilities should be encouraged.
- 452 5. Aquaculture should be allowed where the use can be undertaken without  
453 interfering with surface navigation, public access, or shoreline ecological  
454 functions.
- 455 6. Hydroelectric projects of regional or statewide significance (including  
456 development of new hydroelectric projects, renovation of existing  
457 hydroelectric facilities, and operation of existing hydroelectric projects)  
458 should be allowed where impacts to surface navigation, public access,  
459 shoreline ecological functions, and the visual quality of the shoreline area can  
460 be adequately mitigated.
- 461 7. Fishing and other recreational uses of the water should be protected against  
462 competing uses that would interfere with recreation.
- 463 8. All developments and activities using navigable water bodies under the  
464 jurisdiction of this SMP should be located and designed to minimize  
465 interference with surface navigation. Hydroelectric projects licensed by the  
466 Federal Energy Regulatory Commission should provide for portage consistent  
467 with project operations, safety, and security of the project facilities.
- 468 9. All developments and activities using water bodies under the jurisdiction of  
469 this SMP should be located and designed to minimize adverse visual impacts  
470 and to allow for the safe unobstructed passage of fish and animals, particularly  
471 those whose life cycles are dependent on such migration. Hydroelectric  
472 projects licensed by the Federal Energy Regulatory Commission should  
473 address visual impacts and fish and wildlife passage while at the same time  
474 providing for project operations, safety, and security of the project facilities.
- 475 10. Uses and modifications should be designed and managed to prevent  
476 degradation of water quality and alteration of natural hydrographic conditions.
- 477 11. Abandoned and neglected structures that cause adverse visual impacts or are a  
478 hazard to public health, safety, or welfare should be removed or restored to a  
479 usable condition consistent with the provisions of this master program.
- 480 12. Activities that substantially degrade priority habitats should not be allowed.  
481 Where such activities are necessary to achieve the objectives of the Shoreline  
482 Management Act, RCW 90.58.020, their impacts should be mitigated to  
483 provide a net gain of critical ecological functions.
- 484 13. Shoreline modifications should be considered only when they serve to protect  
485 or enhance a significant, unique, or highly valued feature that might otherwise  
486 be degraded or destroyed. Exceptions may be made for hydroelectric projects  
487 licensed by the Federal Energy Regulatory Commission. Such projects should  
488 be located and designed to minimize impacts to shoreline functions and  
489 values.
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491 B. Natural

- 492 1. Physical alterations, including shoreline modifications, should only be  
493 considered when they serve to protect or enhance a significant, unique, or  
494 highly-valued feature that might otherwise be degraded or destroyed.
- 495 2. Limited access should be permitted for scientific, historical, cultural,  
496 educational, and low-intensity water-oriented recreational purposes, provided  
497 that no significant adverse impact on the area will result.
- 498 3. A conditional use permit should be required for any non-exempt use or  
499 activity.
- 500 4. Residential and recreational trails may be permitted in natural zones, where  
501 other alternatives are not available provided the design standards and any  
502 permit condition assure no net loss of functions essential to the designation as  
503 a natural area and FWHCA critical area.
- 504 5. The following uses should not be allowed in areas designated “Natural”:  
505 commercial uses; industrial uses; mining; agriculture; non-water-oriented  
506 recreation; golf courses; and roads, utility corridors, and parking areas that can  
507 be located elsewhere.
- 508 6. Restoration of degraded shorelines should be encouraged.

509 C. Conservancy Designation

- 510 1. The conservancy designation is limited to shorelines already protected by  
511 conservation easements, including fish habitat and Conservancy easements,  
512 and lakes under state jurisdiction.
- 513 2. Uses that preserve the natural character of the area or promote preservation of  
514 open space, floodplain, or sensitive lands, either directly or over the long term,  
515 should be the primary allowed uses. Water-oriented uses should be given  
516 priority over non-water oriented uses.
- 517 3. As the Conservancy shorelines are the product of specific covenants on  
518 privately owned lands, uses permitted under the covenants shall be considered  
519 permitted uses under this master program. Expansion of the activities beyond  
520 the current areas of use, where allowed by the covenant shall also be permitted  
521 subject to the requirement that the existing functions and values of the  
522 affected stretch be retained or replaced through appropriate mitigation..
- 523 4. The following new uses should be allowed in shoreline areas designated as  
524 “Conservancy”, provided that no significant adverse impact on the area will  
525 result: commercial forestry, low intensity agricultural uses; scientific,  
526 historical, cultural, educational, and research uses; low-intensity water-  
527 oriented recreational uses.

528

529 D. Rural Designation

- 530 1. The following uses should be allowed in shoreline areas designated as “Rural  
531 Residential”, where consistent with local comprehensive plans and

- 532 development regulations, provided that the use is consistent with maintaining  
533 or restoring the ecological functions of the area: community boating facilities  
534 and docks; low- and moderate-intensity recreational uses; residential  
535 development; public access. Construction of new structural shoreline  
536 stabilization and flood control works should only be allowed where there is a  
537 documented need to protect an existing structure or ecological functions and  
538 mitigation is applied, consistent with WAC 173-26-231. Such measures,  
539 along with vegetation removal and other shoreline modifications, should be  
540 designed and managed to ensure that the natural shoreline functions are  
541 protected. New development should be designed and located to preclude the  
542 need for such work.
- 543 2. The following uses should be allowed in shoreline areas designated as “Rural  
544 Resource”, provided that no significant adverse impact on the area will result:  
545 agriculture; commercial forestry; aquaculture; water-oriented commercial and  
546 industrial uses, where those uses already exist or in rural communities that  
547 possess shoreline conditions and services to support such development; water-  
548 dependent and water-enjoyment recreational facilities; residential  
549 development.
- 550 3. Mining and associated uses should be allowed on lands that are designated as  
551 “mineral resource lands” pursuant to RCW 36.70A.170 and WAC 365-190-  
552 070.
- 553 4. Hydroelectric projects of regional or statewide significance (including  
554 development of new hydroelectric projects, renovation of existing  
555 hydroelectric facilities, and operation of existing hydroelectric projects)  
556 should be allowed where impacts to surface navigation, public access,  
557 shoreline ecological functions, and the visual quality of the shoreline area can  
558 be adequately mitigated.
- 559 5. Residential development standards should ensure no net loss of shoreline  
560 ecological functions and should preserve the existing character of the  
561 shoreline consistent with the purpose of the environment.
- 562 6. Opportunities for public access to shorelines and water bodies should be  
563 encouraged for all developments, including subdivisions, short subdivisions,  
564 planned unit developments, commercial uses, public services, and recreational  
565 uses, provided any adverse impacts can be mitigated.
- 566 7. Public and private recreational facilities and uses that are compatible with  
567 residential uses should be encouraged, provided that no net loss of shoreline  
568 ecological resources will result.
- 569 8. Opportunities for public access should be encouraged for all development.
- 570 9. All multi-family and multi-lot residential developments should provide joint-  
571 use community recreational facilities.
- 572 10. Boat ramps, boat lifts, and other boating facilities serving individual single-  
573 family residences should be prohibited. Where boating facilities are allowed,  
574 community facilities should be encouraged.

- 575 11. Recreational facilities and uses that are compatible with residential uses and  
576 with the applicable comprehensive plan and development regulations should  
577 be allowed.
- 578 12. Access (including transportation facilities and rights of way or easements),  
579 utilities, and public services should be available and adequate to serve any  
580 existing needs and planned future development.
- 581 13. Standards for density or minimum frontage width, setbacks, lot coverage  
582 limitations, buffers, shoreline stabilization, vegetation conservation, critical  
583 areas protection, and water quality should be set to ensure that new  
584 development does not result in a net loss of shoreline ecological functions.  
585 Such standards should take into account the environmental limitations and  
586 sensitivity of the shoreline area, the level of infrastructure and other services  
587 available, and other comprehensive planning considerations.
- 588 14. Subdivision should be allowed in shoreline areas designated as “Rural”,  
589 consistent with applicable comprehensive plans.
- 590 E. Shoreline Residential Designation
- 591 1. The following uses should be allowed in shoreline areas designated as  
592 “Shoreline Recreation”, provided that the use is consistent with maintaining or  
593 restoring the ecological functions of the area: residential development; public  
594 access and recreational uses; water-oriented mixed-use development; master-  
595 planned resorts, and other development consistent with preservation of low-  
596 density recreation-oriented character.
- 597 2. Dedication and improvement of public access should be required for  
598 development by public entities (including local governments, state agencies,  
599 and public utility districts). Where a master-planned public access system,  
600 such as a lakeshore trail system, exists or is planned, participation in the  
601 system and provision of facilities that promote physical activity should be  
602 encouraged.
- 603 3. All multi-family and multi-lot residential developments should provide joint-  
604 use community recreational facilities.
- 605 4. Boat ramps, boat lifts, and other boating facilities serving individual single-  
606 family residences should be prohibited. Where boating facilities are allowed,  
607 community facilities should be encouraged.
- 608 5. Mixed-use water-oriented recreational/residential developments should be  
609 encouraged in the Shoreline Recreation designation where such developments  
610 are consistent with zoning and comprehensive plan designations and can be  
611 accommodated without damage to shoreline ecological resources.
- 612 6. Standards for density or minimum frontage width, setbacks, lot coverage  
613 limitations, buffers, shoreline stabilization, vegetation conservation, critical  
614 areas protection, and water quality should be set to ensure that new  
615 development does not result in a net loss of shoreline ecological functions.  
616 Such standards should take into account the environmental limitations and

- 617 sensitivity of the shoreline area, the level of infrastructure and other services  
618 available, and other comprehensive planning considerations.
- 619 7. Adequate public facilities and services should be required in conjunction with  
620 development in the Shoreline Recreation designation. Within UGAs, such  
621 development should be required to connect to municipal water and sewer  
622 utilities. Outside of UGAs, private community utility systems may be  
623 allowed. Concurrent development of transportation facilities, including  
624 facilities to promote physical activity, should be required.
- 625 8. Subdivision should be allowed in shoreline areas designated as “Shoreline  
626 Recreation.”
- 627 F. Urban Conservancy Designation
- 628 1. Uses that preserve the natural character of the area or promote preservation of  
629 open space, floodplain, or sensitive lands, either directly or over the long term,  
630 should be the primary allowed uses. Uses that result in restoration of  
631 ecological functions should be allowed if the use is otherwise compatible with  
632 the purpose of the environment, and development regulations.
- 633 2. The following uses should be allowed in shoreline areas designated as “Urban  
634 Conservancy”, where consistent with local comprehensive plans and  
635 development regulations, provided that the use is consistent with maintaining  
636 or restoring the ecological functions of the area: aquaculture; low-intensity  
637 water-oriented commercial and industrial uses, where those uses already exist;  
638 water-dependent and water-enjoyment recreational facilities; residential  
639 development.
- 640 3. Mining and associated uses should be allowed on lands that are designated as  
641 “mineral resource lands” pursuant to RCW 36.70A.170 and WAC 365-190-  
642 070. Otherwise resource extraction should not be allowed.
- 643 4. Water-oriented uses should be given priority over non-water oriented uses.
- 644 5. Adjacent to navigable waters, water-dependent uses should be given the  
645 highest priority.
- 646 6. Opportunities for public access to shorelines and water bodies should be  
647 encouraged for all developments, including subdivisions, short subdivisions,  
648 planned unit developments, commercial uses, public services, and recreational  
649 uses, provided any adverse impacts can be mitigated.
- 650 7. Public and private recreational facilities and uses that are compatible with  
651 residential uses should be encouraged, provided that no net loss of shoreline  
652 ecological resources will result.
- 653 8. Standards to ensure that new development does not result in a net loss of  
654 shoreline ecological functions or further degradation of shoreline values  
655 should be established for shoreline stabilization measures, vegetation  
656 conservation, and shoreline modifications.
- 657 9. Subdivision should be allowed in shoreline areas designated as “Urban  
658 Conservancy.”

659 **SPECIFIC USE AND ACTIVITY POLICIES**

660 **Agriculture**

- 661 A. New agricultural uses should be allowed where they are consistent with the  
662 applicable comprehensive plan and be subject to all applicable provisions of this  
663 SMP.
- 664 B. Agriculture activities in the shoreline are subject to the Voluntary Stewardship  
665 program as identified in FCW 36.70A.700 et sec. The provisions of the VSP are  
666 applicable to shoreline properties registered with Okanogan County in the  
667 agriculture tax provisions of Chapter 82. RCW or covered by an approved farm  
668 plan under USDA supervision.
- 669 C. Development on agricultural lands not meeting the definition of agricultural  
670 activities, and the conversion of agricultural land to non-agricultural uses, should  
671 be consistent with the environment designation and the general and specific use  
672 regulations of this SMP and should not result in a net loss of ecological functions.

673 **Aquaculture**

- 674 A. Aquaculture is a water-dependent use and should be considered a preferred use of  
675 water areas when consistent with control of pollution, avoidance of adverse  
676 impact to the environment, navigation, established water-dependent uses, or  
677 aesthetic qualities of the shoreline, and preservation of habitat for resident native  
678 species.
- 679 B. Since areas suitable for aquaculture are limited by specific biophysical  
680 requirements, areas with high potential for aquaculture uses should be identified  
681 and protected from degradation by other types of land and water uses.
- 682 C. All permitted aquaculture projects should be protected from new development  
683 that would be likely to damage or destroy them. New shoreline proposals in the  
684 vicinity of an experimental aquaculture project should be restricted or denied if  
685 they might compromise the monitoring and data collection required under the  
686 permit for the experimental project.
- 687 D. Aquaculture methods and structures should be chosen to create the least impact on  
688 the visual and environmental qualities of the shorelines. In instances in which a  
689 choice of aquaculture methods is available, or where two or more incompatible  
690 aquaculture projects are proposed in the same area, preference should be given to  
691 those forms of aquaculture that involve lesser environmental and visual impacts.  
692 In general:
- 693 1. Projects that require submerged structures or no structures should be preferred  
694 over those that involve substantial floating structures.
- 695 2. Projects that require few land-based facilities should be preferred over those  
696 that require extensive facilities.
- 697 3. Projects that involve little or no substrate modification should be preferred  
698 over those that involve substantial modification.
- 699 4. Projects that involve little or no supplemental food sources, pesticides,  
700 herbicides, or antibiotic application are preferred over those that involve such  
701 practices.

- 702 E. Aquaculture should not be allowed in the following areas:  
703 1. Areas that have little natural potential for the type(s) of aquaculture under  
704 consideration.  
705 2. Areas that have water quality problems that make the areas unsuitable for the  
706 type(s) of aquaculture under consideration.  
707 3. Areas devoted to established uses of the aquatic environment with which the  
708 proposed aquaculture method(s) would substantially and materially conflict.  
709 Such uses include but are not limited to navigation, moorage, fishing,  
710 underwater utilities, and active scientific research.  
711 4. Areas where the design or placement of the facilities would substantially  
712 degrade the aesthetic qualities of the shoreline.  
713 5. Areas where an aquaculture proposal would result in any significant adverse  
714 environmental impacts that cannot be eliminated or adequately mitigated  
715 through enforceable conditions of approval.  
716 6. Areas where the proposed activity would adversely affect critical habitat use  
717 or value.
- 718 F. Because the technology associated with some forms of aquaculture is still  
719 experimental, aquaculture should be given flexibility to experiment with new  
720 techniques. However, experimental aquaculture projects should be limited in  
721 scale, should be approved for a limited and specified period of time, and should  
722 be required to develop and implement a monitoring plan to assess the outcomes of  
723 the experiment.
- 724 G. Aquaculture that involves significant risk to the environment, including risk of  
725 cumulative adverse effects on water quality, sediment, quality, benthic organisms,  
726 and/or wild fish populations through potential contribution of antibiotic-resistant  
727 bacteria, escapement of non-native species, or other adverse effects on native  
728 species should not be permitted.

729 **Boating Facilities**

- 730 A. Boating facilities (docks, piers, ramps, marinas, etc...) should be located,  
731 designed, and operated to provide maximum feasible protection and enhancement  
732 of aquatic and terrestrial life including animals, fish, birds, plants, and their  
733 habitats and migratory routes. When plastics and other non-biodegradable  
734 materials are used, precautions should be taken to ensure their containment.
- 735 B. Boating facilities, including minor accessory buildings and haul-out facilities,  
736 shall be in character and scale with the surrounding shoreline and shall be  
737 designed so their structures and operations will be aesthetically compatible with  
738 or will enhance existing shoreline features and uses.
- 739 C. Boating facilities should be located and designed so their structures and  
740 operations will be aesthetically compatible with the area visually affected and will  
741 not unreasonably impair shoreline views. Use of natural non-reflective materials  
742 should be encouraged.

- 743 D. Regional as well as local needs should be considered when determining the
- 744 location of marinas, boat launches and community docks. Potential sites should
- 745 be identified near high-use or potentially high-use areas.
- 746 E. Dry boat storage should not be considered a water-oriented use. Boat hoists, boat
- 747 launch ramps, and access routes associated with a dry boat storage facility should,
- 748 however, be considered to constitute a water-oriented use.
- 749 F. Livaboards should be allowed in accordance with the Department of Natural
- 750 Resources regulatory standards located in WAC 332-30 and WAC 332-52. For
- 751 those marinas located outside DNR jurisdictional bed lands, livaboards are limited
- 752 to 10% of total moorage and the marina should seek to be certified as a clean
- 753 marina.
- 754 G. Because docks can have a significant impact on shoreline habitat and functions
- 755 the impacts of all docks should be reviewed to ensure that the proposed structure
- 756 is suitably located and designed and that all potential impacts have been
- 757 recognized and mitigated.
- 758 H. Multiple use and expansions of existing docks should be encouraged over the
- 759 addition and/or proliferation of new facilities. Joint-use facilities are preferred
- 760 over new single-use docks. Dock projects should be encouraged to provide for
- 761 public docking, launching, and recreational access.
- 762 I. New commercial docks and marinas should be designed to accommodate public
- 763 access and enjoyment of the shoreline location.
- 764 J. Docks should be designed to cause minimum interference with navigable waters
- 765 and the public's use of the shoreline.
- 766 K. The proposed site of the structure and intensity of use or uses of any dock should
- 767 be compatible with the surrounding environment and land and water use.
- 768 L. Docks not attached to the shoreline should not extend into navigable waters where
- 769 they pose a hazard to navigation. Such docks may be allowed by conditional use
- 770 permit in special situations where the use for such a dock serves a water-
- 771 dependent or orient use and measures have been taken to reduce the hazard to
- 772 navigation.

773 **Commercial Uses**

- 774 A. New commercial development in shoreline areas should be located to minimize
- 775 sprawl and inefficient use of shoreline areas and, where applicable, to promote
- 776 trip reduction.
- 777 B. No commercial development should be allowed in the "Natural" designation.
- 778 Commercial development should not be allowed in wetlands, wetland buffers, and
- 779 shoreline buffers without following mitigation sequencing.
- 780 C. Because shorelines are a limited resource, preference should be given to water-
- 781 dependent and oriented uses, especially those uses particularly dependent on a
- 782 shoreline location or those that will provide the opportunity for substantial
- 783 numbers of people to enjoy the shoreline.
- 784 D. Over-water construction for non-water-dependent ~~oriented~~ commercial
- 785 developments should be prohibited.
- 786 E. Commercial development should be designed to provide physical or visual
- 787 shoreline access or other opportunities for the public to enjoy the shoreline

- 788 location. Public access should include amenities appropriate to the type and scale  
789 of the development and the qualities and character of the site, which may include  
790 walkways, viewpoints, restrooms, and other recreational facilities. Where  
791 possible, commercial facilities should be designed to permit pedestrian waterfront  
792 activities.
- 793 F. Site plans for commercial developments should incorporate multiple-use concepts  
794 that include open space and recreation where appropriate to the scope and scale of  
795 the project.
- 796 G. Commercial developments should be aesthetically compatible with the  
797 surrounding area. Aesthetic considerations should be actively promoted by means  
798 such as sign control regulations, appropriate development siting, screening and  
799 architectural standards, planned unit developments, and landscaping with native  
800 plants, including, where appropriate, enhancement of natural vegetative buffers.
- 801 H. Commercial developments should be designed, constructed, operated, and  
802 maintained to ensure no net loss of shoreline ecological functions and to protect  
803 areas of cultural significance.
- 804 I. Commercial developments should include landscaping that will visually enhance  
805 the shoreline area and contribute to shoreline functions and values.

806 **Industrial Uses**

- 807 A. No non-water-dependent industrial development should be allowed to locate  
808 within shoreline areas.
- 809 B. New industrial development in shoreline areas should be located to minimize  
810 sprawl and inefficient use of shoreline areas and, where applicable, to promote  
811 trip reduction.
- 812 C. No industrial development should be allowed in wetlands, wetland buffers, or  
813 shoreline buffers without following mitigation sequencing.
- 814 D. New over-water construction for industrial uses should be prohibited unless it can  
815 be shown to be essential to a water-dependent industrial use.
- 816 E. Industrial development should be designed to provide physical or visual shoreline  
817 access or other opportunities for the public to enjoy the shoreline location unless  
818 such access would be incompatible for reasons of safety, security, or impact to the  
819 shoreline environment. Where public access is incompatible with the proposed  
820 use, any loss of public access opportunity should be mitigated. Where public  
821 access is provided, it should include amenities appropriate to the type and scale of  
822 the development and the qualities and character of the site, which may include  
823 walkways, viewpoints, restrooms, and other recreational facilities. Where  
824 possible, industrial developments should be designed to permit pedestrian  
825 waterfront activities.
- 826 F. Site plans for industrial developments should incorporate multiple-use concepts  
827 that include open space and recreation where appropriate to the scope and scale of  
828 the project.
- 829 G. To the extent feasible, industrial developments should be aesthetically compatible  
830 with the surrounding area. Aesthetic considerations should be actively promoted

831 by means such as sign control regulations, appropriate development siting,  
832 screening and architectural standards, planned unit developments, and  
833 landscaping with native plants, including, where appropriate, enhancement of  
834 natural vegetative buffers.

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

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

#### 840 **Mining**

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

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

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

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

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

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

#### 860 **Municipal Uses**

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

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

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

870 D. Over-water construction for non-water-dependent ~~oriented~~ municipal uses should

- 871 be prohibited.
- 872 E. Where appropriate, municipal uses should be designed to provide physical or  
873 visual shoreline access or other opportunities for the public to enjoy the shoreline  
874 location. Public access should include amenities appropriate to the type and scale  
875 of the development and the qualities and character of the site, which may include  
876 walkways, viewpoints, restrooms, and other recreational facilities.
- 877 F. Municipal uses should be aesthetically compatible with the surrounding area.
- 878 G. Municipal uses should be designed, constructed, operated, and maintained to  
879 protect and enhance natural areas and systems.
- 880 H. Municipal uses should include shoreline enhancement and restoration activities  
881 that will visually enhance the shoreline area and contribute to shoreline functions  
882 and values.
- 883 I. Municipal uses should be located, designed, operated, and maintained to cause no  
884 net loss of shoreline ecological functions and to be compatible with, and minimize  
885 adverse impacts on, valuable cultural and natural

886 **Recreational Uses**

- 887 A. The location and design of shoreline recreational developments should be  
888 consistent with the comprehensive plan and recreation plan of the local  
889 government with jurisdiction.
- 890 B. Local, regional, state, and federal recreation planning should be coordinated.  
891 Shoreline recreational developments should be consistent with applicable park,  
892 recreation, and open space plans of other jurisdictions.
- 893 C. A variety of compatible recreational experiences and activities should be  
894 encouraged to satisfy diverse recreational needs. However, facilities for  
895 recreational activities that do not benefit from a shoreline location should not  
896 locate in shoreline areas.
- 897 D. Recreational developments should be located, designed, operated, and maintained  
898 to cause no net loss of shoreline ecological functions and to be compatible with,  
899 and minimize adverse impacts on, valuable cultural and natural features and on  
900 nearby land and water uses. Favorable consideration should be given to proposals  
901 that complement their environment and surrounding land and water uses, and that  
902 protect natural areas.
- 903 E. Priority should be given to developments that provide recreational uses and other  
904 improvements facilitating public access to shoreline areas.
- 905 F. Recreational developments should be located and designed to preserve, enhance,  
906 or create scenic views and vistas. Removal of healthy native vegetation to  
907 enhance views should be discouraged.
- 908 G. All recreational developments should make adequate provisions for:
- 909 1. Vehicular and pedestrian access, both on and off site, including, where  
910 appropriate, access for people with disabilities.

- 911 2. Proper water supply and solid and sanitary waste disposal.
- 912 3. Security and fire protection for the use and for any use-related impacts to
- 913 adjacent property.
- 914 4. The prevention of overflow and trespass onto adjacent properties, by methods
- 915 including but not limited to landscaping, fencing, and posting of the property.
- 916 5. Buffering from adjacent private property or natural areas.
- 917 6. Trails and paths on steep slopes should be located, designed, and maintained
- 918 to protect bank stability.

919 **Shoreline Modifications**

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

931 A. General:

- 932 1. The provisions of this section apply to all shoreline modifications within all
- 933 shoreline areas.
- 934 2. All shoreline modifications should be in support of an allowed shoreline use
- 935 that is in conformance with the provisions of this master program.
- 936 3. Shoreline modifications should cause as few environmental impacts as
- 937 possible and should be limited in size and number.
- 938 4. Shoreline modifications should individually and cumulatively not result in a
- 939 net loss of ecological functions. This is to be achieved by preferencing those
- 940 types of shoreline modifications that have a lesser impact on ecological
- 941 functions and requiring mitigation of identified impacts resulting from
- 942 shoreline modifications.
- 943 5. The type of shoreline and the surrounding environmental conditions should be
- 944 considered in determining whether a proposed shoreline modification is
- 945 appropriate.
- 946 6. Projects that include shoreline modifications should contribute to
- 947 enhancement of shoreline ecological functions, when possible.
- 948 7. As shoreline modifications are allowed to occur, measures to protect and
- 949 restore ecological functions should be implemented.

- 950 8. In-stream structures should provide for the protection and preservation, of  
951 ecosystem-wide processes, ecological functions, and cultural resources,  
952 including, but not limited to, fish and fish passage, wildlife and water  
953 resources, shoreline critical areas, hydrogeological processes, and natural  
954 scenic vistas.
- 955 9. The location and planning of in-stream structures should give due  
956 consideration to the full range of public interests, watershed functions and  
957 processes, and environmental concerns, with special emphasis on protecting  
958 and restoring priority habitats and species.  
959

960 **B. Clearing and Grading:**

961 Clearing and grading are activities associated with developing property for a  
962 particular use. Specifically, "clearing" means the destruction, uprooting, scraping,  
963 or removal of vegetative ground cover, shrubs, and trees. "Grading" means the  
964 physical manipulation of the earth's surface and/or surface drainage pattern  
965 without significantly adding or removing on-site materials. "Fill" means  
966 placement of dry fill on existing dry or wet areas and is addressed later in this  
967 chapter. Clearing and grading are regulated because they may increase erosion,  
968 siltation, runoff, and flooding, change drainage patterns; reduce flood storage  
969 capacity; and damage habitat. All clearing and grading within areas under  
970 shoreline jurisdiction, even that which does not require a permit, must be  
971 consistent with the Shoreline Management Act, the Department of Ecology rules  
972 implementing the Act, and the goals, policies, and regulations of this Master  
973 Program.

- 974 1. Clearing and grading activities should only be allowed in association with an  
975 allowed shoreline use.
- 976 2. Clearing and grading in shoreline areas should be limited to the minimum  
977 necessary to accommodate permitted shoreline development.
- 978 3. Clearing and grading should be discouraged in required shoreline setbacks.
- 979 4. All clearing and grading activities should be designed and conducted to  
980 minimize sedimentation and impacts to shoreline ecological functions,  
981 including wildlife habitat functions and water quality. Negative  
982 environmental and shoreline impacts of clearing and grading should be  
983 avoided or minimized through proper site planning, construction timing and  
984 practices, vegetative stabilization or (where required) soft structural  
985 stabilization, use of erosion and drainage control methods, and by adequate  
986 maintenance.
- 987 5. For clearing and grading proposals, a plan addressing species removal, re-  
988 vegetation, irrigation, erosion and sedimentation control, and other plans for  
989 protecting shoreline resources from harm should be required.
- 990 6. After completion of construction, those cleared and disturbed sites should be  
991 promptly re-stabilized, and should be replanted as required by a mitigation  
992 management plan. Vegetation from the recommended list is preferred—

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## Appendix H.

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## C. Dredging and Dredge Material Disposal:

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Dredging is the removal or displacement of earth or sediments such as gravel, sand, mud, silt, and/or other materials or debris from any water body or associated shoreline or wetland. Dredging is normally done for specific purposes such as constructing or maintaining canals, navigation channels, or marinas, for installing pipelines or cable crossings, or for dike or drainage system repair and maintenance. Dredge material disposal is the depositing of dredge materials on land or into water bodies for the purposes of either creating new lands or disposing of the by-products of dredging. Dredge material disposal within shoreline jurisdiction is also subject to the filling policies 6.14(D) later in this section.

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

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

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

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

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

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

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

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

1033

## D. Fill:

1034

Fill is the addition of soil, sand, rock, gravel, sediment, earth retaining structure,

- 1035 or other material to an area water ward of the ordinary high water mark, in  
1036 wetlands, or on shorelands in a manner that raises the elevation or creates dry  
1037 land. Fill does not include sanitary landfills for the disposal of solid waste.
- 1038 1. Fills water ward of the ordinary high water mark should be allowed only when  
1039 necessary to facilitate water-dependent use, public access, cleanup and  
1040 disposal of contaminated sediments as part of an interagency environmental  
1041 cleanup plan, disposal of dredged material considered suitable under, and  
1042 conducted in accordance with the dredged material management program of  
1043 the department of natural resources, expansion or alteration of transportation  
1044 facilities of statewide significance currently located on the shoreline and then  
1045 only upon a demonstration that alternatives to fill are not feasible, mitigation  
1046 action, environmental restoration, beach nourishment or enhancement projects  
1047 that are consistent with this master program.
  - 1048 2. Shoreline fills should be designed and located so that there will be no  
1049 significant damage to existing ecological systems or natural resources, and no  
1050 alteration of local currents, surface water drainage, or flood waters that would  
1051 result in a hazard to adjacent life, property, or natural resource systems.
  - 1052 3. In evaluating fill projects, such factors as potential and current public use of  
1053 the shoreline and water surface area, navigation, water flow and drainage,  
1054 water quality, and habitat should be considered and protected to the maximum  
1055 extent feasible.
  - 1056 4. The perimeter of any fill should be designed to avoid or eliminate erosion and  
1057 sedimentation impacts, both during initial fill activities and over time.  
1058 Natural-appearing and self-sustaining control methods are preferred over  
1059 structural methods.
  - 1060 5. Where permitted, fills should be the minimum necessary to provide for the  
1061 proposed use and should be permitted only when they are part of a specific  
1062 development proposal that is permitted by this master program. Placing fill in  
1063 water bodies or wetlands to create usable land should be prohibited.

1064

1065 E. Shoreline Stabilization:

1066 Shoreline stabilization includes actions taken primarily to address erosion impacts  
1067 to upland property and improvements caused by current, wake, or wave action.  
1068 Those actions include structural, nonstructural, and vegetative methods.

1069 Structural stabilization may be “hard” or “soft.” “Hard” structural stabilization  
1070 measures refer to those with solid, hard surfaces, such as concrete bulkheads,  
1071 while “soft” stabilization, such as biotechnical vegetation measures, and rely on  
1072 softer materials. There is a range of measures from soft to hard that includes:  
1073 upland drainage control, biotechnical measures, anchor trees, gravel placement,  
1074 riprap, retaining walls, and bulkheads. Generally, the harder the stabilization  
1075 measure, the greater the impact on shoreline processes.

1076 Non-structural methods include placing the development further from the  
1077 shoreline, planting vegetation, or installing on site drainage improvements,

1078 established building setbacks, ground water management, and planning and  
1079 regulatory measures to avoid the need for structural stabilization as established in  
1080 this SMP.

1081 Vegetative methods include re-vegetation and vegetation enhancement. In  
1082 addition, vegetation is often used as part of structural stabilization methods; it is  
1083 always part of biotechnical stabilization. For the purposes of this section,  
1084 vegetative methods are considered to include only re-vegetation and vegetation  
1085 enhancement.

- 1086 1. Stabilization measures should be designed, located, and constructed primarily  
1087 to prevent damage to existing development.
- 1088 2. No structural stabilization measures should be allowed for a vacant lot.
- 1089 3. New development should be located and designed to eliminate the need for  
1090 future shoreline stabilization.
- 1091 4. Shoreline vegetation, both on the bank and in the water, is very effective at  
1092 stabilizing shorelines. For this reason, property owners are strongly  
1093 encouraged to protect existing shoreline vegetation and restore it where it has  
1094 been removed. Preserving and restoring shoreline vegetation should be the  
1095 preferred method of shoreline stabilization.
- 1096 5. Structural solutions to shoreline erosion should be allowed only if non-  
1097 structural and vegetative methods would not be able to reduce existing or  
1098 ongoing damage.
- 1099 6. Public projects should be models of good shoreline stabilization design and  
1100 implementation.

1101 F. Bulkheads:

1102 A bulkhead is a type of hard structural shoreline stabilization measure. Bulkheads  
1103 are walls, constructed parallel to the shoreline and in contact with the water,  
1104 whose primary purpose is to contain and prevent the loss of soil caused by erosion  
1105 or wave action. A bulkhead-like structure used as part of the structure of a  
1106 cantilevered dock is not regulated as a bulkhead as long as the width is no more  
1107 than what is required to stabilize the dock.

1108 **Exemption:** Certain bulkheads are exempt from the requirement to obtain a  
1109 shoreline substantial development permit. However, all bulkheads must comply  
1110 with the Shoreline Management Act, the rules implementing the Act, and this  
1111 Master Program.

- 1112 1. A bulkhead is not a preferred method of stabilizing the shoreline, because  
1113 bulkheads tend to significantly degrade fish and wildlife habitat by the  
1114 removal of shoreline vegetation, increase erosion on neighboring properties,  
1115 and change the natural sedimentation process.
- 1116 2. Cumulative impacts of bulkheads should be considered, since over time and as  
1117 more shoreline is lost to bulkheading, the resulting loss of habitat may have  
1118 long-term impacts on fish populations as well as to the overall ecological  
1119 value of the shoreline.

- 1120 3. Most areas along the shorelines in Okanogan County can be adequately  
1121 stabilized using softer, more natural means, such as vegetation enhancement,  
1122 rather than a bulkhead.
- 1123 4. If the purpose is not stabilization, a retaining wall, set back from shoreline  
1124 vegetation, should be used rather than a bulkhead at the water's edge.  
1125 (Retaining walls for purposes other than shoreline stabilization must comply  
1126 with the setback and buffering requirements. Because a bulkhead on one  
1127 property can accelerate erosion on adjacent properties, the impacts of a  
1128 proposed bulkhead on adjacent properties should be analyzed and considered  
1129 before the bulkhead is approved.
- 1130 5. A bulkhead should be allowed only for shoreline stabilization and only if all  
1131 more ecologically-sound measures are proven infeasible.
- 1132 6. Property owners are encouraged to remove existing bulkheads and restore the  
1133 shoreline to a more natural state. As an incentive, such projects should be  
1134 processed without a fee charged for the shoreline permit.
- 1135 7. Breakwaters, jetties, groins, and weirs located water ward of the ordinary  
1136 high-water mark should be allowed only where necessary to support water-  
1137 dependent uses, public access, shoreline stabilization, or other specific public  
1138 purpose.
- 1139 8. Breakwaters, jetties, groins, weirs, and similar structures should require a  
1140 conditional use permit, except for those structures installed to protect or  
1141 restore ecological functions, such as woody debris installed in streams.
- 1142 9. Breakwaters, jetties, groins, and weirs should be designed to protect critical  
1143 areas and shall provide for mitigation according to the sequence defined in  
1144 14.15.110E(6).  
1145

1146 G. Vegetation Conservation:  
1147 Vegetation conservation includes activities to prevent the loss of plant  
1148 communities that contribute to the ecological functioning of shoreline areas. The  
1149 intent of vegetation conservation is to provide habitat, improve water quality,  
1150 reduce destructive erosion, sedimentation, and flooding; and accomplish other  
1151 functions performed by plant communities along shorelines. Vegetation  
1152 conservation deals with the protection of existing diverse plant communities along  
1153 the shorelines, aquatic weed control, and the restoration of altered shorelines by  
1154 reestablishing natural plant communities as a dynamic system that stabilizes the  
1155 land from the effects of erosion.

1156 Vegetation management is one form of protection for water quality water quality  
1157 and habitat protection. IN Natural areas buffers are commonly used as a default  
1158 protection mechanism. The vegetation management goals below are designed to  
1159 be guidelines and not imply a vegetative buffer along all shorelines. In some  
1160 locations, preservation of the natural shoreline vegetation is the only means of  
1161 protecting the shorelines when development occurs. There are qualitative  
1162 differences between and among critical areas. Not all areas and ecosystems are

1163 critical for the same reasons. . In some cases, the risk posed to the public by use  
1164 or development of a shoreline area can be mitigated or reduced by engineering or  
1165 design; in other cases that risk cannot be effectively reduced except by  
1166 preservation of the natural condition... Environmental review of shoreline  
1167 proposals shall specifically consider the potential impacts of vegetative removal  
1168 and the steps necessary to preserve the no net loss objective.

1169 Vegetation conservation provisions are important for several reasons, including  
1170 water quality, habitat, and shoreline stabilization. Shoreline vegetation improves  
1171 water quality by removing excess nutrients and toxic compounds, and removing  
1172 or stabilizing sediments. Habitat functions of shoreline vegetation include shade,  
1173 recruitment of vegetative debris (fine and woody), refuge, and food production.  
1174 Shoreline vegetation, especially plants with large root systems, can be very  
1175 effective at stabilizing the shoreline.

1176 Vegetation conservation regulations apply even to those uses that are exempt  
1177 from the requirement to obtain any sort of shoreline permit.

- 1178 1. Natural plant communities within and bordering shorelines should be  
1179 protected and maintained to ensure no net loss of shoreline ecological  
1180 functions.
- 1181 2. Natural shoreline vegetation should be maintained and enhanced to reduce the  
1182 hazard of bank failures and accelerated erosion. Vegetation removal that is  
1183 likely to result in soil erosion severe enough to create the need for structural  
1184 shoreline stabilization measures should be prohibited.
- 1185 3. Shoreline vegetation degraded by natural or manmade causes should be  
1186 restored wherever feasible.
- 1187 4. Non-structural and “soft” methods of shoreline stabilization, such as  
1188 vegetation enhancement and soil bioengineering, are preferred to hard  
1189 structures to arrest the processes of erosion, sedimentation, and flooding.
- 1190 5. Removal of vegetation should be limited to the minimum necessary to  
1191 reasonably accommodate the permitted use or activity.
- 1192 6. The physical and aesthetic qualities of the natural shoreline should be  
1193 maintained and enhanced.
- 1194 7. Preference should be given to preserving and enhancing natural vegetation  
1195 closest to the ordinary high water mark.
- 1196 8. Aquatic weed management should stress prevention first.

1197

## 1198 **Parking**

1199 Parking is the temporary storage of automobiles or other motorized vehicles. The  
1200 policies that follow apply to all areas where vehicles are parked, including parking  
1201 incidental to another permitted use.

- 1202 A. Parking in shoreline areas should be located upland of the permitted use.

- 1203 B. Parking facilities should be located, designed and landscaped to minimize adverse  
1204 impacts, including those related to storm water runoff, water quality, aesthetics,  
1205 public access, and vegetation and habitat maintenance.
- 1206 C. Parking should be planned to achieve optimum use of land within the area under  
1207 shoreline jurisdiction. Where practical, parking should serve more than one use,  
1208 such as recreational use on weekends and commercial use on weekdays.

1209 **Subdivision and Land Segregation**

- 1210 Subdivisions and land segregations are legal divisions of land for the purpose of sale,  
1211 lease, or transfer of ownership.
- 1212 A. All lots, whether for agricultural, residential, commercial or industrial uses or  
1213 activities, should be of sufficient size that development will not cause the need for  
1214 structural shoreline stabilization.
- 1215 B. All lots should be designed with enough area to provide a building site with  
1216 appurtenant uses (parking, outbuildings etc...) to meet the minimum building  
1217 setback requirements of the shoreline environment within which the lot is located.

1218

1219 **Signs**

- 1220 A. Signs to be placed or erected in shoreline jurisdiction should be designed and  
1221 placed so that they are compatible with the aesthetic quality of the existing  
1222 shoreline and adjacent land and water uses and in compliance with applicable  
1223 local sign regulations.
- 1224 B. Signs should not block or otherwise interfere with visual access to the water or  
1225 shoreline areas.
- 1226 C. Generally, signs should be of a permanent nature and be linked to the operation of  
1227 existing or permitted uses. Temporary signs and interpretive signs related to  
1228 shoreline functions should be allowed where they comply with the other policies  
1229 of this SMP and, in the case of temporary signs, where adequate provisions are  
1230 made for timely removal.
- 1231 D. Signs attached to buildings are preferred over free-standing signs.

1232

1233 **Accessory Utilities**

- 1234 A. Accessory utilities necessary to serve shoreline uses should be properly installed  
1235 so as to protect the shoreline and water from contamination and degradation.
- 1236 B. Accessory utilities and associated rights-of-way should be located outside the  
1237 shoreline area to the maximum extent feasible. When utility lines require a  
1238 shoreline location, they should be placed underground.
- 1239 C. Accessory utilities should be designed and located in a manner that preserves the  
1240 natural landscape and shoreline ecology and minimizes conflicts with present and  
1241 planned land uses.

1242 D. Accessory utilities should be designed and located to eliminate the need for  
1243 topping or pruning trees.

1244 E. Wherever possible, existing utility systems should be improved to enhance  
1245 shoreline appearance and use.

1246 **Primary Utilities**

1247 A. Primary utilities should be located to assure no net loss of shoreline ecological  
1248 functions, preserve the natural landscape, and minimize conflicts with present and  
1249 planned land and shoreline uses while meeting the needs of future populations in  
1250 areas planned to accommodate growth.

1251 B. New public or private utility production and processing facilities that are  
1252 nonwater-oriented should be located outside shoreline jurisdiction unless the  
1253 following is demonstrated:

1254 1. Perpendicular water crossings are unavoidable, or

1255 2. Utilities are required for authorized shoreline uses consistent with this  
1256 Program.

1257 C. Transmission facilities should be located outside of shoreline jurisdiction where  
1258 feasible and when necessarily located within the shoreline jurisdiction shall assure  
1259 no net loss of shoreline ecological function.

1260 D. Utilities should be located in existing rights of way and corridors whenever  
1261 feasible.

1262 E. Development of pipelines and cables on tidelands, particularly those running  
1263 roughly parallel to the shoreline, and development of facilities that may require  
1264 periodic maintenance which disrupt shoreline ecological functions should be  
1265 discouraged except where no other feasible alternative exists. When permitted,  
1266 provisions shall assure that the facilities do not result in a net loss of shoreline  
1267 ecological functions or significant impacts to other shoreline resources and  
1268 values.

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