

YAKIMA COUNTY SHORELINE MASTER PROGRAM SUBMITTAL CHECKLIST

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
DOCUMENTATION OF SMP DEVELOPMENT PROCESS		
Public involvement, communication, and coordination		
<p>Final submittal includes:</p> <ol style="list-style-type: none"> 1) evidence of local government approval (or a locally approved “statement of intent to adopt”); 2) new and/or amendatory text, 3) environment designation maps (with boundary descriptions and justification for changes based on existing development patterns, biophysical capabilities and limitations, and the goals and aspirations of the local citizenry); 4) a summary of the proposal together with staff reports and supporting materials; 5) evidence of SEPA compliance; 6) copies of all comments received with names and addresses. WAC 173-26-110 <p>Submittal must include clear identification and transmittal of all provisions that make up the SMP. This checklist, if complete, meets this requirement. WAC 173-26-210(3)(a) and (h).</p>	<ol style="list-style-type: none"> 1) Binder #1, tab 2. 2) Binder #1, tab 1. 3) Digital maps on CD in back of Binder #1. Hard copy maps attached separately. GIS data on CD in back of Binder #2. Justification in Binder #1, tab 8. 4) Binder #1, tabs 2-6. Binder #2. 5) Binder #1, tab 7. 6) Binder #1, tabs 10 and 11. Binder #3. 	<p>The Yakima County SMP submittal packet is organized into four (5) binders; Binders #1 and #2 contain the primary submittal documents, Binder #3 contains hearing exhibits, Binder #4 contains the CWU Inventory and Characterization and Binder #5 contains the local municipalities adopting ordinances for the regional shoreline master program. The Binders are organized with titled tabs as follows:</p> <p><u>Binder #1 Contents</u></p> <ol style="list-style-type: none"> 1) A “WDOE Draft” of the SMP regulations, goals and policies and supporting critical areas goals and policies for use in the public hearing process 2) Board of Yakima County Commissioner’s Ordinance 14-2007 adopting the SMP regulations and Comprehensive <i>Plan 2015</i> Goals and Policies. 3) BOCC Deliberations Draft SMP 4) Planning Commission’s Findings and Recommendation to the BOCC. 5) PC Draft SMP 6) SMP Staff Report to the Planning Commission. 7) State Environmental Policy Act compliance documentation. 8) Yakima County’s Justification for Shoreline Environmental Designation Changes. 9) Reference to Existing/ Proposed environmental designation maps. 10) Contact information for parties of record from the Board hearings. 11) Reference to exhibits from the 7/31/07 and 12/13/07 Board Hearings. <p><u>Binder #2 Contents</u></p> <ol style="list-style-type: none"> 1) The SMP Checklist. 2) Cumulative Impacts Analysis. 3) Restoration Plan and Assessment Summary. 4) Central Washington University’s Inventory

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		<p>and Characterization Report.</p> <ul style="list-style-type: none"> a. CWU Inventory and Characterization map portfolio (6 DVDs)* <ul style="list-style-type: none"> 5) Shoreline Land and Water Dependency Demand Analysis 6) Vegetation Management White Paper. 7) Channel Migration Delineation Report 8) Scientific review report (BAS Report). 9) Public Participation Plan. 10) GIS Data* <ul style="list-style-type: none"> a. Existing and proposed environmental designation data (ArcView 3.2a). b. Critical Areas GIS data. <p><i>(note: items noted with an asterisk (*) are only available in a digital format).</i></p> <p>Binder #1 contains all of the documents as required by WAC 173-26-110. The “WDOE Draft” in Binder #1, under tab 1, contains the Board of County Commissioner’s (BOCC) approved SMP regulations and goals and policies to be used in the Department of Ecology’s (DOE) review and public process.</p>
<p>Documentation of public involvement throughout SMP development process. WAC 173-26-201(3)(b)(i) and WAC 173-26-090 and 100. For SSWS, see WAC 173-26-251(3)(a)</p>	<p>Binder #1 tabs 2-7 and tabs 10 and 11. Binder #2, tab 9.</p>	<p>The Yakima County Planning Commission (PC) has served as the traditional citizen advisory committee for SMP updates. Public, educational sessions with the PC on critical areas and shorelines began in 2002. Planning for the active public participation effort began in November of 2003, and initiated the process with an open house in March of 2004. Yakima County developed a Public Participation Plan based on a methodology developed by the Institute for Participatory Management and Planning (IPMP), a.k.a. the Bleiker methodology located in Binder #2, tab 9. Yakima County submitted the Public Participation Plan as required by the SMP update grant (Grant# G0400) in July of 2004. The Planning Division and the PC launched an extensive public participation process for the CAO/SMP update, which has included thirty-six meetings with interest groups, five public meetings, six city and town elected official meetings, eight city and town staff meetings, and thirty-six PC Study Sessions. The PC held a public hearing on January 20, 2005 at which it considered draft, revised Goals and Policies of</p>

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		<p>the Natural Settings Element of <i>Plan 2015</i>. The Planning Commission adopted a motion requesting the BOCC to remand the draft, revised Goals and Policies for further study to allow concurrent consideration of a revised CAO/SMP and related Goals and Policies. In order to garner public participation and input on the draft CAO/SMP, the PC held eight Roundtable sessions. The Roundtable sessions were designed to get all of the potentially affected groups together to discuss the issues and provide input to staff and the PC during development of the draft ordinance. The Roundtable participants represented the agricultural, development, and environmental interests, in addition to state and local governments. These representatives were brought together to review draft chapters of the revised CAO/SMP, with the final Roundtable sessions held on a complete draft of the CAO/SMP on June 19 and 20, 2006. Hundreds of comments, both verbal and written, were received, catalogued, and analyzed by staff and the PC. All appropriate comments were incorporated where feasible to develop the PC Hearing Draft. The Roundtable process was extremely time intensive, but an effective tool in garnering specific input from the public. Both verbal comments from the roundtable and written comments submitted afterward are catalogued and addressed in detail. This detailed cataloguing of comments has allowed staff to hear and address all of the concerns expressed through the public participation process. Yakima County has supplied the WDOE with all of the public participation documentation as part of the SMP update grant. After the final Roundtable, the PC requested that the CAO and SMP be split into two separate documents. The Staff complied with this request and the remainder of the public process has been with a separate CAO and SMP. The PC held a hearing on the SMP on December 7, 2006. The PC held subsequent deliberations of the SMP and concluded with Findings and Recommendation to the Board of County Commissioners (BOCC) on February 28, 2007. The BOCC held a public hearing on the PC recommended draft SMP on July 31, 2007. The Board made changes to the PC recommendation, and held another hearing on those changes on December 13,</p>

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		<p>2007. The BOCC adopted the SMP by Ordinance 14-2007, which is included in Binder #1, tab 2.</p> <p>Additional materials, if necessary, can be submitted that include:</p> <ul style="list-style-type: none"> • Roundtable Verbal and Written Comment Tables; • Roundtable meeting minutes; • Drafts of individual CAO/SMP Chapters; • Re-drafts of CAO/SMP Chapters based on public comment. • PC Study Session and Hearing agendas and meeting minutes; • Documentation of Interest Group meetings; • Documentation of County/City meetings; • Open House Announcements.
<p>Documentation of communication with state agencies and affected Indian tribes throughout SMP development. WAC 173-26-201(3)(b)(ii) and (iii), WAC 173-26-100(3). For saltwater shorelines, see WAC 173-26-221(2)(c)(iii)(B). For SSWS, see WAC 173-26-251(3)(a).</p>	<p>Binder #1 tabs 10 and 11. Binder #3.</p>	<p>Yakima County invited all of the State agencies and the Yakama Nation to participate in the public process described above. The update of the SMP began in 2000, with the initiation of a pilot study to better map critical area features, including shorelines. The pilot study included consultation with the departments of Fish and Wildlife and Ecology and the Yakama Nation. Yakima County began a review of the science concerning Shorelines, and formed a Science Advisory Group (SAG) in October 2002. The SAG consisted of scientific professionals from federal, state, and tribal resource agencies, academia and the private consulting sector.</p> <p>Additional documentation, if necessary can include:</p> <ul style="list-style-type: none"> • Critical Areas Pilot Study meetings; • SAG agendas and meeting notes; • Roundtable participant list; • Roundtable agendas and meeting minutes. • Yakima County submitted its 60-day notice of intent to amend its comprehensive plan on June 19, 2004.
<p>Demonstration that critical areas regulations for shorelines are based on the SMA and the guidelines, and are at least equal to the current level of protection provided by the</p>	<p>16D.01.04 (1). 16D.01.05. 16D.06.01 See <i>Plan 2015</i> Natural Settings Element, Policy NS 7.31.</p>	<p>The integration of the CAO and SMP contains critical areas protection measures that apply both inside and outside Shoreline jurisdiction. While the CAO and</p>

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currently adopted critical areas ordinance. WAC 173-26-221(2)(b)(ii),(iii) and (c).		SMP are now separate documents, they are still “integrated” in the sense that critical areas standards are almost the same both inside and outside SMP jurisdiction. There are also additional protection measures for specific circumstances that apply when a development is within Shoreline jurisdiction that are specifically identified in theSMP.
Documentation of process to assure that proposed regulatory or administrative actions do not unconstitutionally infringe upon private property rights. See "State of Washington, Attorney General's Recommended Process for Evaluation of Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property." WAC 173-26-186(5).	SMP permit processes: <ul style="list-style-type: none"> • Shoreline Conditional Use 16D.03.21; • Variance 16D.03.22; • Reasonable Use Exception 16D.03.24; • Non-Conforming Uses and Facilities 16D.03.26; • Shoreline Land Use Table 16D.10.05 	The referenced document was utilized through the update process. The Yakima County Corporate Counsel has reviewed the SMP to assure “takings” issues are adequately addressed. Numerous provisions in the SMP provide options to landowners to use their property.
Shoreline Inventory		
Inventory of existing data and materials. WAC 173-26-201(3)(c)(i) through (x). For jurisdictions with critical saltwater habitats, see WAC 173-26-221(2)(c)(iii)(A)&(B).	<ul style="list-style-type: none"> • CWU Inventory and Characterization, Binder #4. • Shoreline Restoration Plan and Assessment Summary, Binder #2, tab 3. 	The Shoreline Inventory and Characterization was conducted by the Geo-Ecology Research Group at Central Washington University (CWU) as part of the SMP Update grant, and a Terry Hussiman grant appropriated to CWU. CWU worked closely with WDOE, and provided drafts to WDOE. Unfortunately, the Shoreline Inventory was completed without the information from the most recent version of “Determination of Upstream Boundary Points on Southeastern Washington Streams and Rivers Under Requirements of the Shoreline Management Act of 1971” USGS report, which identified a substantial number of new Shorelines in Yakima County. The CWU Inventory concentrated on the Shorelines identified in the existing SMP and the Shoreline WACs, which are the ones primarily affected by development. The remaining Shorelines that are not covered by the CWU analysis are addressed in the Shoreline Assessment Summary and Shoreline Restoration Plan. Generally, the new Shorelines are in federal or tribal jurisdiction, or have extremely limited development pressure.
Shoreline Analysis		
1. Characterization of shoreline ecosystems and their associated ecological functions that: <ul style="list-style-type: none"> • identifies ecosystem-wide processes and ecological functions; 	1. <ul style="list-style-type: none"> • CWU Inventory and Characterization, Binder #4. • Cumulative Impacts Analysis, Binder #2, tab 	1. The purpose of CWU Inventory and characterization was to conduct a baseline inventory of abiotic, biologic and cultural conditions in Yakima County’s shoreline jurisdiction to provide the basis for the County’s

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<ul style="list-style-type: none"> • assesses ecosystem-wide processes to determine their relationship to ecological functions; • identifies specific measures necessary to protect and/or restore the ecological functions and ecosystem-wide processes. WAC 173-26-201(3)(d)(i)(A). <p>a. Demonstration of how characterization was used to prepare master program policies and regulations that achieve no net loss of ecological functions necessary to support shoreline resources and to plan for restoration of impaired functions. WAC 173-26-201(3)(d)(i)(E).</p> <p>b. For vegetation, see WAC 173-26-221(5).</p> <p>c. For jurisdictions with critical saltwater habitats, see WAC 173-26-221(2)(c)(iii)(B).</p> <p>d. Description of data gaps, assumptions made and risks to ecological functions associated with SMP provisions. WAC 173-26-201(2)(a)</p> <p>e. Characterization includes maps of inventory information at appropriate scale. WAC 173-26-201(3)(c)</p>	<p>2.</p> <ul style="list-style-type: none"> • Restoration Plan and Assessment Summary, Binder #2, tab 3. • Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5. • Vegetation Management, Binder #2, tab 6. • Channel Migration and Avulsion Hazard Analysis, Binder #2, tab 7. • Yakima County's Review of Best Available Science for Inclusion in CAO/SMP Update. 2006, Binder #2, tab 8. <p>a. SMP Policies and regulations, especially Shoreline Land Use Table 16D.10.05 and environmental designation maps.</p> <p>b. Vegetation Management white paper, Binder #2, tab 6.</p> <p>c. N/A</p> <p>d. Binder #4, Yakima County Shoreline Inventory and Characterization, Yakima County's Review of Best Available Science for Inclusion in CAO/SMP Update Binder #2, tab 8.</p> <p>e. Map Inventory Binder #1, tab 9. Updated Critical Areas/Shorelines digital GIS data (on CD in back of Binder #2). See attached DVDs from the CWU Inventory and Characterization that contains the digital map portfolio.</p>	<p>Shoreline Master Program update. This characterization has helped the County identify existing conditions, determine functions and values of shoreline resources, and explore opportunities for conservation and restoration of ecological functions within the shoreline jurisdiction. The Shoreline Assessment and Restoration Plan also served this purpose for new Shorelines. The findings have provided a framework for updates to the County's shoreline environment designations and shoreline management policies and regulations.</p> <p>a. The inventory and characterization and the BAS report were utilized as support for the changes to Shoreline environments, the development of the Floodway/CMZ Environment and the construction of the Shoreline Land Use Table in Section 16D.10.05. The CWU inventory identified opportunities for conservation and restoration. The Restoration Plan utilized the large amount of existing reports that have extensively analyzed the Yakima River Basin, including a prioritization for restoration opportunities. The BAS Report identifies the ecosystem wide functions and processes that take place in large, Shoreline streams, lakes, ponds, and wetlands. All projects are required to ensure no net loss of ecological function; specific locations for these requirements can be found in: 16D.01.04(1) (c) and (j). 16D.06.01 (a) (1) and (2). 16D.06.01(a)(3). 16D.06.11(24) (a) and (b), 16D.10.01(11). In addition, all projects are required to adhere to the Mitigation sequencing (16D.03.10) and in some cases prepare a mitigation plan 16D.03.17(13) with an option of innovative mitigation 16D.03.17(14).</p> <p>b. The CWU inventory identified areas for restoration and conservation. Data utilized in the Shoreline Characterization included GIS data for existing riparian areas along select Shoreline streams. The Vegetation Management white paper (Binder #2, tab 6) describes the strategy of the SMP for vegetation management other than buffers.</p> <p>c. NA</p> <p>d. See Section 1. Introduction - Methodology of the CWU inventory for a description of the analysis. See the BAS Report for an analysis of the scientific</p>

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		<p>information. All projects are required to ensure no net loss of ecological function; specific locations for these requirements can be found in: 16D.01.04(1) (c) and (j). 16D.06.01 (a) (1) and (2). 16D.06.01(a)(3). 16D.06.11(24) (a) and (b), 16D.10.01(11). In addition, all projects are required to adhere to the Mitigation sequencing (16D.03.10) and in some cases prepare a mitigation plan 16D.03.17(13) with an option of innovative mitigation 16D.03.17(14). e. See CWU Inventory ArcReader Map portfolio.</p>
<p>1. Use analysis estimating future demand for shoreline space and potential use conflicts based on characterization of current shoreline use patterns and projected trends. Evidence that SMP ensures adequate shoreline space for projected shoreline preferred uses. Projections of regional economic need guide the designation of "high-intensity" shoreline. WAC 173-26-201(3)(d)(ii) & (v); WAC 173-26-211(5)(d)(ii)(B)</p> <p>a. For SMPs that allow mining, demonstration that siting of mines is consistent with requirements of WAC 173-26-241(3)(h)(i).</p> <p>2. Public access needs and opportunities within the jurisdiction are identified.</p> <p>3. For SSWS:</p> <p>a. evidence that SMP preserves adequate shorelands and submerged lands to accommodate current and projected demand for economic resources of statewide importance (e.g., commercial shellfish beds and navigable harbors) based on</p> <p>i. statewide or regional analyses,</p> <p>ii. requirements for essential public facilities, and</p> <p>iii. comment from related industry associations, affected Indian tribes, and state agencies.</p> <p>b. Evidence that public access and recreation requirements are based on demand projections that take into account activities of state agencies and interests of the citizens to visit public shorelines with special scenic qualities or cultural or recreational opportunities. WAC 173-26-251(3)(c)(ii) & (iii)</p> <p>c. Optimum implementation directives incorporated into comp plan and development regulations. WAC 173-26-251(2) & (3)(e)</p> <p>4. For GMA jurisdictions, SMP recreational provisions are</p>	<p>1. Cumulative Impacts Analysis, Binder #2, tab 2 and Shoreline Land and Water Dependency Demand Analysis Binder #2, tab 5.</p> <p>a. See Plan 2015, Natural Settings section policies on Shoreline environments and mining, and the Shoreline land use table located in section 16D.10.05 of the SMP.</p> <p>2. See Plan 2015, Natural Settings element, policies NS 7.34 through NS 7.38</p> <p>3.a. NA</p> <p>3b. Binder #2 tab 2, Cumulative Impacts Analysis, Binder #2 tab 5, Shoreline Land and Water Dependency Demand Analysis and Plan 2015, Natural Settings element, policies NS 7.34 through NS 7.38, Policy NS 7.62 for use preference, and Policy NS 14.3 for CMZ and the Shoreline land Use Table in 16D.10.05.</p> <p>3c. See Plan 2015, Natural Settings element, Policy NS 7.62 for use preference, Policy NS 14.3 for CMZ, the Shoreline Land Use Table 16D.10.05, and sections 16D.06.12 through 16D.06.16 that addresses water</p>	<p>1 a. Mining is not allowed in the Natural and Floodway/CMZ environments, which are the most hazardous and ecologically sensitive areas of the Shoreline. Mining is allowed, as a conditional use, in the other environments; however, the Yakima County Zoning Ordinance requires that permanent mines be first designated as Mineral Resources of Long Term Commercial Significance. There are no such areas currently designated within Shoreline jurisdiction that are not already operating. Consequently, establishing a new mine in Shoreline jurisdiction would require a comprehensive plan amendment to designate them for long term commercial significance, which would also require SEPA compliance.</p> <p>3.a. Yakima County nor the State has identified economic resources of statewide importance.</p> <p>3c. Most county areas with SSWS have large lot zoning of at least 40 acres where a FEMA floodway is designated. Limited to 40 acre minimum lot size. The Floodway/CMZ environment severely limits development (see section 16D.10.05). Largest buffers are for Shoreline streams and lakes.</p> <p>4. <i>Plan 2015</i> does not stipulate a LOS for recreation,</p>

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<p>consistent with growth projections and level-of-service standards contained in comp plan. WAC 173-26-241(3)(i)</p>	<p>dependency and buffers. 4. NA</p>	<p>nor does it stipulate a LOS for Shoreline parks.</p>
<p>1. Restoration plan that:</p> <ul style="list-style-type: none"> • identifies degraded areas, impaired ecological functions, and potential restoration sites; • Establishes restoration goals and priorities, including SMP goals and policies that provide for restoration of impaired ecological functions; • Identifies existing restoration projects and programs; • Identifies additional projects and programs needed to achieve local restoration goals, and implementation strategies including identifying prospective funding sources • sets timelines and benchmarks for implementing restoration projects and programs; • provides mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals. WAC 173-26-186(8)(c); 201(2)(c)&(f) <p>2. For critical freshwater habitats: incentives to restore water connections impeded by previous development. WAC 173-26-221(2)(c)(iv)(C)(III).</p> <p>3. For SSWS, identification of where natural resources of statewide importance are being diminished over time, and master programs provisions that contribute to the restoration of those resources. WAC 173-26-251(3)(b)</p>	<p>1. Binder #4, Shoreline Inventory and Characterization and Binder #2, tab 3, Restoration Plan. Plan 2015, NS 7.03, NS7.27, NS 7.30, Goal NS 16 (CAO), NS 17.8 (CAO)</p> <p>2. 16D.01.03 (1)(b, c, i), 16D.06.01(2)(b, c, e), Plan 2015 Goals and Policies NS 7.27, NS 16.</p> <p>3. NA</p>	<p>2The citation does not say this, it says that: “ Master programs shall implement the following standards within shoreline jurisdiction: (III) Include provisions that facilitate authorization of appropriate restoration projects. “</p> <p>3. Yakima County nor the State has identified natural resources of statewide importance.</p>
<p>1. Evidence that each environment designation is consistent with guidelines criteria [WAC 173-26-211(5)], as well as existing use pattern, the biological and physical character of the shoreline and the goals and aspirations of the community. WAC 173-26-211(2)(a). WAC 173-26-110(3)</p> <p>2. Lands designated as “forest lands of long-term significance” under RCW 36.70A.170 are designated either natural or rural conservancy shoreline environment</p>	<p>1. Plan 2015, Natural Settings element, Policy NS 7.04 through 7.22, and Section 16D.10.04 (Shoreline Environments) of the SMP. Channel Migration and Avulsion Hazard Analysis Binder #2, tab 7. Justification for Environmental designation changes, Binder #1, tab 8.</p> <p>2. See Appendix B and C of the SMP, Plan 2015 Policies NS 7.11 through 7.13 and the proposed environmental designation maps.</p>	<p>1. Yakima County is following WAC 173-26-211(4)(c), with a consistency analysis of existing environments to the recommended environments. The existing use pattern is addressed in the Cumulative Impacts Analysis. The goals and aspirations of the community are addressed through the plan policies and the public participation process. Second WAC citation does not relate to stated subject.</p> <p>2. Yakima County has designated forest lands of long</p>

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<p>designations. WAC 173-26-241(3)(e). 3. For SSWS, demonstration that environment designation policies, boundaries, and use provisions implement SMA preferred use policies of RCW 90.58.020(1) through (7). WAC 173-26-251(3)(c)</p>	<p>3. Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5. Plan 2015, Natural Settings element, Policy NS 7.52 for use preference, Policy NS 16.3 for hazardous areas, and the Shoreline Use table in 16D.10.05.</p>	<p>term commercial significance as conservancy. Federally designated Wilderness Areas and Yakama Nation Closed Areas are designated as Natural. 3. <u>All</u> Shorelines have environmental protection measures that emphasize preferred uses. Delineation of CMZ concentrated on SSWS, where data was available.</p>
<p>1. Assessment of how proposed policies and regulations cause, avoid, minimize and mitigate cumulative impacts to achieve no net loss policy. Include policies and regulations that address platting or subdividing of property, laying of utilities, and mapping of streets that establish a pattern for future development. Evaluation addresses: (i) current circumstances affecting the shorelines and relevant natural processes; (ii) reasonably foreseeable future development and use of the shoreline (including impacts from unregulated activities, exempt development, and other incremental impacts); and (iii) beneficial effects of any established regulatory programs under other local, state, and federal laws. WAC 173-26-201(3)(d)(iii) and WAC 173-26-186(8)(d) 2. For jurisdictions with <u>critical saltwater habitats</u>, identification of methods for monitoring conditions and adapting management practices to new information. WAC 173-26-221(2)(c)(iii)(B). 3. For SSWS, evidence that standards ensuring protection of <u>ecological resources of statewide importance</u> consider cumulative impacts of permitted development. WAC 173-26-251(3)(d)(i)</p>	<p>1. Binder #2, tab 2, Cumulative Impacts Analysis, Binder #2, tab 3, Restoration Plan, SMP, Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5. Plan 2015 Policies NS 7.23 through NS 7.33. All of the SMP regulations address this requirement, especially 16D.03.27 (sub-division) , all of the use standards in sections 16D.06.17 through 16D.06.31 and the Shoreline Land Use Table in 16D.10.05. (i) Binder #2, tab 2, Cumulative Impacts Analysis, Binder #4 CWU Shoreline Inventory and Characterization and Binder #2, tab 3, Restoration Plan. (ii) Binder #2, tab 2, Cumulative Impacts Analysis (iii) Binder #2, tab 2, Cumulative Impacts Analysis and Binder #2, tab 3, Restoration Plan. 2. NA 3. NA</p>	<p>1. The approach of the SMP and its related policies are to protect the functions and values and ecologic function of <u>all</u> critical areas and Shorelines. Mitigation sequencing, including the mitigation of impacts is integral to the permitting process. The common method of mitigation is restoration of degraded conditions. All projects are required to ensure no net loss of ecological function; specific locations for these requirements can be found in: 16D.01.04(1) (c) and (j). 16D.06.01 (a) (1) and (2). 16D.06.01(a)(3). 16D.06.11(24) (a) and (b), 156A.10.01(11). In addition, all projects are required to adhere to the Mitigation sequencing (16D.03.10) and in some cases prepare a mitigation plan 16D.03.17(13) with an option of innovative mitigation 16D.03.17(14). 2. Yakima County does not have critical saltwater habitats. 3. Ecological resources of statewide importance have not been identified for Yakima County.</p>
SMP CONTENTS		
<p>Any goals adopted as part of the SMP are consistent with the SMA. (Note: Goal statements are not required.)</p>	<p>Plan 2015, Natural Settings section.</p>	
<p>1. Policies (A) are consistent with guidelines and policies of the SMA; (B) address elements of RCW 90.58.100; and (C) include policies for environment designations, accompanied by a map or physical description of designation boundaries in sufficient detail to compare with comprehensive plan land use designations. (D) are consistent with constitutional and other legal limitations on regulation of private property. WAC 173-</p>	<p>1. (A) (B) See Plan 2015, Natural Settings Element - Shorelines and Critical Areas. (C) Plan 2015, NS 7.04 through 7.22, see Appendix B and C for boundary descriptions. Environmental designation maps, Binder #1, tab 9. (D) Policy NS 7.01(h), NS 7.52, Chapter 16D.03 for permitting options, and the Shoreline Land Use table in section 16D.10.05. 2. See SMP Use table in section 16D.10.05 and sections 16D.06.12 (Use Classifications, 16D.06.13</p>	<p>The buffer requirements distinguish between different uses based on water dependency. Distinguishing more only works in areas where there is a high demand for shoreline uses that are water dependant/related/oriented. Yakima County has low to non-existent demand on shoreline property for water-dependent uses. Where there is a low demand for shorelines, making more distinctions than we have is pointless and simply eliminates any practical use of the shoreline. The SMA is clear that local jurisdictions are allowed to develop a</p>

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26-191(2)(a)(i) 2. SMP implements preferred use policies of the SMA. WAC 173-26-201(2)(d)	(Water-dependent Uses), 16D.06.14 (Water-related Uses), 16D.06.15 (Water-enjoyment and Non-water Related Uses), Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5.	locally appropriate SMP. We are not required to develop an SMP that is more appropriate for King County or other highly developed jurisdiction with a high demand on shoreline property that has refined levels of differentiation in water dependency.
Regulations: (A) are sufficient in scope and detail to ensure the implementation of SMA, SMP guidelines, and SMP policies; (B) include environment designation regulations; (C) include general regulations, use regulations that address issues of concern in regard to specific uses, and shoreline modification regulations; and, (D) are consistent with constitutional and other legal limitations on the regulation of private property. WAC 173-26-191(2)(a)(ii)	(A) "WDOE Draft" of the SMP, Binder #1, tab1. (B) Shoreline Land Use Table 16D.10.05. (C) 16D.06.10 (Prohibited Uses), 16D.06.11 (General Policies and Standards). For use regulations, see sections 16D.06.17 through 16D.06.31. 16D.06.19 (Shore Stabilization). (D) Chapter 16D.03, permitting processes.	
ENVIRONMENT DESIGNATIONS		
Each environment designation includes: Purpose statements, classification criteria, management policies, and regulations (types of shoreline uses permitted, conditionally permitted, and prohibited; building or structure height and bulk limits, setbacks, maximum density or minimum frontage requirements, and site development standards). WAC 173-26-211(2)(4).	Plan 2015, Natural Settings – Shorelines, sections NS 7.04 through 7.22 for purpose statements and classification criteria and management policies. See section 16D.10.04 for additional environmental provisions. See the SMP Land Use table (16D.10.05) for permitted, conditional and prohibited uses. See section 16D.06.10 for additional prohibited uses. See Section 16D.06.11 for general policies and standards. See section 16D.06.16 for vegetative buffer standards. See sections 16D.06.17 through 16D.06.31 for use standards.	
An up-to-date map accurately depicting environment designation boundaries on a map. If necessary, include common boundary descriptions. WAC 173-26-211(2)(b); WAC 173-26-110(3);	Appendix B and C for boundary descriptions, section 16D.10.03 for Shoreline jurisdiction and Environmental designation maps, Binder #1, tab 9.	
Statement that undesignated shorelines are automatically assigned a conservancy environment designation. WAC 173-26-211(2)(e).	See Appendix B and C, introductions.	
Natural environment. WAC 173-26-211(5)(a)		
Designation criteria: Shorelines that are ecologically intact and performing functions that could be damaged by human activity, of particular scientific or educational interest, or unable to support human development without posing a safety threat. WAC 173-26-211(5)(a)(iii)	Plan 2015, Natural Settings section, policies 7.14-7.16 and Section 16D.08.04(4) (Shoreline Environments) of the SMP	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Prohibition on new: <ul style="list-style-type: none"> • uses that would substantially degrade ecological functions or natural character of shoreline. WAC 173-26-211(5)(a)(ii)(A) • Commercial uses; industrial uses; nonwater oriented recreation; roads, utility corridors, and parking areas. WAC 173-26-211(5)(a)(ii)(B) • development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions. WAC 173-26-211(5)(a)(ii)(G) • subdivision of property in a configuration that will require significant vegetation removal or shoreline modification that adversely impacts ecological functions. WAC 173-26-211(5)(a)(ii)(G) 	Shoreline Land Use Table, section 16D.10.05, buffer standards in sections 16D.06.12 through 16D.06.16, vegetation protection standards in section 16D.06.11 (1) and (2), Vegetation Management white paper in Binder #2, tab 6.	Note: Incorrect WAC citation, bullets 3 and 4 are development standards, not prohibited uses. The SMP vegetation management standards apply to all environments, not just the Natural Environment.
For single family residential development: limits on density and intensity to protect ecological functions, and requirement for CUP. WAC 173-26-211(5)(a)(ii)(C)	Shoreline Land Use Table in section 16D.10.05, Residential.	SFR prohibited, recreational cabins are a conditional use.
For commercial forestry: requirement for CUP, requirement to follow conditions of the State Forest Practices Act. WAC 173-26-211(5)(a)(ii)(D)	Shoreline Land Use Table in section 16D.10.05, Forest Practices.	Forest Practices under a permit from the WDNR are a conditional use, if applicable. All other forest practices are a conditional use.
For agriculture: low intensity use allowed if subject to appropriate limits or conditions to assure that the use does not expand or practices don't conflict with purpose of the designation. WAC 173-26-211(5)(a)(ii)(E)	Shoreline Land Use Table in section 16D.10.05.	Agriculture prohibited. Grazing requires a substantial development permit, if applicable.
Low intensity public uses such as scientific, historical, cultural, educational research uses, and water-oriented recreational access allowed if ecological impacts are avoided. WAC 173-26-211(5)(a)(ii)(F)	Shoreline Land Use Table in section 16D.10.05, Archeological, Recreation, 16D.03.06 (Exemptions – Procedural Requirements), 16D.03.07 (3), (13) (Exemptions).	
Rural. Yakima County is proposing to keep the existing Rural and Conservancy environments, while updating them to be consistent with the WAC 173-26-211(5)(b).		
Designation criteria: areas outside municipalities or UGAs with: (A) low-intensity, resource-based uses, (B) low-intensity residential uses, (C) environmental limitations such as steep banks or floodplains, (D) high recreational or cultural value, or (E) low-intensity water-dependent uses. WAC 173-26-211(5)(b)(iii)	Plan 2015, policies 7.08-7.10. See section 16D.10.04 (2) Rural Shoreline Environment.	Since our existing and proposed environments are slightly different, they do not exactly match the criteria. Designation criteria are different to reflect rural issues.
Restrictions on use and development that would degrade or permanently deplete resources. Water-dependent and water-enjoyment recreation facilities are preferred uses. Low intensity, water-oriented commercial and industrial	Section 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.12 Use Classifications, 16D.06.13 Water Dependent Uses, 16D.06.15 Water Enjoyment and Non-water Oriented Uses, 16D.06.25	Mining is a Conditional Uses in the Rural Environment.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>uses limited to areas where those uses have located in the past or at sites that possess conditions and services to support the development. WAC 173-26-211(5)(b)(ii)(A) and (B) For SMPs that allow mining, see WAC 173-26-241(3)(h).</p>	<p>Commercial and Community Services, 16D.06.26 Industrial Activities, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>Prohibition on new structural shoreline stabilization and flood control works except where there is documented need to protect an existing primary structure (provided mitigation is applied) or to protect ecological functions. WAC 173-26-211(5)(b)(ii)(C).</p>	<p>Section 16D.06.19 Shore Stabilization and the Shoreline Land Use Table 16D.10.05 for Shore Stabilization.</p>	
<p>Conservancy. Yakima County is proposing to keep the existing Rural and Conservancy environments, while updating them to be consistent with the WAC 173-26-211(5)(b).</p>		
<p>Designation criteria: areas outside municipalities or UGAs with: (A) low-intensity, resource-based uses, (B) low-intensity residential uses, (C) environmental limitations such as steep banks or floodplains, (D) high recreational or cultural value, or (E) low-intensity water-dependent uses. WAC 173-26-211(5)(b)(iii)</p>	<p>Plan 2015, Goals NS 7.11 through 7.13. See section 16D.10.04(3) Conservancy Shoreline Environment.</p>	<p>Since our existing and proposed environments are slightly different, they do not exactly match the criteria. Designation criteria are different to reflect conservancy issues.</p>
<p>Restrictions on use and development that would degrade or permanently deplete resources. Water-dependent and water-enjoyment recreation facilities are preferred uses. Low intensity, water-oriented commercial and industrial uses limited to areas where those uses have located in the past or at sites that possess conditions and services to support the development. WAC 173-26-211(5)(b)(ii)(A) and (B) For SMPs that allow mining, see WAC 173-26-241(3)(h).</p>	<p>See 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.12 Use Classifications, 16D.06.13 Water Dependent Uses, section 16D.06.15 Water Enjoyment and Non-water Oriented Uses, 16D.06.25 Commercial and Community Services, 16D.06.26 Industrial Activities, and the Shoreline Land Use Table 16D.10.05 Recreation, Commercial and Industrial.</p>	<p>Mining is a Conditional Uses in the Conservancy Environment.</p>
<p>Prohibition on new structural shoreline stabilization and flood control works except where there is documented need to protect an existing primary structure (provided mitigation is applied) or to protect ecological functions. WAC 173-26-211(5)(b)(ii)(C).</p>	<p>Section 16D.06.19 Shore Stabilization, and the Shoreline land Use Table in section 16D.10.05 for Shore Stabilization.</p>	
<p>Aquatic. Yakima County is proposing a Floodway/CMZ environment in place of the optional Aquatic. References below apply to the Floodway/CMZ environment.</p>		
<p>Designation criteria: Areas waterward of the ordinary high-water mark (OHWM). WAC 173-26-211(5)(c)(iii)</p>	<p>See Plan 2015, Goal NS 717 through 7.19, section 16D.10.04 (6) Floodway/CMZ Shoreline Environment.</p>	<p>Since our proposed Floodway/CMZ environment is different, it does not exactly match the criteria. Designation criteria are different to reflect Floodway/CMZ issues.</p>
<p>New over-water structures:</p> <ul style="list-style-type: none"> allowed only for water-dependent uses, public access, or ecological restoration. WAC 173-26-211(5)(c)(ii)(A) 	<p>See 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.12 Use Classifications, 16D.06.13 Water Dependent Uses, 16D.06.17 Roads, Railroads, and Parking, 16D.06.18 Utility</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<ul style="list-style-type: none"> limited to the minimum necessary to support the structure's intended use. WAC 173-26-211(5)(c)(ii)(B) 	Transmission Lines and Facilities, 16D.06.31 Piers and Docks, and the Shoreline Use Table 16D.10.05 Residential Uses, Transportation and Parking, Utilities, In-stream Structures.	
Multiple use of over-water facilities encouraged. WAC 173-26-211(5)(c)(ii)(C)	See 16D.06.18 (6) for Utilities, 16D.06.31 Piers and Docks, and the Shoreline Use Table 16D.10.05.	
Location and design of all developments and uses required to: <ul style="list-style-type: none"> minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration. WAC 173-26-211(5)(c)(ii)(D) prevent water quality degradation and alteration of natural hydrographic conditions. WAC 173-26-211(5)(c)(ii)(F) 	See 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards	
Uses that adversely impact ecological functions of critical saltwater and freshwater habitats limited (except where necessary for other SMA objectives, and then only when their impacts are mitigated). WAC 173-26-211(5)(c)(ii)(E)	See 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards and the Shoreline Land Use Table 16D.10.05.	
High-intensity. Yakima County is proposing to implement the existing Urban environment to be consistent with WAC 173-26-211(5)(d). References below apply to the Urban environment.		
Designation criteria: Areas within incorporated municipalities, "UGAs," and "rural areas of more intense development" (see RCW 36.70A.070) that currently support or are planned for high-intensity water-dependent uses. WAC 173-26-211(5)(d)(iii)	See Plan 2015, Goal NS 7.05 through 7.07. See section 16D.10.04(1) Urban Shoreline Environment.	Since our existing and proposed environment is slightly different, it does not exactly match the criteria. Designation criteria are different to reflect Urban issues.
Priority given first to water-dependent uses, then to water-related and water-enjoyment uses. New non-water oriented uses prohibited except as part of mixed use developments, or where they do not conflict with or limit opportunities for water oriented uses or where there is no direct access to the shoreline. WAC 173-26-211(5)(d)(ii)(A)	See 16D.06.12 Use Classifications, 16D.06.13 through 16D.06.15, and Shoreline Land Use Table 16D.10.05, Land and Water Dependency Demand Analysis, Binder #2, tab 5.	
Full use of existing urban areas required before expansion of intensive development allowed. WAC 173-26-211(5)(d)(ii)(B)	See Cumulative Impacts Analysis, Binder #2, tab 2, Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5 and the Shoreline Land Use Table in section 16D.10.05.	The Urban environment is only designated within city limits and in some urban growth areas in a combination with the urban conservancy environment, Urban growth areas are established by the criteria contained in the comprehensive plan, which includes a regional economic need.
New development does not cause net loss of shoreline ecological functions. Environmental cleanup and	See section 16D.06.10 Prohibited Uses, section 16D.06.11 General Policies and Standards, and section	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
restoration of the shoreline to comply with relevant state and federal laws assured. WAC 173-26-211(5)(d)(ii)(C)	16D.06.25 Industrial Activities.	
Visual and physical public access required where feasible. Sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers to achieve aesthetic objectives. WAC 173-26-211(5)(d)(ii)(D) and (E)	See 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, section 16D.06.16 Vegetative Buffers, 16D.06.26 Industrial Activities, and 16D.06.25 Commercial and Commercial Services.	
Urban Conservancy		
Designation criteria: Areas within incorporated municipalities, UGAs, and rural areas of more intense development that are not suitable for water-dependent uses and that are either suitable for water-related or water-enjoyment uses, are flood plains, have potential for ecological restoration, retain ecological functions, or have potential for development that incorporates ecological restoration. WAC 173-26-211(5)(e)(iii)	See Plan 2015, Goal NS 7.20 through 7.22, section 16D.10.04(5) Urban Conservancy Shoreline Environment.	
Allowed uses are primarily those that preserve natural character of area, promote preservation of open space, floodplain or sensitive lands, or appropriate restoration. WAC 173-26-211(5)(e)(ii)(A) Priority given to water-oriented uses over non-water oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses given highest priority. WAC 173-26-211(5)(e)(ii)(D) For SMPs that allow mining, see WAC 173-26-241(3)(h).	Section 16D.06.11 General Policies and Standards and Shoreline Land Use Table 16D.10.05. See 16D.06.12 Use Classifications, 16D.06.13 through 16D.06.15, and Shoreline Land Use Table 16D.10.05, Land and Water Dependency Demand Analysis, Binder #2, tab 5.	Mining is a conditional use in the Urban environment, see Shoreline Land Use Table 16D.10.05.
Standards for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications that ensure new development does not result in a net loss of shoreline ecological functions or degrade other shoreline values. WAC 173-26-211(5)(e)(ii)(B)	Section 16D.06.11 General Policies and Standards, 16D.06.19 Shore Stabilization, 16D.06.16 Vegetative Buffers.	
Public access and recreation required where feasible and ecological impacts are mitigated. WAC 173-26-211(5)(e)(ii)(C)	See 16D.06.11 General Policies and Standards, 16D.06.25 Commercial and Commercial Services, 16D.06.26 Industrial Activities, and 16D.06.28 Recreation.	The requirement entry is incorrect. The WAC states that "Public access and public recreation objectives should be implemented whenever feasible and significant ecological impacts can be mitigated. "
Critical areas. WAC 173-26-221(2)		
1. Policies and regulations for critical areas (designated under GMA) located within shorelines of the state: (i) are consistent with SMP guidelines, and (ii) provide a level of protection to critical areas within the	1. See Policies NS 8.1 through NS 19.4 and NS 7.31. Sections 16D.01.04(1), 16D.01.05, 16D.06.01.	Critical Areas standards also apply within Shoreline jurisdiction. Additional Shoreline standards apply within Shoreline jurisdiction only. See Users Guide for additional details.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>shoreline area that is at least equal to that provided by the local government's existing critical area regulations adopted pursuant to the GMA for comparable areas other than shorelines. WAC 173-26-221(2)(a) and (c)</p> <p>2. Planning objectives are for protection and restoration of degraded ecological functions and ecosystem-wide processes. Regulatory provisions protect existing ecological functions and ecosystem-wide processes. WAC 173-26-221(2)(b)(iv)</p> <p>Critical area provisions promote human uses and values, such as public access and aesthetic values, provided they do not significantly adversely impact ecological functions. WAC 173-26-221(2)(b)(v)</p>	<p>2. Section 16D.06.01 Purpose and Intent, 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.07.01 SMP Purpose and Intent, and Plan 2015, Natural Settings section.</p> <p>All projects are required to ensure no net loss of ecological function; specific locations for these requirements can be found in: 16D.01.04(1) (c) and (j). 16D.06.01 (a) (1) and (2). 16D.06.01(a)(3). 16D.06.11(24) (a) and (b), 156A.10.01(11). In addition, all projects are required to adhere to the Mitigation sequencing (16D.03.10) and in some cases prepare a mitigation plan 16D.03.17(13) with an option of innovative mitigation 16D.03.17(14).</p>	<p>2. Note: public access and aesthetics are SMA requirements, not Critical Areas requirements.</p>
<p>If SMP includes optional expansion of jurisdiction: Clear description of the inclusion of any land necessary for buffers of critical areas that occur within shorelines of the state, accurately depicting new SMP jurisdiction consistent with RCW 90.58.030(2)(f)(ii) and WAC 173-26-221(2)(a).</p>		<p>The SMP does not include the optional expansion. See Section 16D.10.03 for Shoreline Jurisdictional criteria.</p>
<p>Wetlands. WAC 173-26-221(2)(c)(i)</p>		
<p>Wetlands definition are consistent with WAC 173-22.</p>	<p>16D.02.425</p>	
<p>Provisions requiring wetlands delineation method are consistent with WAC 173-22-035.</p>	<p>16D.03.18(3)(a)</p>	
<p>Regulations address all uses and activities listed in WAC 173-26-221(2)(c)(i)(A) to achieve no net loss of wetland area and functions including lost time when the wetland does not perform the function. [WAC 173-26-221(2)(c)(i)(A) + (C)]</p>	<p>Section 16D.06.20 (Dredging and Excavation), Section 16D.06.21 (Filling), Section 1A.06.10 (Prohibited Uses), 16D.01.05 (Applicability), 16D.06.11 (General Policies and Standards), 16D.06.01, especially subsection (5) (Fish and Wildlife Habitat and the Stream Corridor System), and Section 16D.07.03 (Wetlands – Protection Approach).</p>	
<p>Wetlands rating or categorization system is based on rarity, irreplaceability, or sensitivity to disturbance of a wetland and the functions the wetland provides. Use Ecology Rating system or regionally specific, scientifically based method. WAC 173-26-221(2)(c)(i)(B)]</p>	<p>Section 16D.07.04(2).</p>	
<p>Buffer requirements are adequate to ensure wetland functions are protected and maintained in the long-term, taking into account ecological functions of the wetland,</p>	<p>Sections 16D.03.27(2) (Declarative Covenants) and 16D.03.27(3) (Sub-division Standards), Sections 16D.06.12 through 16D.06.15 (Use Classifications),</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
characteristics of the buffer, and potential impacts associated with adjacent land uses. WAC 173-26-221(2)(c)(i)(B)	Section 16D.06.16 (Buffers), Section 16D.06.10 (Prohibited Uses), Section 16D.06.11 (General Policies and Standards), Section 16D.07.03 (Wetland Protection Approach), Section 16D.07.04 (Wetland Functions and Rating) Vegetation Management white paper, Binder #2, tab 6.	
Wetland mitigation requirements are consistent with WAC 173-26-201(2)(e) and which are based on the wetland rating. WAC 173-26-221(2)(c)(i)(E) and (F)	Section 16D.03.15 (Conditional Approval of Development Authorization), Section 16D.03.10 (Mitigation Requirements), and Section 16D.07.05 (Compensatory Mitigation Requirements), Section 16D.07.06 (Wetland Mitigation Banks).	
<p>Compensatory mitigation allowed only after mitigation sequencing is applied and higher priority means of mitigation are determined to be infeasible.</p> <p>Compensatory mitigation requirements include (I) replacement ratios; (II) Performance standards for evaluating success; (III) long-term monitoring and reporting procedures; and (IV) long-term protection and management of compensatory mitigation sites. WAC 173-26-221(2)(c)(i)(F)</p> <p>Compensatory mitigation requirements are consistent with preference for “in-kind and nearby” replacement, and include requirement for watershed plan if off-site mitigation is proposed. WAC 173-173-26-201(2)(e)(B)</p>	Section 16D.03.15 (Conditional Approval of Development Authorization), 16D.03.10 (Mitigation Requirements), 16D.03.17(13) (Compensatory Mitigation Plans), 16D.03.17(14) (Innovative Mitigation) 16D.07.05 (Compensatory Mitigation Requirements), Section 16D.07.06 (Wetland Mitigation Banks).	
Geologically Hazardous Areas. WAC 173-26-221(2)(c)(ii)		
<p>1. Prohibition on new development (or creation of new lots) that would:</p> <p>(i) cause foreseeable risk from geological conditions during the life of the development prohibited. WAC 173-26-221(2)(c)(ii)(B)</p> <p>(ii) require structural shoreline stabilization over the life of the development. (Exceptions allowed where stabilization needed to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result.) WAC 173-26-221(2)(c)(ii)(C)</p>	<p>1.</p> <p>(i) See 16D.10.04 (6) (Floodway/CMZ Environment), 16D.10.05, Shoreline environmental maps for Floodway/CMZ designations, Shoreline Land Use Table in Section 16D.10.05 for residential uses, Polices NS 7.20 through NS 7.22, 16D.09 Geologically Hazardous Areas, section 16D.03.27(3) Sub-division standards, 16D.06.11 (29)(f) General Policies and standards- Shoreline Specific Standards.</p> <p>(ii) 16D.06.19 Shore Stabilization, 16D.10.04 (6), 16D.10.05, Shoreline environmental maps, Polices NS 7.20 through NS 7.22</p>	
New stabilization structures for existing primary residential structures allowed only where no alternatives (including relocation or reconstruction of existing structures), are feasible, and less expensive than the proposed stabilization measure, and then only if no net	16D.06.19 Shore Stabilization and Table 16D.10.05 (Shore Stabilization).	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
loss of ecological functions will result. WAC 173-26-221(2)(c)(ii)(D)		
Critical Freshwater Habitats. WAC 173-26-221(2)(c)(iv)		
Requirements that ensure new development within stream channel, channel migration zone, wetlands, floodplain, hyporheic zone, does not cause a net loss of ecological functions. WAC 173-26-221(2)(c)(iv)(C)(I) and WAC 173-26-221(2)(c)(iv)(B)(II)	16D.10.04 (6), Shoreline Land Use Table in Section 16D.10.05 for uses in the Floodway/CMZ Environment, Shoreline environmental maps, Polices NS 7.17 through NS 7.19 (Floodway/CMZ Environmental Policies), 16D.06.10 (Prohibited Uses), 16D.06.11 (General Policies and Standards). All projects are required to ensure no net loss of ecological function; specific locations for these requirements can be found in: 16D.01.04(1) (c) and (j). 16D.06.01 (a) (1) and (2). 16D.06.01(a)(3). 16D.06.11(24) (a) and (b), 156A.10.01(11). In addition, all projects are required to adhere to the Mitigation sequencing (16D.03.10) and in some cases prepare a mitigation plan 16D.03.17(13) with an option of innovative mitigation 16D.03.17(14).	
Authorization of appropriate restoration projects is facilitated. WAC 173-26-221(2)(c)(iv)(C)(III)	Section 16D.03.04 (Exemptions from Hydrologically Related Critical Areas, Wetlands, and Shorelines), subsection (12) (watershed restoration) (15) (fish and wildlife enhancement), and Shoreline Land Use Table in Section 16D.10.05.	
Regulations protect hydrologic connections between water bodies, water courses, and associated wetlands. WAC 173-26-221(2)(c)(iv)(C)(IV)	Section 16D.06.11 (General Policies and Standards), especially subsections (9), (15), (16), (24b).	
Flood Hazard Reduction. WAC 173-26-221(3)		
New development within the channel migration zone or floodway limited to uses and activities listed in WAC 173-26-221(3)(b) and (3)(c)(i)	16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, sections 16D.06.12 through 16D.06.15 Water Dependency Standards, section 16D.06.16 Vegetative Buffers, 16D.06.17 through 16D.06.23 Land Modification Development Standards, 16D.06.24 through 16D.06.30 Shoreline Use Development Standards, the Shoreline Land Use Table 16D.10.05, Chapter 16D.05 Flood Hazard Chapter, 16D.10.04 (6), 16D.10.05, Shoreline environmental maps, Polices NS 7.17 through NS 7.19	
New structural flood hazard reduction measures allowed only: <ul style="list-style-type: none"> • where demonstrated to be necessary, and when non-structural methods are infeasible and 	Section 16D.06.11(24)(f and g), Sections 16D.06.12 through 16 (Use Classifications and Vegetative Buffers), Section 16D.06.19 Shore Stabilization, and the Shoreline Land Use Table 16D.10.05 (Shore Stabilization).	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>mitigation is accomplished.</p> <ul style="list-style-type: none"> landward of associated wetlands and buffer areas except where no alternative exists as documented in a geotechnical analysis. WAC 173-26-221(3)(c)(ii) & (iii) 		
<p>New publicly funded dikes or levees required to dedicate and improve public access (see exceptions). WAC 173-26-221(3)(c)(iv)</p>	<p>Plan 2015 Natural Settings Element, Policies NS 7.34 through 7.43, Section 16D.10.01(7).</p>	
<p>Removal of gravel for flood control allowed only if biological and geomorphological study demonstrates a long-term benefit to flood hazard reduction, no net loss of ecological functions, and extraction is part of a comprehensive flood management solution. WAC 173-26-221(3)(c)(v)</p>	<p>16D.06.20, 16D.06.22.</p>	
<p>Public Access. WAC 173-26-221(4)</p>		
<p>Policies and regulations protect and enhance both physical and visual access. WAC 173-26-221(4)(d)(i)</p>	<p>Plan 2015 Natural Settings Element, especially Policies NS 7.34 through 7.43. See 16D.06.25 through 16D.06.27, and 16D.10.05 Shoreline land Use table.</p>	
<p>Public entities are required to incorporate public access measures as part of each development project, unless access is incompatible with safety, security, or environmental protection. WAC 173-26-221(4)(d)(ii)</p>	<p>Plan 2015 Natural Settings Element, Policies NS 7.34 through 7.43. See 16D.06.25 through 16D.06.27, and 16D.10.05 Shoreline Land Use table.</p>	
<p>Non-water-dependent uses (including water-enjoyment, water-related uses) and subdivisions of land into more than four parcels include standards for dedication and improvement of public access. WAC 173-26-221(4)(d)(iii)</p>	<p>Plan 2015 Natural Settings Element, Policies NS 7.34 through 7.43. See 16D.06.25 through 16D.06.27, and 16D.10.05 Shoreline Land Use tab, section 16D.06.27(2).</p>	
<p>Maximum height limits, setbacks, and view corridors minimize impacts to existing views from public property or substantial numbers of residences. WAC 173-26-221(4)(d)(iv); RCW 90.58.320</p>	<p>16D.06.11, 16D.06.16.</p>	
<p>Vegetation Conservation (Clearing and Grading). WAC 173-26-221(5)</p>		
<p>Vegetation standards implement the principles in WAC 173-26-221(5)(b). Methods to do this may include setback or buffer requirements, clearing and grading standards, regulatory incentives, environment designation standards, or other master program provisions. WAC 173-26-221(5)(c)</p>	<p>Vegetation Management, Binder #2, tab 6. 16D.03.27 (2 and 3) (Covenants and Sub-division) 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.12 through 16D.06.15 Water Dependency Standards, 16D.06.16 Vegetative Buffers, 16D.06.17 through 16D.06.23 Land Modification Development Standards, 16D.10.04(6) (Floodway/CMZ), Shoreline Land Use Table in section 16D.10.05, Policies 7.32, 7.34, 7.35.</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Selective pruning of trees for safety and view protection is allowed and removal of noxious weeds is authorized. WAC 173-26-221(5)(c)</p>	<p>Section 16D.03.02 Minor Activities Allowed without a Permit or Review, and section 16D.03.04 Exemptions for Hydrologically Related Critical Areas, Wetlands, and Shorelines.</p>	
<p>Water Quality. WAC 173-26-221(6)</p>		
<p>Provisions protect against adverse impacts to water quality and storm water quantity and ensure mutual consistency between SMP and other regulations addressing water quality. WAC 173-26-221(6)</p>	<p>Section 16D.06.10 Prohibited Uses, section 16D.06.11 General Policies and Standards</p>	
<p>SHORELINE MODIFICATIONS</p>		
<p>SMP: (a) allows structural shoreline modifications only where demonstrated to be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage or are necessary for mitigation or enhancement; (b) limits shoreline modifications in number and extent; (c) allows only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed; (d) gives preference to those types of shoreline modifications that have a lesser impact on ecological functions. Policies promote "soft" over "hard" shoreline modification measures (f) incorporates all feasible measures to protect ecological shoreline functions and ecosystem-wide processes as modifications occur; (g) requires mitigation sequencing. WAC 173-26-231(2); WAC 173-26-231(3)(a)(ii) and (iii);</p>	<p>16D04.19 Shore Stabilization, 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.20, 16D.06.21, 16D.06.31, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>Shoreline Stabilization. WAC 173-26-231(3)(a)</p>		
<p>Definition: structural and nonstructural methods to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind, or wave action. WAC 173-26-231(3)(a)(i) Definition of new stabilization measures include enlargement of existing structures. WAC 173-26-231(3)(a)(iii)(C), last bullet; WAC 173-26-231(3)(a)(iii)(B)(I), 5th bullet</p>	<p>16D.02.360 (Shore Stabilization), 16D.04.19 Shore Stabilization, section 16D.06.10 Prohibited Uses, and section 16D.06.11 General Policies and Standards, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>Standards setting forth circumstances under which shoreline alteration is permitted, and for the design and type of protective measures and devices. WAC 173-26-</p>	<p>16D.06.19, 16D.03.18(6), Shoreline Land Use Table 16D.10.05.</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>231(3)(a)(ii)</p> <p>New development (including newly created parcels) required to be designed and located to prevent the need for future shoreline stabilization, based upon geotechnical analysis.</p> <p>New development on steep slopes and bluffs required to be set back to prevent need for future shoreline stabilization during life of the project, based upon geotechnical analysis.</p> <p>New development that would require shoreline stabilization which causes significant impacts to adjacent or down-current properties and shoreline areas is prohibited. WAC 173-26-231(3)(a)(iii)(A)</p>	<p>16D.06.11 General Policies and Standards 16D.03.27(3) (Sub-division), 16D04.19 Shore Modification, section 16D.06.10 Prohibited Uses, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>New structural stabilization measures are not allowed except when necessity is demonstrated. Specific requirements for how to demonstrate need are established for:</p> <p>(I) existing primary structures; (II) new non-water-dependent development including Single Family Residences; (III) water-dependent development; and (IV) ecological restoration/toxic clean-up remediation projects. WAC 173-26-231(3)(a)(iii)(B)</p>	<p>16D04.19 Shore Modification, 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>Replacement of existing stabilization structures is based on demonstrated need. Waterward encroachment of replacement structure only allowed for residences occupied prior to January 1, 1992, or for soft shoreline stabilization measures that provide restoration of ecological functions. WAC 173-26-231(3)(a)(iii)(C)</p>	<p>16D04.19 Shore Modification, 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>Geotechnical reports prepared to demonstrate need include estimates of rate of erosion and urgency (damage within 3 years) and evaluate alternative solutions. WAC 173-26-231(3)(a)(iii)(D)</p>	<p>16D.03.18(6), 16D04.19 Shore Modification, section 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, and the Shoreline Land Use Table 16D.140.05.</p>	
<p>Shoreline stabilization structures are limited to the minimum size necessary. WAC 173-26-231(3)(a)(iii)(E)</p>	<p>section 16D04.19 Shore Modification, section 16D.06.10 Prohibited Uses, and section 16D.06.11 General Policies and Standards, and the Shoreline Land Use Table 16D.10.05.</p>	
<p>Public access required as part of publicly financed shoreline erosion control measures. WAC 173-26-231(3)(a)(iii)(E)</p>	<p>Plan 2015 Natural Settings Element, Policies NS 7.34 through 7.43.</p>	<p>Inaccurate WAC interpretation, the WAC states: "Ensure that publicly financed or subsidized shoreline erosion control measures do not restrict appropriate public access to the shoreline except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		<p>See public access provisions; WAC 173-26-221(4). Where feasible, incorporate ecological restoration and public access improvements into the project.”</p> <p>Ensuring that public access is not restricted is not the same as requiring public access.</p>
<p>Impacts to sediment transport required to be avoided or minimized. WAC 173-26-231(3)(a)(iii)(E)</p>		<p>Inaccurate WAC interpretation, the WAC states: “Mitigate new erosion control measures, including replacement structures, on feeder bluffs or other actions that affect beach sediment-producing areas to avoid and, if that is not possible, to minimize adverse impacts to sediment conveyance systems. Where sediment conveyance systems cross jurisdictional boundaries, local governments should coordinate shoreline management efforts. If beach erosion is threatening existing development, local governments should adopt master program provisions for a beach management district or other institutional mechanism to provide comprehensive mitigation for the adverse impacts of erosion control measures.”</p> <p>The first statement can be addressed by the Mitigation Sequencing requirements in 16D.03.10. The rest of the WAC examples discuss beach management.</p>
<p>Piers and Docks. WAC 173-26-231(3)(b)</p>		
<p>New piers and docks:</p> <ul style="list-style-type: none"> • allowed only for water-dependent uses or public access • restricted to the minimum size necessary to serve a proposed water-dependent use. • permitted only when specific need is demonstrated (except for docks accessory to single-family residences). <p>Note: Docks associated with single family residences are defined as water dependent uses provided they are designed and intended as a facility for access to watercraft. WAC 173-26-231(3)(b)</p>	<p>16D.06.31 Piers and Docks, and the Shoreline Land Use Table 16D.10.05.</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
When permitted, new residential development of more than two dwellings required to provide joint use or community docks, rather than individual docks. WAC 173-26-231(3)(b)	16D.06.31 Piers and Docks	
Design and construction of all piers and docks required to avoid, minimize and mitigate for impacts to ecological processes and functions and be constructed of approved materials. WAC 173-26-231(3)(b)	16D.06.11 General Policies and Standards	
Fill. WAC 173-26-231(3)(c)		
Definition of "fill" consistent with WAC 173-26-020(14)	16D.02.200, 16D.06.21	
Location, design, and construction of all fills protect ecological processes and functions, including channel migration. WAC 173-26-231(3)(c)	16D.06.11 General Policies and Standards, 16D.06.21 Filling, 16D.10.04(6), Shoreline Land Use Table 16D.10.05.	
Fill waterward of the OHWM allowed only by shoreline conditional use permit, for: <ul style="list-style-type: none"> • water-dependent use; • public access; • cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan; • disposal of dredged material in accordance with DNR Dredged Material Management Program; • expansion or alteration of transportation facilities of statewide significance currently located on the shoreline (if alternatives to fill are shown not feasible); • mitigation action, environmental restoration, beach nourishment or enhancement project. WAC 173-26-231(3)(c)	16D.06.11 General Policies and Standards, 16D.06.21 Filling, Shoreline Land Use Table 16D.10.05.	
Breakwaters, Jetties, and Weirs. WAC 173-26-231(3)(d)		
Structures waterward of the ordinary high-water mark allowed only for water-dependent uses, public access, shoreline stabilization, or other specific public purpose. WAC 173-26-231(3)(d)	16D04.19 Shore Stabilization, 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, and the Shoreline Land Use Table 16D.10.05.	
Shoreline conditional use permit required for all structures except protection/restoration projects. WAC 173-26-231(3)(d)	Shoreline Land Use Table 16D.10.05	
Protection of critical areas and appropriate mitigation required. WAC 173-26-231(3)(d)	16D.03.10	
Dredging and Dredge Material Disposal. WAC 173-26-231(3)(f)		
Dredging and dredge material disposal avoids or minimizes significant ecological impacts. Impacts which	16D.03.10 Mitigation, 16D.06.10 Prohibited Uses, and 16D.06.11 General Policies and Standards	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
cannot be avoided are mitigated. WAC 173-26-231(3)(f)		
New development siting and design avoids the need for new and maintenance dredging. WAC 173-26-231(3)(f)	16D.06.10 Prohibited Uses, and 16D.06.11 General Policies and Standards, 16D.06.20 Dredging and Excavation, 16D.06.21 Filling.	
Dredging to establish, expand, relocate or reconfigure navigation channels allowed only where needed to accommodate existing navigational uses and then only when significant ecological impacts are minimized and when mitigation is provided. WAC 173-26-231(3)(f)	16D.03.10 Mitigation, 16D.06.11 General Policies and Standards, Shoreline Land Use Table 16D.10.05, 16D.06.20 Dredging and Excavation.	
Maintenance dredging of established navigation channels and basins restricted to maintaining previously dredged and/or existing authorized location, depth, and width. WAC 173-26-231(3)(f)	Shoreline Land Use Table 16D.10.05, 16D.06.20 Dredging and Excavation.	
Dredging for fill materials prohibited except for projects associated with MTCA or CERCLA habitat restoration, or any other significant restoration effort approved by a shoreline CUP. Placement of fill must be waterward of OHWM. WAC 173-26-231(3)(f)	Shoreline Land Use Table 16D.10.05, 16D.06.20 Dredging and Excavation.	
Uses of dredge material that benefits shoreline resources are addressed. If applicable, addressed through implementation of regional interagency dredge material management plans or watershed plan. WAC 173-26-231(3)(f)	16D.06.21 Filling, Shoreline Land Use Table 16D.10.05	No dredging materials management plan exists for Yakima County.
Disposal within river channel migration zones discouraged, and in limited instances when allowed, require CUP. (Note: not intended to address discharge of dredge material into the flowing current of the river or in deep water within the channel where it does not substantially effect the geo-hydrologic character of the channel migration zone). WAC 173-26-231(3)(f)	16D.06.21 Filling, Shoreline Land Use Table 16D.10.05, 16D.02.090.	
Shoreline Habitat and Natural Systems Enhancement Projects. WAC 173-26-231(3)(g)		
Provisions that foster habitat and natural system enhancement projects, provided the primary purpose is restoration of the natural character and functions of the shoreline, and only when consistent with implementation of the restoration plan developed pursuant to WAC 173-26-201(2)(f)	16D.03.07(15) (exemption for habitat enhancement), Shoreline Land Use Table 16D.10.05, 16D.06.19 (Shore Stabilization).	
SPECIFIC SHORELINE USES		
Agriculture. WAC 173-26-241(3)(a)		
Use of agriculture related terms is consistent with the specific meanings provided in WAC 173-26-020. WAC 173-26-241(3)(a)(ii) and (iv)	16D.02.015, 16D.06.29 Agriculture.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Provisions address new agricultural activities, conversion of agricultural lands to other uses, and other development not meeting the definition of agricultural activities. Provisions assure that development in support of agricultural uses is: (A) consistent with the environment designation; and (B) located and designed to assure no net loss of ecological functions and not have a significant adverse impact on other shoreline resources and values. WAC 173-26-241(3)(a)(ii) & (v)	16D.01.05 Applicability, 16D.03.01 Critical Areas and Shoreline Development Authorization Required, 16D.03.02 Minor Activities Allowed without a Permit or Exemption, 16D.03.04 Exemptions for Hydrologically Related Critical Areas, Wetlands, and Shorelines, 16D.06.29 Agriculture, 16D.10.05 Shoreline Land Use Table.	
Shoreline substantial development permit is required for all agricultural development not specifically exempted by the provisions of RCW 90.58.030(3)(e)(iv)	16D.01.05 Applicability, 16D.03.01 Critical Areas and Shoreline Development Authorization Required, 16D.03.02 Minor Activities Allowed without a Permit or Exemption, 16D.03.04 Exemptions for Hydrologically Related Critical Areas, Wetlands, and Shorelines, 16D.06.29 Agriculture, 16D.10.05 Shoreline Land Use Table.	
Conversion of agricultural land to non-agricultural uses is consistent with the environment designation, and regulations applicable to the proposed use do not result in a net loss of ecological functions. WAC 173-26-241(3)(a)(vi)	16D.01.05 Applicability, Shoreline Land Use Table 16D.10.05.	The entire SMP would apply, based on the specifics of the new development.
Aquaculture. WAC 173-26-241(3)(b)		
Location and design requirements for aquaculture facilities avoid: loss of ecological functions, impacts to eelgrass and macroalgae, significant conflict with navigation and water-dependent uses, the spreading of disease, introduction of non-native species, or impacts to shoreline aesthetic qualities. Impacts to functions are mitigated. WAC 173-26-241(3)(b)	See 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.30 Aquaculture, and the Shoreline Land Use Table 16D.10.05.	
Boating Facilities. WAC 173-26-241(3)(c)		
Definition: Boating facility standards do not apply to docks serving four or fewer SFRs. WAC 173-26-241(3)(c)	Shoreline Land Use Table in section 16D.10.05 (Commercial and Community Services)	
Boating facilities restricted to suitable locations. WAC 173-26-241(3)(c)(i)	16D.06.25 Commercial and Commercial Services, 16D.06.28 Recreation, 16D.10.05 Shoreline Land Use Table.	
Provisions ensuring health, safety, and welfare requirements are met. WAC 173-26-241(3)(c)(ii)	16D.06.25 Commercial and Commercial Services	
Provisions to avoid or mitigate aesthetic impacts. See WAC 173-26-241(3)(c)(iii)	16D.06.25 Commercial and Commercial Services	
Public access required in new boating facilities. WAC 173-26-241(3)(c)(iv)	16D.06.25(2) Commercial and Commercial Services.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Impacts of live-aboard vessels are limited. WAC 173-26-241(3)(c)(v)	16D.06.25 Commercial and Commercial Services	
Provisions assuring no net loss of ecological functions as a result of development of boating facilities while providing public recreational opportunities. WAC 173-26-241(3)(c)(vi)	16D.06.13 (water-dependant uses), 16D.06.11 General Policies and Standards	
Navigation rights are protected. WAC 173-26-241(3)(c)(vii)	16D.06.13 (water-dependant uses), 16D.06.25 Commercial and Commercial Services	
Extended moorage on waters of the state without a lease or permission is restricted, and mitigation of impacts to navigation and access is required. WAC 173-26-241(3)(c)(viii)	16D.06.25 Commercial and Commercial Services	
Commercial Development. WAC 173-26-241(3)(d)		
Preference given first to water-dependent uses, then to water-oriented commercial uses. WAC 173-26-241(3)(d)	16D.03.07 Exemptions, 16D.06.10 Prohibited Uses, 16D.06.25 (Commercial and Community Services, 16D.10.05 Shoreline Land Use Table, Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5.	There are many exemptions for water-dependant uses and prohibitions for non-water oriented uses. The Shoreline Land Use table accomplishes this through conditional uses.
Water-enjoyment and water-related commercial uses required to provide public access and ecological restoration where feasible and avoid impacts to existing navigation, recreation, and public access. WAC 173-26-241(3)(d)	16D.06.13 (water-dependant uses), 16D.06.25 Commercial and Commercial Services	
New non-water-oriented commercial uses prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives. WAC 173-26-241(3)(d)	16D.06.25 Commercial and Commercial Services, 16D.10.05 Shoreline Land Use Table.	
Non-water-dependant commercial uses over water prohibited except in existing structures, and where necessary to support water-dependent uses. WAC 173-26-241(3)(d)	16D.06.31 Piers and Docks, 16D.10.05 Shoreline Land Use Table.	
Forest Practices. WAC 173-26-241(3)(e)		
Forest practices not covered by the Forest Practices Act, especially Class IV-General forest practices involving conversions to non-forest use result in no net loss of ecological functions and avoid impacts to navigation, recreation and public access. WAC 173-26-241(3)(e)	16D.10.05 Shoreline Land Use Table, 16D.06.11 General Policies and Standards, 16D.06.24 Forest Practices.	
SMP limits removal of trees on shorelines of statewide significance (RCW 90.58.150). Exceptions to this standard require shorelines conditional use permit. WAC 173-26-241(3)(e)	16D.06.24 Forest Practices, 16D.10.05 Shoreline Land Use Table.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Industry. WAC 173-26-241(3)(f)		
Preference given first to water-dependent uses, then to water-oriented industrial uses. WAC 173-26-241(3)(f)	16D.03.07 Exemptions, 16D.06.10 Prohibited Uses, 16D.06.26 Industrial Activities, 16D.10.05 Shoreline Land Use Table, Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5.	There are many exemptions for water-dependant uses and prohibitions for non-water oriented uses. The Shoreline Land Use table accomplishes this through conditional uses.
Location, design, and construction of industrial uses and redevelopment required to assure no net loss of ecological functions. WAC 173-26-241(3)(f)	16D.06.11 General Policies and Standards	
Industrial uses and redevelopment encouraged to locate where environmental cleanup and restoration can be accomplished. WAC 173-26-241(3)(f)	16D.06.26 Industrial Activities, 16D.10.05 Shoreline Land Use Table.	
Public access required unless such a requirement would interfere with operations or create hazards to life or property. WAC 173-26-241(3)(f)	16D.06.26 Industrial Activities, Plan 2015 Natural Settings Element, Policies NS 7.34 through 7.43.	
New non-water-oriented industrial uses prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives. WAC 173-26-241(3)(f)	16D.10.05 Shoreline Land Use Table, 16D.06.26 Industrial Activities	
In-Stream Structures. WAC 173-26-241(3)(g)		
Definition: structure is waterward of the ordinary high water mark and either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. WAC 173-26-241(3)(g)	16D.06.13 (water-dependant uses), 16D.10.05 Shoreline Land Use Table.	
In-stream structures protect and preserve ecosystem-wide processes, ecological functions, and cultural resources, including, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas. WAC 173-26-241(3)(g)	16D.06.13 Water Dependant Uses, 16D.06.14 Water Related Uses, 16D.06.11 General Policies and Standards	
Mining. WAC 173-26-241(3)(h)		
<p>Policies and regulations for new mining projects:</p> <ul style="list-style-type: none"> • require design and operation to avoid and mitigate for adverse impacts during the course of mining and reclamation • achieve no net loss of ecological functions based on required final reclamation • give preference to proposals that create, restore or enhance habitat for priority species • are coordinated with state Surface Mining Reclamation Act requirements. • assure subsequent use of reclaimed sites is consistent with environment designation and 	Plan 2015, Natural Settings Element, 16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.22 Industrial Mining of Gravel, 16D.10.05 Shoreline Land Use Table, and Appendix B and C.	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
SMP standards. See WAC 173-26-241(3)(h)(ii)(A) – (C)		
Mining waterward of OHWM is prohibited unless: (I) Removal of specified quantities of materials in specified locations will not adversely impact natural gravel transport; (II) The mining will not significantly impact priority species and the ecological functions upon which they depend; and (III) these determinations are integrated with relevant SEPA requirements. WAC 173-26-241(3)(h)(ii)(D)	16D.06.10 Prohibited Uses, 16D.06.11 General Policies and Standards, 16D.06.22 Industrial Mining of Gravel, 16D.10.05 Shoreline Land Use Table.	
Renewal, extension, or reauthorization of in-stream and gravel bar mining activities require review for compliance with these new guidelines requirements. WAC 173-26-241(3)(h)(ii)(D)(IV)	Chapter 16D.01 and 16D.03	Chapter 16D.01 and 16D.03 would require mining projects to obtain permits and meet standards.
Mining within the Channel Migration Zone requires a shoreline conditional use permit. WAC 173-26-241(3)(h)(ii)(E)	16D.10.05 Shoreline Land Use Table	
Recreational Development. WAC 173-26-241(3)(i)		
Definition includes both commercial and public recreation developments. WAC 173-26-241(3)(i)	16D.10.05 Shoreline Land Use Table	
Priority given to recreational development for access to and use of the water. WAC 173-26-241(3)(i)	16D.03.07 Exemptions, 16D.06.10 Prohibited Uses, 16D.06.28 Recreation, 16D.10.05 Shoreline Land Use Table, Shoreline Land and Water Dependency Demand Analysis, Binder #2, tab 5.	There are many exemptions for water-dependant uses and prohibitions for non-water oriented uses. The Shoreline Land Use table accomplishes this through conditional uses.
Location, design and operation of facilities are consistent with purpose of environment designations in which they are allowed. WAC 173-26-241(3)(i)	16D.10.05 Shoreline Land Use Table, 16D.06.25 Commercial and Commercial Services, 16D.06.28 Recreation.	
Recreational development achieves no net loss of ecological processes and functions. WAC 173-26-241(3)(i)	16D.06.11 General Policies and Standards,	
Residential Development. WAC 173-26-241(3)(j)		
Definition includes single-family residences, multifamily development, and the creation of new residential lots through land division. WAC 173-26-241(3)(j)	16D.10.05 Shoreline Land Use Table, 16D.03.27 (Sub-division Standards.	
Single-family residences identified as a priority use only when developed in a manner consistent with control of pollution and prevention of damage to the natural environment. WAC 173-26-241(3)(j)	16D.03.03 Exemptions-Procedural Requirements, 16D.03.04 Exemptions for Hydrologically Related Critical Areas, Wetlands and Shorelines, 16D.06.11 General Policies and Standards, 16D.10.05 Shoreline Land Use Table	
No net loss of ecological functions assured with specific standards for setback of structures sufficient to avoid	16D.03.27(3) Sub-division Standards, 16D.06.11 General Policies and Standards, 16D.06.16 Vegetative	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
future stabilization, buffers, density, shoreline stabilization, and on-site sewage disposal. WAC 173-26-241(3)(j)	Buffers, 16D.03.18((6), 16D.03.10 Mitigation Requirements, 16D.10.04(6) Floodway/CMZ, 16D.06.19 Shore Stabilization, 16D.10.05 Shoreline Land Use Table.	
New over-water residences and floating homes prohibited. Appropriate accommodation for existing floating or over-water homes. WAC 173-26-241(3)(j)	16D.10.05 Shoreline Land Use Table, 16D.01.04(2).	
New multiunit residential development (including subdivision of land for more than four parcels) required to provide community and/or public access in conformance to local public access plans. WAC 173-26-241(3)(j)	Plan 2015 Natural Settings Element, Policies NS 7.34 through 7.43.	
New (subdivided) lots required to be designed, configured and developed to: (i) Prevent the loss of ecological functions at full build-out; (ii) Prevent the need for new shoreline stabilization or flood hazard reduction measures; and (iii) Be consistent with applicable SMP environment designations and standards. WAC 173-26-241(3)(j)	16D.06.11 General Policies and Standards, Shoreline Land Use Table 16D.10.05, 16D.03.27 (Sub-division Standards).	
Transportation Facilities. WAC 173-26-241(3)(k)		
Proposed transportation and parking facilities required to plan, locate, and design where routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water dependent uses. WAC 173-26-241(3)(k)	16D.06.11 General Policies and Standards, 16D.06.17 Roads, Railroads, and Parking, and the Shoreline Land Use Table 16D.10.05, Plan 2015 Natural Settings Element Policies NS 7.68 through 7.73.	
Circulation system plans include systems for pedestrian, bicycle, and public transportation where appropriate. WAC 173-26-241(3)(k)	Plan 2015 Natural Settings Element Policies NS 7.68 through 7.73	
Parking allowed only as necessary to support an authorized shoreline use and which minimize environmental and visual impacts of parking facilities. WAC 173-26-241(3)(k)	16D.06.11 General Policies and Standards, 16D.06.17 Roads, Railroads, and Parking, and the Shoreline Land Use Table 16D.10.05.	
Utilities. WAC 173-26-241(3)(l)		
Design, location and maintenance of utilities required to assure no net loss of ecological functions. WAC 173-26-241(3)(l)	16D.06.11 General Policies and Standards.	
Utilities required to be located in existing rights-of-ways whenever possible. WAC 173-26-241(3)(l)	16D.06.18 Utility transmission Lines	
Utility production and processing facilities and transmission facilities required to be located outside of SMA jurisdiction, unless no other feasible option exists.	Shoreline Land Use Table 16D.10.05	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
WAC 173-26-241(3)(l)		
SMP ADMINISTRATIVE PROVISIONS		
The statement: “All proposed uses and development occurring within shoreline jurisdiction must conform to chapter 90.58 RCW, the Shoreline Management Act and this master program” whether or not a permit is required. WAC 173-26-191(2)(a)(iii)(A)	16D.03.01(1).	
Administrative provisions ensure permit procedures and enforcement are conducted in a manner consistent with relevant constitutional limitations on regulation of private property. WAC 173-26-186(5) and WAC 191(2)(a)(iii)(A)	Chapter 16D.01 General Provisions, 16D.03 Application and review Procedures, 16D.06 Enforcement and Penalties.	
Identification of specific uses and development that require a shoreline conditional use permit (CUP). Standards for reviewing CUPs and variances conform to WAC 173-27. WAC 191(2)(a)(iii)(B) and WAC 173-26-241(2)(b)	Shoreline Land Use Table 16D.10.05, 16D.03.12 Determination of Review Procedure, 16D.03.13 Development Authorization – Review Procedure, 16D.03.14 Authorization Decision – Basis for Action, 16D.03.15 Conditional Approval of Critical Area Development Authorization, 16D.03.21 Shoreline Conditional Uses, 16D.03.22 Variance.	
Administrative, enforcement, and permit review procedures conform to the SMA and state rules (see RCW 90.58.140, 143, 210 and 220 and WAC 173-27). WAC 191(2)(a)(iii)(C), WAC 173-26-201(3)(d)(vi)	Chapter 16D.01 General Provisions, 16D.03 Application and review Procedures, 16D.06 Enforcement and Penalties.	
Mechanism for tracking, and periodically evaluating the cumulative effects of all project review actions in shoreline areas. WAC 173-26-191(2)(a)(iii)(D)	16D.03.06 Exemption procedural Requirements, sections 16D.03.11 through 16D.03.15 (review process),	Actually cumulative effects are addressed through required update timelines.
SMP definitions are consistent with all definitions in WAC 173-26-020, and other relevant WACs.	Chapter 16D.02 Definitions.	