



douglas county

SHORELINE MASTER PROGRAM

Prepared for Douglas County
and the cities of
Bridgeport, East Wenatchee,
and Rock Island

By the

Douglas County Shoreline Management
Citizens Advisory Committee

and

Douglas County Regional
Planning Commission

Effective Date: February 20, 1975

WAC 173-19-170



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SHORELINE MASTER PROGRAM

SECTION I. INTRODUCTION

This Shoreline Master Program for Douglas County represents the collective efforts of a large number of citizens who share a desire to protect, preserve and utilize the valuable shorelines in Douglas County. It has been developed through many meetings and hearings, after hundreds of hours of staff and committee time, and after sorting through and

utilizing many ideas from a wide variety of sources. It is intended to guide shoreline development in Douglas County for the foreseeable future.

The members of the Citizens Advisory Committee dedicate this Master Program in the hope it will serve the best interests of the citizens of Douglas County and the State of Washington.

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SECTION III. DEFINITIONS

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

- “Act” means the Washington State Shorelines Management Act of 1971, 90.58 RCW.
- “Administrator” means the individual designated by the governing board to be responsible for administering the Act.
- “Conservancy Environment” means those areas, which, by reason of their physical and biological characteristics, should be used only by non-consumptive uses on a sustained yield basis while maintaining the existing character of the area.
- “Department” means the State of Washington Department of Ecology.
- “Development” means a use consisting of the construction or exterior alteration of structures, dredging, drilling, dumping, filling, removal of any sand, gravel or minerals, bulkheading, driving of piling, placing of obstructions, or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this Act at any state of water level.
- “Guidelines” means the “Final Guidelines, Shorelines Management Act of 1971”, adopted June 20, 1972 by the Department of Ecology, 173.16 WAC.
- “Master Program” means the Douglas County Master Program, the comprehensive use plan for the shorelines of Douglas County, including statements of goals and policies, use regulations, and any other text included in the Program.
- “Natural Environment” means those areas, which, by reason of their delicate and unique natural characteristics, should be preserved in their natural state, relatively free of human influence.
- “Ordinary high-water mark” means the mark on all rivers, lakes and streams that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long contained in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this Act, or as it may naturally change thereafter; provided, that in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark shall be ascertained by use of the more recent geological maps available.
- “Permit” means that required by the Act for substantial development on shorelines, to be issued by the government entity having administrative jurisdiction and subject to review by the Department of Ecology and the Attorney General.
- “Person” means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.
- “Rural Environment” means those areas, which because of their physical characteristics and present uses, are suitable for agricultural uses, are recreational uses compatible with the agricultural uses. It is intended to serve as a buffer zone between urban areas and protect these areas from intensive urban expansion.
- “Shorelines of the State” means the total of all “Shorelines” and “Shoreline of Statewide significance” within the state.
- “Shorelines” means all of the water areas of the state, including reservoirs, and their associated wetlands, together with the lands underlying them; except:
 - (1) Shorelines of statewide significance;
 - (2) Shorelines on segments of streams upstream of a point

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SECTION III. DEFINITIONS (cont.)

- where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and
- (3) Shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes.
 - “Shorelines of statewide significance” means the following shorelines in Douglas County:
 - (1) Those lakes, whether natural, artificial or a combination thereof, with a surface acreage of one thousand acres or more, measured at the ordinary high-water mark;
 - (2) The Columbia River; and
 - (3) Those wetlands associated with (1) and (2) of this subsection.
 - “Urban Environment” means those areas that are to be used for intensive development, such as commercial, industrial and residential. They are to provide for intensive public use of the shorelands, and development should be managed to insure quality as well as a high multiplicity of urban uses.
 - “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 rivers, lakes and streams which are subject to the provisions of the Act.

SECTION IV. GOALS

1. ECONOMIC DEVELOPMENT GOAL

To encourage the development of areas for shoreline-related industry in Douglas County, to broaden the tax base and more fully utilize the economic resources of the waterfront. Yet, at all times to assure that this utilization of resources is in harmony and consistent with the natural and human environments.

2. PUBLIC ACCESS ELEMENT GOAL

To provide for public access to the shorelines of Douglas County by upgrading existing public access and by providing additional access consistent with the natural features; to assure that this access is as safe as possible, will not have a detrimental effect on other shoreline uses or on the waters themselves, or infringe upon private property rights.

3. CIRCULATION ELEMENT GOAL

To create and maintain a comprehensive circulation system which provides for the safe, convenient, economic and diversified movement of

people, with minimum disruption to the shoreline area and environment.

4. RECREATION ELEMENT GOAL

To encourage the development of diverse, convenient and adequate recreational facilities along the shorelines of Douglas County, for the primary use of Douglas County residents. Also, to encourage the development of recreational facilities to attract and accommodate visitors, thus aiding economic growth.

5. SHORELINE USE ELEMENT GOAL

To assure that shoreline use and development in Douglas County is such that all uses are in harmony with each other and with the character and physical limitations of the land and water. To promote the best possible use of the shorelines which will maximize the potential without disrupting environmental quality.

6. CONSERVATION ELEMENT GOAL

To assure protection of the non-renewable shoreline resources of

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SECTION IV. GOALS (cont.)

Douglas County, and to assure continued utilization and sound management of the renewable shoreline resources, to guarantee their availability in sufficient quality and quantity in the future to meet all foreseeable needs.

7. HISTORICAL/CULTURAL ELEMENT GOAL

To protect and/or restore areas

having historical, cultural, educational or scientific values.

8. RESTORATION GOAL

To encourage, where feasible and desirable, the restoration of blighted areas along the shorelines of Douglas County to a natural or rehabilitated condition.

POLICIES AND USE REGULATIONS

SECTION V. AGRICULTURE

POLICIES

- A. Buffer zones should be maintained where needed between cultivated land and associated water bodies to retard runoff and protect the aquatic environment.
- B. Animal feedlots should not be permitted to locate on shorelines unless they can demonstrate no adverse environmental effects. Livestock waste should be disposed of in a manner that will prevent surface or ground water pollution.
- C. Erosion control measures, such as crop rotation, mulching, strip cropping, contour cultivation and sodding, should be used whenever possible and should conform with guidelines and standards of the Soil Conservation Service.
- D. Pesticides should be used, handled and disposed of in accordance with provisions of the Washington Pesticides Application Act (RCW 17.21) and the Washington Pesticides Act (RCW 15.57) to prevent contamination and sanitary problems.

involve no extensive clearing, construction or other operation, and those which will have no harmful ecological impact upon the area and which involve no alterations of the physical characteristics of the area.

5.20 - Conservancy Environment

Agriculture in the Conservancy Environment shall be restricted to those that involve no extensive clearing, construction or other operation that substantially changes the natural characteristics of the area.

5.30 - Rural Environment

Agriculture shall be permitted in the Rural Environment.

5.31 Livestock feedlots or confinement lots – any such operation which concentrates 10 or more head of mature livestock for feeding or confinement purposes – shall be permitted, subject to:

.01 Provide a minimum of 100 feet of vegetated area between the lots and the ordinary high water mark.

.02 Located away from natural watercourses and above the 20-year flood plain.

REGULATIONS

5.10 - Natural Environment

Agriculture in the Natural Environment shall be restricted to those practices that

SECTION V. AGRICULTURE (cont.)

.03 All wastes handled according to guidelines for livestock waste management found in "Livestock Waste Management Guidelines" (E.M.3479 Revised) Cooperative Extension Service, W.S.U.

5.32 Irrigated croplands and orchards shall be permitted, subject to:

.01 Fertilizers shall be applied with caution and not applied directly to the water surface.

.02 All pesticides shall be handled in accordance with provisions of the Washington Pesticides Application Act (RCW 17.21) and the Washington Pesticides Act (RCW 15.57).

5.40 - Urban Environment

Agriculture shall be permitted in the Urban Environment, subject to Section 5.32, and except for livestock feedlots, which are not permitted.

SECTION VI. AQUACULTURE

POLICIES

Aquaculture (popularly known as fish farming) is the culture of farming of food fish, shellfish, or other aquatic plants and animals.

- A. Aquaculture enterprises should be given encouragement as potential diversifying factors in the local economy.
- B. Recognition should be given to any possible detrimental impact aquaculture development might have on visual access and the general aesthetic quality of the shoreline area.
- C. Since aquaculture is still in the experimental stage, latitude should be allowed to foster its development.

REGULATIONS

6.10 - Natural Environment

Aquaculture shall be permitted in the Natural Environment, provided that its operations have no harmful ecological effects upon the natural characteristics of the area and that it involves no alterations of the natural characteristics.

6.20 - Conservancy Environment

Aquaculture shall be permitted in the Conservancy Environment, provided that it involves no major construction or other activity that would substantially alter the natural characteristics of the area.

6.30 - Rural Environment

Aquaculture shall be permitted in the Rural Environment, provided that the construction and operation of such facilities does not materially interfere with normal agricultural and recreational activities.

6.40 - Urban Environment

Aquaculture shall be permitted in the Urban Environment, but only as such facilities can be located and operated in harmony with surrounding urban uses.



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SECTION VII. FOREST MANAGEMENT PRACTICES

POLICIES

- A. Seeding, mulching, matting and reforestation should be accomplished where necessary to provide stability on areas of steep slopes that have been logged.
- B. Timber harvesting practices on shorelines of the state should be conducted to maintain the state board of health standards for public water supplies.
- C. Logging within shoreline areas should be conducted to insure the maintenance of buffer strips of adequate vegetation where needed to prevent temperature increases adverse to fish populations and erosion of stream banks.

REGULATIONS

7.10 - Natural Environment

Harvesting of timber in the Natural Environment shall be permitted only for the protection of existing timber from insects or less desirable growth or for clean-up and restoration following a fire or windstorm.

7.20 - Conservancy Environment

Harvesting of timber in the Conservancy Environment shall be permitted only within the provisions of Section 7.10.

7.30 - Rural Environment

Harvesting of timber in the Rural Environment shall be permitted, subject to compliances with WAC 76.08, Forest Practices, and subject to:

7.31 Logged slopes greater than 30 percent shall be replanted and ground cover restored.

7.32 Logging roads shall be provided with culverts, where necessary, to sustain natural watercourses. Logging roads shall follow natural contours where possible.

7.40 - Urban Environment

Harvesting of timber in the Urban Environment shall be permitted, subject to the provisions of Section 7.30.

SECTION VIII. COMMERCIAL DEVELOPMENT

POLICIES

- A. Priority should be given to those commercial developments which are particularly dependent on their location and/or use of the shorelines of the state and other development that will provide an opportunity for substantial numbers of people to enjoy the shorelines
- B. New commercial developments on shorelines should be encouraged to locate in those areas where current commercial uses exist.
- C. Commercial Developments not requiring shoreline locations should be encouraged to locate upland.

- D. An assessment should be made of the effect a commercial structure will have on a scenic view significant to a given number of people or to a given area.
- E. Parking facilities should be placed inland away from the immediate water edge and recreational area.



SECTION VIII. COMMERCIAL DEVELOPMENT (cont.)

REGULATIONS

8.10 - Natural Environment

Commercial development shall be prohibited in the Natural Environment.

8.20 - Conservancy Environment

Commercial development shall be prohibited in the Conservancy Environment except for those diffuse outdoor recreation activities which will not substantially alter the natural characteristics of the area, and subject to:

8.21 Any commercial structure shall be set back a minimum of 100 feet from the ordinary high water mark, or located a minimum of 25 feet in elevation above the ordinary high-water mark, whichever distance is greater.

8.22 No commercial structure shall be built higher than 35 feet.

8.30 - Rural Environment

Commercial development shall be permitted in the Rural Environment, provided it is dependent upon its shoreline location and provided it does not substantially alter the natural characteristics of the area, and subject to:

8.31 Any commercial structure shall be set back a minimum of 25 feet from the ordinary high water mark.

8.32 No commercial structure shall be built higher than 35 feet.

8.33 All parking shall be located outside of the 25-foot setback area.

8.40 - Urban Environment

Commercial development shall be permitted in the Urban Environment, subject to the provisions of sections 8.31, 8.32, and 8.33.

SECTION IX. MARINAS

POLICIES

- A. Design and development of marinas should conform to criteria established by the Washington State Department of Fisheries guidelines.
- B. Marinas should be designed in a manner that will be aesthetically compatible with adjacent areas.
- C. Shallow-water embayments with poor flushing action should not be considered for overnight or long-term moorage facilities.
- D. State and local health agencies have standards and guidelines for the development of marinas that should be consulted in the design of a marina.
- E. Marinas should be located near high-use or potentially high-use areas. Local as well as regional "need" data should be considered as impact in location selection.
- F. Fuel handling and storage facilities and operations should be designed to minimize spillage and methods for handling such spillage.

Marinas shall be prohibited in the Natural Environment.

9.20 - Conservancy Environment

Marinas shall be prohibited in the Conservancy Environment.

9.30 - Rural Environment

Marinas shall be permitted in the Rural Environment, subject to:

9.31 Domestic water supply facilities must comply with the requirements and regulations of the Chelan-Douglas Health District and the State Board of Health.

9.32 Restroom facilities, when provided, shall comply with Health District and state regulations, and all sewage and liquid waste shall be discharged into an approved sewage system.

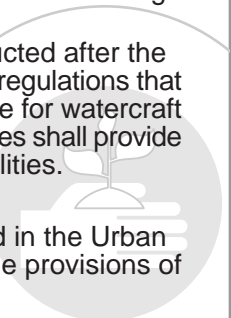
9.33 Marinas constructed after the effective date of these regulations that provide moorage space for watercraft that contain toilet facilities shall provide sewage pump-out facilities.

9.40 - Urban Environment

Marinas shall be permitted in the Urban Environment, subject to the provisions of Section 9.30.

REGULATIONS

9.10 - Natural Environment



SECTION X. MINING

POLICIES

- A. When rock, sand, gravel and minerals are removed from shoreline areas, adequate protection against sediment and silt production should be provided.
- B. Excavations for the production of sand, gravel and minerals should be done in conformance with the Washington State Surface Mining Act.
- C. When sand, gravel and minerals are removed from shoreline areas, it should be taken from the least sensitive biophysical areas.

REGULATIONS

10.10 - Natural Environment
Mining shall be prohibited in the Natural Environment.

10.20 - Conservancy Environment
Mining shall be prohibited in the Conservancy Environment.

10.30 - Rural Environment
Mining operations that do not substantially alter the natural characteristics of the area shall be permitted in the Rural Environment, subject to:

10.31 All mining operations must comply with the provisions of the State Surface Mining Act.

10.32 An acceptable reclamation plan must be submitted by the applicant before a permit to mine can be issued.

10.40 - Urban Environment
Mining operations in the Urban Environment shall be permitted, subject to the provisions in Section 10.30.

SECTION XI. OUTDOOR ADVERTISING, SIGNS & BILLBOARDS

POLICIES

- A. Off-premise outdoor advertising signs should be limited to areas of high-intensity land use, such as commercial and industrial areas.
- B. Size, height, density and lighting limitations for signs should be established.
- C. Vistas and viewpoints should not be degraded and visual access to the water from such vistas should not be impaired by the placement of signs.
- D. When otherwise permitted, outdoor advertising signs should be located on the upland side of public transportation routes that parallel and are adjacent to rivers and water bodies.
- E. Signs should be constructed in a manner that minimizes obstruction of the shorelines and water bodies.
- F. Where Federal or State highway systems exist within the jurisdiction of this Master Program, care should be taken to assure that all outdoor

advertising is in conformance with the Scenic Vistas Act of 1971.

REGULATIONS

11.10 - Natural Environment
All outdoor advertising, signs and billboards shall be prohibited in the Natural Environment except those necessary to protect the physical well being of the public or to protect the natural characteristics of the area.

11.20 - Conservancy Environment
All outdoor advertising, signs and billboards shall be prohibited in the Conservancy Environment except signs of a directional or informational nature erected by a governmental agency, and subject to:

11.21 Any such sign shall not exceed 8 square feet in area.

11.22 Any such sign shall not exceed 10 feet in height.

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SECTION XI. OUTDOOR ADVERTISING, SIGNS & BILLBOARDS (cont.)

11.30 - Rural Environment

All outdoor advertising, signs and billboards shall be allowed in the Rural Environment, subject to:

11.31 All commercial signs and billboards shall be erected on private property.

11.32 Any sign or billboard shall not exceed 32 square feet in area.

11.40 - Urban Environment

All outdoor advertising, signs and billboards shall be allowed in the Urban Environment, subject to the provisions in Section 11.30.

SECTION XII. RESIDENTIAL DEVELOPMENT

POLICIES

- A. Residential development should be designed so as to adequately protect the water and shoreline aesthetic characteristics.
- B. Residential developments should be designed at a level of density of site coverage and of occupancy compatible with the physical capabilities of the shoreline and water.
- C. Residential developments should have adequate provisions for sanitary sewage, water supply and drainage control. Water supplies should be adequate so that the ground water quality is not endangered by overpumping.
- D. Residential developers should be required to preserve shore vegetation and control erosion during construction.
- E. Residential developers should be encouraged to provide public pedestrian access to the shoreline within the subdivision.
- F. Residential development over water should not be permitted.
- G. Residential development should be encouraged to locate near presently developed areas in order to utilize existing facilities.
- H. Zoning and Subdivision Ordinances should be updated to conform to Shoreline Management Regulations.

REGULATIONS

12.10 - Natural Environment

All residential development in the Natural Environment shall be prohibited.

12.20 - Conservancy Environment

Residential development in the Conservancy Environment shall be permitted, subject to:

12.21 Only single-family residences shall be allowed.

12.22 Minimum lot size: 1 acre.

12.23 Minimum lot frontage: 130 feet along waterfront.

12.24 No residences shall be constructed closer than 50 feet to the ordinary high water, or located a minimum of 25 feet in elevation above the ordinary high-water mark, whichever distance is greater.

12.25 No structure shall be constructed over 25 feet in height.

12.26 All utilities shall be underground, where feasible.

12.30 - Rural Environment

Residential development in the Rural Environment shall be permitted, subject to:

12.31 Only single-family residences shall be allowed.

12.32 Minimum lot size shall be that specified in the applicable Zoning Ordinance.

12.33 Minimum lot frontage: 100 feet along waterfront.

SECTION XII. RESIDENTIAL DEVELOPMENT (cont.)

12.34 No residence shall be constructed closer than 25 feet to the ordinary high-water mark, or located a minimum of 15 feet in elevation above the ordinary high-water mark, whichever distance is greater.

12.35 No structure shall be constructed over 25 feet in height.

12.36 All utilities shall be underground, where feasible.

12.40 - Urban Environment

Residential development in the Urban Environment shall be permitted, subject to:

12.41 Single family and multiple family residences shall be allowed.

12.42 Minimum lot size or single-family residences shall be that specified in the applicable Zoning Ordinance.

12.43 Minimum lot size for multiple family residences shall be:

.01 Where public sewer is available: 7000 square feet for the first unit and 2800 square feet for each additional unit.

.02 Where public sewer is not available: 20,000 square feet for the first unit and 8,000 for each additional unit.

12.44 Minimum lot frontage shall be that specified in the applicable Zoning Ordinance.

12.45 No structure shall be constructed over 35 feet in height.

12.46 No structure shall be constructed closer than 25 feet to the ordinary high-water mark, or located a minimum of 15 feet in elevation above the ordinary high-water mark whichever distance is greater.

12.47 All utilities shall be underground, whenever feasible.

SECTION XIII. UTILITIES

POLICIES

Utilities are services that produce and carry electric power, gas, sewage, communications, oil and water.

A. Utilities should be placed underground and along existing rights of way and easements when possible; and when not possible, should be designed and located to do minimal damage to the aesthetic qualities of the shoreline area.

B. Underwater locations of utilities should include provisions to insure against damage to the waterway or the aquatic systems.

C. Areas damaged by the installation or maintenance of utilities should be restored as nearly as possible to their pre-project condition.

D. Utilities should be located to meet the needs of future populations in areas planned to accommodate this growth.

REGULATIONS

13.10 - Natural Environment

Utilities shall be prohibited in the Natural Environment except where necessary to cross a body of water, and subject to:

13.11 Utilities shall be placed underground whenever economically feasible.

13.12 Clearing for the installation or maintenance of utilities shall be kept to the minimum necessary.

13.13 Areas disturbed by the installation or maintenance of utilities shall be restored as nearly as possible to pre-construction condition, including seeding and planting with native vegetation.

SECTION XIII. UTILITIES (cont.)

13.20 - Conservancy Environment

Utilities shall be permitted in the Conservancy Environment, subject to the provisions of Sections 13.11, 13.12, and 13.13.

13.30 - Rural Environment

Utilities shall be permitted in the Rural Environment, subject to the provisions of Sections 13.11, 13.12, and 13.13.

13.40 - Urban Environment

Utilities shall be permitted in the Urban Environment, subject to the provisions of Sections 13.11, 13.12, and 13.13.

SECTION XIV. WATER-RELATED INDUSTRY

POLICIES

- A. Sufficient quantities of suitable land should be allocated for water-related industry.
- B. Water-dependent industries that require shoreline locations should be given priority over other industrial uses.
- C. Sewage treatment, water reclamation and power plants should be located where they cause minimum interference with other uses of the shorelands. Waste treatment ponds for water-related industry should occupy as little shoreline as possible.

14.40 - Urban Environment

Water-related industry shall be permitted in the Urban Environment, subject to:

14.41 Demonstration by the applicant of compliance with the regulations specified on any federal and state permits required for such facilities and operations.

14.42 Structures over 35 feet in height shall be prohibited, except where technically, structurally, or economically impractical, and only when overriding considerations of the public interest will be served.

REGULATIONS

14.10 - Natural Environment

Water-related industry shall be prohibited in the Natural Environment.

14.20 - Conservancy Environment

Water-related industry shall be prohibited in the Conservancy Environment.

14.30 - Rural Environment

Water-related industry shall be prohibited in the Rural Environment.



SECTION XV. BULKHEADS

POLICIES

- A. Bulkheads should be located and constructed in such a manner that will not result in adverse effects and will minimize alterations of the natural shoreline.
- B. The construction of bulkheads should be permitted only where they provide protection to upland areas or facilities, not for the indirect purpose of creating land by filling behind the bulkhead.
- C. Bulkheads should be designed to be aesthetically compatible with the natural surroundings.
- D. Bulkheads should be designed, whenever possible to minimize disruption of public access to publicly owned shorelines.

REGULATIONS

15.10 - Natural Environment

Bulkheads shall be prohibited in the Natural Environment.

15.20 - Conservancy Environment

Bulkheads shall be prohibited in the Conservancy Environment, except where they are a necessary part of a project dependent on its shoreline location and where they do not substantially alter the natural characteristics of the area, subject to:

15.21 Bulkheads must be faced with any type of permanent facing material which is not subject to erosion or siltation, and which is aesthetically compatible with the area.

15.22 Bulkheads must not be a navigational hazard.

15.30 - Rural Environment

Bulkheads shall be permitted in the Rural Environment, subject to the provisions of Sections 15.21 and 15.22.

15.40 - Urban Environment

Bulkheads shall be permitted in the Urban Environment, subject to the provisions of Sections 15.21 and 15.22.

SECTION XVI. LANDFILL

POLICIES

- A. Shoreline fills or cuts should be designated and located so that significant damage to existing ecological values or natural resources, or alteration of local currents will not occur, creating a hazard or significant injury to adjacent life, property and natural resource systems.
- B. All perimeters of fills should be provided with suitable means for erosion prevention and control when necessary.
- C. Fill materials should be of such quality that will not cause problems of water quality. Shoreline areas should not be used for sanitary landfills or solid waste disposal.

- D. Priority should be given to landfills for water-dependent uses and for public uses.
- E. Landfills should be designated and constructed so as to minimize damage to the fishery resources and their natural food supply.

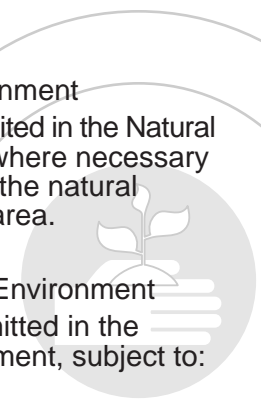
REGULATIONS

16.10 - Natural Environment

Landfills shall be prohibited in the Natural Environment, except where necessary to protect or preserve the natural characteristics of the area.

16.20 - Conservancy Environment

Landfills shall be permitted in the Conservancy Environment, subject to:



SECTION XVI. LANDFILL (cont.)

16.21 Landfills must be faced with material to insure that siltation, erosion or contamination will not result.

16.22 Landfills must consist of clean materials with a minimum potential for degrading water quality.

16.31 Landfills must be faced with material to insure that siltation, erosion or contamination will not result.

16.32 Landfills must consist of clean materials with a minimum potential for degrading water quality.

16.30 - Rural Environment

Landfills shall be permitted in the Rural Environment, subject to:

16.40 - Urban Environment

Landfills shall be permitted in the Urban Environment, subject to the provisions of Section 16.30.

SECTION XVII. SOLID WASTE DISPOSAL

POLICIES

- A. Sanitary landfills and solid waste disposal should be prohibited within any watercourse and within flood plains of any watercourse.
- B. All sanitary landfills and solid waste disposal should conform to the requirements of the Douglas County Solid Waste Management Plan and to regulations of the Chelan-Douglas Health District.

17.20 - Conservancy Environment

Solid waste disposal shall be prohibited in the Conservancy Environment.

17.30 - Rural Environment

Solid waste disposal shall be permitted in the Rural Environment, subject to:

17.31 The applicant must demonstrate that leachate from the site will not result in violations of state water quality standards.

REGULATIONS

17.10 - Natural Environment

Solid waste disposal shall be prohibited in the Natural Environment.

17.40 - Urban Environment

Solid waste disposal shall be prohibited in the Urban Environment.

SECTION XVIII. DREDGING

POLICIES

- A. Dredging should minimize damage to existing ecological values and natural resources of both the area to be dredged and the area for deposit of dredged materials.
- B. Dredging of bottom materials for the single purpose of obtaining fill material should be discouraged.
- C. Spoil deposit sites should be located beyond high water flows except where used for habitat improvement, to correct problems of material

distribution affecting adversely fish resources, or where the alternatives of depositing material on land is more detrimental to shoreline resources than depositing it in water areas.

REGULATIONS

18.10 - Natural Environment

Dredging shall be prohibited in the Natural Environment, except where necessary to protect or preserve the natural characteristics of the area.



SECTION XVIII. DREDGING (cont.)

18.20 - Conservancy Environment

Dredging shall be permitted in the Conservancy Environment, subject to:

18.21 Demonstration by the applicant of compliance with the regulations specified on any federal and state permits required for such operation.

18.22 A showing by the applicant that the operation is necessary as it relates to a shoreline location for a project, and that it will not substantially alter the natural characteristics of the area.

18.23 No dredging shall be permitted for the single purpose of obtaining fill material.

18.24 A permit shall be issued only with the approval of an acceptable soil deposit site.

18.30 - Rural Environment

Dredging shall be permitted in the Rural Environment, subject to:

18.31 Demonstration by the applicant of compliance with the regulations specified on any federal and state permits required for such operation.

18.32 No dredging shall be permitted for the single purpose of obtaining fill material.

18.33 A permit shall be issued only with the approval of an acceptable soil deposit site.

18.40 - Urban Environment

Dredging shall be permitted in the Urban Environment, subject to the provisions in Section 18.30.

SECTION XIX. SHORELINE PROTECTION

POLICIES

- A. Riprapping and other bank stabilization measures should be located, designed and constructed so as to avoid the need for channelization and to protect the natural character of the stream way.
- B. Flood protection dikes shall be placed landward of the stream way and its associated wetlands.
- C. Flood protection measures that result in channelization should be avoided.

REGULATIONS

19.10 - Natural Environment

Shoreline protection operations shall be prohibited in the Natural Environment, except where necessary to protect or preserve the natural characteristics of the area.

19.20 - Conservancy Environment

Shoreline protection operations shall be prohibited in the Conservancy

Environment, except where necessary to protect or preserve the natural characteristics of the area.

19.30 - Rural Environment

Shoreline protection operations shall be permitted in the Rural Environment, subject to:

19.31 Demonstration by the applicant of compliance with the regulations specified on any federal and state permits required for such operation.

19.32 Shoreline protection operations shall be designed, whenever possible so as to avoid channelization.

19.40 - Urban Environment

Shoreline protection operations shall be permitted in the Urban Environment, subject to the provisions in Section 19.30.

SECTION XX. ROAD AND RAILROAD DESIGN AND CONSTRUCTION

POLICIES

- A. Whenever feasible and desirable, roads and railroads should be located away from shorelands, except for frontage roads and roads serving port and recreational facilities.
- B. Roads located in wetland areas should be designed and maintained to prevent erosion and to permit a natural movement of ground water, wherever feasible.
- C. Scenic corridors with public roadways should have provisions for safe pedestrian and other non-motorized travel. Also, provision should be made for sufficient viewpoints, rest areas, and picnic areas in public shorelines.
- D. Extensive loops or spurs of old highways with high aesthetic quality should be kept in service as bypass routes, where feasible.
- E. All construction should be conducted to protect the adjacent shorelands and water against erosion, uncontrolled drainage, slides, pollution, fills and other factors detrimental to the environment.
- F. Road locations should be planned to fit the natural topography so that minimum alterations of natural conditions will be necessary.

REGULATIONS

20.20 - Conservancy Environment

Roads and railroads shall be permitted in the Conservancy Environment, subject to:

20.21 Demonstration by the applicant that no other route corridor can be economically and physically utilized.

20.22 Demonstration by the applicant of compliance with the regulations specified on any federal and state permits required for such projects.

20.23 Access to the waterfront for pedestrians shall be provided, wherever feasible and desirable.

20.24 Natural watercourses shall be protected.

20.30 - Rural Environment

Roads and railroads shall be permitted in the Rural Environment, subject to:

20.31 Demonstration by the applicant of compliance with the regulations specified on any federal and state permits required for such projects.

20.32 Access to the waterfront for pedestrians shall be provided, wherever feasible and desirable.

20.33 Natural watercourses shall be protected.

20.40 - Urban Environment

Roads and railroads shall be permitted in the Urban Environment, subject to the provisions in Section 20.30.

SECTION XXI. PIERS AND DOCKS

POLICIES

- A. The use of floating docks should be encouraged in order to not interfere with waterlife currents and recreational boaters and fishermen.
- B. Priority should be given to the use of community piers and docks. In general, encouragement should be given to the cooperative use of piers and docks.

- C. In providing for boat docking facilities, the capacity of the shoreline sites to absorb the impact of waste discharges from boats, including gas and oil spillage, should be considered.

- D. Piers and docks should be designed and constructed so as to minimize damage to the fishery resources and their natural food supply.



SECTION XXI. PIERS AND DOCKS (cont.)

REGULATIONS

21.10 - Natural Environment

Piers and docks shall be prohibited in the Natural Environment.

21.20 - Conservancy Environment

Piers and docks shall be permitted in the Conservancy Environment, subject to:

21.21 A showing by the applicant that such development is part of a project dependent upon its shoreline location, and a showing that such project is otherwise allowed in this Master Program, and a showing that such development does not substantially alter the natural characteristics of the area.

21.22 The length of each pier or dock constructed under this ordinance shall be determined by the permit issuing authority after considering the relative physical factors associated with the location in conjunction with the navigation

rights of the public and safety factors.

21.23 The permit issuing authority shall determine if each pier or dock constructed under this ordinance shall be lighted as a navigation aid.

21.30 - Rural Environment

Piers and docks shall be permitted in the Rural Environment, subject to:

21.31 The length of each pier or dock constructed under this ordinance shall be determined by the permit issuing authority after considering the relative physical factors associated with the location in conjunction with the navigation rights of the public and safety factors.

21.40 - Urban Environment

Piers and docks shall be permitted in the Urban Environment, subject to the provisions of Section 21.30.

SECTION XXII. ARCHEOLOGICAL AREAS AND HISTORIC SITES

POLICIES

- A. In preparing the master program, professional archeologists should be consulted to identify areas containing potentially valuable archeological data, and to establish procedure for salvaging the data.
- B. Where possible, sites should be permanently preserved for scientific study and public observation.
- C. Shoreline permits, in general, should contain special provisions that require developers to notify local governments if any possible archeological data are uncovered during excavations.
- D. The National Historic Preservation Act of 1966 and Chapter 43.51 RCW should be adopted as policies for the Master Program and their administration and enforcement is encouraged.

REGULATIONS

22.10 - Natural Environment

22.11 Archeological diggings shall be permitted in the Natural Environment, provided the activity does not permanently alter the natural characteristics of the area.

22.12 The restoration of historic sites shall be permitted only to the minimum necessary to preserve such sites for posterity.

22.20 - Conservancy Environment

22.21 Archeological diggings and the restoration of historic sites shall be permitted in the Conservancy Environment.

22.22 Any proposed project which would disturb any area which has been designated or considered an archeological or historic site will not

SECTION XXII. ARCHEOLOGICAL AREAS AND HISTORIC SITES (cont.)

proceed until an inspection is performed by a professional archeologist or historian, and all facts relative to the proposed project and site are considered and alternatives to the proposed projects are explored.

22.23 If in the course of development, material of archeological or historic interest is discovered, work on the development shall cease for a reasonable period until an examination by a professional

archeologist or historian has been made and its value determined.

22.24 It shall be the duty and responsibility of the developer to notify the County Planning Office if he should discover evidences of archeological or historical interest.

22.30 - Rural Environment
Section 22.20 shall apply.

22.40 - Urban Environment
Section 22.20 shall apply.

SECTION XXIII. RECREATION

POLICIES

- A. Recreation needs and sites should be designated, and the acquisition of shoreline areas for developing water-related recreation should be encouraged.
- B. Priority should be given to developments, other than single-family residences, which are exempt from the permit requirements of the act, which provide recreational uses and other improvements facilitating public access to shorelines.
- C. Access to recreational locations should be a combination of areas and linear access (parking areas and easements, for example) to prevent concentration of use pressure at a few points.
- D. The linkage of shoreline parks and public access points through the use of linear access should be encouraged, such as hiking paths, bicycle trails and/or scenic drives.
- E. Attention should be directed toward the effect the development of a recreational site will have on the environmental quality and natural resources of an area.
- F. Whenever feasible, scenic views and vistas should be preserved and enhanced.

- G. Parking areas should be located inland, away from the immediate edge of the water and shorelands, and access should be provided by walkways or other methods.
- H. Recreational developments should be of such variety as to satisfy the diversity of demands from groups in nearby population centers.
- I. Facilities for intensive recreational activities should be provided where sewage disposal and vector control can be accomplished to meet public health standards without adversely altering the natural features attractive for recreational uses.
- J. State and local health agency regulations should be consulted before preparation of use regulations and permit issuing for recreational facilities.

REGULATIONS

23.10 - Natural Environment

Only low intensity recreational activities which involve no construction or other operation and which do not alter the natural characteristics of the area shall be permitted.

23.20 - Conservancy Environment

Low intensity recreational activities shall

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SHORELINE MASTER PROGRAM

SECTION XXIII. RECREATION (cont.)

be permitted in the Conservancy Environment, provided they involve no extensive clearing, construction or other operation which substantially changes the natural characteristics of the area, subject to:

23.21 All parking shall remain outside of the shoreline area.

23.22 All access roads shall be limited to 20 feet in width.

23.23 All waste disposal shall be handled and disposed of outside of the shoreline area.

23.30 - Rural Environment

Recreational activities shall be permitted in the Rural Environment, subject to:

23.31 All structures shall be setback a minimum of 25 feet from the waterfront.

23.32 Waste disposal facilities shall comply with the regulations and requirements of the Chelan-Douglas Health District and the State Board of Health.

23.33 Pedestrian access to the waterfront shall be provided on public recreational facilities.

23.40 - Urban Environment

Recreational activities shall be permitted in the Urban Environment, subject to the provisions in Section 23.30.

SECTION XXIV. GENERAL PROVISIONS

It is intended that this Master Program be coordinated with the Ordinance passed on November 20, 1972 by the Board of Douglas County Commissioners relating to the development of a Shoreline Master Program for Douglas County and the issuance of permits for substantial development under the Shoreline Management Act of 1971 (Appendix III of this Master Program).

Any activity, use or development that is not specifically exempt from the provisions of the Act and from the above mentioned ordinance shall proceed in accordance with the provisions of this ordinance. Any permit application shall be subject to review and recommendation by the Douglas County Regional Planning Commission and ultimate action by the Board of Douglas County Commissioners. This Master Program is intended to serve as a guideline for the Planning Commission and the Board in arriving at decisions.

The State Environmental Policy Act (Chapter 43.21C RCW) shall be adhered to in all instances. By resolution of May

21, 1973, the Board of Douglas County Commissioners appointed the Douglas County Planning Director and his staff as the responsible agency in Douglas County for administering this act. This office will assess permit applications on the basis of compliance with SEPA and satisfy those requirements before a determination is made on the shoreline permit.

The majority of Douglas County shorelines are along the Columbia River, extending from near Grand Coulee Dam in the North to Crescent Bar in the South.

The Act [90.58.030(2)(e)(v)(B)] identifies this as a "shoreline of statewide significance." This Master Program applies development priorities for shorelines of statewide significance to all shorelines in Douglas County under the jurisdiction of the Act and this Master Program.



SECTION XXV. CONDITIONAL USES

Conditional uses are those that are not allowed outright to locate in the particular shoreline area, but which because of special circumstances peculiar to the proposed project or activity should be allowed there. The Board is authorized to grant conditional uses after holding a public hearing and making a finding that:

25.10 No provision is otherwise made in this Master Program for the proposed use or that the proposed use is of a temporary nature and a change of Environment Designation would be inappropriate.

25.20 That there is a necessity for a shoreline location in which the proposed use could legally be established would not be suitable.

25.30 That the environment of the area of the proposed use will not be deteriorated more than would result from the uses which are permitted in that area.

25.40 That the proposed use would be in compliance with the goals and policies of this Master Program.

25.50 That denial of the conditional use request would create a hardship on the applicant or upon any other person owning the property, and that

this hardship is not due to any acts of the owner of the property.

25.60 That the proposed use will be in the public interest, and that the public welfare and interest will be preserved.

An application for a conditional use permit shall be filed at the same time as a shoreline management permit application on forms to be provided by the Planning Office. The application shall be considered at the same time and in the same manner as the shoreline permit application, but the Planning Commission and the Board may require additional information.

A decision by the Board on conditional use applications is preliminary pending a final decision by the Department of Ecology as provided in the Act, RCW 90.58.140, and in appendix III, Section 16 (A) of this Master Program.

The Planning Commission may recommend, and the Board may impose, any additional restrictions or conditions upon the proposed use that it deems necessary and proper to comply with the Act, the Master Program, and be in the best interests of the citizens of Douglas County and the State of Washington.

SECTION XXVI. VARIANCES

Whenever the specific application of any of the sections of this Master Program, or the effective ordinance, inflicts undue hardship upon the owner(s) of shoreline property in Douglas County, the Planning Commission may recommend, and the Board may grant, a variance from the requirements of that section, after holding a public hearing and making a finding that:

26.10 That the hardship created by the application of any section of the Master Program or ordinance is:

.01 Peculiar to the property in question;

.02 Not due to any acts of the owner of the property.

26.20 That the granting of the variance shall not be inconsistent with the purposes of the Act or the Master Program.

26.30 That the variance requested is the minimum variance from the provisions that will alleviate the hardship.

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SHORELINE MASTER PROGRAM

SECTION XXVI. VARIANCES (cont.)

26.40 That the environment of the area of the variance request will not be deteriorated more than would result from the regular uses in that area.

26.50 That the proposed use will be in the public interest, and that the public welfare and interest will be preserved.

An application for a variance shall be filed at the same time as a shoreline management permit application on forms to be provided by the Planning Office. The application shall be considered at the same time and in the same manner as the shoreline permit application, but the Planning Commission and the Board may require additional information.

A decision by the Board on variance applications is preliminary pending a final decision by the Department of Ecology as provided in the Act, RCW 90.58.140, and in Appendix III, Section 16 (A) of this Master Program.

The Planning Commission may recommend, and the Board may impose, any additional restrictions or conditions upon the proposed use that it deems necessary and proper to comply with the Act, Master Program, and be in the best interest of the citizens of Douglas County and the State of Washington.

SECTION XXVII. REVIEW AND CHANGE PROCEDURES

27.10 – Periodic Review

In order to maintain the credibility and usefulness of this Master Program, it will be necessary to have it reviewed periodically and changes made where needed.

The Douglas County Regional Planning Commission and the Planning Staff shall review the Master Program, along with the Environment Designations and the Comprehensive Inventory, every even-number year prior to the regular June meeting of the Planning Commission. The Planning Commission shall issue a report to the Board on their findings, including recommendations for change.

The Board shall take under advisement, the recommendations of the Planning Commission, and if these recommendations include the recommendation for change in the Master Program, or in the effective ordinance, the Board shall hold a public hearing on the proposed change or changes.

27.20 – Procedures for Change

It is recognized that in some instances this Master Program may impose limitations upon property, which, through the passage of time or social and economic changes, may not be in the best interests of the public. Also, it may serve the best interests of the public at some future date to change portions of the Master Program to better fulfill the goals and policies of the Program.

Any person holding an equitable interest in any tract of shoreline property affected by this Master Program may apply for a change of Environment Designation for said tract, or for a change in the applicable sections of the Master Program use regulations. Or, the Planning Commission may recommend such changes in the Master Program as it deems appropriate to the Board. Any such recommendation for change shall be heard at a public hearing before the Planning Commission, and the Planning Commission shall transmit their findings and recommendations to the Board. The Board shall consider these findings and recommendations at a public hearing and take appropriate action.

SECTION XXVIII. SEVERABILITY

If any provision of this Master Program or its application to any person or circumstances is held invalid, the remainder

of this Master Program or the application of the provision to other persons or circumstances shall not be affected.

VARIANCES
REVIEW AND
CHANGE
PROCEDURES

SEVERABILITY



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APPENDIX I

ENVIRONMENT DESIGNATIONS

Environment Designations have been assigned to Douglas County Shorelines on the basis of information taken from the Comprehensive Inventory, the Goals and Policy Statements, and the input from members of the Advisory Committee and the general public.

The definitions of the four Environments, Natural, Conservancy, Rural and Urban are identical to those found in Section

III of this Master Program, which were taken verbatim from the Guidelines, WAC-173-16-040 (4) (6), subsections I, II, III, and IV. Those definitions shall apply on all shorelands so designated as being in one of these four environments in this section of the Master Program. The maps attached hereto shall be used as a general guide in determining Environment Designations.

A. COLUMBIA RIVER

Location	Designation	Reasoning
RM 441.2 to RM 443	Rural	Property ownerships, natural features, and existing agricultural activities.
RM 443 to RM 445	Conservancy	Physical features and lack of development.
RM 445 to RM 456	Rural	Property ownerships, existing activities and current zoning.
RM 456 to RM 459	Urban	Existing development and existing comprehensive zoning.
RM 459 to RM 463	Rural	Property ownerships and existing agricultural activities.
RM 463 to RM 465	Urban	Existing development
RM 465 to RM 543	Rural	Property ownerships and existing agricultural activities.
RM 543 to RM 545	Urban	Existing development
RM 545 to RM 552	Rural	Property ownerships, existing agricultural activities, and potential recreational activities.
RM 552 to RM 594	Conservancy	Physical features and lack of development.
RM 594 to RM 596.2	Urban	Existing development
Washburn Island	Conservancy	Property ownership and physical development.

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SHORELINE MASTER PROGRAM

APPENDIX I

ENVIRONMENT DESIGNATIONS

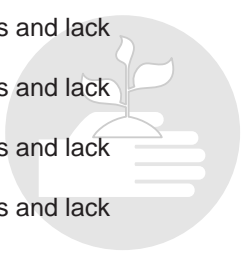
B. RATTLESNAKE CREEK

All designated as Rural Environment from the mouth of Douglas Creek (T. 23 N., R. 23 E., Sec. 36) downstream to mouth. Reasoning: Property ownership and existing agricultural activities.

C. LAKES AND RESERVOIRS

Name & Location	Designation	Reasoning
Jameson Lake – Secs. 12, & 13, T 25 N., R 25 E.W.M. (lower end, below peninsula)	Rural	Property ownerships, existing recreational activities.
Jameson Lake – Sec. 12, 25 N., R 25 E.W.M. & Secs. 6 & 7, T 25 N., R 26 E.W.M. (upper end, above peninsula)	Conservancy	Physical features and lack of development.
Jameson Pothole – Sec. 31, T 25 N., R 26 E.W.M.	Conservancy	Physical features and lack of development.
Atkins Lake – Sec. 31, T 25 N., R 27 E.W.M.	Conservancy	Physical features and lack of development.
Intermittent Lake – Sec. 31, T 25 N., R 27 E.W.M.	Conservancy	Physical features and lack of development.
Grimes Lake – Sec. 20, T 26 N., R 26 E.W.M.	Conservancy	Physical features and lack of development.
Haynes Lake – Sec. 33, T 26 N., R 27 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake (Stallard Lake) – Sec. 34, T 26 N., R 27 E.W.M.	Conservancy of development.	Physical features and lack
Sims Corner Reservoir Sec. 30, T 27 N., R 28 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake (Cornehl Lake) Sec. 35, T 28 N., R 24 E.W.M.	Conservancy of development.	Physical features and lack
Unnamed Lake – Sec. 17, T 29 N., R 27 E.W.M.	Conservancy	Physical features and lack lack of development.
Murphy Lake – Sec. 20, T 29 N., R 27 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake (Boot Lake) Sec. 17, T 29 N., R 27 E.W.M.	Conservancy of development.	Physical features and lack
Elbow Lake – Sec. 22, T 29 N., R 28 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake – Sec. 2, T 29 N., R 29 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake – Sec. 22, T 29 N., R 29 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake (Wilson Lake) Sec. 22, T 29 N., R 29 E.W.M.	Conservancy of development.	Physical features and lack
Smith Lake – Sec. 7, T 29 N., R 30 E.W.M.	Conservancy	Physical features and lack of development.
Unnamed Lake – Sec. 36, T 30 N., R 29 E.W.M.	Conservancy	Physical features and lack of development.
Black Lake - Sec. 7, T 30 N., R 30 E.W.M.	Conservancy	Physical features and lack

APPENDIX I
 ENVIRONMENT
 DESIGNATIONS
 RATTLESNAKE
 CREEK
 LAKES AND
 RESERVOIRS



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APPENDIX II

CITIZENS INVOLVEMENT

A. ADVISORY COMMITTEE MEMBERS

Bob Gibbs	Douglas County Park Board
Doris Wilson	Douglas County Park Board
Marian Larsen	Douglas County Park Board
Jean Smith	Douglas County Park Board
Maurice Guerin	Mayor of Rock Island
Roger McKeel	Washington State Game Department
Gloria Tarver	Chelan-Douglas Health District
Harry Holman	Chelan-Douglas Health District
Carl Fugitt	Central Washington Sportsmen
Burrell Pope	Douglas County Port District
John Gregg	Douglas County P.U.D.
Ron Bockstruck	Washington State Highway Department
Norm Bocksler	Department of Natural Resources
Phil Schaubel	Soil Conservation Service
Tom Smith	Citizens at Large
Ed Daling	Citizens at Large
Don Huether	Citizens at Large
Jim Telford	Citizens at Large

B. CITIZEN IMPACT – PROCEDURES USED FOR OBTAINING

The primary source of Citizen Input into the Master Program was the contribution of the eighteen members of the Citizens Advisory Committee. The Board of Douglas County Commissioners appointed this committee in May, 1973.

It was formulated by contacting each agency and group which appeared to have some interest in the shoreline areas of the county and requesting that they appoint one or more representatives to the Advisory Committee. In addition, four citizens were appointed to represent the interests of the entire citizenry.

Research through the County Assessor's tax rolls resulted in the obtaining of a list of approximately 80 shoreline property owners in the county who owned more than a small portion of shoreline property. These people were contacted through the mail, with an explanation of the Act and the County's and Advisory Committee's responsibilities to the Act, and requested to make known their opinions and feelings in regard to the Master Program. These people, along with other interested persons who became known to the Committee, were placed on a permanent mailing list. They

APPENDIX II

CITIZENS INVOLVEMENT

B. CITIZEN IMPACT – PROCEDURES USED FOR OBTAINING (cont.)

were kept informed of the Committee's progress through periodic progress reports, and were notified in advance of each meeting of the Committee. All persons on the mailing list were urged to make their opinions known to the Committee for possible incorporation into the Master Program.

Advance notice of the meetings, as well as the progress reports, were sent to the three local newspapers and the three local radio stations, thus bringing it to the attention of the public through the media.

A number of personal contacts with shoreline property owners were made by the staff through the mails or telephone when the situation warranted.

At the completion of the draft master Program, the mailing list contained approximately 110 names of individuals and agencies. Eight hundred sixty two individual mailings of meeting notices, progress reports, and draft proposals were sent to these persons and agencies, comprising a total of 8800 copies of materials.

C. CITIZEN INPUT – AMOUNT OF

The Citizens Advisory Committee held ten separate public meetings in preparation of the Master Program. These were on May 14, May 30, July 9, July 23, August 27, September 25, October 30, November 5, November 20, and December 18, 1973. Each of these meetings were open to the public and were announced in advance through the local newspapers and radio stations, as well as through a mailed notice of meeting to persons on the mailing list.

During these ten meetings a total of 243 hours of donated citizen's time was expended in preparation of the Master Program. In addition, many members of the Advisory Committee contributed additional time by attending other meetings in the area that reflected upon the Master Program.

In all, a total of 23 individuals attended one or more of the Advisory Committee meetings, with some contributing much more to the Master Program than others. Approximately 10-12 others contacted the staff by mail or telephone to express their views or opinions. All of this input was considered by the Advisory Committee and the staff for incorporation into the Master Program.



APPENDIX III IMPLEMENTATION ORDINANCE

NOTE: This ordinance was adopted in 1972. Amendments to the Washington State Shoreline Management Act and implementing rules have occurred since that time, as have amendments to the Douglas County Code. By their adoption and effect, some of the amendments supercede portions of this implementing ordinance.

AN ORDINANCE RELATING TO THE DEVELOPMENT OF A MASTER PROGRAM FOR SHORELINE MANAGEMENT IN DOUGLAS COUNTY AND THE ISSUANCE OF PERMITS FOR SUBSTANTIAL DEVELOPMENTS UNDER THE SHORELINE MANAGEMENT ACT OF 1971, PRESCRIBING PENALTIES AND DECLARING AN EMERGENCY.

SECTION 1. FINDINGS

- A. Protection of private property rights consistent with the public interest associated with the shorelines of the state requires that local, state, and federal governments join in a concerted effort to utilize, protect, restore, and preserve the shorelines as among the state's most valuable and fragile natural resources; and to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines; and
- B. By enacting Chapter 286, Laws of 1971, First Ex. Sess., the Legislature has prescribed a method of accomplishing the aforesaid purposes, and has vested counties with the responsibility for the preparation of programs controlling the development of shorelines within their jurisdiction; and

- C. This Board deems the procedure, standards, controls, and penalties set forth in this ordinance to be essential to the protection of the public health, safety, and general welfare of the citizens of Douglas County.

SECTION 2. ENACTMENT

The Board of County Commissioners of Douglas County hereby ordain and enact into law the following sections and paragraphs:

SECTION 3. DEFINITIONS

As used in this ordinance, unless the context otherwise requires, the following definitions and concepts apply:

- A. "Board" is the legislative authority of Douglas County;
- B. "Planning Agency" means the Douglas County Planning Commission, together with its staff members, employees, and consultants;
- C. "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local government unit however designated;
- D. "Ordinary high water mark" on all rivers, lakes and streams is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to

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SHORELINE MASTER PROGRAM

APPENDIX III

IMPLEMENTATION ORDINANCE (cont.)

vegetation as that condition exists on the effective date of this ordinance or as it may naturally change thereafter; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark shall be ascertained by use of the most recent geological maps available;

- E. "Shorelines of the state" are the total of all "shorelines" and "Shorelines of Statewide Significance" within the state;
- F. "Shorelines" means all of the water areas of the state, including reservoirs, and their associated wetlands, together with the lands underlying them; except:
- (1) Shorelines of Statewide Significance;
 - (2) Shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and
 - (3) Shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes;
- G. "Shorelines of Statewide Significance" in Douglas County means the following shorelines:
- (1) Those lakes, whether natural, artificial or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark;
 - (2) The Columbia River;
 - (3) Those wetlands associated with (1) and (2) of this subsection G.
- H. "Wetlands" or "wetland areas" means those lands extending landward for two hundred 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 rivers, lakes and streams which are subject to the provisions of this Act; the same to be designated as to location by the Department of Ecology.
- I. "Master Program" shall mean the comprehensive shoreline plan for Douglas County and the use regulations together with maps, diagrams, charts or other descriptive material and text, developed in accordance with the policies enunciated in Section 2 of the Shoreline Management Act of 1971.
- J. "Development" means a use consisting of the construction or exterior alteration of structures, dredging, drilling, dumping, filling, removal of any sand, gravel or minerals, bulkheading, driving or 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 ordinance at any state or water level;
- K. "Substantial Development" shall mean any development of which the total cost of fair market value exceeds one thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state; except that the following shall not be considered substantial developments for the purpose of this ordinance;

SHORELINE MASTER PROGRAM

APPENDIX III

IMPLEMENTATION ORDINANCE (cont.)

- (1) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;
- (2) Construction of the normal protective bulkhead common to single family residences;
- (3) Emergency construction necessary to protect property from damage by the elements;
- (4) Construction of a barn or similar agricultural structure on wetlands;
- (5) Construction or modification of navigational aids such as channel markers and anchor buoys;
- (6) 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 ordinance.

SECTION 4. INVENTORY

The Planning Commission shall complete by September 30, 1972, a comprehensive inventory of the shorelines of the state located within Douglas County. Such inventory shall include but not be limited to the general ownership patterns of the lands located therein in terms of public and private ownership, a survey of the general natural characteristics thereof, present uses conducted therein and initial projected uses thereof.

SECTION 5. MASTER PROGRAM

The Planning Commission shall develop, within eighteen months after the adoption of guidelines as provided in Section 6 of the Shoreline Management Act of 1971, as master program for regulation of uses of the shorelines of the state consistent with the guidelines adopted. Master programs or segments thereof shall be submitted to the Department of Ecology and shall become effective when adopted or approved by the Department of Ecology as appropriate. All guidelines, regulations, designations, or master programs adopted or approved under the Shorelines Management Act of 1971 and this ordinance shall be available for public inspection at the office of the Planning Commission and the office of the County Auditor.

SECTION 6. POLICY

- A. From the effective date of this ordinance until such time as an applicable master program has become effective, a permit shall be granted only when the proposed development is consistent with:
 - (1) The policy of Section 2 of the Shoreline Management Act of 1971;
 - (2) After the adoption, the guidelines and regulations of the Department of Ecology; and
 - (3) So far as can be ascertained, the master program being developed for Douglas County.
- B. After adoption or approval, as appropriate, by the Department of Ecology of an applicable master program, a permit shall be granted

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IMPLEMENTATION ORDINANCE (cont.)

only when the proposed development is consistent with:

- (1) The applicable master program; and
 - (2) The policy of Section 2 of the Shoreline Management Act of 1971.
- C. With respect to timber situated within two hundred feet abutting landward within Douglas County, a permit shall be granted only for selective commercial timber cutting, so that no more than thirty percent of the merchantable trees may be harvested in any ten year period of time; PROVIDED, that other timber harvesting methods may be permitted in those limited instances where the topography, soil conditions or silviculture practices necessary for regeneration render selective logging ecologically detrimental; PROVIDED FURTHER, that clear cutting of timber which is solely incidental to the preparation of land for other uses authorized by this chapter may be permitted.
- D. A permit shall be denied if the proposed development is not consistent with the above-enumerated policies.

SECTION 7. ADMINISTRATION

The Planning Commission is vested with the duty of administering the rules and regulations relating to the Shoreline Development Permits and may prepare and require the use of such forms as are essential to its administration.

SECTION 8. MAP

Shorelines of the state located within

Douglas County may be designated on an official shoreline map to be kept in the office of the Planning Commission.

SECTION 9. APPLICATION

Any person desiring to begin substantial development of all or any part of the shorelines of the state located within Douglas County shall apply to the Planning Commission, using forms supplied by the Planning Commission, for a Shoreline Development Permit. The application shall contain the following as a minimum:

- (1) The name and address of the applicant;
- (2) The location and legal description of the proposed substantial development;
- (3) The present use of the property;
- (4) A description of the proposed substantial development;
- (5) A short statement explaining how the proposed substantial development is consistent with the policies of the Shoreline Management Act of 1971;
- (6) The signature of the applicant or his local authorized agent;
- (7) Such information as may be required by current rules and regulations adopted pursuant to the Shoreline Management Act;
- (8) Any information deemed necessary by the Planning Commission as it related to the individual permit.

SECTION 10. FEES

A fee in the amount of ten dollars



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IMPLEMENTATION ORDINANCE (cont.)

shall be paid to the Planning Commission at the time an application is submitted to cover the cost of administration.

SECTION 11. NOTICE REQUIRED

Upon receipt of a proper application for a shoreline development permit, the Planning Commission shall instruct the applicant to publish notices thereof at least once a week on the same day of the week for two consecutive weeks in a newspaper of general circulation within Douglas County. Any interested person shall be allowed to submit his views on application, or notify the Planning Commission of his desire to receive a copy of the action taken upon the application, in writing to the Planning Commission within thirty days of the last publication of such notice. All persons who so submit their views and all others who so notify the Planning Commission within thirty days of the last date of publication of the notice shall be entitled to receive a copy of the action taken upon the application.

SECTION 12. SHORELINE TECHNICAL COMMITTEE

The Planning Commission may appoint a shoreline technical committee to advise and consult with the Planning Commission in effectuating the purposes of this ordinance.

SECTION 13. DUTIES OF PLANNING COMMISSION

The Planning Commission shall formulate recommendations, based

on policies enumerated in Section 4 of this ordinance, that Shoreline Development Permits be granted or denied and shall transmit its recommendations in writing to the Board within a reasonable time after the end of the thirty-day notice period. The Planning Commission shall consider the proposed substantial development based on information from: the application, written comments from interested parties, the advice of the members of the shoreline technical committee, independent study of the Planning Commission and its staff, and views expressed during any public hearing which may be held by the Planning Commission. The Planning Commission may request that an applicant furnish information concerning a proposed substantial development in addition to information required in the application.

SECTION 14. DUTIES OF BOARD

At a regularly scheduled meeting, the Board shall grant or deny permits in accordance with the recommendations of the Planning Commission; provided that if the Board does not wish to follow the recommendations of the Planning Commission, it shall refer the matter to the Planning Commission for public hearing and reconsideration. Upon receipt of the further recommendation of the Planning Commission, the Board shall then adopt said recommendation or consider the matter at its own public hearing. The Board may rescind any permit upon the finding that a permittee has not complied with the

APPENDIX III

IMPLEMENTATION ORDINANCE (cont.)

conditions of the permit. All permits entailing a variance or conditional use under the approved Master Program shall be submitted to the Department of Ecology for its approval or disapproval.

SECTION 15. NOTIFICATION

The Board shall notify the following persons in writing of its final approval or denial of a Shoreline Development Permit as required by state law and rules and regulations adopted thereunder:

- (1) The applicant;
- (2) The Department of Ecology;
- (3) The Attorney General;
- (4) Any person who has submitted written comments on the application;
- (5) Any person who has written the Planning Commission requesting notification.

SECTION 16. APPLICABILITY

- A. No person shall begin substantial development of all or any part of the shoreline of the state located within Douglas County, until forty-five (45) days after being granted a Shoreline Development Permit according to the provisions of this ordinance or until all review proceedings initiated within such forty-five (45) day period are terminated. Nothing in this permit shall be construed as excusing the applicant from compliance with any other local, state, or federal statutes, ordinances or regulations applicable to the proposed substantial development.
- B. Building, Land Use, or Septic Tank

Permits shall not be issued until the requirements of part A of this section have been met.

SECTION 17. APPEALS

Any person aggrieved by the granting, denying, or rescinding of a Shoreline Development Permit may seek a review by filing a request for review with the Shoreline Hearing Board, the Department of Ecology, and the Attorney General within thirty days of receipt of the final order. Douglas County may appeal to the Shorelines Hearing Board for rules, regulations, guidelines, designations or master programs for shorelines of the state adopted or approved by the Department of Ecology within thirty (30) days of the date of the adoption or approval.

SECTION 18. PENALTIES

The Douglas County Prosecutor shall bring such injunctive, declaratory, or other actions as are necessary to insure that no uses are made of the shorelines of the state located within Douglas County in conflict with the provisions and programs of this ordinance or the Shoreline Management Act of 1971; and to otherwise enforce the provisions of this ordinance in accordance with Sections 21, 22, and 23 of the Shoreline Management Act of 1971.

SECTION 19. SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provision to other

douglas county

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APPENDIX III

IMPLEMENTATION ORDINANCE (cont.)

persons or circumstances shall not be affected.

of county government and its existing public institutions, and shall take effect immediately.

SECTION 20. DECLARING AN EMERGENCY

This ordinance is necessary for the immediate preservation of the public peace, health and safety, the support

SECTION 21. EFFECTIVE DATE

This ordinance shall take effect upon the date it is adopted and signed.

DATED AT WATERVILLE, WASHINGTON THIS 20th DAY OF NOVEMBER 1972.

/S/ _____
Lloyd Farmer, Chairman of the Board

/S/ _____
John E. Van Well, Commissioner

/S/ _____
William E. Bechtol, Commissioner

ATTEST:

Edna Jensen
Douglas County Auditor
and Clerk of the Board

