PACIFIC COUNTY

SHORELINE MASTER PROGRAM


Prepared by the
Pacific County Regional Planning Council

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by Washington State Department of Ecology

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PACIFIC COUNTY SHORELINE MASTER PROGRAM

BEFORE THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON


WHEREAS, primary responsibility for initiation and administering the regulatory program of the Shoreline Management Act of 1971 has been assigned to local government; and
WHEREAS, the County has taken the necessary steps, as required by state law and regulation, to prepare a Master Program; and
WHEREAS, the Department of Ecology must adopt a Master Program for a local jurisdiction if the local governing body does not do so; and
WHEREAS, this Master Program establishes regulatory provisions to manage and protect the shorelines of the state in a manner which promotes the welfare of the people of the county and of the state generally and which carries out the intent, policy and specific provisions of the Shoreline Management Act of 1971;
NOW, THEREFORE, the County of Pacific does adopt as follows:

SECTION 1 - TITLE, APPLICABILITY, AUTHORITY, PURPOSE

1.01 This Master Program shall be known and may be cited as the Pacific County Shoreline Master Program.

1.02 The provisions of this Master Program shall apply to all shorelines of the state as defined in RCW 90.58 and WAC 173.16.030 and located within the jurisdiction of the County.

1.03 The primary authority for the passage and enforcement of this Master Program is the ACT. Further authority is based on applicable provisions of state planning legislation, including RCW 36.70, as amended.

1.04 The purpose of this Master Program is to meet local responsibilities for the implementation of the policy of the state as given under provisions RCW 90.58.020 of the ACT and in state regulations adopted pursuant to RCW 90.58, insofar as a regulatory program can accomplish such purpose. Those responsibilities are as generally defined under provision RCW 90.58.050. In addition, the purpose of this Master Program is: to insure that the County’s shorelines remain among the least damaged shoreline environments in the nation; to encourage a variety of compatible uses of the shorelines; and, to be
a helpful reference in resolving conflicts arising between apparently incompatible uses.

SECTION 2 - DEFINITIONS

2.01 As used in this Master Program, unless the context otherwise requires, the following terms shall have the given meanings. The meanings are not intended to conflict with, supplant or revise identical terms in the Act or regulations adopted pursuant to it, but are intended to supplement or clarify such words or phrases. Terms not defined are to be interpreted in light of the definitions, intent and other provisions of the Act and this Master Program.

2.02 ACT - means the Washington State Shorelines Management Act of 1971, RCW 90.58.

2.04 ADMINISTRATOR - means the Director of Planning.

2.06 BOARD - means the Pacific County Board of Commissioners.

2.08 COMMISSION - means the Pacific County Planning Commission.

2.10 CONDITIONAL USE - means a use (or the expansion of a use) permitted on shorelines which, because of certain characteristics peculiar to it or because of its size, technological processes or the type of equipment associated with it, or because of its exact location with reference to the shoreline, requires a special degree of control both to make it consistent with the intent and provisions of the Act and this Master Program and compatible with other uses permitted on shorelines and to eliminate or minimize its adverse impact on the shoreline environment. Any use which requires a substantial development permit to which "conditions" are attached is also considered to be a conditional use.

2.12 COUNTY - means Pacific County.

2.14 DEPARTMENT - means the Pacific County Department of Planning.

2.16 DEVELOPMENT - means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel or minerals including the grading of land; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this Master Program at any state of water level.

2.18 ENVIRONMENT - means one of the categories, listed below, into which all the different shorelines of the state have been placed (or designated), as shown on the Shoreline Map. The detailed meaning of this word and its applications are defined under WAC 173-16-040(4).
.01 "Natural" means those shorelines which have been placed (or designated) in the natural environment as defined under WAC 173-16-040(4)(b)(i) and which are to be managed and regulated to achieve the intent defined therein.

.02 "Conservancy" means those shorelines which have been placed (or designated) in the Conservancy Environment as defined under WAC 173-16-040(4)(b)(ii) and which are to be managed and regulated to achieve the intent defined therein.

.03 "Rural" means those shorelines which have been placed (or designated) in the conservancy environment as defined under WAC 173-16-040(4)(b)(iii) and which are to be managed and regulated to achieve the intent defined therein.

.04 "Urban" means those shorelines which have been placed (or designated) in the urban environment as defined under WAC 173-16-040(4)(b)(iv) and which are to be managed and regulated to achieve the intent defined therein.

2.19 FOREST LINE - means where along the tidal waters of Willapa Bay the ordinary high water mark coincides with the occurrence of the upland forest, the boundary between coastal wetlands and upland is understood to be the "forest line"; along a shore subject to erosion, the boundary is the "line of extreme high tide"; along a shore that has been altered by diking, filling, or bulkheading, the boundary is the "line of extreme high tide."

2.20 GOALS - means the statements in Section 3 of this Master Program which express the aspirations that the citizens of the COUNTY have for the use and development of the shorelines of the state.


2.24 HEARINGS BOARD - means the Shorelines Hearings Board established under the Act (RCW 90.58.170).

2.26 MASTER PROGRAM or PROGRAM - means the COUNTY program for regulation and management of the shorelines of the state, as required by the Act (RCW 90.58.080), and including statements of goals and policies, use regulations, maps, diagrams, charts and any other text included in the Program. The enforceable provisions of the Master Program are embodied in this Master Program.

2.28 MEAN HIGHER HIGH TIDE - means the elevation determined by averaging each day's highest tide over a period of 18.6 years.
2.29 NONCONFORMING USE - means any use, project, activity or structure which existed lawfully prior to the enactment of this Master Program, but which would be prohibited, regulated or restricted under the provisions of the Act, this Master Program, or amendments to either of them.

2.30 ORDINARY HIGH WATER MARK - shall have the meaning defined by RCW 90.58.030(2)(b) and WAC 173-16-030(10).

2.32 PERMIT or SUBSTANTIAL DEVELOPMENT PERMIT - means that permit required by the Act before the undertaking of a substantial development on shorelines, to be issued by the local government having administrative jurisdiction and subject to review by the Department of Ecology, and the attorney general and other interested persons (RCW 90.58.140).

2.34 PERSON - means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.

2.36 SELECTIVE CUTTING - means timber cutting as allowed on shorelines of statewide significance by the Act, RCW 90.58.150.

2.38 SHORELINES - shall have the meaning defined by RCW 90.58.030-(2)(d).

2.40 SHORELINES OF STATEWIDE SIGNIFICANCE - shall have the meaning defined by RCW 90.58.030(2)(e).

2.42 SHORELINES OF THE STATE - means the total of all "shorelines" and "shorelines of state-wide significance" within the COUNTY.

2.44 SHORELINE MAP or MAP - means the maps associated with this Master Program on which is shown the approximate jurisdiction of the Act and this Master Program, and also the boundaries of the environments.

2.46 STRUCTURE - means anything constructed, erected, or located on the ground or water, or attached to the ground or to an existing structure, including but not limited to residences, apartments, barns, stores, offices, factories, sheds, cabins, mobile and floating homes, and other buildings.

2.47 SUBSTANTIAL DEVELOPMENT - shall have the meaning defined by RCW 90.58.030(3)(e).

2.48 SWS - means shorelines works and structures and refers to such structures as bulkheads, jetties, groins, canals, piers, and breakwaters.

2.49 TIDAL WETLANDS - means those tidal marshes, tidal mudflats and other tidelands which are inundated by the normal extreme high tide (high water elevation) as defined in official tide
tables. For example, the elevation used to define tidal wetlands in the vicinity of the Port of Willapa Harbor, Raymond, Washington would be 12.7 feet tidal gage elevation based on the January 8, 1974 prediction. Tidal wetlands, as defined herein, do not include the additional areas inundated by storm surges or heavy runoff which raise the levels above predicted elevations.

2.50 VARIANCE - means a modification of the regulations of this Master Program because of the unusual nature, shape, topography or other conditions peculiar to a specific piece of property which would place, if the regulations were enforced strictly or literally, an undue hardship or deprivation on the property owner.

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

2.54 As used or in the interpretation of the Columbia River Estuary Segment, the following terms shall have the meanings indicated:

AQUACULTURE - The raising, feeding, planting and harvesting of fish and shellfish, or other aquatic plants and animals including associated facilities necessary to engage in the use.

AQUATIC AREAS - Aquatic areas include the tidal waters and wetlands of the estuary and non-tidal sloughs, streams, and wetlands within the shoreland areas.

The lands underlying the waters are also included. The upper limit of aquatic areas is the line of non-aquatic vegetation or, where such a line cannot be accurately determined, Ordinary High Water in tidal areas and Ordinary High Water (OHW) in non-tidal areas.

BANKLINE ... or STREAM ALTERATION - Realignment of a stream bank or the entire stream, either within or without its normal high water boundaries.

BEACH - Zone of unconsolidated material extending landward from the low water line to the seaward edge of shoreland vegetation.

BULKHEAD - A vertical wall of steel, timber or concrete piling of solid or open pile construction.
COMMUNICATION FACILITIES - Power and communication lines and towers, antennas and microwave receivers.

DIKE - A structure designed and built to prevent inundation of a parcel of land by water. A dike is considered new when placed on an area which: (1) has never previously been diked; or (2) has previously been diked, but all or a substantial part of the area is subject to daily inundation and tidal marsh has been established. Maintenance and repair refer to: (1) existing serviceable dikes (including those that allow some seasonal inundation); and (2) those that have been damaged by flooding, erosion, tide gate failure, etc., but where reversion to tidal marsh has not yet occurred.

DOCK - A pier or secured float or floats for boat tie-up or other water use, often associated with a specific land use on the adjacent shoreland, such as a residence or commercial use or light industrial facility.

ESTUARY - A body of water semi-enclosed by land, connecting with the open ocean, and within which salt water is diluted by freshwater derived from the land.

FILL - Fill is the placement by man of sediment or other material in an aquatic area to create new shorelands or on shorelands to raise the elevation of the land.

FLATS - Intertidal and shallow subtidal areas with low slopes and current velocities, often productive with relatively fine sediments.

FLOW-LANE - The natural channel and the slopes adjacent to the natural channel, including the navigation channel.

FLOW-LANE DISPOSAL - Disposal of dredged material in the flow lane, in a location where the prevailing sediment transport is in a downstream direction.

FLUSHING TIME - The length of time required to remove an introduced pollutant from a body of water through tidal or fresh water flow.

HABITAT - The place where an organism lives; the place occupied by an entire community, such as a freshwater tidal marsh community.

HISTORICAL RESOURCE - Those districts, sites, buildings, structures, and artifacts which have a relationship to events or conditions of the human past.

INTERTIDAL - Between the tides, here considered to be that area between mean lower low water and mean higher high water.
IN-WATER DISPOSAL - The disposal of dredged material in the estuary, river or ocean.

LOW WATER BRIDGES - A specific type of bridge crossing. Low water bridges are temporarily placed by private property owners across minor streams and sloughs during periods of low or intermittent water flow in order to provide access for farm machinery and other uses. Low water bridges are generally construction of logs or planking and cable, and, as such, fill required for approaches to these bridges will in all cases be minimal (e.g. grading of a road approach) and consistent with the resource capabilities of the area and the purpose of the management unit. Low water bridges are removed during periods of highwater flow and are replaced in the same location in subsequent seasons. Note that in sloughs behind tidegates, where water levels are regulated and changes in seasonal water heights are minimal low water bridges may be in place year-round.

MARINAS - Marinas are facilities which provide moorage, launching, storage, supplies and a variety of services for recreational, commercial fishing and charter fishing vessels. They are differentiated from docks/moorages by their larger scale, the provisions of significant landside services and/or the use of a solid breakwater (rock, bulkheading, etc.)

MINING/MINERAL EXTRACTION - The removal for economic use of minerals, petroleum resources, sands, gravels or other naturally occurring materials from the shorelands and/or the bed beneath an aquatic area.

MITIGATE - To alleviate the negative impacts of a particular action.

NAVIGATION CHANNEL - The authorized channel(s), maintained by the Corps of Engineers.

NAVIGATIONAL STRUCTURES - Structures such as pile dikes, groins, fills, jetties and breakwaters that are installed to help maintain navigation channels, control erosion, or protect marinas and harbors by controlling water flow, wave action and sand movement.

a. **Pile dikes** are flow-control structures that are used primarily in river systems and are made of closely spaced piling connected by timbers; usually they are perpendicular to the shore. They are constructed to increase scour in the navigation channel and/or control shoreline erosion by interrupting sand transport and encouraging sedimentation in the sheltered lee of the pile dike. A single pile dike is unusual; they are generally constructed in groups.
b. **Groins** are analogous to pile dikes, but are constructed from rocks. They can withstand rougher wave conditions than pile dikes, are often used on beaches, where they exert a strong influence on sand transport and extend from the backshore seaward across the beach.

c. **Jetties** are the largest of all navigational structures; they are made of rock or concrete and are used to stabilize the channel and improve the scour at the mouth of the estuary. They must be able to withstand extreme wave conditions and may alter longshore sand transport for many miles along the coast.

d. **Breakwaters** may be of rock, steel, concrete or piling, or of the floating kind. They are used to protect harbors and marinas against waves and currents.

**PILING/DOLPHIN INSTALLATION** - The driving of wood, concrete or steel piling into the bottom in aquatic areas to support piers or docks, structures moored floating structures, vessels or log rafts, or for other purposes. A dolphin is a group of piling held together by steel cable and used for mooring vessels, log rafts or floating structures.

**PUBLIC ACCESS** - A means of physical approach to and along the shoreline available to the general public.

**PUBLIC GAIN** - The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

**RECREATION, HIGH INTENSITY** - Recreation which requires specially built facilities, or occurs in such extent, degree or magnitude that it results in impacts to or requires modification of estuarine resource areas. Example of high intensity recreation include campgrounds, golf courses, boat launches, etc.

**RECREATION, LOW INTENSITY** - Recreation which does not require developed facilities and can be accommodated without change to the area or resource except for small improvements in Shoreland areas involving minimal capital investment and not structures over 500 square feet in area. Examples of low-intensity recreation including boating, hunting, wildlife observation, beachcombing and picnicking. Examples of small improvements appropriate in shoreland areas include trails, picnic tables, restrooms, and viewing platforms.

**RESOURCE ENHANCEMENT** - The use of artificial or natural means to improve the quantity of quality of a specific resource.
RESTORATION - Replacing or restoring original attributes or amenities such as natural biological productivity and esthetic or cultural resources which have been diminished or lost by past alternations, activities or catastrophic events. Active restoration involves the use of specific remedial actions such as removing dikes or fills, installing water treatment facilities, or rebuilding or removing deteriorated urban water front areas.

RIP-RAP - A layer, facing, or protective mound stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used.

SHORELANDS - The area adjacent to the estuary and its tributary streams and wetlands. The lower boundary of the shoreland is the line of non-aquatic vegetation, or in cases where this cannot be defined, Ordinary High Water. The upper boundary is 200 feet inland from OHW or the line of non-aquatic vegetation or the extent of the 100-year flood plain, whichever is greater.

SHORELINE - The boundary between shorelands and aquatic areas.

SHORELINE STABILIZATION - The protection of the banks of tidal or nontidal stream, river or estuarine waters by vegetation or structural means.

STRUCTURAL ALTERATION - Any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams or girders or any structural changes in the roof or in the exterior walls.

WATER-DEPENDENT - Water-dependent refers to uses and activities which can only be carried out on, in, or adjacent to water, and the water location or access must be needed for one of the following:

a. Water-borne transportation (navigation; moorage; fueling and servicing of ships or boats; terminal and transfer facilities; resource and material-receiving and shipping);

b. Recreation (active recreation such as swimming, boating or fishing, or passive recreation such as viewing or walking);

c. A source of water (energy production, cooling of industrial equipment of wastewater, other industrial processes, aquaculture operations); or

d. Marine research or education (viewing, sampling, recording information, conducting experiments, teaching).
WATER-RELATED - Water-related refers to uses and activities that do not require direct water access (are not water-dependent), but may be appropriate as consistent with other development criteria because;

a. They provide goods and/or services that are directly associated with other water-dependent uses (supplying materials to, or using products of, or offering commercial or personal services to water-dependent uses); and

b. Location other than adjacent to the water would result in a public loss of quality in the goods and services offered (evaluation of public loss of quality will involve a subjective consideration of economic, social, and environmental consequences of the use).

SECTION 3 - GOALS

3.01 The purpose of (Section 1) and the policies and regulations (Sections 5 through 25) of this Master Program should ordinarily provide sufficient guidance for making those decisions required of local government relative to projects and activities on shorelines of the state. Should guidance from those sources be insufficient, the goals listed under this Section shall be used as an additional guide.

Economic Development

3.20 A region's economy is the major man-made determinant of the character of its shorelines. For instance, Grays Harbor has a quality very different from Willapa Bay, due as much to the different kinds and intensities of economic activity along its shore as to natural differences of topography or hydrology.

3.21 Recognizing the importance of the economic context, the shorelines program establishes the goals for economic development that follow. These statements are meant to suggest the kinds, the pace and the extent of economic development that is wanted or felt to be needed by COUNTY citizens.

.01 Promote a controllable rate of economic and population growth.

.02 Encourage those kinds of industrial development which:

(a) will diversify and stabilize the economic base, offsetting seasonal and cyclical fluctuations in the local employment pattern;

(b) will not degrade or pollute the natural shoreline and aquatic environment;
(c) will not cause a large rapid influx of new residents into the COUNTY;

(d) will be willing to locate along shorelines designated "urban" in this program.

.03 Assuming that growth in the leisure "industries" (tourism, recreation, retirement, and second-home communities) will be a significant aspect of overall economic development on shorelines, maintain a watchful control over this growth to ensure that the leisure industry does not interfere with other economic but vulnerable uses of the shorelines, particularly aquaculture, agriculture, and forest management.

.04 Encourage those economic activities on shorelines which are conducted with concern and respect for the uniqueness of the COUNTY environment--its good fresh air, its clean waters and its extensive open, green spaces that give a sense of "plenty-of-room-to-breathe."

Public Access

3.30 Because of their close relationship, public access and recreation are combined in a single section below.

Circulation (Land, Water and Air)

3.40 The size, quality, and diversity of a region's circulation system is in large part a function of the economy it serves. The more highly developed the economy, the more highly developed the circulation system is apt to be. To be realistic, then, circulation goals must reflect goals for economic development. Therefore, the general goals of this element are:

.01 That the circulation system be commensurate with the level and intensity of economic development sought by the COUNTY.

.02 That the expansion or improvement of the circulation system in a shorelines area, including new or better roads, channels, and airports detract as little as possible from natural values.

.03 That any expansion or improvement of the circulation system which is likely to stimulate a large increase in economic (including recreational) activity be undertaken only after it has been determined that such an increase is indeed wanted by the COUNTY and has been planned for.
RECREATION/PUBLIC ACCESS

3.50 In addition to policy statement about the recreation-leisure industry under the heading "Economic Development", the following goals are intended to guide whatever increase in the public's opportunity for access to and recreation on the COUNTY'S shorelines takes place.

.01 Improve public access to those areas of shorelines which can accommodate intensified use for recreational, educational or other purposes without endangering fragile natural areas intolerant of human use and/or without infringing on rights of private ownership.

.02 Limit those recreational and leisure uses of shorelines which are large, extensive urbanizations, such as vacation subdivisions and retirement communities, to those areas designated in this program as "urban environment."

.03 Leisure facilities are to be located in certain shoreline areas and excluded from others, so that the COUNTY shorelines do not become an endless resort strip and a weekend or summertime metropolis.

SHORELINE USES

3.60 In effect, the entire Master Program constitutes a single extended set of goals, policies, standards, and regulations designed to shape and control the use of shorelines. The goal of these controls is to encourage a variety of compatible and environmentally non-destructive uses of the shorelines.

CONSERVATION

3.70 The conservation theme also runs throughout the entire Master Program. Its recurring statements about minimizing damage to the environment are in essence a policy to conserve natural resources. Two of the four environmental categories ("natural" and "conservancy") into which the county shorelines are to be designated are conservationist in intent. The goals below focus attention on issues which deserve special conservation emphasis.

.01 Substantial effort must be made to preserve and/or restore areas of unusual natural productivity, such as shallow waters, tidelands, marshes and swamps.

.02 In all future development and change along the COUNTY'S shorelines, the capacity of this area for supporting an extraordinary quantity and variety of wildlife must not be substantially impaired.
HISTORICAL/CULTURAL LAND USES

3.80 Where there are shoreline sites of historical importance or sites which have some special potential for development into educational or cultural facilities, like institutes, theaters, museums and the like, advantage ought to be taken to preserve or develop such sites as long as insoluble conflicts with established shoreline uses or with the other goals of this program do not arise.

SECTION 4 - INTRODUCTION TO POLICIES AND REGULATIONS

4.01 The policies and regulations of Sections 5 through 25 constitute a set of controls for the many, varied uses of and/or modifications to the COUNTY shorelines. These controls are designed to be the basis of the permit system established by the Shorelines Management Act.

4.02 The sections on policies and regulations are under headings which correspond generally to the use activities listed in the Guidelines. Each section contains statements of policy regarding the use activity (activities) covered by it. The policy statements are followed by specific regulations designed to control the use activity (activities) to varying degrees depending on the designated environment.

There are four sets of regulations under each use activity (section) heading, one set for each of the four environments used to designate the COUNTY'S shorelines. In other words, there are separate sets of regulations for a given use activity in the natural environment, the conservancy environment, the rural environment and the urban environment.

SECTION 5 - AGRICULTURE

POLICIES

5.01 Agricultural practices should be fostered which enhance the quality of the shorelines and adjacent bodies of water in the COUNTY. Such practices include: the maintenance of buffer strips equivalent to those left by current cultivation practices; the proper location of confined animal feeding operations, retention and storage containers for feed lot wastes, and stock piles of manure solids; and appropriate and feasible erosion-control and chemical-application measures.

5.02 Lands with agricultural capability should be identified and protected for continued agricultural use.

5.03 The creation of additional agricultural lands by diking and filling of tidelands and tidal marshes shall be controlled by the permit system.
5.04 The above statements of policy more truly reflect local agricultural practices and conditions than do the guidelines on agriculture included under WAC 173-16-060(1) of the Guidelines and therefore supersede those guidelines.

REGULATIONS

5.10 The Act specifically exempts the "construction of a barn or similar agricultural structure on wetlands: from the permit system. The regulations below therefore apply only to those agricultural activities and practices which, because they are not specifically exempted by the law, are implicitly subject to control under it.

Natural Environment

5.20 Agricultural uses are permitted on natural shorelines, provided that they do not have a harmful ecological impact and that no extensive clearing, construction or other operation which changes the character of the environment is necessary, and subject to regulations 5.41, 5.42, 5.43, and 5.44 below.

Conservancy Environment

5.40 Agricultural uses are permitted on conservancy shorelines provided that they do not involve major construction or other activities which substantially change the character of the environment.

5.41 Any person proposing to undertake or engage in an agricultural use which is carried on as a normal or systematic part of the raising of crops or livestock on shorelines and which materially interferes with the normal public use of the water or shorelines of the state shall apply for a permit. Such uses include the establishment of feeding pens or other confinement lots for livestock.

5.42 A permit may be granted subject to the following minimum conditions:

.01 Provide at least 100 feet of vegetated area between confinement lots and streams.

.02 Locate confinement lots both away from hillsides leading directly to streams and outside the ten-year flood plain, where defined.

.03 Select a confinement lot site with as much vertical distance as possible between the ground surface and the water table.

5.43 Written notification shall be submitted to the Administrator on a form to be provided by him prior to the application by any person of pesticides and herbicides by aerial spraying or other means which result in aerial drift, unless a substantial development permit has been obtained for said application. Such notification shall include the approximate dates on which spraying operations will begin and end, the location and size of the sprayed area, the types and quantities of pesticides to be sprayed (including name, mixture, application rate and carrier used), and any other information which the Administrator deems helpful in ascertaining compliance with the policies and regulations of this Master Program. The date when spraying is expected to begin, as estimated in the notification, shall be within one week in either direction of the actual time of spraying the pesticides, except that spraying shall not begin earlier than five days following notification unless there is an emergency situation. In emergencies, notification shall be given by phone as much in advance of the application as feasible. The Administrator may at his discretion require additional notification by telephone at least one hour prior to the actual beginning of spraying. The Administrator shall transmit a copy of said written notification to any person or group who have indicated an interest in receiving such notification. Further, he may have a copy of the notification published in a newspaper of general circulation.

5.44 The following minimum standards shall govern all applications of chemicals, including pesticides, herbicides and fertilizers, including those for which notification is not required:

.01 Maintenance of Equipment in Leakproof Condition: Equipment used for transportation, storage or application of chemicals shall be maintained in leakproof condition. If there is evidence of chemical leakage, the further use of such equipment must be suspended until the deficiency has been satisfactorily corrected.

.02 Protection of Water Quality During Mixing of Chemicals: Whenever water is taken from any stream or water impoundment for use in the mixing of chemicals, precautions shall be taken to prevent contamination of the source.

(a) Provide an air gap or reservoir between the water source and the mixing tank; or

(b) Use a portable pump with the necessary suction hose, feed hoses and check valves to supply tanks with water from streams, such pump to be used only for water.

.03 Protection of Waterways and Areas of Open Water When Spraying: Protect waterways and areas or open water such as swamps or impoundments from contamination when spray-
ing by aircraft or other means which result in aerial drift by leaving a buffer strip of at least one swath width untreated on each side of every stream or area of open water. No buffer strip is required in the application of pesticides and herbicides by means not resulting in aerial drift or in the application of fertilizers, except that extreme care shall be taken to avoid direct application of such chemicals to streams or areas of open water.

.04 Selection and Maintenance of Mixing and Land Areas: Mix chemicals or clean tanks or equipment only where the chemicals will not contaminate surface waters. Mixing areas and aircraft landing areas shall be located where spillage of chemicals will not contaminate water. If any chemical is inadvertently spilled, appropriate procedures shall be taken immediately to contain or neutralize it.

.05 Application of Chemicals in Accordance with Limitations: Apply chemicals only in accordance with currently recognized limitations of temperature, humidity, wind and other factors.

.06 Cleaning and Re-use of Chemical Containers: Rinse chemical containers with the carrier used in mixing at least three (3) times. Apply the flushing solution in the form of spray to the area. Do not re-use chemical containers unless properly treated.

.07 Daily Records of Chemical Applications: Whenever pesticide or herbicide aerial sprays are applied, the operator or land owner shall maintain a daily record of spray operations which includes: Names of pilot and contractor; Location of project; Temperature (hourly); Wind velocity and direction (hourly); and pesticides or herbicides used, including name, mixture, application rate, and carrier used.

.08 Landowner's or Contractor's Responsibility to Determine Whether or Not Chemicals are Contaminating Streams: Whenever chemicals are applied, it is the responsibility of the landowner or contractor to determine whether or not chemicals are contaminating streams or other bodies of water.

.09 Reporting of Chemical Accidents: Immediately report all chemical accidents to the Department of Health and Social Services.

Rural Environment

5.60 Agricultural uses are permitted on rural shorelines.

5.61 Regulations 5.41, 5.42, 5.43 and 5.44 shall apply.
Urban Environment

5.80 Agricultural uses are permitted on urban shorelines.

5.81 The establishment of feeding pens or other confinement lots and the application of chemicals, as defined under 5.41 and 5.43 respectively, shall be prohibited.

SECTION 6 - AQUACULTURE

POLICIES

6.01 Aquaculture means the farming of lakes, streams, estuaries or the sea. It refers to the planting, feeding, raising and harvesting of aquatic species, usually fish and shellfish. It is an outgrowth of (and an improvement over) the simple extraction of food from the waters and so is in the tradition of this ancient means of livelihood. At the same time, it is an industry on the technological frontier and has a large, as yet barely tapped, potential for growth.

Because aquaculture requires waters of high quality (defined in such terms as temperature, oxygen content, nutrient levels and, in marine waters, salinities), its very presence along COUNTY shorelines, meaning primarily Willapa Bay and associated waters, testifies to their relatively clean and healthy conditions. Indeed, these waters constitute the last major unspoiled estuary in the country and as such offer an unduplicated potential for aquaculture. Recognizing this unique suitability, and the fact that aquaculture is a use with minimally adverse environmental impact, it is the policy of this Program to give a high priority to aquaculture whenever other uses come into conflict with or threaten it. It is envisioned that the Willapa estuary will remain a naturally productive, working estuary—unlike the other marine shorelines in the state which are either pre-empted already by other uses or are less suited for aquaculture.

It is not the intention of this Program to encourage one economic use of the shorelines and waters at the expense of another. The fundamental aim is to protect the water quality and natural productivity of the Willapa estuarine system regardless of the amount of development along its shorelines. An expanding and diversified economic base is not necessarily incompatible with a health, productive estuarine system, although as experience with the urbanization of other estuaries around the country indicates, economic development in the future must be more careful than it usually has been in the past. It is the policy of this Program to encourage "development-with-care" so that aquaculture and fisheries may continue to thrive in clean waters without stunting whatever amount of economic development and shoreline use is desired by COUNTY citizens.
6.02 Aquacultural enterprises should be located in areas where the navigational access of commercial traffic is not significantly restricted.

6.03 The above statements of policy more truly reflect local conditions than do the guidelines on aquaculture included under WAC 173-16-060(2) of the Guidelines and therefore supersede those guidelines.

REGULATIONS

Natural Environment

6.20 Aquacultural uses are permitted on natural shorelines provided that they do not have a harmful ecological impact and do not materially interfere with the normal public use of the waters or shorelines of the state, except that unlimited recreational navigation over the surface of the waters shall not be construed as normal public use.

Conservancy Environment

6.40 Aquacultural uses are permitted on conservancy shorelines provided that they do not involve major construction or other activities which substantially change the character of that environment.

6.41 Any person proposing to engage in aquacultural uses which materially interferes with the normal public use of the water or shorelines of the state shall apply for a permit, except that unlimited recreational navigation over the surface of the waters shall not be construed as normal public use. Uses requiring permits do not include normal harvesting practices, such as dredging for shellfish, but do include:

.01 Construction of facilities.

.02 Disposal of solid or liquid wastes, such as may result from confined rearing operations for salmon or other marine life, in quantities which may cause violations of State water quality standards and criteria.

6.42 Agriculture regulations 5.43 and 5.44 on herbicide and pesticide usage shall apply.

Rural Environment

6.60 Aquacultural uses are permitted on rural shorelines.

6.61 Regulation 6.41 shall apply.

6.62 Agriculture regulations 5.43 and 5.44 on herbicide and pesticide usage shall apply.
Urban Environment

6.80 Aquacultural uses are permitted on urban shorelines.

6.81 Regulation 6.41 shall apply.

6.82 The application of chemicals, as defined under agriculture regulation 5.43 shall be prohibited.

SECTION 7 - FOREST MANAGEMENT

POLICIES

7.01 The growing and harvesting of trees is a mainstay of the COUNTY economy and a widespread use of the land. Where timber production extends into shoreline areas, the protection of which is the primary concern of this Program, its operations then affect not only the land but the waterways as well. Shorelines are therefore areas of increased environmental sensitivity which require additional controls on forest-management practices in order to minimize disturbance to both terrestrial and aquatic ecosystems. The regulations in this section are intended to accomplish this by fostering forest-management practices which enhance or at least maintain the environmental quality of those shorelines along which timber is harvested.

7.02 The regulations in this section define minimum acceptable performance standards. Additional steps shall be taken if the person(s) responsible for the operation has reason to believe they will be necessary to fulfill the purpose of the Act, the Guidelines, or this Master Program.

7.03 Administration and interpretation of the operating regulations and other implementation of the Act by the COUNTY should take into account direct and indirect, quantifiable and unquantifiable, and known and reasonably suspected effects on air and water quality; fish and wildlife resources; soil and geologic conditions; hydrologic and aquifer capacity; and silvicultural requirements, such as forest regeneration, fire, disease control, growth and quality. These environmental considerations should be balanced against social and economic considerations to provide the best possible long term protection and enhancement of the environment at reasonable costs with the most efficient use possible of governmental and private resources.

7.04 Roads and landings should not be constructed on shorelines except where necessary: to cross streams; to avoid road construction on unstable slopes or on side slopes greater than 50 percent; or, to perform water course improvement work.
7.05 The guidelines on forest management practices given in WAC 173-16-060(3) of the Guidelines are made a part of this policy statement by reference.

REGULATIONS

7.20 Harvesting of timber is permitted on natural shorelines only after obtaining a permit and where it is necessary to:

.01 Preserve a desired, pre-climactic stage of plan succession, such as a stand of Douglas Fir, which would eventually be superseded by Western Hemlock and Western Redcedar if no cutting were done.

.02 Prevent an epidemic of insect or disease infestations throughout the designated areas and in adjoining areas when no other means of epidemic control will work.

.03 Clean-up and restore an area devastated by disaster such as extensive wind throw or fire.

7.21 In instances where timber harvesting on natural shorelines is permitted, monetary value shall not be used to justify the timber harvesting but only to determine the economic feasibility of such restorative work.

7.22 In instances where timber harvesting is permitted on natural shorelines, it shall be subject to regulations 7.41 through 7.51.

Conservancy Environment

7.40 Timber harvesting and any tree-felling, vegetation-removing, road-building or other forest-management operation is permitted anywhere on conservancy shorelines, subject to regulations 7.41 through 7.51.

7.41 Written notification shall be submitted to the Administrator on a form to be provided by him prior to the beginning of any timber harvesting or road building operation, unless a substantial development permit has been obtained. Such notification shall include the approximate dates on which the operation will begin and end, the location, size and type of the operation, and any other information which the Administrator deems helpful in ascertaining compliance with the policies and regulations of this Master Program. The approximate date given shall be within one week in either direction of the actual time of beginning the operation, except that the operation shall in no case begin earlier than ten days following notification. Notification may, at the convenience of the land owner, or other person responsible for operations, be done in two steps: The first step being the provision of the locations, sizes, types and other information concerning all planned operations during a given year and the second step
being a notification meeting the above time requirements as to the dates when operations will begin and end.

7.42 All clearcut areas shall be planted or seeded within 18 months of logging to produce at least 500 seedlings per acre.

.01 If necessary, additional planting or seeding shall be performed annually until the above requirement has been attained.

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

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

7.43 Logging Methods:

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

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

(b) where approved by the Administrator.

.02 Logs shall be yarded uphill when using any cable yardings system, except where approved by the Administrator.

.03 Tractor or skidder logging is permissible only:

(a) above 30 feet landward of the ordinary high water mark, except as noted in 7.43.04 below, and

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

.04 No tracked or wheeled equipment shall be operated below the ordinary high water mark except when necessary for crossing the stream or for improving or protecting the stream bed and with prior approval of the Washington Departments of Fisheries and Game.

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

.06 All ruts in exposed erodible soil caused by yarding or skidding shall be adequately water-barred. Such ruts which are within 50 feet of ordinary high water or on
slopes exceeding 40 percent shall also be planted or seeded with an appropriate ground cover or mulched.

Streamside and Lakeside Vegetation:

.01 Trees shall not be felled into or across streams. Within 30 feet from ordinary high water, directional felling shall be used so that trees fall nearly perpendicular to and away from the stream. If this is not possible, trees will be felled so that disturbances to residual vegetation is minimal during felling and yarding.

.02 Buffer strips of vegetation shall be left between roads or logged areas and streams. Buffer strips shall meet the following requirements:

(a) By careful logging, only the merchantable timber may be removed from the buffer strip. All residual vegetation in the buffer strip, including grasses, shrubs, natural cull "down" timber and nonmerchantable trees, shall be left undisturbed to provide shade to the stream and to maintain the integrity of the soil. Where the residual vegetation is inadequate to provide shade or maintain soil-integrity, sufficient merchantable trees shall be left to accomplish these purposes, except that merchantable trees which would clearly blow down because of inadequate soils, low root strength, wind exposure, or other specific factors may be removed. In any case, residual vegetation shall at all times be given the utmost protection. Reforestation shall be carried out utilizing naturally occurring planting spots to produce, if possible, at least 500 seedlings per acre within the first planting season following the timber harvest. However, machine scarification shall not be allowed within the buffer strip or within 30 feet of the ordinary high water mark, whichever distance is greater.

(b) Buffer strips shall be protected by leaving stumps high enough to prevent any subsequently-felled, upslope trees from sliding or rolling through the strips and into the streams.

(c) Because of varying site characteristics, the establishment of a uniform buffer strip width is not desirable. However, buffer strips shall be of sufficient width to prevent siltation and the movement of logging debris into the stream, preserve the stream bank structure and riparian vegetation, and shade the water. The buffer strip shall be a minimum of 30 feet in width measured from the ordinary high water mark, as is also established under regulations 7.43.03 and 7.44.01.
7.45 Watercourse Improvement: When logging operations are conducted within or to the ordinary high water mark, alldead, down and rotten trees, logs and snags below the mark shall be removed wherever requested by the Washington Department of Fisheries and Game.

7.46 Slash and Waste Control:

.01 All logging debris greater than 4" diameter and 5' in length shall be removed to above the 25-year flood level and left on a natural bench or other location from which it cannot enter the watercourse.

.02 No cables, equipment or trash shall be abandoned.

.03 Culverts and ditches shall be left functional and free of all obstructions.

7.47 Road Construction and Maintenance:

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

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

.03 Cut slopes shall not exceed:

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

(b) 3/4:1 in cohesive soils.

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

.04 Side casts shall be prohibited, except where located on stable soils and slopes of less than 30% grade or when they are specifically allowed under the conditions of a substantial development permit. The toe of side cast or filled embankments shall be prohibited closer than 100 feet from the ordinary high water mark of permanent and intermittent streams, except when necessary to approach and cross a stream or when specifically allowed under the conditions of a substantial development permit. The side cast or filled embankment shall not be steeper than a slope of 1.33 to 1 (horizontal to vertical) in broken rock, 1.4 to 1 in cohesive solid, and 1.5 to 1 in non-cohesive soils.

.05 Embankment fills, when allowed under 7.47.04 above, shall:
(a) be placed in layers of three feet or less in thickness, and compacted by the construction equipment where possible;

(b) consist of inorganic material with a minimum or buried slash and debris; and

(c) where below the 50-year flood level, be protected against erosion by rip-rap.

.06 Erodible cut, filled and side cast slopes, when allowed within 100 feet of the ordinary high-water mark under 7.47.04 above, shall be protected by planting or seeding with appropriate ground cover or by matting immediately following construction.

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

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

<table>
<thead>
<tr>
<th>Grade Description</th>
<th>Spacing</th>
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<tbody>
<tr>
<td>below 8% grade</td>
<td>1,000 feet</td>
</tr>
<tr>
<td>8% to 15% grade</td>
<td>800 feet</td>
</tr>
<tr>
<td>greater than 15% grade</td>
<td>600 feet</td>
</tr>
</tbody>
</table>

In any case, spacing between culverts shall be adequate to prevent water from the ditch from flowing onto and across the roadbed.

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

(c) adequate in size to carry the maximum anticipated flow and in no case smaller than 18" diameter or equivalent.

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

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

.10 Major roads shall be surfaced with rock whenever necessary to prevent erosion of the subgrade.

.11 Roads shall either be maintained so as to minimize erosion or be permanently closed and reforested or planted or seeded with appropriate ground cover.
.12 All road segments shall have complete drainage control by the end of the construction season in which initial grading occurred.

.13 Road construction shall take place only during the dry season (generally March through October) except where circumstances beyond the operator's control make necessary additional work after November 1 to complete roads on which construction has commenced. Notification explaining those circumstances shall be given the Administrator and have written concurrence obtained prior to continuing work after November 1. Heavy grading shall not be performed when soils are saturated.

7.48 Bridge Construction

.01 Excavation for and placement of the sills or abutments and outside placement of stringers or girders shall be accomplished from above the ordinary high water mark, except when authorized by the Administrator.

.02 Any disturbed bank material shall be removed from the channel and any soils exposed by bridge construction shall be protected from erosion by planting or seeding with appropriate ground cover, by rip-rap or by other means approved by the Administrator.

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

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

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

.06 One substantial development permit may cover two or more bridges or other construction activities within the same watershed or associated with the same road system.

Additional requirements for culvert installation in those streams know to be used or determined by the Washington Department of Fisheries to be used by anadromous fish:

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

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

.03 If a multiple barrel culvert is installed, one barrel shall be at least 6 inches lower than the other(s).
The culvert shall be of sufficient size to pass all anticipated flows and debris.

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

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

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

Agriculture regulations 5.43 and 5.44 on herbicide and pesticide usage shall apply.

There shall be additional operating regulations for shorelines of statewide significance as follows:

All timber cutting, except for selective cutting or for cutting operations authorized by a substantial development permit, shall be prohibited on shorelines of statewide significance. For this purpose, selective cutting means that no more than 30 percent of the merchantable trees may be harvested in any ten-year period of time. Trees shall be considered merchantable if more than eight inches in diameter outside bark at 4-1/2 feet above ground level.

Timber cutting in excess of selective cutting harvest limits, as defined under 7.51.01, shall be permitted only after obtaining a substantial development permit. A permit for such timber cutting may be granted on the basis of written findings, confirmed by the Administrator, that:

(a) the topography, soil conditions or silvicultural practices necessary for regeneration render selective cutting ecologically detrimental; or

(b) the cutting is solely incidental to the preparation of land for other uses authorized by the Act, associated regulations, and this Master Plan.

Rural Environment

Timber harvesting is permitted anywhere on rural shorelines, subject to forest management regulations 7.41 through 7.51, where applicable.
Urban Environment

7.80 Timber harvesting is permitted on urban shorelines, subject to the forest management regulations 7.41 through 7.51, where applicable.

7.81 The application of chemicals through aerial sprays or other means which result in extensive drift shall be prohibited.

SECTION 8 - COMMERCIAL DEVELOPMENT

POLICIES

8.01 A thriving local commerce is important for the COUNTY'S economic well-being, especially because a large source of the COUNTY income is from the provision of goods and services to tourists. Shorelines, which invariably have more than simply commercial value, must be protected from becoming overly commercialized. The regulations in this section are meant to achieve this and to ensure that the commercial development which does not occur is of high quality.

8.02 The guidelines on Commercial Development under WAC 173-16-060(4) in the Guidelines are made part of this policy statement by reference.

REGULATIONS

Natural Environment

8.20 Commercial uses shall be prohibited on natural shorelines.

Conservancy Environment

8.40 Commercial uses shall be prohibited on conservancy shorelines, except for those low intensity recreational developments or activities which do not substantially change the character of that environment.

8.41 Any person proposing to undertake or engage in a commercial use shall apply for a permit.

8.42 A permit for a commercial use may be granted subject to the following regulations:

.01 Any commercial structure or facility except one which requires or is dependent on direct, contiguous access to the water shall be setback from the ordinary high water by a minimum of 100 feet.

.02 Any commercial facility or structure which is built shall be no higher than 35 feet and of inconspicuous appearance so that it either blends with its surroundings or at minimum does not detract from them.
.03 Parking lots shall remain outside the shoreline jurisdiction except where parking elsewhere is rendered impractical by topography or constitutes a severe economic hardship to the commercial enterprise, in which exceptional cases it shall remain as far from the ordinary high water mark as feasible.

**Rural Environment**

8.60 Commercial uses are permitted on rural shorelines except for those developments which substantially change the character of that environment. Permitted developments include but are not limited to: restaurants, campgrounds, group camps, and similar recreational facilities; craft or antique stores and the like; hunting and fishing and other private club structures; game preserves and private parks; and commercial uses in restoration of historical structures.

8.61 Regulation 8.41 shall apply.

8.62 A permit for a commercial use may be granted subject to the following regulations:

.01 Any commercial structure or facility except one which requires or is dependent on direct, contiguous access to the water shall be setback from the ordinary high water mark by a minimum of 50 feet.

.02 Regulation 8.42.02 shall apply.

.03 Parking lots with spaces for 10 or more cars may not be located within 100 feet of the ordinary high water mark.

**Urban Environment**

8.80 Commercial uses are permitted on urban shorelines.

8.81 Regulations 8.41 shall apply.

8.82 A permit for a commercial use may be granted subject to the following regulations:

.01 Any commercial structure or facility except one which requires or is dependent on direct, contiguous access to the water shall be setback from the ordinary high water mark by a minimum of 10 feet.
SECTION 9 – OUTDOOR ADVERTISING, SIGNS AND BILLBOARDS

POLICIES

9.01 Signs give direction and information. Outdoor advertising signs and billboards on shorelines should be limited to necessary informational and on-premise signs as defined under the regulations in this section.

9.02 The guidelines on outdoor advertising, signs and billboards given in WAC 173-16-060(7) of the Guidelines are made a part of this policy statement by reference.

REGULATIONS

Natural Environment

9.20 Signs of any type shall be prohibited on natural shorelines, except where necessary to protect the physical well-being of the public.

9.21 All signs not coming under the exception of 9.20 above and in place at the time of adoption of this Master Program shall be removed within 3 years from the adoption date.

Conservancy Environment

9.40 The following types of signs shall be prohibited on conservancy shorelines: off-premise advertising signs, pole or free-standing signs, signs projecting above the roof line of the building to which they are attached, and signs within a street right-of-way except those of an official nature.

9.41 The following types of on-premise advertising or identification signs shall be permitted anywhere on conservancy shorelines subject to the given regulations:

.01 Size of sign:

(a) Single-Family Dwelling – One sign not exceeding two (2) square feet in area.

(b) Farms, Ranches, Commercial Forest, Golf Courses – Two signs each of which shall not exceed 32 square feet.

(c) Roadside Stands and Other Uses Contained with a Building – One and a half square feet of sign per linear foot of building frontage.

(d) General – Where an above described sign would not be visible from the street by a person of normal visual acuity, a free-standing sign no greater in area than
thirty-two (32) square feet may be placed at the entrance to the property. Ground signs shall not exceed six (6) feet in height.

(e) Open Space Recreation Areas - One sign shall be permitted which shall not exceed thirty-two (32) square feet at each vehicular entrance and shall be appropriately landscaped.

.02 Content: The on-premise identification signs shall contain information relating to the dwelling, farm or ranch, etc. on which it is located.

The following types of special signs shall be permitted on private property anywhere on conservancy shorelines subject to the given regulations:

.01 Construction Signs - Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with the construction, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of sixteen (16) square feet for each firm. The signs shall be confined to the site of the construction and shall be removed within fourteen (14) days after the beginning of the intended use of the project.

.02 Real Estate - Real estate signs advertising the sale or lease of the premises or part of the premises on which the signs are displayed, up to a total area of twelve (12) square feet. Such signs shall be removed within fourteen (14) days after the sale or lease.

.03 Integral - Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.

.04 Private Traffic Direction - Signs directing traffic movement onto a premise or within a premise, not exceeding three (3) square feet in area for each sign. Horizontal directional signs on and flush with paved areas are exempt from these standards.

.05 Small Signs - Signs not exceeding two (2) square feet in area, attached flat against the building, stationary and not illuminated, announcing only the names and occupation of building tenant.
.06 Rental Signs - Rental signs on the premises announcing rooms for rent, room and board, apartment or house for rent and not exceeding four (4) square feet in area.

.07 Governmental - Governmental or official notices, flags, emblems or insignia.

.08 Political - Political signs provided they do not fall into any of the categories given under 9.43 below and provided they are removed within 30 days following the date of the election for which the sign is intended.

.09 Warning - Signs posted to warn against hunting, fishing, trespassing, dogs, hazards and similar special warning signs.

9.43 The following types of signs are prohibited on conservancy shorelines and shall be removed within 30 days following notification by the Administrator:

.01 Mock Traffic Signs - Signs which imitate an official traffic sign or signal or which contain the words "stop", "go slow", "caution", "danger", "warning", or similar words.

.02 Misleading Signs - Signs which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal or which obstruct the view in any direction at a street or road intersection.

.03 Attention-demanding signs - Signs which contain or consist of pennants, ribbons, streamers, spinners, strings of light bulbs, blinking or fluctuating lights, or other similar or moving devices. These devices when not part of any sign are similarly prohibited.

.04 Improperly Mounted Signs - Signs which are pasted or attached to utility poles, trees, fences, or other signs, rocks or other natural features. Sandwich boards and portable signs.

.05 Animated Signs - Signs which have animated parts or which swing or otherwise move as a result of wind pressure because of the manner of suspension or attachment, except when necessary to maintain the structural integrity of the sign.

9.44 All non-conforming signs in place at the time of adoption of this Master Program shall be removed or made conforming within 3 years from the adoption date. Non-conforming signs established during the three year period following the adoption of this Master Program shall be removed or made conforming within
3 years from the adoption date. Non-conforming signs existing after 3 years from the adoption date shall be removed or made conforming by the owner of the property on which the sign is located. Removal or conformance shall be within 30 days of notification by the Administrator to the property owner. If the owner of the property is not found or refuses receipt of the notice, the Administrator shall post the sign and property upon which it is located with a notice that the sign must be removed or made conforming. If the sign is not removed or made conforming within 30 days after such posting, the Administrator, or the county sheriff, or the chief of police of any city or town shall destroy the sign, and for that purpose may enter upon private property without incurring liability for doing so.

**Rural Environment**

9.60 Regulations 9.40 through 9.44 shall apply on rural shorelines.

**Urban Environment**

9.80 Regulations 9.40 through 9.44 shall apply on urban shorelines.

9.81 In addition to 9.80 above, the following types of on-premise advertising or identification signs are permitted anywhere on urban shorelines subject to the given regulations:

.01 Size of sign:

(a) **Single-Family Dwelling** - One sign not exceeding two (2) square feet in area.

(b) **Multi-Family Dwellings, Offices, Clinics, Schools, Churches and Other Public and/or Semi-Public Buildings** - The total sign area allowed per property shall not exceed twelve (12) times the square root of the building frontage. In the case of multiple occupancy of a building, it shall be the responsibility of the building owner to distribute the allowed sign area between the various occupants.

(c) **Special Residential Streets or Residential Neighborhoods** - Permanent identification signs not exceeding twelve (12) square feet may be attached to a wall or fence at each vehicular entrance, and shall be appropriately landscaped.

(d) **Mobile Home Parks** - One identification sign per entrance with a maximum sign size of sixteen (16) square feet and a maximum sign height of five (5) feet shall be permitted.

(e) **Business and Other Commercial Buildings** - The total sign area permitted shall not exceed twelve (12) times the square root of the building frontage. In
the case of multiple occupancy of a building, it shall be the owner's responsibility to distribute the permitted sign area between the various occupants. The maximum area of an individual ground sign shall be fifty (50) square feet. Where frontage is on more than one street, only the signs computed with respect to the frontage on a street shall face that street. Frontage on a freeway or limited access highway which provides no access to the property cannot be used to compute sign area.

(f) Signs may be on the vertical faces of marquee but no part of the sign shall project above the vertical marquee face. Signs oriented to pedestrian traffic may be suspended below the surface of the marquee not more than 12 inches.

.02 Content: Signs for apartments, offices, and all other uses may contain the building name and related information.

SECTION 10 - MINING

POLICIES

10.01 Mining must be carefully controlled by regulations which designed to prevent or to minimize the damaging effects of mining on COUNTY shorelines.

10.02 The guidelines for mining under WAC 173-16-060(6) in the Guidelines are made part of this policy statement by reference.

REGULATIONS

Natural Environment

10.20 Mining shall be prohibited on natural shorelines.

Conservancy Environment

10.40 Mining operations which do not substantially change the character of the environment are permitted on conservancy shorelines.

10.41 Any person proposing to undertake or engage in a mining operation except as provided in Regulation 10.43 below shall apply for a permit.

10.42 A permit for a mining operation may be granted subject to the following regulations:

.01 The operator of a surface mine, which is subject to the 1970 Surface Mined Land Reclamation Act, shall present to
the COUNTY one copy each of the surface mining plan and of the reclamation plan as provided in RCW 78.44.

.02 A surface mining plan or a reclamation plan judged to be insufficient for the protection or restoration of the shoreline environment shall be grounds for denial of a permit.

.03 Any gravel removal alongside, upstream or downstream from spawning areas shall be in conformance with the technical provisions of the Hydraulics Project approval by the Washington State Department of Fisheries.

10.43 Removal of sand from the ocean beaches in removal operations which have a value of less than $1,000 shall be exempt from the permit requirements of the Act but shall be subject to the following regulations:

.01 Digging of sand shall be to a depth no greater than eighteen (18) inches below the surface.

.02 Digging of sand shall be limited to the least sensitive biophysical areas of the beach, i.e. the uppermost wetland area of the beach between the mean high tide line and a line 50 feet westward of the grass line.

.03 There shall be no sand removal from the primary or secondary dune, unless allowed under Section 23.

10.44 Written permission of the landowner shall be prior to removing sand from ocean, bay lake or river beaches.

Rural Environment

10.60 Mining operations are permitted on rural shorelines subject to regulations 10.41, 10.42 and 10.43 and insofar as they do not substantially change the character of the rural environment.

Urban Environment

10.80 Mining operations are permitted on urban shorelines subject to regulations 10.41, 10.42 and 10.43.

SECTION 11 - MARINAS

POLICIES

11.01 Marinas make it possible for thousands of people in this state to enjoy boating of all kinds. In this COUNTY they also play a significant economic role by providing berth sand support facilities for the commercial boats, particularly fishing boats. As such, they are an extremely important use of local shorelines. At the same time, since marinas usually involve major transformations of the shorelines where they are located, it is imperative that they be sited, designed,
constructed and/or expanded with care for the shoreline environment and for other shoreline uses. In areas of aquaculture, such as Willapa Bay, this care must be extraordinary.

11.02 The guidelines on Marinas under WAC 173-16-060(5) in the Guidelines are made part of this policy statement by reference, except for item "c", which is deleted and replaced by the following statement:

c. No new marinas should be planned or developed without sufficient evidence that existing marinas are inadequate and cannot be expanded to meet the need.

11.03 Onshore disposal facilities for receiving oil and fuel wastes, human and solid wastes from engines, and bilges and holding tanks should be installed in marinas consistent with whatever federal and state requirements become established.

REGULATIONS

Natural Environment

11.20 Marinas shall be prohibited on natural shorelines.

Conservancy Environment

11.40 Marinas shall be prohibited on conservancy shorelines.

Rural Environment

11.60 Marinas which can be sited, designed and built in such a way as to minimize conflicts with agricultural and other uses of rural shorelines which require open space are permitted on rural shorelines.

11.61 Any person proposing to undertake marina development, construction, expansion and/or alteration, or any phase thereof which constitutes a complete project, shall apply for a permit.

11.62 A permit for marina development, construction, expansion and/or alteration or, any phase thereof which constitutes a complete project, may be granted subject to the following regulations:

.01 The "Criteria Governing the Design of ...Marinas... for Protection of Fish and Shellfish Resources" as adopted by the Washington State Department of Fisheries and applied to the region of the state which includes Pacific County, which criteria are incorporated herein by reference, shall be complied with.

.02 Sewage pump-out and treatment facilities acceptable to local and state public health authorities shall be
installed within two years of the establishment of U.S. Coast Guard regulations on marine sanitation devices or at the beginning of operations of any new marina or of an expansion to and "existing" marina, whichever date is latest, unless similar sewerage treatment facilities exist within 2,000 yards of the marina.

Urban Environment

11.80 Marinas which can be sited, designed and built in such a way as to minimize conflicts with other urban uses of shorelines are permitted on urban shorelines.

11.81 Regulations 11.61 and 11.62 shall apply.

SECTION 12 - RESIDENTIAL DEVELOPMENT

POLICIES

12.01 The guidelines on residential development given in WAC 173-16-060(8) of the Guidelines are made a part of this statement by reference.

REGULATIONS

12.10 The Act specifically exempts "construction on wetlands by an owner, lessee or contract purchaser of a single-family residence for his own use or for the use of his family..." from its permit requirements. However, even though single-family homes are not substantial development, the intent of the Act (RCW 90.58.020 and 90.58.100) establishes a basis for regulating them.

12.11 Minimum lot areas shall be as specified in the zoning Master Program.

Natural Environment

12.20 Residential uses shall be prohibited on natural shorelines.

Conservancy Environment

12.40 Multi-family and single-family residences are permitted on conservancy shorelines subject to the following regulations:

.01 Minimum lot width at the property line nearest highwater shall not be less than 75 percent of the square root of lot area or 200 feet, whichever distance is greater.

.02 Residential structures shall be setback 25 feet landward from the forest line on tidal waters of Willapa Bay. On man-made canals and lakes residential setbacks shall be 25 feet from the ordinary high water mark. On natural
lakes and rivers, residential setbacks shall be 100 feet from the ordinary high water mark.

0.03 No residential structure shall exceed a height of 35 feet above average grade level.

0.04 Parking facilities shall not be constructed shoreward of the upland side of a residential structure.

12.41 On shorelines exposed to tidal action and where the groundwater table shall not be significantly lowered by the construction of drainage facilities or by pumping at rates which may cause intrusion of salt water. It shall be the responsibility of the property owner to demonstrate that drainage or pumping facilities will not unduly deplete the ground water resource or cause intrusion of salt water.

12.42 Subdivisions of land coming under the subdivision Master Program shall be subject to the following regulations:

0.01 Land modification shall be controlled to minimize erosion and sedimentation.

0.02 Shoreline vegetation in the subdivision shall be retained and protected to the maximum feasible extent during construction of subdivision roads and utilities. Shorelines vegetation, contour and slope shall be restored to a stable condition within one year after construction is completed, that stable condition being as near to the natural condition as possible.

Rural Environment

12.60 Regulation 12.40 shall apply, except for 12.40.01.

0.01 Minimum lot width at the property line nearest high water shall be not less than 75% of the square root of lot area or 140 feet, whichever distance is greater.

12.61 Regulations 12.41 and 12.42 shall apply.

Urban Environment

12.80 Multi-family and single-family residences shall be permitted on urban shorelines, subject to the following regulations:

0.01 Minimum lot width at the property line shall not be less than 75% of the square root of lot area.

0.02 No residential structure shall be constructed closer than 25 feet from the ordinary high water mark.

12.81 Regulations 12.41 and 12.42 shall apply.
SECTION 13 - ROADS

POLICIES

13.01 New roads are powerful determinants of land use, capable of opening once inaccessible areas to greatly increased use and development, or of completely hanging the character of land usage in areas already developed. However, the roads themselves, except on occasions of pleasure or scenic driving, are strictly utilitarian facilities, the means for reaching a point for a purpose.

Shorelines are not so narrowly utilitarian. For economic, ecological and aesthetic reasons they are important in themselves. They are literally "ends"—the end of the land and the beginning of water. They are also a scarce resource constituting a fraction of total land area. Therefore it is a question to what extent shorelines should be used for roads other than those which give access to shoreline activities. In general, a good policy is to avoid, wherever feasible, building through routes (as opposed to access routes) in shoreline areas. This does not mean, of course, that through routes cannot have visual access to shorelines.

"Wherever feasible" is an important condition, since shorelines often offer the least troublesome and costly sites for road construction. But wherever a through road can be located outside of the shoreline area, even at somewhat greater construction costs and problems, then the inland location should be used.

13.02 The guidelines on road and railroad design and construction given in WAC 173-16-060(18) are made a part of this policy statement by reference but are put in the context of the local policies outlined under 13.01 above.

REGULATIONS

13.10 Logging roads, being a special category of roads, are regulated in Section 7 on forest management practices.

Natural Environment

13.20 Roads shall be prohibited on natural shorelines except where unavoidably necessary.

13.21 A permit for road construction or expansion may be granted subject to regulation 13.41.

Conservancy Environment

13.40 Where unavoidable and/or where necessary, construction of public roads and bridges is permitted on conservancy shorelines and shall be subject to the permit requirements of the Act.
13.41 A permit for road construction or expansion may be granted subject to the following regulations:

.01 Demonstration of compliance with any federal or state permits, as required, by presentation of a copy of each permit or by any other means satisfactory to the Administrator.

.02 Filling of tidelands or tidal marshes to provide for a road right-of-way is permitted where there are no alternative routes which are economically or topographically feasible.

13.42 Private access roads shall be subject to the regulations for logging roads under forest management regulations 7.47.

13.43 The spraying of pesticides and herbicides along roads in shoreline areas shall be subject to the notification procedures and the regulations for apply chemicals described in agricultural regulations 5.43 and 5.44.

**Rural Environment**

13.60 Regulations 13.40, 13.41 and 13.42 shall apply.

**Urban Environment**

13.80 Regulation 13.41 shall apply.

**SECTION 14 – UTILITIES**

**POLICIES**

14.01 Like roads, utilities as users of land have less importance in themselves than as service systems for other land uses. Therefore it would be poor policy to allow shorelines which are lands of heightened value and importance to be extensively used as rights-of-way for the long-range transmission of utility services.

14.02 Where they cross shoreline areas, existing rights-of-way should be given priority as the locations for additions to existing transmission facilities, and the joint use of existing rights-of-way by different kinds of utility services should be considered. Where such rights-of-way run parallel or nearly parallel to and within shoreline areas, other locations should be found.

14.03 Where applicable, the suggestions for locating and designing facilities for transmission of electric power as given in the Federal Power Commission’s booklet, Electric Power Transmission and the Environment should be followed.
14.04 The guidelines on Utilities given in WAC 173-16-060(9) of the Guidelines are made part of this policy statement by reference.

REGULATIONS

Natural Environment

14.20 Utility systems, such as long-range transmission lines, distribution lines, and similar facilities are permitted on natural shorelines where unavoidably necessary.

14.21 A permit may be granted subject to the following regulations:

.01 Where such utility systems cross shoreline areas, clearing necessary for installation or maintenance shall be kept to the minimum width necessary to prevent interference by trees and other vegetation with the proposed facilities.

.02 Upon completion of installation of such utility systems or of any maintenance project which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to prevent erosion and provide an attractive, harmonious vegetation cover.

Conservancy Environment

14.40 Utility systems such as long-range transmission lines, distribution lines, pipelines, sewer trunk lines, water main lines, and similar facilities are permitted on conservancy shorelines provided they are oriented to cross shoreline areas and subject to the regulations under 14.21.

Rural Environment

14.60 Regulation 14.40 shall apply to rural shorelines.

Urban Environment

14.80 Regulation 14.21 shall apply to urban shorelines.

SECTION 15 - PORTS AND WATER-RELATED INDUSTRIES

POLICIES

15.01 One of the uses of the Willapa River and Bay is as a port for deep-draft commercial ships. Currently, the export of logs makes the Port of Willapa Harbor an important component of the COUNTY economy. However, the Bay has significant natural limitations to use as a deep-draft port. These limitations could be overcome only by large projects like the construction
of canals or jetties. Such projects should be undertaken, only after a thorough consideration of the environmental and economic impact of the project.

Therefore it is the policy of this Master Program that any further development or expansion of deep-draft commercial ports and of water-related industry should take place only after it is determined that such development or expansion will not permanently harm the aquatic environment.

15.02 Storage of logs on dry land or in water is important to the shipping and timber processing industry. Dry land and water log storage areas should be located and constructed to minimize the adverse impacts.

REGULATIONS

Natural Environment

15.20 Deep-draft ports or water-related industries other than those activities covered in other sections of this program shall be prohibited on natural shorelines.

Conservancy Environment

15.40 Deep-draft ports or water-related industries, other than those activities covered in other sections of this Master Program, shall be prohibited on conservancy shorelines.

15.41 Log storage areas are permitted subject to regulation 15.83.

Rural Environment

15.60 Deep-draft ports or water-related industries, other than those activities covered in other sections of this Master Program, shall be prohibited on rural shorelines.

15.61 Log storage areas are permitted subject to regulation 15.83.

Urban Environment

15.80 Port facilities and water-related industries are permitted on urban shorelines.

15.81 Any person proposing development, expansion, or alteration, or any phase thereof which constitutes a complete project for a port facility or water-related industry shall apply for a permit.

15.82 A permit for a port facility or water-related industry, or any expansion or alteration thereof which constitutes a complete project, may be granted a permit subject to the following regulations:
.01 Demonstration of compliance with the regulations specified on any federal and state permits required for such facilities and operations by presentation of a copy of each permit or other means satisfactory to the Administrator.

15.83 Water storage of lots is permitted subject to the following minimum regulations:

.01 When no feasible dry land storage area is available, emergency or short-term storage of logs may be in water.

.02 Operation shall be in accordance with applicable recommendations listed on pages 3 and 4 of the publication Log Storage and Rafting in Public Waters, a task force report approved by the Pacific Northwest Pollution Control Council, August 1971.

15.84 Dry land storage of logs is permitted.

SECTION 16 - SHORELINE WORKS AND STRUCTURES

POLICIES

16.01 Shoreline works and structures (SWS), including bulkheads, breakwaters, jetties, groins, shoreline protection structures and piers are a necessary adjunct to many beneficial uses of the shoreline. At the same time, since SWS often involve major transformations of the shorelines where they are located, it is imperative that they be sited, designed, constructed and/or expanded with care for the shoreline environment and for other shoreline uses.

16.02 The guidelines on Bulkheads (WAC 173-16-060(11)), Breakwaters (WAC 173-16-060(12)), Jetties and Groins (WAC 173-16-060(13)), Shoreline Protection (WAC 173-16-060(17)), and Piers (WAC 173-16-060(19)) in the Guidelines are made part of this policy statement by reference, except for (WAC 173-16-060(11)(e)) and (WAC 173-16-060(19)(d)).

16.03 Shoreline protection structures such as seawalls, bulkheads, jetties and groins should be allowed only where damaging erosion or the threat of such erosion exists and where such a structure will no create any detrimental shoaling or erosion on land belonging to others.

16.04 The diking of biologically productive tidelands and tidal marshes should be controlled by the permit system. Where the granting or denial of a permit results in a demonstrable economic loss to the property owner exceeding the harm to the natural marine resource that would result from his diking of these tidelands and tidal marshes then some program of compensation should be undertaken by the State, according to the policies outlined in Section 29.
REGULATIONS

Natural Environment

16.20 SWS shall be prohibited on natural shorelines, except where necessary to protect or preserve the character of that environment.

Conservancy Environment

16.40 SWS are permitted on conservancy shorelines where they do not substantially change the character of the environment and where they are a necessary part of a project which is clearly dependent on a location near or adjacent to a body of water.

16.41 SWS allowed under 16.40 shall comply with all applicable standards and regulations given under 16.61.

Rural Environment

16.60 SWS are permitted anywhere on rural shorelines subject to the regulations given under 16.61, provided they do not substantially change the character of the environment and are part of a project which is permitted by other provisions of this Master Program.

16.61 SWS shall be subject to the following regulations, where applicable:

.01 SWS shall conform to the standards specified on any Federal or State permits required for such projects. SWS not requiring Federal or State permits shall, as a condition of obtaining a permit, have similar standards imposed.

.02 The "Criteria Governing the Design of Bulkheads, Landfills and Marinas...for Protection of Fish and Shellfish Resources," as adopted by the Washington State Department of Fisheries and applied to that region of the State which includes Pacific County, which criteria are incorporated herein by reference, shall be complied with.

.03 The builder of any shoreline protection structure shall be responsible for determining in advance the nature and extent of any possible adverse effects on fish and wildlife or on the property of others caused by his construction and shall propose and take all necessary actions to minimize such effects.

.04 Individually owned, single-residence type piers, boat docks, floats, platforms and similar moorage facilities are permitted where it can be shown that a joint-use moorage facility is not feasible and that no public
launching ramp or commercial moorage facility exists within a reasonable distance.

.05 Joint-use moorage facility shall be encouraged for subdivisions, motels, multi-family residences, or commercial and industrial enterprises in close proximity of each other.

**Urban Environment**

16.80 SWS are permitted anywhere on urban shorelines.

**SECTION 17 - LANDFILL AND DREDGING**

**POLICIES**

17.01 Dredging and associated spoil disposal operations are necessary for a healthy economy in Pacific County through the maintenance of shipping channels and mooring basins. It is important that such operations be carried out in a manner which minimizes the damaging effects.

17.02 Landfills are occasionally necessary for the purposes of carrying out projects which by their nature must be located adjacent to a body of water.

17.03 The guidelines on landfill and on dredging given in WAC 173-16-060(14) and (16), respectively, of the Guidelines are made a part of this policy statement by reference, except that WAC 173-16-060(16)(b) is deleted and replaced by 17.04 below.

17.04 Sites adequate to meet demands for dredge spoil disposal over the next twenty years must be identified.

17.05 Dredging operations should be scheduled so as to not materially interfere with the migratory movements of anadromous fish.

17.06 Dredging and landfill operations should have the least possible detrimental effect on the existing character of shorelines, including associated wetlands and the land underlying the waters.

17.07 Disposal of solid wastes, including industrial wastes, is not considered landfill for the purposes of this section but is included under Section 18 instead.

**REGULATIONS**

**Natural Environment**

17.20 Dredging operations or landfills shall be prohibited on natural shorelines, except where necessary to protect or
preserve the character of that environment or where operations
do not change the character of that environment.

Conservancy Environment

17.40 Dredging operation or landfills shall be prohibited on tidal
wetlands.

17.41 Dredging operations or landfills allowed under 17.40 shall
comply with all applicable standards and regulations given
under 17.61 and 17.62 below.

Rural Environment

17.60 Dredging operations or landfills are permitted on rural
shorelines subject to the regulations below, provided they do
not substantially change the character of the environment and
are accessory to a project which is allowed by other
provisions of the Master Program.

17.61 All dredging or spoil disposal operations shall be subject to
the following regulations:

.01 Dredging operations shall conform to the operating
standards specified on any federal and state permits
required for such operations. Operations not requiring
federal or state permits shall have similar standards
imposed as conditions of obtaining a permit.

.02 Dredge spoils exceeding the Environmental Protection
Agency criteria for toxic sediments shall be disposed of
on land. The results of chemical and physical analysis
of the spoil material shall be forwarded to the Adminis-
trator prior to the beginning of dredging operations.

.03 Dredge spoils disposed of on land shall be placed only in
areas within existing diked lands protected from flooding
by tidegates, identified as disposal sites on the
shoreline map or on a permit granted for a specific
disposal operation. Disposal sites shall be selected to
minimize detrimental effects on the shoreline
environment. In particular, the area of productive
wetlands affected shall be kept to a minimum in the
selection of suitable disposal sites.

.04 Disposal sites which have been completely filled shall be
drained, tilled and planted by the second growing season
following filling, if possible, unless specific plans for
other uses of the filled land are submitted to the
Administrator within one year of filling.

17.62 All landfills shall be subject to the following standards and
regulations:
.01 The "Criteria Governing the Design of ...Landfills...for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries and applied to that region of the state which includes Pacific County, which criteria are incorporated herein by reference, shall be complied with.

.02 Landfills shall consist of clean materials with a minimum potential for degrading water quality.

.03 Landfills shall be protected against erosion with retaining walls or similar structures or by vegetation established, if possible, during the first growing season following completion of the landfill.

.04 Filling in associated wetlands or waterward of the ordinary high water mark to provide for soil absorption systems (drainfields) or for the purpose of meeting setback requirements shall be prohibited. Except, that on existing dry uplands fill may be placed for the purpose of constructing a mound system, as required by local health regulations.

Urban Environment

17.80 Dredging or landfill operations are permitted on urban shorelines.

17.81 Regulations 17.61 and 17.62 shall apply.

SECTION 18 - SOLID WASTE DISPOSAL

POLICIES

18.01 Solid waste storage and disposal sites are a necessary accessory to many forms of development. Disposal of solid wastes has often been in open dumps or landfills and caused water pollution unsightly conditions, and health hazards. Solid waste dumps or landfills, particularly of wood wastes, have in some cases destroyed a significant area of biologically productive wetland. The problems associated with solid waste disposal on land are intensified when that land is on a shoreline because of close proximity of water bodies. Solid waste disposal sites involving landfill or dumping should be strongly discouraged from locating on shorelines.

18.02 Where unavoidable, the disposal of wood-wastes in a dump or landfill on shorelines should be accompanied by whatever steps are necessary to minimize destructive impacts.

18.03 The guidelines on Solid Waste Disposal given in WAC 173-16-060(15) are made part of this policy statement by reference.
REGULATIONS

18.10 Solid-waste disposal sites shall be prohibited on all shorelines, except that wood-waste dumps are permitted on urban shorelines.

SECTION 19 - ARCHAEOLOGY AND HISTORY*

POLICIES

19.01 Long before it was Pacific County, the Willapa Bay region was the home for two major coastal groups of native Americans—the dominant Chinooks and the Chehalis. Approximately thirty native-American settlements have been identified. Because these people were primarily traders and gatherers of seafoods, all of the settlements were on shorelines. These settlements were seldom permanently lived in, but were rather "merely outposts at which they stopped during certain times of the year".* Any given place would have a certain role in the annual subsistence cycle one for fishing, another for deer hunting, a sand spit for ducks. Wherever one of these places has been or can be accurately located, identification of it and of its role in native American life, if known, should be posted on or near the site in such a way that the public can be informed without infringing on the privacy or other rights of the present landowner.

19.02 Written records of the Pacific County region date from 1775 when the Spaniards noted evidence of a great river a little to the north of latitude 45 N. and from 1788 when Willapa (Shoalwater) Bay was first discovered by an English trader. Other famous explorers—Captains Gray and Vancouver, Lewis and Clark—figure in the early exploration of the County but permanent settlement by the white man didn't come until the late 1830's or early 1840's on the north shore of the Columbia and the 1850's on the Bay, spurred by a thriving San Francisco market for oysters, and later, for timber. From those days to the present constitute the County's history, which, given the economic base in timber, oysters, bottom land agriculture and beach-oriented tourism, has largely taken place on shorelines. Wherever a location or structure is associated with a noteworthy chapter or anecdote of local history, identification of it and its historical role in local affairs should be posted on or near the site in such a way that the public may be informed without infringing on the privacy or other rights of the present landowner.

19.03 The guidelines on archeology and history given under WAC 173-16-060(20) of the Guidelines are made part of this policy statement by reference.
19.04 Archeological surveys of construction sites should be encouraged wherever a site has suspected archeological significance.

SECTION 20 - RECREATION

POLICIES

20.01 The COUNTY has much to offer by way of recreation-fishing, boating, camping, hiking, viewing, beachcombing, clamming and so forth. This means that the COUNTY provides a lot of people with many good experiences. It also derives substantial income from these activities, so that recreation and tourism comprise a large sector of the local economy. With our society's increasing leisure, the economic contribution of the recreation industry to the county should become steadily larger.

However, recreation also poses an unmistakable threat to the COUNTY and its shorelines. It could mean periodic inundation of metropolitanities, the springing up of garish resort strips, and in general the trivialization of the COUNTY natural magnificence. Elsewhere, in the sections on aquaculture and residential development, policies for keeping Willapa Bay and its shorelines as a working environment, used primarily for agriculture, aquaculture, timber harvesting, fishing and the like were expressed. Extensive recreational development in those areas would be destructive.

Therefore, the policy of the Program is to encourage the expansion of recreational opportunities primarily in those areas already used for such purposes and only insofar as the special quality of COUNTY shorelines is not lost to 'recreational metropolitanization'--resort strips, vast asphalt parking lots, high rises, tent-and-camper cities. Above all, this Program seeks to protect and preserve those distinctive qualities and activities of the COUNTY shorelines which make it unlike any other place.

20.02 To avoid wasteful use of the limited supply of recreational shoreland, parking lots should be located inland away from the immediate edge of the water and recreational beaches, except where the parking lot serves a boat-launching ramp. Except on the ocean beaches, access to water's edge or beach should be by walkways and trails. Automobile traffic on dunes and fragile shoreland resources should be discouraged.

20.03 Off-road recreational vehicles, such as four-wheel drive vehicles, motorcycles, amphibious vehicles, ground effects or air cushion vehicles, and other all-terrain vehicles, should be prohibited on dunes and all other fragile shoreline areas where environmental character or quality, including the vegetative cover, would be altered or damaged by their operations.
20.04 The guidelines on recreation under WAC 173-16-060(21), except for the deletion of paragraphs (a), (g) and (h), are made part of this policy statement by reference. The deleted paragraphs have ambiguous implications and might be interpreted in ways contrary to the local policy expressed under 20.01 above.

REGULATIONS

20.10 Except for those facilities which require a location adjacent to a body of water, setback and height regulations on all shorelines for recreational facilities shall correspond to those for single-family residences.

Natural Environment

20.20 Only very low-intensity recreation uses are permitted on natural shorelines, subject to the following regulations:

.01 A recreational facility or structure which changes or detracts from the character of the local environment shall be prohibited.

.02 Roads and parking facilities shall not be located within the shoreline jurisdiction.

Conservancy Environment

20.40 Low-intensity recreational uses are permitted on conservancy shorelines, subject to the following regulations:

.01 A recreational facility or structure which changes or detracts from the character of the local environment shall be prohibited.

.02 Access roads to recreational facilities shall be subject to the regulations for logging roads in Section 7.47, except that maximum widths shall be 15 feet for single-lane roads and 25 feet for doublelane roads.

.03 Parking facilities shall remain outside the shoreline jurisdiction except where parking elsewhere is made impractical by topography.

Rural Environment

20.60 Low to medium intensity recreational uses are permitted on rural shorelines, subject to the following regulations:

.01 Regulation 20.40.01 shall apply.

.02 Regulation 20.40.02 shall apply.

.03 Parking lots with spaces for 10 or more cars shall not be located within 100 feet of the ordinary high water mark.
Urban Environment

20.80 Any recreational use shall be permitted on urban shorelines, subject to the following regulations:

.01 Regulation 20.40.01 shall apply.

.02 Regulation 20.40.02 shall apply.

.03 Parking lots with spaces for 10 or more cars shall not be located within 30 feet of the ordinary high water mark.

SECTION 21 - FLOOD PLAINS

POLICIES

21.01 Flood plains, which are designated as wetlands subject to the Act, are shoreland areas which have been or are subject to flooding. Within a flood plain there are flood hazard areas subject to periodic inundations severe enough to result in loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and/or impairment of the tax base, all of which adversely affect the public health, safety and general welfare. Man often adds to his own losses due to flooding by building obstructions such as fills, dikes and levees in a floodplain, thereby causing increased flood heights and velocities, and also by locating uses in flood prone areas which either are hazardous to other uses or are themselves vulnerable and not adequately elevated or otherwise protected from flooding. Virtually all of the use activities regulated under Section 5 through 25 of the Master Program can suffer losses due to flooding or can increase the hazards of flooding to other uses. It is the policy of this section to minimize those losses in flood plains by:

.01 Restricting or prohibiting uses which are dangerous to health, safety or property in times of flood or cause excessive increases in flood heights or velocities.

.02 Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction. The general regulations for carrying out this policy are given below and apply to all use activities and to each of the four environments.

21.02 Flood hazard areas are those lands inundated by a flood which could be expected to occur on the average of once every 100 years. Flood hazard areas are identified for populated areas by Flood Insurance Rate Maps prepared for Pacific County under the National Flood Insurance Program. The Maps are hereby incorporated in this Master Program by reference. In areas
where the extent of the 100 year flood has not been determined, the flood hazard area will generally be that inundated by the largest flood known to have occurred in the area, whether that flooding be by fresh water or salt water or both.

21.03 The 100 year flood plain is the portion of the one hundred year flood plain that is designated a wetland subject to the regulations of this Master Program. Within the 100 year flood plain, development that is substantial shall first secure a substantial development permit.

REGULATIONS

21.10 The effects upon public health, safety and general welfare of any uses proposed for flood hazard areas shall be evaluated in light of the policies given above and of the regulations contained herein and Pacific County Flood Damage Prevention Ordinance No. 71 or its successor.

21.11 In determining the appropriateness of any proposed use in a flood hazard area, the following shall be considered:

.01 The danger to life and property due to increased flood heights or velocities caused by encroachments.

.02 The danger that materials may be swept on to other lands or downstream to the injury of others.

.03 The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.

.04 The susceptibility of the proposed use and its contents to flood damage and the effect of such damage on the individual owner.

.05 The importance of the services provided by the proposed use to the community.

.06 The requirements of the use for a waterfront location.

.07 The availability of alternative locations not subject to flooding for the proposed use.

.08 The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

.09 The safety of access to the property in times of flood for ordinary and emergency vehicles.
The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.

The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities such as sewer, gas, electrical and water systems, and streets and bridges.

Such other factors which are relevant to the policy of this Master Program.

The finished elevation of proposed streets shall be such as to allow safe access for ordinary and emergency vehicles in times of flood. Drainage opening shall be sufficient to discharge flood flows without unduly increasing flood heights.

SECTION 22 - SEWAGE COLLECTION AND TREATMENT

POLICIES

Some of the use activities regulated under Section 5 through 25 and other provisions of this Master Program will require sewage disposal facilities for the collection and treatment of human wastes. It is expected that community sewage disposal facilities, although becoming more widespread in the future, will service only a small percentage of the total area of the COUNTY. Individual facilities, usually with soil absorption systems (drainfields), will continue to be used where community facilities are unavailable. Individual facilities have historically been unsuitable located, poorly designed and ill maintained in the COUNTY, resulting in threats to public health, unsanitary and unsightly conditions, unpleasant odors, and probable violations of state water quality standards and criteria. Therefore, individual sewage disposal facilities should be strongly discouraged except where they are property located, designed and maintained. Proper location includes a lot having suitable soils, adequate disposal area and adequate separation from water bodies and sources of water supply. In any case, individual sewage disposal facilities are considered to be interim solutions and should be replaced by permanent community sewage disposal facilities as quickly as possible.

Any proposed use incorporating a sewage disposal facility should be required to connect, if at all possible, to existing community facilities nearby or, if such community facility is not available, to make provisions for doing so in the future when such community facility may be available.

The placement of sewerage outfalls, including those from primary, secondary or tertiary treatment plants, in or adjacent to certified shellfish-growing areas should be prohibited. The placement of new outfalls in waters outside
certified shellfish-growing areas, but placed in a location where, in the judgment of the State Director of Health the effluent will threaten such areas with loss of certification, should also be prohibited. The State Director of Health should be requested to provide a written opinion on the effects of a new outfall on certification prior to the issuance of a permit.

REGULATIONS

22.10 Sewage disposal facilities for any proposed use shall meet all applicable state and local regulations, including those of the Department of Social and Health Services, Department of Ecology, Pacific County Health Department and those found in zoning and subdivision ordinances.

22.11 If a community sewage collection and treatment system is located on or near a proposed use, connection shall be made to that system and an individual sewage disposal facility shall be prohibited.

22.12 Any use for which a sewage disposal facility using a soil absorption system (drainfield) is proposed shall be on a lot which at a minimum shall meet the following standards:

   .01 The lot shall have suitable soils, water table, slope and other physical characteristics as required by the Pacific County Health Department or applicable state regulations.

   .02 The lot shall have sufficient area meeting the requirements in 22.12.01 above to allow an alternate soil absorption system to be installed should the first one fail or, if applicable, shall exceed the minimum frontage required for a residential development by Section 12, whichever is larger.

   .03 The lot shall not be located within a flood hazard area as defined under provision 21.01 herein, except when allowed by the responsible official of the Pacific County Health Department.

22.13 Soil absorption systems, (drainfields) shall be prohibited on sites declared unsuitable for that purpose by the responsible official of the Pacific County Health Department.

22.14 Standard sewage drainfield (those using a gravity distribution network) shall be prohibited closer than 100 feet from the ordinary high water mark. Sewage drainfields utilizing a system of uniform pressure distribution, approved by the county health department and designed by a qualified professional engineer, registered sanitarian or registered design consultant, may be allowed no closer than 75 feet from the ordinary high water mark. Setbacks greater than 100 feet may be required by the Administrator in order to adequately protect water supplies or waters used for producing shellfish or other seafoods.
22.15 Filling in associated wetlands or waterward of the ordinary high water mark to provide land for soil absorption systems (drainfields) or for the purpose of meeting setback requirements shall be prohibited. Except, that on existing dry uplands fill may be placed for the purpose of constructing a mound system, as required by local health regulations.

22.16 If relocation of septic tanks within a piece of property is necessary because of condemnation or other public action not related to public health and safety regulations, the relocated septic tanks shall be required to conform to the above (22.11-22.15) regulations only to the extent possible on that property.

SECTION 23 - DUNES

POLICIES

23.01 Along Pacific County's ocean shoreline there is a series of low sand dunes extending landward and stabilized by nature with dune grasses. These dunes serve to protect inland areas from damaging inundation caused by a combination of high tides and storms, from the harmful effects of wind-blow sand, and from the kinds of flood losses described under provision 21.01. In addition to forming a natural, protective barrier, the dunes provide an open space that has economic, aesthetic and ecological value. The accretion of the ocean beach in varying degrees has increased the amount of this valuable open space, although now the dune area is in places wider than necessary to protect the elements. It is therefore the policy of this Program to recognize the value of this dune land and to promote a system of dune management and land use which does not seriously harm the dunes.

23.02 The provision of community or joint means of access across the dune to the beach should be strongly encouraged to minimize disruption of the dune land and vegetation.

23.03 Proposed uses on the dune land between the protective strip and the line of permanent vegetation, which is adjacent to the upland edge of the dune vegetation, should modify the dunes and vegetation only to the minimum extent necessary to carry out that use activity.

23.04 Ocean front property owners should be allowed to modify the seawardmost dune to improve their view, provided such modification is done in accordance with the policies under 23.01 and 23.03 and the regulations below.

REGULATIONS

23.10 The following criteria shall be applied within a protective strip of dune land, defined below, which is designated as a natural environment on the Map.
.01 The width of the protective strip shall be measured inland from a line drawn along the seaward edge of the natural dune vegetation. Said vegetation line shall be drawn on large scale (1"=400') aerial photographs and in straight line segments of 2,000 feet or more, where possible. Each segment shall lie roughly midway between the extreme positions of the seaward edge of the vegetation and shall be drawn by the Administrator and approved by the Planning Commission. Approximately every five years, the line shall be reviewed and, if the vegetation has changed significantly, be redrawn.

.02 The width of the protective strip shall be 100 feet along all ocean beaches.

.03 Within the protective strip, any use shall be prohibited which in any manner may damage, destroy or remove any sand dune or part thereof or may kill, destroy or remove and dune grass, shrubbery or other vegetation growing on the sand dune, except that roads, trails, walkways or other means of access to the beach may be permitted provided their effect on the dune land and vegetation is minimal.

.04 Individual or private means of improved access across the protective strip to the beach shall be prohibited except where it can be shown that a community or joint means of access is not possible and that no public means of improved access exists within 5,000 feet of the proposed facility.

23.11 A building setback line shall be established easterly from the protective strip (23.10). Any structure, including the expansion or alteration of existing structures, shall be prohibited seaward of the setback line. However, the dune land between the setback line and the protective strip may be modified subject to the following regulations:

.01 Written notification shall be submitted by the land owner to the Administrator on a form to be provided by him prior to beginning of dune modification operations. Such notification shall include the approximate date on which the operation will begin, the location and size of the area to be modified, a description of the operation and any other necessary information required by the Administrator.

.02 Dune modification operations shall not in any manner affect or alter the protective strip of dune land.

.03 Dune modification operations shall not damage or remove the natural vegetation, unless the disturbed area is revegetated or otherwise protected from wind erosion.
within one growing season following the beginning of operations.

.04 The use of sand for fill shall be permitted provided that the fill takes place within the same parcel of property on which the sand is found.

23.12 The building setback line (23.11) shall be located easterly of the protective strip (23.12) a distance as given below:

.01 From North Head to the northern boundary of the Town of Long Beach as it exists on January 1, 1974—200 feet easterly from the Seashore Conservation Line, as surveyed by the State of Washington in 1968 or, where said line was not surveyed, 200 feet landward from the ordinary high water mark.

.02 From the northern boundary of the Town of Long Beach to a line extended west from the center line of Cranberry Road—a varying distance defined by a straight line connecting two points; one point being on the northern boundary of Long Beach and 200 feet easterly from the Seashore Conservation Line, and the other point being on the Cranberry Road line and one fourth (¼) of the distance from the upland edge of the protective strip (23.10) to the so-called "western boundary of upland ownership" line.

.03 From the Cranberry Road line to a line 800 feet south of the boundary between townships 12N and 13N (the northern edge of Surfside Estates)—one fourth (¼) of the distance from the upland edge of the protective strip (23.10) to the so-called "western boundary of upland ownership" line; except, that wherever the "western boundary of upland ownership" lies westerly of the upland boundary of the protective strip (23.10), the protective strip upland boundary shall be the building setback line.

.04 From the line 800 feet south of the boundary between townships 12N and 13N to southern boundary of public (state) ownership—300 feet.

.05 Ocean coast north of the mouth of Willapa Bay—300 feet, except on state owned land.

23.13 The use restrictions defined under other sections of this Master Program shall apply to the dune land easterly of the building setback line and coming under the jurisdiction of the Act.

23.14 Building setbacks, protective strip widths and other environmental designations on state-owned lands shall be as shown on the Shoreline Map.
SECTION 24 - TIDAL WETLANDS OF WILLAPA BAY

POLICIES

24.01 The protection of existing tidal wetlands, as defined in provision 2.49, from developments or uses which would change their natural character is thought to be essential to maintaining the marine productivity of the Willapa Bay estuary and neighboring ocean waters. Such protection is thought to be necessary for a healthy economy in Pacific County through the maintenance and growth of a thriving seafood industry as well as for providing other benefits, such as food, recreation, commerce, protection of wildlife, and esthetic values, to the public at large.

24.02 The protection of existing tidal wetlands, while providing the public benefits described in provision 24.01, may under some circumstances limit uses of the wetland which would provide a greater return to the landowner. Also, variations in the elevation, vegetation, location and other natural characteristics of tidal wetlands may result in variances in their value relative to providing those public benefits. Therefore, there should be a balancing of the relative benefits and costs to the public and the landowner of modifying tidal wetlands.

REGULATIONS

24.20 Diking and filling of tidal wetlands are substantial developments regardless of their fair market value. Proposals for diking and/or filling shall secure a substantial development permit.

24.21 Diking and/or filling shall be confined to wetlands where one of the following circumstances exist:

1) The purpose of the landfill and/or dike is to increase the height or width of an existing public road.

2) The purpose of the landfill and/or dike is to create a safe bridge approach.

3) The purpose of the landfill and/or dike is to repair and maintain a private road or dike which serves to protect existing improvements from damage by flood waters.

4) The purpose of the landfill and/or dike is to repair and maintain an existing dike or fill within which the tidal wetlands are creations not more than seven years old.

Diking and filling of tidal flats and saltmarshes which are not characterized by conditions 1 through 4 shall be prohibited.
SECTION 25 - COLUMBIA RIVER ESTUARY SEGMENT

25.01 INTRODUCTION

The provisions herein shall apply to the area defined by the Columbia River Segment of the County's Shoreline Master Program. This section contains provisions that are wholly different than provisions contained in Sections 3, 6, 8, 10 through 17 and 20 of this Master Program.

25.02 CONSISTENCY

Development in shoreline areas of the Columbia River and its tributaries shall be consistent with Appendix 5, titled Background, Columbia River Segment.

25.03 AQUATIC AND SHORELAND DESIGNATION MAPS

The Columbia River Segment environmental designations are illustrated on maps titled Columbia River Segment, Environmental Designation which are made part of this Master Program by reference.

25.04 LOWER COLUMBIA RIVER ESTUARY GOALS

A. regional goals are to improve and diversify the economy of the area;

B. to reconcile conflicting uses of estuarine resources;

C. to protect and enhance natural resource values of the estuary;

D. to improve estuarine resource management through intergovernmental communication and coordination at local, state and federal levels; and

E. to increase public understanding of the natural value of the estuary and its usefulness to people.

25.05 LOWER COLUMBIA RIVER ESTUARY POLICIES

Policy areas are generally divided into two parts - Plan Development and Plan Implementation.

The policies which appear under the Plan Development section shall be used primarily to guide major plan amendments and updates and secondly as reference for specific development proposals. The policies which appear under the Plan Implementation section shall be used to develop recommendations and findings.
25.05.01 AQUACULTURE POLICIES

Plan Development

A. Aquaculture projects including fish hatcheries and fish release/recapture operations is encouraged.

B. Waterways capable of supporting aquacultural activities should be protected from conflicting uses.

C. Aquaculture facilities should be sited, designed and operated so that adverse impacts on ecosystems, navigation channels, and access points to publicly owned lands are minimized.

25.05.02 ENERGY FACILITY POLICIES

The following policies apply to energy facilities:

Plan Development

A. County review of proposals for fossil fuel projects in development designations of the estuary should concentrate on environmental impacts due to related industrial expansion and rapid urban growth.

B. Energy conservation and the development of environmentally sound alternative energy sources is encouraged.

Plan Implementation

C. Energy commodities storage, transport, and processing facilities should not be constructed unless the following can be demonstrated:

1. Alternative locations are not feasible;
2. Economic and population growth impacts will be favorable;
3. Risks such as explosion, fire and spillage are minimal, and
4. Environmental impacts are minimized.

25.05.03 HABITAT POLICIES

Plan Development

A. Estuary fish-food production and resting areas, such as shallow submerged lands and wetlands, should be preserved.

B. The use of adjacent shoreland should be controlled to protect shallow submerged lands and wetlands.
C. Establishment of protective stream corridors is encouraged.

D. Land owners should be encouraged to enhance private stream and riparian habitat.

Plan Implementation

E. The habitat of endangered wildlife species should be protected.

F. Wildlife habitat should be protected by the following actions:

1. Requiring a setback to protect riparian vegetation along rivers, sloughs, streams and wetlands, except where direct water access is required for water-dependent and water-related uses;

2. Requiring subdivisions and other major developments to minimize the alteration of estuarine habitats and encouraging the provisions of open space; and

3. Discouraging the conversion of existing farm and forest areas to more intensive uses.

25.05.04 MITIGATION POLICIES

Plan Implementation

A. Mitigation for filling or diking tidal marsh or intertidal areas.

1. Adverse impacts to estuarine resources resulting from fill or dredged material disposal activities permitted in intertidal or tidal marsh areas should be mitigated by creation, restoration or enhancement of other estuarine areas. Such mitigation should improve or maintain the functional characteristics and processes of the estuary.

2. Actions exempted from the mitigation requirement should include:

   a) Removal or filling of less than 50 cubic yards of material.

   b) Filling for repair and maintenance of existing functional dikes.

   c) Rip-rap to allow protection of an existing bank line with clean, durable, erosion resistance material.
d) Filling for repair and maintenance of existing roads.

3. The following actions should not be considered as mitigation:

a) The transfer of ownership of estuarine lands, including wetlands and submersible lands, to public ownership;

b) The dedication of estuarine lands for certain natural uses; and

c) The provision of funds for research.

B. Dredging, filling or alterations which significantly degrade or destroy biologically productive subtidal areas should be mitigated by restoration, habitat creation, enhancement or other appropriate means.

C. Mitigation sites or projects should be preferentially evaluated as follows:

1. Mitigation sites should be in close proximity to the development site. Its physical characteristics should provide a similar quality and quantity of plant and animal life and perform similar ecological functions;

2. Mitigation sites in other parts of the estuary that meet the above physical and biological criteria should be considered next.

25.05.05 RESTORATION POLICIES

Plan Development

A. All restoration projects should revitalize, replace or improve the ecosystem or valuable cultural characteristics.

Projects should provide substantial public benefit and restore habitat, resources or amenities.

B. Estuary areas that have shoaled or filled at an unnaturally high rate should be restored to historic conditions. All such projects should be evaluated to ensure benefits to man and natural resources outweigh losses.

C. Abandoned piling, navigational structures and buildings should be removed.
Plan Implementation

D. If loss of productive farmland or significant wildlife habitat would occur, breaking of dikes is strongly discouraged.

E. Where feasible, areas with erosion problems should be vegetated with marsh and shoreland planting. Beach nourishment should be used to restore historic shoreline configurations where feasible. Structural solutions should be used as a last resort to protect life and property.

25.05.06 NATURAL, SCIENTIFIC, SCENIC, HISTORICAL, CULTURAL AND ARCHAEOLOGICAL POLICIES

The archaeological, historical and cultural resources of the estuary should be protected.

25.05.07 RESIDENTIAL POLICIES

Plan Implementation

A. Residential developments should be designed and constructed to minimize adverse environmental impacts, should be aesthetically compatible with the shoreline locations, and should be architecturally related to adjacent historic or scenic structures or areas.

25.05.08 FISHERIES POLICY

Plan Development

A. Traditional fishing areas should be protected when dredging, filling, installing piling, constructing navigational aids and when other disruptive inwater activities are permitted.

B. Areas should be reserved for future dock, moorage, and fish product facilities.

C. Fish enhancement programs are strongly supported. Special considerations should be given to restoration of chum salmon runs.

25.05.09 FOREST INDUSTRY POLICY

Continued management of commercial forest lands for the production of forest products is strongly encouraged. Continuation and expansion of related forest products industries are also supported, consistent with the maintenance of air and water quality.

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Plan Implementation

A. New log storage sites should be situated in areas where adverse effects on water quality, resources and shoreland habitats will be minimized and where navigation will not be impaired. New log storage should not be allowed where logs and booms go aground on tidal changes or low flow cycles. The compatibility of new log storage sites with other estuarine uses should be examined on a case-by-case basis. Alternative land and water log storage sites should be found in cases where conflicts cannot be resolved.

B. Estuarine use conflicts resulting from drift logs and snag material should be addressed by means of:

1. Efficient management of timber inventories, the establishment of time limits on water storage of log rafts and the bundling of logs to minimize the occurrence of "sinker logs".

2. Land disposal of sinker logs, and

3. Location of new log storage sites away from potential conflict areas, such as gillnet fish drifts.

25.05.10 RECREATION AND TOURISM POLICIES

Plan Development

A. The natural resources on which recreation activities are based should be conserved and enhanced.

B. Local, state and federal agencies are encouraged to use their authority and material capabilities to provide recreational facilities and public access to the estuary. Expansion and new development of recreation and tourist facilities is encouraged.

C. Recreational access to the water along public shorelines should be maintained.

25.05.11 Plan Implementation

A. New marinas should be constructed only when existing marinas are inadequate or cannot be expanded to meet moorage needs.

Marina sites should be located in or adjacent to areas of extensive boat usage and in areas capable of providing the necessary services, including access, parking, trailer storage areas, water and sewer service, and power supplies. The feasibility of dry boat moorage should be considered in new or expanded marina facilities. Open moorages are preferred over covered moorages.
B. Estuarine resources and shoreland habitats should minimize adverse impacts of marina facilities.

25.05.12 AGRICULTURE POLICIES

Plan Development

A. Continued use of productive agricultural lands is encouraged, and conversion to more intensive, nonagricultural use is strongly discouraged.

Plan Implementation

B. In undiked areas bordering aquatic areas, a buffer strip of native vegetation should be maintained between cultivated or pasture areas and the water body.

25.05.13 AIRPORT POLICIES

Plan Development

A. Existing airport facilities should be fully utilized or expanded before new facilities are sited.

Plan Implementation

B. Wetlands should not be filled for airport facilities.

25.05.14 LAND TRANSPORTATION POLICIES

Plan Development

A. Land transportation networks should be maintained and improved to support existing urban areas, development designations and rural and recreational uses.

B. New road systems should not be located in a manner that reduces the development potential of Water-Dependent Development and General Development Shorelands. New transportation systems should be located and designed to direct urban expansion toward areas suitable for development. Existing right-of-ways should be used to the maximum extent feasible.

Plan Implementation

C. New roads should not be located in aquatic areas except where bridge crossings are needed and where no feasible shoreland route exists. New roads should be designed and located to take advantage of the natural topography. Causeways across aquatic areas should not be permitted.

D. Public roads in scenic areas should provide for pedestrian and non-motorized vehicle travel. Provisions
should be made for sufficient viewpoints, rest areas and picnic areas along shorelines. Extensive loops or spurs of old highways with high aesthetic value should be kept in service as pleasure bypass routes.

E. Routes for new land transportation systems should be selected which preserve public access and avoid separation of high intensity use areas from the waterfront. The benefits of new or expanded transportation routes should be analyzed in light of the costs of relocating housing, businesses and public facilities.

25.05.15 MINING AND MINERAL EXTRACTION POLICIES

Plan Implementation

A. Extraction of gravel, minerals and sand from estuary tributaries should be permitted only when these resources are not available at upland sites. The material should be taken from the least biologically sensitive parts of the river.

B. Sediment and silt should be minimized.

C. Mining and mineral extraction activities should be sited to avoid major marshes, significant fish and wildlife habitat, exceptional aesthetic resources and important historical or archaeological sites.

25.05.16 PUBLIC ACCESS POLICIES

Plan Development

A. The private use of privately owned shorelands should be protected against encroachment. Compensation to land owners for the cost of preventing or repairing damages caused by public access may be necessary.

B. The establishment of foot and bicycle paths along bluffs and shorelands should be investigated.

Plan Implementation

C. Public access to scenic views and significant areas should be provided.

D. Special consideration should be given to making areas of the estuary available to the elderly, handicapped and physically disabled.

E. Where major shoreline developments are allowed, they should not exclude the public from access to areas traditionally used for fishing, hunting or other shoreline activities.
F. Public access to publicly owned shorelands should be maintained and improved whenever possible.

25.05.17 COMMERCIAL AND INDUSTRIAL DEVELOPMENT POLICY

Plan Implementation

A. Priorities for shorelands and adjacent aquatic areas are:
   1. Uses which maintain the integrity of the estuary;
   2. Water-dependent uses;
   3. Water-related uses;
   4. Non-water related uses that do not degrade estuarine resources or irreversibly commit shorelands and aquatic areas to non-water-dependent use or destroy estuarine resources.

Non-water related use may be preferred if:

   5. Additional water-dependent use of the shoreline would congest small waterways;
   6. Additional water-dependent or related use would adversely impact adjacent aquatic areas; or
   7. The proposed use is part of an integrated plan for restoration of a historic waterfront area.

B. Commercial and industrial shoreland developments should be designed and constructed to minimize adverse environmental impacts, should be aesthetically compatible with the shoreland location, and should be architecturally related to adjacent historic or scenic structures or areas. Appropriate visitor facilities and public access to the water should be provided.

25.05.18 SHORELAND HAZARD POLICIES

Plan Development

A. Development in areas subject to wave action, erosion, weak foundation soils and landslides is generally discouraged.

B. Shoreland and aquatic development should be evaluated prior to construction to ensure that they will not create or worsen hazards elsewhere.

C. Reconstruction of damaged or destroyed buildings in hazard areas, is discouraged.
DIKING POLICIES

Plan Implementation

A. To provide continued flood protection for urban and agricultural lands, dikes should be maintained and improved.

B. New diking of tidelands and wetlands should be allowed only:
   1. As part of an approved fill project or in an appropriate environmental designation; or
   2. As temporary flood protection in the interest of safety and welfare of the public.

C. Breaching or removal of dikes should be allowed as part of a restoration or mitigation project. Productive agricultural land and significant wildlife habitat should not be sacrificed.

D. Maintenance of dikes by means other than dredging of aquatic areas is encouraged. Dredging aquatic areas for dike maintenance should show that:
   1. Alternative methods of dike maintenance are infeasible;
   2. Dredging is limited to that necessary to maintain structural integrity;
   3. Dredging does not disturb emergent vegetation, intertidal flats, or other intertidal estuarine resources.

DREDGED MATERIAL DISPOSAL SITE SELECTION POLICIES

Plan Development

A. Appropriate sites for dredged material disposal, should show that:
   1. Wetlands will not be impacted;
   2. The environmental designation is development;
   3. Future development or recreational use will benefit from deposition of dredged materials;
   4. Material may be stockpiled for future use;
5. Dredged spoils containing potentially toxic or polluted materials will be contained within impermeable dikes which prevent, leaching of contaminated materials; and,

6. Placement of dredged materials will help restore degraded habitat.

B. Agricultural land that would not benefit from dredged material disposal; fish and wildlife habitat; and scenic, recreational, archaeological, and historical sites should be avoided.

C. The following engineering factors should be considered in site selection: size and capacity of the site; dredging method; distance from dredging operation; elevation; and the costs of site acquisition, preparation and revegetation.

D. Aquatic and shoreland disposal of dredged material should be coordinated with Appendix 5, Section 2.

Plan Implementation

E. Shoreland disposal sites should receive either Priority I or Priority II designations as follows:

1. **Priority I Disposal Sites.** The purpose of a Priority I designation is to protect dredged material disposal (DMD) sites from incompatible and preemptive uses, and to accommodate five years of existing and planned navigation and water-dependent development generated DMD spoils. Incompatible and preemptive use of Priority I DMD sites include:

   a) Uses requiring substantial structural or capital improvements;

   b) Uses that change the topography, drainage, and reduce the potential useable volume for dredged material disposal.

   c) Changes that would prevent expeditious use for dredged material disposal.

Examples of non-preemptive or compatible uses of Priority I DMD sites are: parking lots, equipment storage yards, materials marshalling yards, log storage and sorting yards, and undeveloped recreation areas, campgrounds or recreational vehicle parking areas. Priority I sites should not allow dredged spoils in water areas or wetlands unless it is part of an approved development project.
2. **Priority II Disposal Sites.** The purpose of a Priority II ranking is to identify disposal areas necessary to meet probable or projected dredging needs. These sites may be required in the future to provide disposal site volumes associated with long-range navigational dredging needs. Priority II sites do not justify efforts to reserve all of portions of each site from other possible preemptive uses.

F. DMD sites located on shorelands should have an environmental designation consistent with future use and development of the site. All shoreland DMD sites should be designated so that:

1. Preemptive uses on Priority I DMD sites do not occur until the disposal capacity has been reached or the dredging need for which the site had been identified eliminated or altered in scope; or

2. A 90 to 180 day freeze is placed on any development request for the purpose of allowing affected government agencies or private interest to negotiate for the use of the property as a DMD site.

G. Flow-land disposal sites should transport sediment downstream without excessive shoaling; should not interfere with commercial or sports fishing; should not show undesirable hydraulic effects, or adverse effects on significant fish and wildlife habitat and should not damage essential properties of the estuarine resource.

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**25.05.21 DREDGED MATERIAL DISPOSAL POLICIES**

**Plan Implementation**

A. Where a DMD site is vegetated, disposal should occur on the smallest land area consistent with sound disposal methods (e.g., providing for adequate dewatering of dredged sediments, and avoiding degradation of receiving waters). Clearing land should occur in stages only as needed. Reuse of existing DMD sites is preferred to the creation of new sites.

B. The effects of initial and subsequent maintenance dredging, as well as dredging equipment marshalling and staging should be considered prior to approval of new dredging projects, or expansion of existing projects. Projects should not be approved unless adequate DMD sites are available for initial excavation and five (5) years of expected maintenance dredging.

C. Dredging for tidegate maintenance should be limited to the amount necessary to maintain the functional operation of the tidegate.
25.05.22 SHORELINE WORKS AND STRUCTURES (SWS) POLICIES

Plan Implementation

A. Piling and dolphin installation should be allowed only in support of water-dependent or water-related uses. Occupation of water surface in productive areas should be minimized.

B. Property management of existing streamside vegetation is the preferred method of shoreline stabilization, followed by planting of endemic vegetation. Where vegetative stabilization is inappropriate (because of high erosion, tidal conditions, intensive use of shorelines at the site, or other factors) structural means such as riprap, pile dikes, groins or bulkheading may be considered in appropriate environmental designations.

C. Floating breakwaters are preferred over solid or rubble structures.

D. Where structural shoreline stabilization is shown to be necessary, the utility of riprap, pile dikes, or groin placement as erosion control devices should be considered on a case-by-case basis.

Factors to be considered include, but are not limited to:

1. Type of sediments in the project area;
2. Effects on shoreland and aquatic habitat;
3. Uses of adjacent shorelands and aquatic areas;
4. Effects on fishing areas;
5. Engineering feasibility;
6. Relative cost of alternative shoreline stabilization methods; or
7. Adverse impact on water currents, erosion and accretion patterns should be minimized. Bulkheading should only be used in developed areas.

25.05.23 FILLING POLICIES

Plan Development

A. Loss of estuarine surface area and volume should be avoided.
Plan Implementation

B. Fill in aquatic areas should be permitted only if required:

1. In conjunction with a permitted water-dependent use;
2. In conjunction with a permitted bridge or utility;
3. For an approved restoration project;
4. For navigation structures and improvements;
5. For flood control structures or structural shoreline stabilization.

The foregoing fills in aquatic areas should demonstrate:

6. Public need;
7. No alternative upland locations exist;
8. Adverse impacts are minimized.

C. When water-dependent facilities require siting in aquatic areas, construction of the facility on piling is preferred over construction on fill.

25.06 AREA POLICIES

A. Regional Economy

The economic viability of Chinook and Ilwaco should be enhanced by maintaining and improving the Ports of Ilwaco and Chinook and by supporting the tourist and fishing industries.

B. Port Development in Baker Bay

The Ports of Ilwaco and Chinook should pursue deeper and wider channels, berths for larger boats, improved shore facilities, sewage treatment, and approved dredged material disposal sites. Because of the scarcity of land disposal sites, hopper dredging is the preferred means of channel maintenance of clean sands at the outer ends of the two channels.

Both ports should continue catering to charter boats and recreational fisherman and they should pursue off-loading facilities for barged aggregate. However, when new barge off-loading facilities are proposed, consideration should be given to the possibility of centralizing the use.
C. Baker Bay Hydraulics

The rapid shoaling of Baker Bay should be reversed as follows:

1. Agencies with responsibility for Baker Bay should cooperate to investigate how the biological and hydraulic systems of the bay function.

2. Navigational structures should be designed to reduce shoaling and help maintain the Ilwaco and Chinook channels, as well as the main navigation channel. Removal of the Chinook Jetty and other structures should be evaluated for their effectiveness.

3. Channels and navigation structures should not interfere with the sand transport system from Chinook Point to the western end of Sand Island.

D. Public Access to the Shoreline

The Columbia River is a shoreline of statewide significance with a major state highway and county roads along most of its length. Improved public access to the Baker Bay shoreline should be provided. One or more new day-use facilities would be appropriate along existing roads; foot trails are encouraged elsewhere.

E. Protection of Natural Habitat

Due to limited scientific information concerning Baker Bay, it is prudent to restrict activity in potentially productive areas. Should further investigation show that an area is not productive, it would then be appropriate to consider development.

F. Mining and Mineral Extraction

Mining and mineral extraction should not be encouraged.

25.07 SUBAREA POLICIES

25.07.01 Knappton/Frankfort

A. The boat launch at the Knappton sawmill remains should be improved and maintained with adequate parking for cars and trailers. Also, the feasibility of developing a shoreline trail from Knappton to the old town of Frankfort should be investigated.

25.07.02 Chinook

A. Expansion of the Port of Chinook and its entrance channel should minimize damage to the aquatic productivity, maintain water quality and flushing, and avoid shoaling of the bay.
B. The Development Aquatic area east of the present port facilities should be designated and utilized as a dredged material disposal site.

C. Development designations do not create a presumption that dredging, filling or other alterations will automatically result. Specific proposals for port expansion should be justified in terms of available alternatives, water quality impacts, economic benefits, and other requirements of the permit process.

D. Day-use-only facilities should be developed at Chinook Park for both tourists and residents. This may require some reduction in the size of existing camping facilities.

25.07.03 BAKER BAY

A. Channel realignments should be justified in terms of hydraulics, sand transport and impacts on maintenance dredging.

B. Dredged material disposal should not occur on the uplands of Little Sand Island. Beach nourishment is also discouraged.

C. The marshes north of Sand Island should be protected.

D. Relevant agencies and interested parties should pursue a resolution of navigational access problems in Baker Bay. Channel realignments and/or improvements approved by local, state and federal jurisdiction should be permitted.

25.07.04 FORT CANBY NORTH

A. The existing loop trail should be extended along the shoreline to the Town of Ilwaco.

25.08 USE AND ACTIVITY REGULATIONS

25.08.01 PERMITTED DEVELOPMENT USES AND ACTIVITIES

Tables 1 and 2 list permitted development uses and activities within the seven management designations created by Sections 27.02.05 through 27.02.12 of this Master Program and subject to approval of a substantial development permit. They apply to shorelines of the state along the lower Columbia River and its tributaries as designated by the Columbia River Segment Environmental Designation maps referenced herein. Permitted development uses and activities are indicated by the "P".
Development uses and activities that are not permitted are indicated by the letter "N" or they are not listed.

Table 1 lists development uses and activities permitted within aquatic areas and Table 2 lists development uses and activities permitted within shorelands.

**TABLE 1**

**USES AND ACTIVITIES PERMITTED IN AQUATIC AREAS**

Environmental Designations

<table>
<thead>
<tr>
<th>N-a</th>
<th>C-a</th>
<th>D-a</th>
<th>Restoration - Where designated in Appendix 5, Section 3.</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
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Aquaculture

<table>
<thead>
<tr>
<th>P</th>
<th>P</th>
<th>N</th>
<th>Low intensity construction - e.g. temporary, easily removal structures requiring no dredge or fill.</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>P</td>
<td>P</td>
<td>High intensity construction - e.g. water intake and discharge, permanent facilities.</td>
</tr>
<tr>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Activities</td>
</tr>
<tr>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Educational research equipment installation.</td>
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Recreation

<table>
<thead>
<tr>
<th>P</th>
<th>P</th>
<th>N</th>
<th>Low intensity and water dependent</th>
</tr>
</thead>
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<tr>
<td>N</td>
<td>P</td>
<td>P</td>
<td>High intensity and water dependent</td>
</tr>
<tr>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Structural shoreline stabilization</td>
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Utilities

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<th>Submerged transmission lines</th>
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<td>Overhead transmission lines</td>
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<td>Sewage outfalls</td>
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Land Transportation

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<tr>
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<td>Dredge Material disposal where designated in Appendix 5, Section 2.</td>
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Environmental Designations

<table>
<thead>
<tr>
<th>N-a</th>
<th>C-a</th>
<th>D-a</th>
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<tr>
<td>N</td>
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<td>Mining and Mineral Extraction</td>
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<td>Bankline or Stream Alteration</td>
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<td>Dikes/Tidegates – new</td>
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</table>

TABLE 2
USES AND ACTIVITIES PERMITTED IN SHORELAND AREAS

Environmental Designations

<table>
<thead>
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<th>D-s</th>
<th>WD-s</th>
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<td>P</td>
<td>P</td>
<td>Recreation</td>
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<td>Accessory improvements connected with docks</td>
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<td>N</td>
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<td>Dredged Material Disposal – in conformance with Appendix 5, Section 2</td>
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<td>N</td>
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<td>P</td>
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<td>P</td>
<td>Land transportation facilities</td>
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Environmental Designations

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<tr>
<th>N-s</th>
<th>C-s</th>
<th>R-s</th>
<th>D-s</th>
<th>WD-s</th>
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<td>Excavation to create new water surface</td>
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<td>P</td>
<td>Accessory improvements connected with marinas</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Communication facilities</td>
</tr>
</tbody>
</table>

25.08.02 **AUTHORIZATION OF SIMILAR DEVELOPMENT**

The board may rule that a use not specifically permitted in a management designation shall be permitted if it is similar to the uses allowed in the management designation and if its effect on adjacent properties is substantially the same as the permitted use.

25.08.03 **UNREGULATED USES AND ACTIVITIES**

Non-development uses and activities are not intended to be regulated by this Master Program. Non-development uses and activities include but are not limited to water-borne commerce, individual recreation pursuits such as boating, swimming and fishing and all forms of biological plantings.
25.09 CONFORMANCE WITH DEVELOPMENT STANDARDS

Every permitted use or activity shall conform with the purpose of the management designation and development standards listed under Section 25.10 hereof. Where a proposal involves several uses and activities, the standards applicable to each use and activity shall be conformed to.

25.10 DEVELOPMENT STANDARDS

25.10.01 AGRICULTURE

Agriculture practices shall comply with Sections 5.41 through 5.44 herein.

25.10.02 AIRPORT

Terminal stations for aircraft passenger and cargo operations, including runways, towers, and associated structures and systems shall comply with the following:

A. Airports and associated facilities shall be located so as to minimize adverse impacts in migratory bird flyways and habitat used by resident waterfowl and other birds.

25.10.03 AQUACULTURE

Aquaculture uses in shoreland and aquatic designation shall comply with the following:

A. Structures and activities associated with an aquaculture operation shall not interfere with navigation.

B. Water diversion or other shoreline structures shall not block traditional public access.

C. Aquaculture facilities shall be designed to minimize their visual impacts and shall not obstruct scenic views.

25.10.04 COMMERCIAL USES

Commercial uses, in shoreland and aquatic areas should comply with the following:

A. Parking facilities shall be prohibited over the water or on the immediate shoreline, except upon a finding that no practicable alternative exists. Parking shall be located as far landward as is feasible.

B. Commercial uses situated on floating structures or on pilings shall be located in areas of minimal currents and wave action. Floating structures shall be sited to prevent damage to natural vegetation and they shall not rest on the bottom during tidal cycles or periods of low flow.
C. Where permitted, commercial uses that are not water-dependent or water-related shall be setback 30 feet from mean high water or the line of nonaquatic vegetation.

D. Removal of riparian vegetation shall be permitted only when the use requires direct access to water. Temporary removal of riparian vegetation due to construction may be permitted subject to a revegetation plan approved by the county which specifies: (1) temporary stabilization measures (2) methods and timing of revegetation.

25.10.05 DOCK FACILITY

Dock facilities in the aquatic and shoreland designations shall comply with the following:

A. New subdivisions which propose moorage shall provide a common moorage facility.

B. The size of a dock or moorage shall be the minimum necessary.

C. Covered or enclosed moorages shall secure a Shoreline Substantial Development Conditional Use Permit.

D. Open pile piers or secured floats shall be used for dock construction.

E. Floats in tidally influenced areas shall be located in areas of minimal currents and wave action and shall not rest on the bottom during tidal cycles or periods of low flow. Floating structures shall be sited to prevent damage to natural vegetation.

F. Docks and moorages shall be designed so that adverse hydraulic effects (e.g., alteration of water circulation and sediment transport) at the site and in adjacent areas are minimized.

25.10.06 FLOOD HAZARD

Construction in flood hazard areas shall comply with Sections 21.10 through 21.17 herein.

25.10.07 FOREST MANAGEMENT

Forest practices shall comply with Section 7.40 through 7.51 herein.

25.10.08 INDUSTRIAL AND PORT FACILITIES

Public or private use of structures for manufacturing, processing, port development, and energy generation facilities shall comply with the following:
A. Parking facilities shall be prohibited over water or on the immediate shoreline, except upon a finding that because of physical and economic constraints no practicable alternative exists. Even if this demonstration is made, parking must be located as far landward as is feasible.

B. Industrial uses on floating structures or industrial uses on piling shall be located in areas of minimal currents and wave action. Floating structures shall be sited in order to prevent damage to natural vegetation and they shall not rest on the bottom during tidal cycles or periods of low flow.

C. Removal of riparian vegetation shall be permitted only where direct access to water is required. Temporary removal of riparian vegetation due to construction may be permitted subject to a revegetation plan approved by the County specifying: (1) temporary stabilization measures and (2) methods and timing of replanting.

25.10.09 LAND TRANSPORTATION FACILITIES

Highways, railroads, bridges, and associated structures and signs in aquatic or shoreland designations shall comply with the following:

A. Land transportation facilities shall be prohibited in aquatic areas except where bridge crossings are needed and where no feasible alternative shoreland or upland route exists.

B. Adverse impacts of land transportation facilities shall be minimized.

C. Causeways across aquatic areas shall be prohibited.

D. Compliance with Section 13.02, 13.10, 13.41.01, 13.42 and 13.43 contained herein.

25.10.10 LOG STORAGE — IN WATER

In-water log storage and sorting in aquatic designation shall be prohibited.

25.10.11 LOG STORAGE AND SORTING YARD

Log storage and sorting yards shall comply with the following:

A. Unpaved storage yards underlain by permeable soils shall have at least a four foot separation between the yard surface and the winter water table.
25.10.12 MARINA

Marina facilities shall comply with the following:

A. The amount of water surface occupied shall be the minimum required. New facilities shall make maximum feasible use of dry land boat moorage.

B. Means for preventing oil, fuel, and other contaminants from entering the water shall be provided, including shoreland facilities for public dumping of oil and emptying of holding tanks.

C. New marina facilities shall be located in areas where there is natural or man-made protection from wind, waves, tidal currents, storms, and passing ship wakes. Marinas shall be located or designed to minimize its adverse affect on the natural processes of erosion, sediment transport and/or beach accretion.

D. Parking shall be located as far landward as is feasible.

E. Floats shall not go aground on tidal changes or low flow cycle.

F. An analysis shall be submitted which shows that existing facilities are fully utilized, impractical, or will not satisfy a specific need.

25.10.13 MINING AND MINERAL EXTRACTION

Mining and mineral extraction shall comply with the following:

A. Project sponsors shall demonstrate that the activity is sited, and designed, and will be operated, and maintained to minimize adverse impacts on the following:

1. Fish, wildlife and essential properties of the estuarine resource.

2. Hydraulic characteristics, including but not limited to circulations and the alteration of local currents.


B. Petroleum extraction and drilling operations shall be prohibited over aquatic areas. Petroleum may be extracted from beneath aquatic areas using equipment located on adjacent shorelands or uplands. Petroleum exploration not including exploratory drilling, is permitted in estuarine aquatic and shorelands areas.
C. Unless part of an approved fill project, spills and stockpiles of materials removed from aquatic areas shall be placed upland.

D. Temporary removal of riparian vegetation shall be permitted in cases where direct water access is required as part of a mining or mineral extraction operation. Erosion control measures such as seeding, mulching, ditches, dikes, sedimentation basins and silt fences or curtains shall be provided and maintained.

25.10.14 RECREATION

Recreation uses shall comply with the following:

A. Recreation uses in waterfront areas shall take maximum advantage of their proximity to the water by providing water access points, water viewing areas and structure design compatible with the aesthetic qualities of the waterfront location.

B. Recreational uses shall be designed to minimize adverse effects on shoreline habitat, estuarine resources, traffic patterns, parking facilities, surface water and groundwater quality. The adverse effects of storm run-off from parking lots shall be minimized.

25.10.15 RESIDENTIAL USES

Residential uses shall comply with the following:

A. The setback for residential structures and associated parking shall be 30 feet landward of the aquaticshoreland boundary.

B. Subdivisions, and mobile home parks shall provide for public pedestrian access to the shoreline.

C. Where the groundwater is or may be used as a water supply, the level of the ground water table shall not be lowered by the construction of drainage facilities or by pumping rates which may cause intrusion of salt water.

25.10.16 RESTORATION

Restoration and resource enhancement shall be consistent with Appendix 5, Section 3.

25.10.17 SEWAGE COLLECTIONS AND TREATMENT

Sewage collection and treatment shall comply with Sections 22.10 through 22.16 herein.
25.10.18 **SIGN**

Signs within aquatic designations and natural shorelands shall conform to Section 9.20 and 9.21. Signs within conservation rural general development and water-dependent development shall conform with regulations in Section 9.40 and 9.44 herein.

25.10.19 **UTILITY**

Utilities in aquatic or shoreland designations shall comply with the following:

A. Electrical and communication transmission and distribution lines shall be located underground, unless burial is not feasible.

B. Above-ground utilities shall be designed to have the least adverse effect on aesthetic characteristics of the area. Interference with public uses and public access to the estuary shall be minimized.

C. Disturbed stream banks and aquatic and riparian vegetation shall be stabilized and restored.

25.10.20 **BANKLINE AND STREAMLINE ALTERATION**

All bankline and streambed alterations shall comply with the following:

A. An altered water course shall meander and maintain stream surface area. Alteration of sloughs, oxbows, marshes, and riparian vegetation shall be minimized.

B. Alignments should make maximum use of natural or existing deep water channels, but should not create pockets of stagnant water or other undesirable hydraulic conditions.

C. Excavation activities in stream bankline areas resulting in expansion of existing aquatic areas shall comply with standards regulating excavation of shorelands for the creation of new water surface area, Section 25.10.24.

25.10.21 **DIKE**

Dike maintenance, and construction shall comply with the following:

A. The outside dike face shall be protected to prevent erosion during construction and maintenance. Applicable standards for shoreline stabilization shall be met. Trees, brush and shrubs which jeopardize the dikes should be excluded from revegetation.
B. New dike alignment and configuration shall not cause an increase in erosion or shoaling in adjacent areas or an appreciable increase in seasonal water levels behind dikes. Channelization of the waterway shall be avoided.

C. New diking of aquatic areas is subject to the standards for fill.

25.10.22 DREDGING

Dredging shall comply with the following standards:

A. Dredging shall be consistent with Appendix 5, Section 2.

B. Dredging in aquatic areas shall be permitted for:
   1. Navigation or navigational access;
   2. A permitted water dependent use;
   3. An approved restoration project;
   4. Mining or mineral extraction;
   5. A permitted bridge footing excavation or utility foundation;
   6. Maintenance of dikes, tidegates, and tidegate drainage channels.

Dredging activities in estuarine aquatic areas shall demonstrate:

7. A public need is demonstrated;
8. No alternative upland locations exist;
9. Adverse impacts are minimized.

C. Dredging shall be the minimum necessary to accomplish the proposed use.

D. Erosion, sedimentation, increased flood hazard, and other undesirable changes in circulation shall be avoided. Tidal marshes, tidal flats, and other wetlands shall not be adversely affected.

E. The timing of dredging and dredged material disposal in aquatic areas shall minimize interference with commercial recreational fishing activities. Dredging and dredged material disposal shall occur during periods of adequate river flow.
DREDGE MATERIAL DISPOSAL

Dredge material disposal in aquatic and shoreland areas shall comply with the following:

A. Dredge material disposal shall be consistent with Appendix 5, Section 2.

B. In-water estuary and ocean disposal of dredged materials shall:
   1. Demonstrate the need for the proposed action and the availability and desirability of alternate sites and methods of disposal;
   2. Demonstrate that the sediment size and chemical characteristics of the material proposed for inwater disposal is substantially the same as the substrate in the disposal area;

C. Flow land disposal sites shall be in areas identified as low in benthic productivity.

D. Ocean disposal shall be conducted so that:
   1. Interference with sport and commercial fishing is minimized;

E. For land disposal:
   1. Surface runoff shall be controlled to protect water quality and prevent sedimentation of adjacent water bodies, wetlands and drainageways. Disposal runoff water shall enter the receiving waterway through a controlled outfall at a location with adequate circulation and flushing. Underground springs and aquifers shall be identified and protected.
   2. Dikes shall be constructed and form a sufficiently large containment area to encourage property "ponding" and to prevent the return of dredged materials into the waterway or estuary. Containment ponds shall be designed to maintain at least one foot of standing water.

F. Land disposal sites that are not intended for immediate developments, including sites which will be reused for dredged material disposal, shall be revegetated.

G. The final height and slope after each use of a land dredged material site:
   1. Shall not enlarge itself by sloughing and eroding into adjacent aquatic areas;
2. Shall minimize loss of material from the site during storms and freshets;

3. Shall not interfere with the view of nearby residences or the public.

25.10.24 EXCAVATION FOR CREATION OF NEW WATER SURFACE AREA

A. Creation of new water surface area shall be allowed only in conjunction with navigation uses, water-dependent development or as a restoration action.

B. Water quality degradation due to excavation to create new water surface area shall be minimized. Adverse effects on water circulation and exchange, increase in erosion and shoaling conditions, and introduction of contaminants to adjacent aquatic areas resulting from excavation of the area and presence of the new aquatic area shall be minimized.

C. Sediments and materials generated by the excavation shall be deposited on land in an appropriate manner.

D. The maximum feasible amount of the new water surface area shall be excavated as an upland site, behind protective berms. The new aquatic area shall be connected to adjacent water areas as the excavation is completed. Excavation shall not result in channelization of the waterway.

E. Existing public access shall not be reduced.

25.10.25 FILL

The placement of fill shall comply with the following standards.

A. A fill shall be the minimum necessary to accomplish the proposed use.

B. Where existing public access is reduced suitable public access as part of the development shall be provided. Fill requirements shall not be expanded in order to provide public access.

C. Fill in aquatic areas shall be permitted only if required:

1. In conjunction with a permitted water-dependent use;

2. In conjunction with a permitted bridge footing or utility foundation;
3. An approved restoration project;
4. Navigational structures and improvements;
5. Approach to low water bridges;
6. Flood control structures and structural shoreline stabilization.

In addition, filling in aquatic areas shall be allowed only if:

7. A public need is demonstrated;
8. No alternative upland locations exist; and,
9. Adverse impacts due to fill are minimized.

D. Fill in aquatic areas shall not be permitted for residential uses.

25.10.26 PILING AND DOLPHIN INSTALLATION

A. Piling and dolphin installation shall be permitted only in conjunction with a permitted use.

B. Piling and dolphin installation shall be the minimum necessary to accomplish the proposed use.

25.10.27 SHORELINE STABILIZATION

The protection of the banks of tidal or non-tidal streams, river or estuarine waters by structural means shall comply with Section 16.61 herein and the following:

A. Shoreline stabilization measures shall not restrict existing public access to public shorelines.

B. Shoreline stabilization measures shall be designed to minimize their impacts on the aesthetic qualities of the shoreline.

C. Shoreline stabilization shall not be used to increase land surface area. Any extension of the bankline into recognized or existing aquatic areas shall be subject to the standards for fill.

D. Where structural shoreline stabilization is shown to be necessary, protection of existing banklines with clean, durable erosion resistant material is allowed.
SECTION 26 - ADMINISTRATION

26.01 Administrator - The Administrator or his duly authorized designee shall be responsible for: providing information on the Act, this Master Program and related matters; accepting and processing permit applications and notification; evaluating and preparing final orders granting or denying applications; and, doing those tasks necessary for the administration and enforcement of this Master Program which are not assigned to another person herein or hereafter by the BOARD.

26.02 Applicability of Policies and Regulations - No development on shorelines of the state shall be undertaken by any person unless it is consistent with the policies and provisions of the Act and the policies, regulations and other provisions of this Master Program.

26.03 Permits Required for Substantial Development - No substantial development on shorelines shall be undertaken by any person without first obtaining a substantial development permit. A permit shall be granted only when the proposed development is consistent with the policies and provisions of the Act and with the policies, regulations and other provisions of this Master Program.

26.04 Permit Application Required for Development - No development on shorelines shall be undertaken by any person without first filing an application for substantial development permit and obtaining summary approval by the Administrator. Summary approval shall be granted only when the proposed development is consistent with the policies, regulations and provisions of this Master Program.

26.05 Exemptions - The Administrator shall issue a written exemption for uses and activities that are categorically excluded from the definition of substantial development after review of a completed application for substantial development permit. An exemption shall be granted only when the proposed use or activity is consistent with the policies, regulations and other provisions of this Master Program.

26.06 Time Requirement of Permit - The exercise of a substantial development permit, once approved by Pacific County, and authorized by the Department of Ecology, shall conform to time requirements specified by WAC 173-14-060.

26.07 Notice - Upon submittal and acceptance of a completed application for a substantial development permit, the Administrator shall publish notice of the application in conformance with RCW 90.58.140(4). Notice of the application for substantial development permit shall conform with WAC 173-14-070. Within thirty days of the last publication of such notice, any interested person may submit his views on the application in writing to the Administrator or may notify the Administrator of his desire to be notified of the action taken.
26.08 Permit Applications - Applications for a substantial development permit shall be made to the Administrator by the property owner, lessee, contract purchaser, other person entitled to possession of the property, or by an authorized agent. Applications shall be made on forms supplied by the Administrator and such forms shall conform to WAC 173-14-110.

26.09 Fees - Application fees shall be set by resolution of the BOARD.

26.10 Review of Applications

.01 The Administrator shall review substantial development permit applications based on criteria set forth under WAC 173-14-100, and on the following: the application; the environmental impact statement, if one has been prepared; written comments from interested persons; information and comment from other County agencies affected and from the Prosecuting Attorney. The COMMISSION shall review substantial development permit applications requiring a public hearing, a conditional use application or a variance application and prepare final orders for issuance to the Administrator. Review by the COMMISSION shall be based on the same criteria required of a review by the Administrator.

.02 The Administrator shall not issue a final order granting or denying a permit until than thirty (30) days after final publication of the notice required under provision 26.07 herein. The COMMISSION shall submit its final order for issuance by the Administrator under the time limit above.

26.11 Appeal of Final Order to Board - Appeals from a final order by the Administrator or the Planning Commission, may be taken to the BOARD by any person aggrieved, or by any officer, department, board or commission of the County affected by the decision. Such appeal shall be filed in writing in duplicate with the BOARD within twenty (20) days of the date of the action being appealed. An appeal shall terminate the time limit identified under RCW 90.58.140(5) and a new time limit shall begin after the Washington State Department of Ecology is notified by the Board of its decision on an appeal.

26.12 Public Hearing, Notice

.01 In the following cases, the COMMISSION shall hold at least one public hearing prior to making a decision on a permit application:
a) One or more interested persons has submitted to the Administrator, within ten days of the final public- 
ation of notice of the application, a written 
request for such a hearing together with a statement 
of reasons for the request; or 
b) The COMMISSION or Administrator determines that the 
proposed development is one of broad public signifi- 
cance; or 
c) The applicant requests that such a hearing be held. 

.02 The hearing shall not be scheduled until ten (10) days 
after the final date of publication of the notice of 
public hearing and during a regularly scheduled 
COMMISSION meeting. Notice of a public hearing may be 
included with the notice of application for a permit 
under provision 26.07. 

.03 Five days written notice of the time and place of the 
public hearing shall be mailed or delivered to the 
applicant, unless notice of application and hearing were 
published simultaneously, and, if possible, to any 
interested person who has notified the COMMISSION of his 
views as specified under provision 26.07. 

.04 If, for any reason, testimony on any matter set for 
public hearing cannot be heard, or being heard, cannot be 
completed on the date set for such hearing, the 
COMMISSION may, before adjournment or recess of such 
matters under consideration, publicly announce the time 
and place of the continued hearing and no further notice 
is required. 

.05 The COMMISSION shall make findings from the record and 
conclusions which support its final order. The findings 
and conclusions shall set forth the manner in which the 
recommendation is consistent with the criteria set forth 
under provision 26.10.01. 

.06 The COMMISSION shall have the power to prescribe rules 
and regulations for the conduct of hearings before it; 
and also to issue summons for and compel the appearance 
of witnesses, to administer oaths, and to preserve order. 
The privilege of cross examination of witnesses shall be 
accorded all interested persons or their counsel in 
accordance with the rules of the COMMISSION. 

26.13 Appeals 

.01 Upon the filing with the BOARD an appeal from a 
decision of the Administrator or the Commission, the 
BOARD shall set a date for public hearing, where it 
may in conformity with this Master Program, reverse 
or affirm, wholly or in part, or may modify the decision 
of the Administrator or the Commission. Notice of public
hearing shall be given to the appellant, to the adverse parties of record in the case, and to the Administrator together with a copy of the notice of appeal. Such notice shall be mailed not less than 10 days prior to the date of the public hearing. Upon receiving notice of the appeal, the Administrator shall forthwith transmit to the BOARD all of the records pertaining to the decision being appealed, together with such additional written report as he deems pertinent.

.02 The decision of the BOARD shall be the final decision of the County on appeals and the BOARD shall render a written decision, including findings, conclusions, and a final order.

.03 The decision of the BOARD shall be made no sooner than thirty days following final publication of the notice of application for a permit required under provision 26.07.

26.14 Granting or Denial of Permits; Permit Conditions; Other Permits

.01 The Administrator and/or BOARD shall deliver to the following persons copies of the application and the disapproval or conditional approval of a substantial development permit application within five days of a final decision. Copies of the relevant materials, including findings and conclusions shall also be delivered to the persons under (b) and (c) below and to others upon request: (a) The applicant; (b) The Department of Ecology; (c) The Washington State Attorney General; (d) The COMMISSION; (e) Any person who has submitted written comments on the application; and (f) Any person who has written requesting notification.

.02 Development pursuant to a substantial development permit shall not begin and shall not be authorized until the time limit identified under RCW 90.58.140(5) has run.

.03 In granting or extending a permit, the Administrator and/or BOARD may attach thereto such conditions, modifications and restrictions regarding the location, character and other features of the proposed development as it finds necessary to make the development compatible with the criteria set forth under provision 26.10.01 herein. Such conditions may include the requirement to post a performance bond assuring compliance with permit requirements, terms, and conditions.

.04 Issuance of a substantial development permit does not obviate requirements for other federal, state, and County permits, procedures and regulations.
Form of Permit - Substantial development permits shall be in substantially the form given in WAC 173-14-120.

Review by State Shoreline Hearing Board - Any person aggrieved by the granting, denying, or rescission of a substantial development permit may seek review from the Hearing Board in conformance with requirements contained in RCW 90.58.180.

Recision, Service of Notice, Hearing

.01 Any permit granted pursuant to this Master Program may be rescinded or modified upon a finding by the BOARD that the permittee has not complied with the conditions of his permit; or, that the permit was obtained by fraud; or, that the permit is being exercised in violation of any statute, ordinance or regulations; or, that the use for which the permit was granted is so exercised as to endanger public health or safety.

.02 The BOARD may initiate recision and modification preceding by serving written notice of noncompliance on the permittee.

.03 Before a permit can be rescinded or modified, a public hearing shall be held by the BOARD no sooner that 10 days following the service of notice upon the permittee. The BOARD shall have the power to prescribe rules and regulations for the conduct of such hearings.

Inspection - The Administrator or his authorized representative may inspect properties as necessary to determine whether permittees have complied with conditions of their respective permits and, whenever there is reasonable cause to believe that development has occurred upon any premises in violation of the Shoreline Management Act of 1971 and this Master Program, may enter upon such premises at all reasonable times to inspect the same. The Administrator or his representative shall present proper credentials before demanding entry. If such premises are unoccupied, a reasonable effort shall be made to locate the owner or tenant and demand entry. The Department of Ecology may be asked to review and comment on the violations discovered. The Administrator shall then issue a notice and order to the owner or tenant of the premises advising such person(s) of any violations and requiring him to take whatever action is necessary to comply with the Act and this Master Program. Subsequently, the Administrator shall also, where appropriate, seek legal sanctions by the BOARD as provided under provision 26.16 of this Master Program or by the Prosecuting Attorney as provided under provision 26.20 of this Master Program.

.01 A notice and order concerning a violation may be delivered or sent by registered mail to the last known address of the owner or tenant of the property on which a violation has been discovered.
26.19 Conditional Uses

.01 Any use activity or project not specifically permitted or prohibited by this Master Program and coming under the definition of substantial development shall require a conditional use permit. The conditional use permit shall be the same as and identical in all respects to a substantial development permit. The BOARD may attach to the permit any conditions, modifications and restrictions regarding the location, character and other features of the proposed development as are deemed necessary to make the development compatible with the criteria set forth under provision 26.10.01 of this Master Program and WAC 173-14-140.

26.20 Variances

.01 Developments not consistent with the policies of the Act and/or the purpose, policies or regulations of this Master Program are considered to be material interference with the normal public use of the shorelines. Such developments are substantial developments and require substantial development permits. Variances from the provisions of this Master Program are therefore considered to be substantial developments requiring permits before being undertaken.

.02 The BOARD, upon recommendation of the COMMISSION, shall have authority to grant a variance from the provisions of this Master Program, provided that any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and in the designated environment in which subject property is situated.

.03 Before any variance may be granted, the criteria listed under WAC 173-14-150 shall be satisfied.

26.21 Criminal Penalties; Civil Liability

.01 Any person found to have willfully engaged in activities on the shorelines of the state in violation of this Master Program or the Act or any of the rules and regulations adopted pursuant thereto shall be guilty of a gross misdemeanor, and shall be punished by a fine of not less than twenty-five ($25) dollars nor more than one thousand dollars ($1,000) or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment: Provided, That the fine for the third and all subsequent violations in any five-year
period shall be not less than five hundred dollars ($500) nor more than ten thousand dollars ($10,000).

.02 The Prosecuting Attorney shall bring such injunctive, declaratory, or other actions as are necessary to insure that no uses are made of the shorelines of the STATE in conflict with the provisions of this Master Program or the provisions of the Act and to otherwise enforce the provisions of this Master Program and the Act.

.03 Any person who shall fail to conform to the terms of a permit issued under this Master Program or who shall undertake development on the shorelines of the state without first obtaining any permit required under this Master Program or Chapter 90.58 RCW shall also be subject to a civil penalty not to exceed one thousand dollars for each violation. Each permit violation or each day of continued development without a required permit shall constitute a separate violation.

.04 Any person who appears to have committed violations proscribed in Section 26.21.02 herein may be issued a regulatory order by either the Administrator or the Washington State Department of Ecology specifying the violation or violations alleged to have been committed and the facts upon which such allegation is based and ordering the act or acts constituting the violation or violations to cease and desist or, in appropriate cases, requiring necessary corrective actions to be taken within a specific and reasonable time.

.05 Any person found in violation of this Master Program and/or the Act shall be liable for damages as specified under RCW 90.58.230.

SECTION 27 – ENVIRONMENTS

27.01 The geographic extent of the land and water areas subject to the jurisdiction of the Act shall be as designated by criteria given in state regulation WAC 173-22 and by designation in RCW 90.58.030(2). Mapping of the County's shorelines of the state shall illustrate shorelines of statewide significance, shorelines, wetlands and the 100 year flood plain based on the most current technical studies. Separate geographic components of shorelines of the state may be illustrated by maps prepared for the Federal Flood Insurance Administration, maps based on wetland surveys, maps based on hydraulic calculations and maps based on calculations of lake surface areas. The Administrator may publish general maps which illustrate "shorelines of the state" and which maps state that the actual boundary of shorelines of the state and lands not subject to the jurisdiction of the act shall be based on criteria given in WAC 173-22 and RCW 90.58.030(2).
The shorelines of the state within Pacific County are hereby divided into several districts, hereinafter called environments, as provided for and defined in state regulations (WAC 173-16-040(4)) adopted pursuant to the Act. Those environments and their map symbols are as follows:

.01 Natural  
Map symbol = N

.02 Conservancy  
Map symbol = C

.03 Rural  
Map symbol = R

.04 Urban  
Map symbol = U

The shorelines of the state along the lower Columbia River are illustrated by the Columbia River Segment Environmental Designation Maps. This area is divided into eight districts, hereinafter called environmental designation. The environmental designations, including an explanation of the designations, are as follows:

.05 NATURAL AQUATIC – MAP SYMBOL = N-a

The purpose of the Natural Aquatic Designation is to assure the preservation and protection of; a) significant fish and wildlife habitats, b) essential properties of the estuarine resource and, c) research and educational opportunities. The Natural Aquatic Designation includes major tracts of tidal marshes, intertidal mud-sand flats, and ecologically important subtidal areas.

.06 CONSERVATION AQUATIC – MAP SYMBOL = C-a

The purpose of the Conservation Aquatic Designation is to assure the conservation of a) fish and wildlife habitats, b) essential properties of the esturine resource and, c) the long-term use and conservation of renewable estuarine resources. This designation provides for development that does not require major alterations of the estuary, while providing for the long term use and conservation of renewable estuarine resources. Conservation Aquatic Designations include small areas of tidal marsh, intertidal mud-sand flats, open water portions of the estuary and areas needed for recreational use.

.07 DEVELOPMENT AQUATIC – MAP SYMBOL = D-a

The purpose of the Development Aquatic Designation is to provide for navigation and water-dependent industrial and commercial uses. Development Aquatic Designations include existing navigation channel, access channels and turning basins.
NATURAL SHORELANDS - MAP SYMBOL = N-s

The purpose of the Natural Shorelands Designation is to manage shorelands for resource protection, preservation, restoration and recreation, with severe restrictions on the intensity and types of uses.

CONSERVATION SHORELANDS - MAP SYMBOL = C-s

The Conservation Shorelands Designation is intended for shorelands which provide important resource or ecosystem support functions but because of their value for low intensity recreational or sustained yield resource uses or because of their unsuitability for development should be designated for non-consumptive uses. Non-consumptive uses are those which can utilize resources on a sustained yield basis while minimally reducing opportunities for other uses of the area's resources.

RURAL SHORELANDS - MAP SYMBOL = R-s

The purpose of the Rural Shorelands Designation is to provide for uses and activities associated with agriculture, timber management and recreation.

GENERAL DEVELOPMENT SHORELANDS - MAP SYMBOL = D-s

The purpose of the General Development Shorelands Designation is to provide an area when commercial uses are allowed that meet the needs of the immediate residential community.

WATER-DEPENDENT DEVELOPMENT SHORELANDS - MAP SYMBOL = WD-s

The purpose of the Water-Dependent Development Shorelands Designation is to manage shorelands in urban and jetty areas especially suited for water-dependent and water-related uses and to protect these shorelands for water-dependent industrial, commercial and recreational use.

All development and use activities within each environment shall conform to the applicable regulations for that environment as given under Sections 5 through 25 and to all other applicable provisions of this Master Program and the Act.

The above named environments and the boundaries of said environments are shown upon maps titled Shoreline Map. The maps are made a part of the Master Program by reference. The Administrator may from time to time republish the maps to incorporate all amendments made by the BOARD as specified under Section 29 herein.
The boundaries of the environments shall be determined by scaling distances on the Shoreline Map or by reference to written definitions given on or attached to the Shoreline Map. Where interpretation is needed as to the exact location of the boundaries as shown on the Shoreline Map, the Administrator shall make the necessary interpretation. If a person wishes to contest the Administrator's decision concerning the location of a boundary, that person may present his case to the COMMISSION at a regularly scheduled meeting, provided said person informs the Administrator in writing at least one (1) week prior to that meeting of his intention to contest said decision. The COMMISSION shall decide the location of the disputed boundary after considering all available information relating to the location of it.

The water areas of lakes, streams and tidal waters, together with the lands underlying them, are hereby placed in the conservancy environment, except that:

.01 All public boat channels, boat basins, and other public moorages which have been regularly and lawfully maintained by dredging or other means prior to the passage of the Act, including the Willapa Bay bar channel and inner bay channel, the Willapa River channel upstream to Raymond, the Bay Center channel and basin, the Tokeland channel and basin, the Nahcotta channel and basin, the Baker Bay channel and Ilwaco basin, and the Chinook channel and basin, are hereby placed in the urban environment.

.02 All water areas and the lands underlying them which lie shoreward of harbor lines, whenever established, are hereby placed in the urban environment.

.03 Water areas and the lands underlying them which are adjacent to water-dependent industrial and commercial uses are hereby placed in the rural or urban environment, depending on the classification of the adjacent shore, only to the extent necessary for the construction of facilities serving such uses. Providing, that the area so classified shall be as shall as is practically possible.

.04 All water areas and the lands underlying them which are specifically designated on the Shoreline Map as being in an environment other than conservancy are to be regulated as shown on said Map.

Those areas identified as dredge spoil disposal sites, marked as DS on the Shoreline Map, are hereby placed in the urban environment solely for the purpose of providing locations for the disposal of spoils from channel and boat basin dredging operations and from dredging associated with other water-related uses. Following the last fill at a particular site, that site shall be considered for redesignation by the Board.
ENVIRONMENTAL DESIGNATION MAPS

The shorelines of the state along the lower Columbia River in Pacific County are divided into the following designations:

- Natural Aquatic  Map symbol = N-a
- Conservation Aquatic  Map symbol = C-a
- Development Aquatic  Map symbol = D-a
- Natural Shorelands  Map symbol = N-s
- Conservation Shorelands  Map symbol = C-s
- Rural Shorelands  Map symbol = R-s
- General Development Shorelands  Map symbol = D-s
- Water-Dependent Development Shorelands  Map symbol = WD-s

The boundary between the aquatic and shoreland area is the line of non-aquatic vegetation or where such a line cannot be determined, it is the ordinary high water mark.

The boundary between aquatic conservation areas and aquatic natural areas is the minus 3 foot contour elevation using MLLW datum.

Dredged material disposal sites 1S, 2S, and 10S are identified on the Environmental Designation Maps and discussed in Appendix 5, Section 2.

Restoration sites 1F, 2F and 5F are identified on the Environmental Designation Maps are discussed in Appendix 5, Section 3.

SECTION 28 - NONCONFORMING USES

28.01 On shorelines of the state there exist structures and related use activities which were lawful before this Master Program was passed or amended, but which would be prohibited, regulated or restricted under the provisions herein or future amendment. It is the intent of this section to generally permit these non-conformities to continue until they are removed, unless otherwise specified under other provisions herein. It is further the intent of this section that non-conformities shall not be enlarged upon, expanded or extended, and shall not be used as grounds for adding other structures and related use activities which are prohibited, regulated, or restricted under the provisions herein, except when allowed under the terms of a permit or variance.

28.02 A structure and/or related use activity which was lawful before this Master Program was passed or amended but which is not in conformity with the provisions herein may be continued subject to the following conditions:
.01 No such structure or use activity shall be expanded, changed, enlarged or altered unless an enlargement or structural alteration makes the use more conforming or is required by law.

.02 If any such structure is destroyed, or removed, every future use of the land on which the structure was located shall conform to the provisions herein.

.03 If any such structure is damaged or partially destroyed by fire, explosion or other casualty or act of God to the extent of not more than 50% of its market value at the time when the damage occurred, such structure may be restored and the previous use activity continued subject to all other provisions of this section, EXCEPT, the provisions of Section 22 shall apply and, if the site is in a flood hazard area, the provisions of Section 21 shall apply to all reconstruction.

.04 If such use activity is discontinued for twelve (12) consecutive months or more, any future use of the premises shall conform to this Master Program.

.05 Upkeep, repair and maintenance of such nonconforming structures is permitted.

.06 Such structures or use activities, or adjuncts thereof, which are or become nuisances shall not be entitled to continue as nonconforming uses.

.07 Except as provided under provision 28.02.06, any structure or use activity which has been permitted as a conditional use or as a variance shall be considered a conforming use.

SECTION 29 - MISCELLANEOUS

29.01 Amendments

.01 The provisions of this Master Program, including the Shoreline Map, may from time to time be amended by the BOARD as provided under the Act (RCW 90.58.190). However, no amendment may be acted on by the BOARD until a public hearing in relation thereto has been held by the COMMISSION at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in one or more newspapers of general circulation in Pacific County.

.02 Amendments, excluding amendments to the Shoreline Map, may be initiated by: the adoption of a motion by the BOARD requesting the COMMISSION to set a hearing date on
a proposed amendment; or, a recommendation by the Administrator to the BOARD requesting such a motion; or, an action by the COMMISSION to set a hearing date on a proposed amendment, or a recommendation by the Administrator to the COMMISSION requesting such action.

.03 Amendments to the shoreline Map may be initiated as specified under provision 29.01.02 or by a verified application of one or more owners of property which is proposed to be redesignated.

.04 Following completion of the hearing, the COMMISSION shall take action to recommend approval of or to deny an amendment on the basis of information of the same nature as described under provision 26.10.02. When the COMMISSION'S action is to recommend denial of an amendment, the Administrator shall within fourteen (14) days from the date of the action on such matter notify the applicant by mailing a notice of the action of the COMMISSION to the applicant at the address shown on the application. If the action of the COMMISSION is to recommend approval of an amendment, a copy of the action together with the findings of considered by the COMMISSION to be controlling shall be forwarded to the BOARD within fourteen (14) days of said action.

.05 At the next regular public meeting of the BOARD following the filing of the COMMISSION'S recommended approval of an amendment the BOARD shall set the date for a public meeting to consider the recommendation of the COMMISSION.

.06 The action of the COMMISSION in denying an application for an amendment shall be final and conclusive unless an appeal is filed as provided for under provision 29.01.07.

.07 An action of the COMMISSION on an amendment may be appealed by an applicant or any aggrieved person provided such appeal is filed within twenty-four (24) days from the date of the COMMISSION'S action. Such appeal shall be on an appeal form provided by the Administrator and shall be addressed to the BOARD but filed with the Administrator.

.08 The Administrator shall advise the BOARD of the filing of the appeal and shall, prior to the consideration of such appeal by the BOARD, file with the BOARD a report containing the findings and recommendations upon which the COMMISSION'S action was based.

.09 Enactment of a resolution by the BOARD approving an amendment shall constitute final action. When the action of the BOARD is to deny a request for an amendment, the adoption of the motion shall constitute final action. Written notice of the action shall be forwarded to the
such appeal is filed within twenty-four (24) days from the date of the COMMISSION'S action. Such appeal shall be on an appeal form provided by the Administrator and shall be addressed to the BOARD but filed with the Administrator.

.08 The Administrator shall advise the BOARD of the filing of the appeal and shall, prior to the consideration of such appeal by the BOARD, file with the BOARD a report containing the findings and recommendations upon which the COMMISSION'S action was based.

.09 Enactment of a resolution by the BOARD approving an amendment shall constitute final action. When the action of the BOARD is to deny a request for an amendment, the adoption of the motion shall constitute final action. Written notice of the action shall be forwarded to the Administrator to be attached to the permanent file of the case. The Administrator shall notify the applicant of the final action of the BOARD.

.10 No amendment passed by the BOARD shall become effective until approved by the Department of Ecology, as required under RCW 90.58.190.

29.02 Rules - The BOARD is authorized to adopt such rules as are necessary and appropriate to carry out the provisions of this Master Program.

29.03 Severability - If any provision of this Master Program or its application to any person or legal entity or circumstances is held invalid, the remainder of the Master Program, or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

29.04 Approval
Approved by the Board of County Commissioners on this 19th
day of May, 1985, and signed in authentication of its passage.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Chairman of the Board

Commissioner

Attest:
ap

Clerk of the Board

Approved by the Washington State Department of Ecology on this
day of , 1985, and signed in authentication of its passage.

Signature, Official
APPENDIX 1

The Designation of Environments, Note #1

The task at hand is to designate all Pacific County shorelines which fall under jurisdiction of the Act into one or another of the four environmental categories - natural, conservancy, rural, and urban. These categories have been defined by the Department of Ecology in its Final Guidelines (pp. 4 and 5). In abbreviated form these definitions are as follows:

1) natural
"relatively free of human influence...Any activity which would change...the existing situation would be desirable only if such a change would contribute to the preservation of the existing character. The primary determinant for designating an area as a natural environment is the ...presence of some unique natural or cultural features considered valuable in their natural or original condition which (is) relatively intolerant of intensive human use."

2) conservancy
"to protect, conserve and manage existing natural resources and valuable historic and cultural areas in order to ensure a continuous flow of recreational benefits to the public and to achieve sustained resource utilization...examples of uses that might be predominant in a conservancy environment include diffuse outdoor recreation activities, timber harvesting on a sustained-yield basis, passive agricultural uses such as pasture and range...conservancy would also be the most suitable designation for those areas which present too severe biophysical limitations to be designated rural or urban..."

3) rural
"to protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines,...and maintain open spaces and opportunities for recreational uses compatible with agricultural activities...rural is intended for those areas characterized by...or having a high capability to support...agricultural practices and intensive recreational development. New developments in a rural environment are to reflect the character of the surrounding area by limiting residential density, providing permanent open space and by maintaining adequate building setbacks from the water..."
4) **urban**

"to ensure optimum utilization of shorelines within urbanized areas by providing for intensive public use and by managing development so that it enhances and maintains shorelines for a multiplicity of urban uses. The urban environment is an area of high intensity land use including residential, commercial and industrial development. (It) does not necessarily include all shorelines within an incorporated city...Because shorelines suitable for urban uses are limited, emphasis should be given to development within already developed areas...priority is also to be given to planning for visual and physical access (by the public) to water in the urban environment...industrial and commercial facilities should be designed to permit pedestrian waterfront activities".

These definitions have been used already to guide the preparation of the use regulations included in the Program. This means that there already exists a series of regulations designed for those shorelines which we decide to designate natural, another series of regulations for "shorelines" we will designate conservancy, another for rural shorelines and one for urban. Thus, looking over each series of regulations, we can get a further idea of what each kind of shoreline will be like according to how and to what degree it will be regulated.

Once familiar with what each designation will mean in practical, concrete terms, the question is which types of county shorelines should be given which designation? The staff suggests the following guidelines to help us answer this question.

1) Kinds of shorelines which we might designate natural are those which are valuable in their present condition because they are rare, unique, especially beautiful or of great historical or archeological importance such that it wouldn't be worth changing their present condition or function. For example:

   a) a shoreline of old growth timber
   b) Leadbetter Point and other important wildlife areas
   c) a publicly-owned shoreline which is almost untouched at present
   d) those tidelands and tidal marshes which are valuable in their natural state
   e) unstable steep slopes
   f) certain water supply watershed areas
   g) a protective strip of duneland
2) Kinds of shorelines which we might designate conservancy are those where the permitted uses do not drastically, permanently or irreversibly change the character of the shoreline. Such uses would include timber harvesting, low-density residential development, low-intensity recreational uses, agriculture (where the land is largely cleared already and not extensive additional clearing is required), and any other uses which may have noticeable but not permanently overwhelming impact. For example:

a) all shorelines where timber harvesting is, has been or is anticipated to be practiced

b) shorelines where there are opportunities for low-intensity recreation

c) shorelines where there is low-density year-round or summertime habitation

d) unprotected flood plain areas

e) tidelands not designated as natural

f) stream beds, except for those adjacent to urban environments.

3) Kinds of shorelines that we might designate rural are those which are being used for have the capacity to be uses for farming, for residences, for various kinds of recreational facilities including boat-launching ramps, resorts, tourist-serving commercial facilities, etc. For example:

a) farmland and diked tideland along the Willapa River and Bay and other rivers draining into the Bay

b) the unincorporated stretches of the Long Beach Peninsula where residential use exists or is planned, except near existing areas of urban density and except for a protective strip of duneslands

4) Kinds of shorelines that we might designate urban are those where there already is a diversity of high density uses those which could support intensive and varied use. Such shorelines would include:

a) most of the presently incorporated shorelines except perhaps those areas within municipalities which there is a common desire to preserve for low-intensity and/or recreational uses.

b) non-incorporated shorelines where urban densities exist or are expected to exist in the near future.
APPENDIX 2

The Designation of Environments, Note #2

Note #1 summarized the definitions of the four environments and also suggested some guidelines, which were generally accepted, for deciding which types of shorelines should go into which environments. This note describes how we have made tentative designations and shown them on maps.

The nature of the shoreline varies both along and perpendicular to the shore. Areas which are submerged daily, several times a year, seldom or never must be distinguished. Areas behind a dike must be distinguished from undiked areas; low lying land from well drained upland; and so on. Marshy lands, such as those around the mouths of the Bone or Niaxiakum Rivers, are vital to maintaining the productivity of offshore oyster beds as well as being useful for agriculture. Dikes lands and river valley lands are valuable for pasture. Much land on the Peninsula is suitable for development but is unlikely to achieve urban densities in the forseeable future. Those are just some examples that come to mind.

Because of complexities of the kind mentioned above, we have divided the conservancy and rural designations into several subcategories. Those subcategories give an indication as to why a particular shoreline is put into the conservancy ("C") or rural ("R") designation. The subcategories are on the maps only for informational purposes; the regulations do not include subcategories. The subcategories are described in the following table. An example of the map notation follows the table.

Map designations are as follows:

<table>
<thead>
<tr>
<th>Map Symbol</th>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. N</td>
<td>Natural</td>
<td>(see Appendix 1)</td>
</tr>
<tr>
<td>2. C</td>
<td>Conservancy</td>
<td>(see Appendix 1)</td>
</tr>
<tr>
<td>(C₁)</td>
<td>Conservancy</td>
<td>Some public recreational land; private land which appears very unsuitable for most development due to slope, slide areas, regular flooding, etc.; land not coming under C₂ or C₃.</td>
</tr>
<tr>
<td>(C₂)</td>
<td>Conservancy</td>
<td>Land which is very important to the production of food products (for man) in its natural state—such as marshy, undiked pasture or scrub lowlands along the Bay and tidal waters. Food products, in this case, includes both those resulting from its use as pasture and those result-</td>
</tr>
</tbody>
</table>
ing from the land's contribution of nutrients to the Bay's marine life--oysters, crabs, shrimp, clams, etc.--and to waterfowl.

(C3) Conservancy

Land which is very important to the production of forest products--primarily upland timber.

3. R Rural

(See Appendix 1)

(R1) Rural

Land suitable for (or in) development for intensive recreational uses, for homesites, or other forms of development, but which is neither at urban density now nor likely to reach urban density in the foreseeable future. Land not coming under R2.

(R2) Rural

Agricultural land important to the production of food products in its improved state--such as diked pasture and farmlands in the river valleys.

4. U Urban

(See Appendix 1)

NOTE: Those shorelines not specifically designated on a map are placed in the conservancy environment.
The approach shown at top would be preferred if we had large scale maps available and if the area of jurisdiction of the Act could be clearly and accurately designated on them. Neither condition holds true so we have adopted the bottom approach to delineate environments along and perpendicular to the shore.
APPENDIX 3

PACIFIC COUNTY
SHORELINE MASTER PROGRAM - SHORELINE MAP

ENVIRONMENTAL DESIGNATION MAPS--DETAINED

The attached maps show into which environment--natural, conservancy, rural or urban--each mile of shoreline in Pacific County has been designated. Appendix 1 and Appendix 2 explain the approach used to designating and mapping these shorelines. The attached maps do not show all areas under the jurisdiction of the Shoreline Management Act of 1971. Those shorelines not specifically designated by map are placed in the "conservancy" environment.

The maps are arranged in the order given below:

Index
Map A
7
9
10
12
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17
21
17, 18, 23, 24
26
27
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32
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46
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49
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54
55
57
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83
83A
83B
84
85
86
87
91
94
Columbia River Segment Map 1 of 2
" " Map 2 of 2
Areas that are not covered by a numbered map contain shorelines of the state that are designated conservancy.
MAP A
see Section 23

LONG BEACH PENINSULA -- OCEAN SIDE
(Schematic map with east-west scale expanded)

1" = 400'

1" = 10,000

PACIFIC OCEAN

MAP NO. 28, 51, 57, 79, 33, 61
APPROX. SETTLEMENT LINE
WESTERN BOUNDARY OF UPLAND OWNERSHIP (WBO)

SEASHORE CONSERVATION LINE
DUNE GRASS LINE
HIGH TIDE
EXTREME LOW TIDE

STATE PARKS
PROPOSED SETBACK
(LARGE PRIVATE OPEN LANDS)

1" = 10,000'
MHH = Mean Higher High Tide (Tidal)
MHW = Mean High Water (Not Tidal)
APPENDIX 5

BACKGROUND,
COLUMBIA RIVER SEGMENT

INTRODUCTION
This Background Material is hereby incorporated into the Pacific County Shoreline Master Program by reference.

SECTION 1 COLUMBIA RIVER SEGMENT PLAN

1.01 MAJOR ISSUES AND DECISIONS

The shoaling problem in Baker Bay and its impacts on navigation and the viability of the Ports of Ilwaco and Chinook are overriding issues. Other important issues include: 1) Public access to the shoreline, 2) location of dredged material disposal sites, 3) protection of natural habitat, 4) potential impacts of mining and mineral extraction.

The Baker Bay Plan attempts to provide adequate area for future development while conserving and protecting important natural resources.

1.02.01 KNAPPTON/FRANKFORT

This area includes shoreland and aquatic areas east from the Astoria-Megler bridge to the Pacific-Wahkiakum county line.

Salmon, sturgeon and other fish species are common. The north channel adjacent to this area is a migration route for salmon. Primary and secondary plankton production in the water column is seasonally high.

There are a few marshes and tideflats between Knappton and Rocky Point and several shallow areas have been cut off by the highway causeways. Circulation is vigorous and flushing excellent, except in the shallow areas cut off by the highway, where it is poor. The shoreline is exposed to wind and wave erosion and has been rip-rapped extensively.

Shorelands are forested. Elk, deer, bear, and bald eagles are relatively common. The soils are mostly Bunker on steep slopes. There are some Nuby soils and filled lands that are subject to flooding.

Existing land and water uses include residences, commercial and sport fishing, pleasure boating, and forest management. Corporate timber companies own most of the shorelands with the exception of other private and state (Frankfort) holdings. Tidelands are in private hands except near Portugese Point where the Washington State Department of Natural Resources manages state tidelands.
There is no development pressure. In the future, there could be increased demand for shoreline access. Conflicts in this area relate to timber management. Logging may increase sedimentation and displace wildlife, including bald eagle nests.

Two areas that have potential for recreational access are identified. The first is an outcropping on the west end of Hungry Harbor. The second is the boat ramp at Knappton's old saw mill site.

1.02.02 McGowan

This area includes shoreland and aquatic areas from the Astoria-Megler bridge west to include Chinook point. Most of Fort Columbia State Park is included.

Fish support is moderate to high. Aquatic areas include beaches and water areas along the north channel. Water depths range to 50 feet along the channel and the beach slope is relatively steep. The beach is composed of coarse, sand sediments with gravel and larger rock. Tidal currents are strong and flushing action rapid. These areas support shell-fish plankton and other aquatic animals, including salmon, sturgeon, starry flounder and juvenile crab. Benthic populations are probably low to moderate. There are small fringes of marsh vegetation along the protected portions of the beach.

Shorelands include steep forested land and some flat land around McGowan. Bunker and Satsop soils predominate in the steep area and Ocosta soils occupy the flat areas. Wildlife values are moderate but the highway running along the shoreline creates a barrier. Deer, elk, bear, bald eagle, hawks, waterfowl, and small mammals are relatively common in the area. Shoreland hazards include slides and erosion.

U.S. Highway 101, is the predominant feature. Land and water uses include commercial and sport fishing, recreational boating, forest management, and State Park usage.

Tidelands are nearly all in private ownership, except for state owned areas around Chinook Point. Shoreland ownership is private around McGowan and corporate in the forested portions. The beach in this area gets some recreational use. Parking is limited.

There is little development pressure or potential in this area. Excepting McGowan, very little buildable land exists. Development constraints such as a high water table limit development. Fort Columbia State Park is a historical and recreational resource. Improvement of its facilities, consistent with maintaining the natural, scenic character is desired.
The area includes the unincorporated Town of Chinook and aquatic areas of Baker Bay. A junior taxing district, the Port of Chinook, is included.

Fish support value is moderate to high. Wetland vegetation west of the mooring basin provides primary production and marsh habitat. Tidal flats and subtidal areas have high benthic production. Oligochaetes (worms) and clams are abundant. A sandy beach exists east of the basin. A large tract of freshwater wetlands north of the town has developed from beaver dams, siltation of the Chinook River and installation of a tidegate near the river mouth. Except for the navigation channel, aquatic areas are shallow. Water circulation is dependent on winds and tides. Their patters are poorly known. Flushing, also dependent on winds and tides, is good. Water quality in the basin fluctuates seasonally depending on the amount of fish wastes and boat traffic.

Soils include Westport and Yaquina associations, and filled land. A filled area to the east of the basin is a stockpile site for dredged material disposal. Soils have a high potential for flooding and erosion. They are characterized by a seasonally high water table.

To the north wildlife value of the shorelands is moderate. Deer, beaver, and other small mammals inhabit the area.

The unincorporated town and the port exhibit residential, commercial, and industrial uses along with boat moorage, navigation, and dredged material disposal. The Port of Chinook moorage facility is the third largest in the estuary, with a capacity of 323 vessels.

The Port of Chinook has significant potential for expansion. The Port's short-range plans call for additional moorage facilities within the existing basin. Long-range plans include an expanded basin, additional service facilities, and a barge unloading area.

The planning process included extensive discussion of the appropriate areas for Port expansion. The draft plan provided for expansion only to the west of the existing facilities. After consideration of the natural resource values and other factors, the expansion area was reduced on the west and some area was added to the east.

Severe shoaling problems throughout Baker Bay threaten the navigation channel into the Port of Chinook. Dredging occurs more frequently and is increasing in cost. The disposal of dredged material is a growing problem.
The conversion of Chinook Park to overnight use has resulted in heavy use by tourists and complaints from local residents that they can no longer enjoy the park.

1.02.04 CHINOOK RIVER

This area covers the 100 year flood plain of the Chinook River and includes marshes along the North shore of Baker Bay.

The fisheries resource consists mostly of warm water fish in the Chinook River and its tributaries and salmon raised at the Sea Resources hatchery. Wetlands exist adjacent the Chinook River and along Baker Bay between the Chinook River Bridge and town. The river is navigable by small boats for most of its length. River discharge is controlled by a tidegate at U.S. Highway 101.

Shorelands in this area consist of tideland soils. These are Ocosta, Westport, Yaquina, and Rennie associations. High erosion and flood potential exist. The shorelands are in agricultural use with limited forest acreage. The Ocosta and Rennie soils are excellent agricultural soils. Deer, elk, and smaller animals, frequent the area.

Existing uses include agriculture, rural housing, recreation and an abandoned industrial site at the mouth of the Chinook River. This area receives recreational usage by hunters and those who enjoy watching wildlife.

Issues and Findings

There is little pressure but, the potential exists for industrial and residential development. Mineral leases are let below mean high tide (MHT). The existing industrial site is somewhat incompatible with adjacent trailer parks and rural housing.

The peninsula at the mouth of the Chinook River between Highway 101 and Baker Bay has potential as a possible park or water front access point. This location would offer both visual and physical access to Baker Bay and tidal wetland.

1.02.05 BAKER BAY

The Baker Bay hydraulic system is complex and poorly understood. Prior to construction of the south jetty in the 1890's, Baker Bay was an open water environment very exposed to winds and waves. Sheltered anchorage and deep water existed in the lee of Cape Disappointment; most of the bay was navigable. Construction of the south and north jetties caused very nearly its present topography 1910; shoaling continued to move northward for another 30 years. The area between Chinook Point and Chinook has always been shallow, but, like the rest of the bay, this area has shoaled considerably.
Following construction of the Chinook Jetty and Sand Island dikes in the 1930's, Sand Island began to erode and breach. The gap between the islands appeared in the early 1940's and has gradually become the entrance, through which most of the tidal exchange occurs. This process may have been accelerated by the construction of Jetty A in 1939.

There is a sand transport system that extends from Chinook Point to the seaward end of big Sand Island. There are two gaps, the Chinook Channel and the breach between the islands. Judging from shoaling on the east side of the Chinook channel and erosion along little Sand Island to the west, sand transport east of Chinook Channel is toward the mouth of the river. The transport along big and little Sand Islands is not unidirectional. During storms, it is upstream, while river currents cause downstream transport. This pattern is complicated by the pile dikes. Some sand may also be transported into the bay through the gaps.

The existence of the three entrances makes water circulation very complex and the maintenance of navigation channels difficult. Because the breach in the islands is the major entrance, the scouring action in the navigation channels is comparatively weak. As the understanding of the bay improves, realignment of the channels through the gap may occur.

The interior of the bay has changed with jetties and other protective improvements. Material in the bay ranges from sands in the channels to mixed sands, silts and clays on the flats at the northern part of the bay. The bar extending west from Chinook Point is hard sand. It is speculated that sedimentation of fine material results from flocculation. The silts and clays carried by the fresh river water precipitate when it is diluted by saline sea water. This shoaling mechanism may have operated in a different location before the maintenance of the Columbia River entrance channel at a depth of 48 feet as opposed to the natural depth of 20 to 30 feet. The greater channel depth allowed a greater volume of salt water to enter the bay. Little is known of the earlier biology of Baker Bay, except that it was filled with migrant salmon. Fish traps were very profitable.

Primary organic production is very high in the water column and in the surrounding marshes. A small Salicornia (pickleweed) marsh has formed on the northern side of Sand Island. Other large marshes have formed around large Sand Island, and the marshes through the bay appear to be expanding as the bay shoals. Secondary organic production include clams, polychaetes, oligochaetes, crab, and sand shrimp. Some fish found in this area include juvenile salmon, juvenile starry flounder, and juvenile Dungeness crab.
There are two authorized navigation channels into Baker Bay. The Chinook Channel extends 1.3 miles from the Columbia River Channel to the Chinook Basin. It is authorized at 10 feet deep and 150 feet in width. Shoaling problems are severe; the worst shoal encroaches from Chinook Point to the east, opposite little Sand Island.

The Baker Bay West Channel follows a circuitous course from Jetty A to the Port of Ilwaco. The first half mile of the authorized channel is 10 feet deep and 200 feet wide; the remaining 2.7 miles to the Port is 10 feet deep and 150 feet wide. The channel has a moderate shoaling problem, with the worst shoals at the seaward end and at the final turn into Ilwaco.

The Sand Islands have a moderate wildlife value as a nesting and resting area for gulls and Caspian terns. The most important area is the western end of Little Sand Island.

The shorelands of the large Sand Island have limited pasture value. There is a grazing lease with the Corps of Engineers. Aquatic uses include crabbing, fishing, and boating.

Alterations are extensive in Baker Bay. Several thousand pilings from old fish traps remain. The Chinook Jetty and the pile dikes along the southern shore of the island were built to direct river flow to the main navigation channel and prevent erosion of the island. Also the southern shore of little Sand Island was rip-rapped. The remains of a pier and railroad bed used to unload the material remain on little Sand Island.

Issues and Findings

Conflicts include impacts on aquatic and terrestrial habitat of dredging, dredged material disposal, and black sands mining.

The mineral rights to most of Baker Bay have been leased for black sands mining. This mining would have unknown impacts on the hydraulics and the biological productivity of the bay.

1.02.06  WALLACUT RIVER

This area covers the 100 year flood plain of the Wallacut River. It includes the aquatic areas of the river, and adjacent marsh along Baker Bay.

The fisheries resources consists mostly of warm water fish. Water depths in the river are shallow. River flow is controlled by a tidegate near the mouth and is significantly affected by vegetation in the water.
Most shorelands consist of tideland soils. These are Ocosta, Westport, Yaquina, and Rennie associations. Soil characteristics are high erosion and flood potential. The Ocosta and Rennie soils are excellent agricultural soils (Classes III and IV).

Uses include agriculture, housing and trailer parks. Vandalia, a large scale housing development is being built to the north and west of the airfield. The tideland soils are used extensively for agriculture. Remnants of dikes remain along the Wallacut River, but are no long maintained.

Issues and Findings

The area has significant development potential and growth pressure from the adjacent Town of Ilwaco. Development plans for Vandalia call for high density housing to the west of the airport. Areas immediately east of Ilwaco have a moderate to steep slope. Development should proceed cautiously in order to avoid erosion and slides.

1.02.07 FORT CANBY NORTH

This area includes the shorelands from the northern boundary of the state park boat launch to Ilwaco city limits. The water boundary is the western edge of the entrance channel.

Primary production is high along the shoreline marshes, while secondary production is high in the flats. Extensive sedge and bulrush marshes have developed in the smaller embayments and have been intensively studied. Water depths are extremely shallow between the marshes and the channel.

Shorelands include forested areas. Bird and wildlife values are high and include deer and smaller furbearers. Soils in this area are Yaquina and Zenker associations, and slopes are moderate to steep. Some very old forest exists along the shoreline, predominantly Sitka spruce.

Existing land and water uses include boating and fishing. Adjacent uses include park development, Coast Guard operations, and the developed area in Ilwaco. Tidelands are owned by the Department of Natural Resources or State Parks. The shorelands are owned by the state and federal governments.

1.02.08 CAPE DISAPPOINTMENT

This area extends from the tip of the North jetty, east to the western side of the entrance channel. The shoreland area, all of which is in Fort Canby State Park or the Coast Guard Base, includes 200 feet of Benson Beach north of the Jetty A, and the shorelands of Baker Bay north to the northern boundary of the state park boat launch. Aquatic areas include portions
of Baker Bay west of the navigation channel between Jetty A and the northern boundary of the area; the waters between Jetty A and the North Jetty in the main Columbia River; minor sloughs and wetlands behind the North Jetty.

Plankton populations, Benthic production and fish support values are high, both in Baker Bay and in the Columbia River portions of the area. Recreational and commercial crabbing is popular south and west of Cape Disappointment; recreational fishing is popular off the North Jetty.

Water depth ranges from tidal flats east of Jetty A to more than 60 feet off the tip of Jetty A. The Columbia River side is dynamic; currents are strong, wave action is significant, sediments are coarse, and the water is deep. This area is adjacent to the main entrance channel and small boats sometimes run along the North Jetty for protection. The Baker Bay side of the channel is protected by Jetty A and Cape Disappointment. Sediments become progressively finer north along the channel. There is a shoaling problem in the outer part of the Baker Bay West Channel, just inside Jetty A.

Shorelands include Benson Beach, the rocky promontories of Cape Disappointment, and accreted land east of Jetty A. Wildlife value is high in the state park area for deer and smaller furbearing animals. On the cliffs, gulls, pelagic cormorants and other marine birds predominate. Soil associations include dune land (north of North Jetty and east of Jetty A) and Umbric Dystrochrepts (on Cape Disappointment). There is a potential flooding and erosion hazard on the dune land. Uplands are steep and rocky.

This area is entirely in public ownership. The State of Washington manages the state park which is on a long term lease from the Bureau of Land Management and the U.S. Corps of Engineers. The federal government owns Cape Disappointment. Existing land and water uses include fishing, boating, shipping, state park recreational activities, and a Coast Guard rescue facility which includes both operations and housing.

Issues and Findings

The Coast Guard will be expanding its dock facility at its present location. This project may involve limited filling and placement of piling. Other potential developments aside from those proposed by the Coast Guard would depend on future plans in the state park. Provision has been made for expansion of parking facilities at the North Jetty.
SECTION 2 DREDGED MATERIAL DISPOSAL PLAN

2.01 BAKER BAY PROJECTS

Baker Bay projects includes federally authorized navigation channels maintained by the Corps of Engineers at Ilwaco and Chinook, and mooring basins maintained by the ports of Ilwaco and Chinook. Included in this discussion of existing projects are future channel and basin improvement plans.

2.01.01 BAKER BAY WEST CHANNEL

The federally authorized project consists of a westerly channel, 10 feet deep, 200 feet wide for 2,000 feet at the southerly end and 150 feet wide for 2.5 miles to the mooring basin at Ilwaco. The channel provides navigational access to the Port of Ilwaco, to the Coast Guard facility at Cape Disappointment and to a public boat ramp at Fort Canby. Shoaling normally occurs near the channel entrance between channel mile 0.3 and 0.5. Two shoals commonly occur at the lower end of the channel, between mile 2.2 and 2.5 and in the vicinity of channel mile 3.0, at the entrance to the Ilwaco boat basin. The range of tides at Ilwaco is approximately 8 feet, with an extreme range of 13 feet. The sediment in Baker Bay in the vicinity of the channel is classified as sand, silty sand, and silt. The average density of material ranges from 1,350 grams per liter (1,990 lbs per cubic yard), at the lower end of the channel, to 2,000 grams per liter (2,960 lbs per cubic yard), at the mouth of the channel. Generally, maintenance dredging is required on a continuing basis at the mouth of the channel, while maintenance requirements at the lower end of the channel have been minimal.

Periodic maintenance dredging for existing moorage and new construction dredging at the Coast Guard Station are required. This should have minimal effect on Baker Bay. Continued use of this facility is a public benefit. The Coast Guard has lease agreements to the land area east of Jetty A. Part of this area has potential for use as a dredged material disposal site (DMD Site 2S). Any future plans or proposed changes in the West Channel must consider the Coast Guard facility and its operational requirements.

Several dredging techniques have been used to maintain the West Channel. Propwash agitation has been used with limited success. The severity of shoaling at the mouth of the channel requires hopper dredging. The shoal at the entrance to the Ilwaco mooring basin, has been maintained by pipeline dredging. The Cape Disappointment dredged material is clean sand suitable for in-water disposal, while the Ilwaco Shoal dredged material consists of silty sediments, requiring disposal at upland sites. Mid-channel shoal materials have not been sufficiently characterized to determine the most appropriate method of dredged material disposal.
The Corps of Engineers has proposed improvements to navigational access to the Port of Ilwaco. Potential improvements include, realigning the mouth of the channel, deepening the existing channel to minus 16 feet MLLW, and dredging a straightened entrance channel to the Ilwaco mooring basin. The latter entails dredging of a limited amount of intertidal estuarine habitat. These channel improvements will require upland dredged material disposal areas for initial excavation and continuing maintenance dredging. Dredged material disposal sites identified on Sand Island will be appropriate for disposal needs.

Future maintenance dredging at the mouth of the West Channel should be accomplished with hopper dredging equipment, disposing of dredged materials in-water. Continued maintenance of mid-channel projects depths by propwash agitation will require review as additional information becomes available. Circulation and sedimentation patterns are of concern.

**BAKER BAY WEST CHANNEL—DREDGING AND DREDGED MATERIAL DISPOSAL REQUIREMENTS**

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount Dredged</th>
<th>Site</th>
<th>Capacity</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mid-Channel</td>
<td>20,000 cy/yr</td>
<td>E(0)</td>
<td>Ocean Disposal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100,000 cy/5 yr</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>400,000 cy/20 yr</td>
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<tr>
<td>Ilwaco Shoal</td>
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<td></td>
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<tr>
<td></td>
<td>200,000 cy/20 yr</td>
<td>5(S)</td>
<td>1,520,000 cy/10'</td>
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<td>Cape Disappointment Shoal</td>
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<td>E(0)</td>
<td>Ocean Disposal</td>
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<tr>
<td></td>
<td>400,000 cy/20 yr</td>
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<tr>
<td>Channel Improvements</td>
<td>300,000 cy initial</td>
<td>3(S)</td>
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<tr>
<td>(minus 16 feet MLLW)</td>
<td>excavation</td>
<td>4(S)</td>
<td>1,280,000 cy/10'</td>
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</tr>
<tr>
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<td>(maintenance re-</td>
<td>5(S)</td>
<td>1,520,000 cy/10'</td>
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</tr>
<tr>
<td></td>
<td>quirement unclear)</td>
<td>E(0)</td>
<td>Ocean Disposal</td>
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</tr>
</tbody>
</table>

1/ Sites described in Columbia River Estuary Regional Management Plan.

2.01.02 **CHINOOK CHANNEL**

The federally authorized project at Chinook provides for a channel 10 feet deep and 150 feet wide running northerly from the head of Sand Island to the Port of Chinook. The channel, at the entrance to the Chinook mooring basin, includes a turning basin with a maintained depth of minus 10 feet MLLW. The federally maintained channel is approximately two miles in length. Extensive shoaling occurs throughout the channel, requiring frequent maintenance dredging. Contract pipeline, hopper, and propwash dredging equipment have been used in the Chinook Channel.
Channel material, from the entrance at San Island to Mile 1.1 is clean and silty sand, with a density of approximately 1,960 grams per liter (2,960 lbs per cubic yard), and is suitable for in-water disposal. Generally, the Corps of Engineers maintains the outer reach of the Chinook Channel with hopper dredging equipment, with disposal in-water. Sediments found in interior reaches of the channel are characterized as slightly contaminated silty sand and silt, with a density of approximately 1,220 grams per liter (1,910 lbs per cubic yard). The spoils require upland disposal. These sediments have been removed by pipeline dredging equipment in past years and spoiled at Sand Island. The extensive shoals on the east and west sides of the Chinook Channel, together with a crosscurrent, make maintenance dredging operations difficult. Recent maintenance operations have restored project depths throughout the channel and deepened the turning basin, allowing turning by small hopper dredges. The Corps anticipates that future maintenance will be accomplished entirely with hopper equipment. Disposal of material removed by hopper dredging plant will be in-water. No changes in the dimensions of the federally authorized channel are anticipated; however, realignment of the outer portion of the Chinook Channel is under consideration in the interest of reducing maintenance dredging.

### CHINOOK CHANNEL—DREDGING AND DREDGED MATERIAL DISPOSAL REQUIREMENTS

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount Dredged</th>
<th>Site</th>
<th>Capacity</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outer Channel (Mile 0 to 1.1)</td>
<td>45,000 cy/yr</td>
<td>D(E)</td>
<td>Estuary Disposal</td>
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<td>225,000 cy/5 yr</td>
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<td>900,000 cy/20 yr</td>
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<tr>
<td>Inner Channel (Mile 1.1 to Mooring Basin)</td>
<td>Approximately-- 300,000 to 400,000 cy averaged for five years</td>
<td>9a(S)</td>
<td>Full</td>
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<td></td>
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<td>D(E)</td>
<td>Estuary Disposal</td>
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</table>

1/ Sites described in Columbia River Regional Management Plan

2.01.03 PORT OF CHINOOK

The Port of Chinook operates a mooring basin at the head of Chinook Channel, providing berths for approximately 300 commercial fishing and recreational vessels. Use of the moorage basin is heaviest during summer months and gillnet season openings. The Chinook Packing Company operates a fish receiving station and cannery on uplands adjacent to the Port of Chinook mooring basin. The Chinook basin is the third largest port in the lower estuary and provides access to the mouth of the Columbia River via the north channel.
The present mooring basin at Chinook is approximately 500 feet by 600 feet, with depths to 18 feet near receiving docks. Maintenance dredging of the mooring basin is accomplished by a small port-owned hydraulic dredge, capable of removing up to 20,000 cubic yards of sediment annually. All dredged material is spoiled at an upland site 10S east of the basin. Site 10S serves as a retention area, since materials deposited behind berms at the site are removed following dewatering for local use as fill material.

Future expansion by the Port of Chinook is constrained. The dredged material disposal area limits expansion to the east, while the Chinook packing plant and tidal marsh adjacent to the west are obstacles to enlarging the basin along the shoreline to the west.

The present breakwater would require relocation if basin expansion were to extend to the south. Present disposal site arrangement are adequate for maintenance of the existing basin, provided the local demand for fill material continues to restore the capacity of site 10S. Construction dredging for expansion, and accompanying increased maintenance dredging requirements, would necessitate designation of additional upland disposal areas.

PORT OF CHINOOK--DREDGING AND DREDGED MATERIAL DISPOSAL REQUIREMENTS

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount Dredged</th>
<th>Site 1/</th>
<th>Capacity</th>
<th>Priority</th>
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<tr>
<td>Mooring Basin</td>
<td>5,000 to 10,000</td>
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<td>cubic yards per year</td>
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1/ Site described in Columbia River Regional Management Plan

SECTION 3  RESTORATION PLAN

3.01  SHOAL AREA RESTORATION

3.01.01  BAKER BAY

Extensive dredging and/or closing of the breach between Big and Little Sand Islands are proposed as possible restoration measures. Further research is needed on the hydraulics and biology of Baker Bay before action is taken to alter the shoaling problems in the bay. Other related restoration projects include removal of old fish traps and removal of the Chinook Jetty.

3.02  PILE DIKE REMOVAL

There are pilings which are relics of fish traps, docks, piers, fish processing facilities and other structures. Many
of these are harmless and are aesthetically pleasing reminders of earlier days. Some, however, present serious navigation hazards and contribute to shoaling.

Pile dikes to control erosion or to channel river water are numerous. Most perform effectively, but some are believed to be principal contributors to undesirable shoaling.

3.02.01 BAKER BAY - ABANDONED PILINGS

The remains of abandoned fish traps also contribute to shoaling and represent a navigation hazard. Systematic inventory and removal of pilings is recommended.

3.02.02 CHINOOK JETTY - (PROJECT 5 F)

The 3,500 foot flow control structure may be a major cause of shoaling in Baker Bay. Removal of the jetty may improve scouring; however, further research is needed.

3.03 FISHERIES ENHANCEMENT

Fishery enhancement projects to improve habitat and supplement existing or former fish runs is encouraged by policy and would be appropriate for many estuary tributaries. Examples of fishery enhancement projects include regravelling of streams to improve spawning habitat; removal or bypass of old tidegates, dams or waterfalls; construction of salmon-rearing ponds; and, work with state hatchery programs and lumber companies to improve stream habitat.

3.03.01 WALLACUT RIVER - (PROJECT 1F)

The Wallacut River is heavily silted. Chum salmon might be restored if the stream is dredged, areas near tidewater regravelled, and obstructions to fish passage by-passed or removed. Careful management of streamside vegetation will reduce siltation.

3.03.02 CHINOOK RIVER - (PROJECT - 2F)

Siltation of the Chinook River has reduced historical anadromous fish runs. Dredging to improve fish passage and removal or bypass of tidegates may improve the salmon fishery potential. Regravelling silted areas and stream management are also recommended.
nations on Shorelines

(19) The definitions and concepts set forth in RCW 90.58.030 also apply as used herein. [Statutory Authority: Chapter 90.58 RCW. 86-12-011 (Order 86-06), § 173-14-040, filed 5/23/86. Statutory Authority: RCW 90.58.200. 78-07-011 (Order DE 78-7), § 173-14-030, filed 6/14/78; Order DE 76-17, § 173-14-030, filed 7/27/76; Order DE 75-22, § 173-14-030, filed 10/16/75; Order 71-18, § 173-14-030, filed 12/16/71.]

WAC 173-14-040 Developments exempt from substantial development permit requirement. (1) The following developments shall not require substantial development permits:
(a) Any development of which the total cost or fair market value, whichever is higher, does not exceed two thousand five hundred dollars, if such development does not materially interfere with the normal public use of the water or shorelines of the state.
(b) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment.
Construction of the normal protective bulkhead common to single-family residences. A "normal protective" bulkhead is constructed at or near the ordinary high water mark to protect a single family residence and is for protecting land from erosion, not for the purpose of creating land. Where an existing bulkhead is being replaced, it shall be constructed no further waterward of the existing bulkhead than is necessary for construction of new footings;
(d) Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter;
(e) Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on wetlands, construction of a barn or similar agricultural structure, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels: Provided, That a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the wetlands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and or grazing, nor shall it include normal livestock wintering operations;
(f) Construction or modification of navigational aids such as channel markers and anchor buoys;
(g) Construction on wetlands by an owner, lessee or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the perimeter of a marsh, bog, or swamp. On a state-wide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; and grading which does not exceed two hundred fifty cubic yards (except to construct a conventional drainfield). Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program. Construction authorized under this exemption shall be located landward of the ordinary high water mark;
(h) Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of a single-family residence, for which the cost or fair market value, whichever is higher, does not exceed two thousand five hundred dollars;
(i) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands;
(j) The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;
(k) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on the effective date of the 1975 amendatory act which were created, developed or utilized primarily as a part of an agricultural drainage or dike system; and
(l) Any project with a certification from the governor pursuant to chapter 80.50 RCW.
(2) Exemptions shall be construed narrowly.
(3) Exempted developments authorized by local government shall be consistent with the policies and provisions of the act and the applicable master program. [Statutory Authority: Chapter 90.58 RCW. 86-12-011 (Order 86-06), § 173-14-040, filed 5/23/86. Statutory Authority: RCW 90.58.030, 90.58.120 and 90.58.200. 85-09-043 (Order DE 85-05), § 173-14-040, filed 9/8/88]
Shoreline Lot Width Requirement

CONSERVANCY ENVIRONMENT

12.40.01 Minimum lot width at the property line nearest high water shall not be less than 75 percent of the square root of lot area or 200 feet, whichever distance is greater.

RURAL ENVIRONMENT

12.60.01 Minimum lot width at the property line nearest high water shall be not less than 75 percent of the square root of the lot area or 140 feet, whichever distance is greater.

(note) For every 1 foot of shoreline width there must be 1.77 feet of length--divide the proposed width by .5625. Say the proposed width is 224.41 then

\[
\text{Width} \div .5625 = 400.00
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**Notes:**
- Tidal and Nontidal areal data are presented below for each level of permission.
- Tidal areas along the lower willamette below river mile 244.5 are presented in the associated plans.
- Nontidal areas are presented in the associated plans.