

COLUMBIA COUNTY

SHORELINE MASTER PROGRAM

June, 1975

Prepared for Columbia County and the Incorporated Communities of:

DAYTON
STARBUCK

by the Columbia County Shorelines Citizens' Advisory Committee and the
Columbia County Planning Department

in compliance with
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SECTION 1

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SECTION 2 - INTRODUCTION

BACKGROUND

For several years there has been growing concern among citizens, local *government* officials, and state government officials due to increasing pressures for use of shorelines within the state. Shorelines, such as those found in Columbia County, are of limited supply and are faced with rapidly increasing demands for such traditional uses as fishing, swimming, and scenic view, as well as new demands for recreational subdivisions, commercial complexes, private housing and, in some areas, industrial uses. More people, higher incomes, more leisure time, and general business growth have combined to create a heavy demand among competing uses for these shorelines.

Property rights of individuals, firms, and various public bodies are inter-mixed and rarely coordinated in any comprehensive manner. Government agencies own shoreline area for recreation and public utilities, firms for industrial or commercial uses, while individual demands are generally for housing or recreation. The basic issue is how to provide for these legitimate uses of shoreline areas and the same time prevent the destruction or substantial alteration of the unique nature of the state's shorelines.

In the fall of 1970, the Washington Environmental Council circulated an initiative petition known as the Shorelines Protection Act, or Initiative 43, and gathered enough signatures to certify it to the Legislature meeting in 1971. Initiative 43 placed the primary responsibility for the planning and implementation of the Act with the state government. The Legislature then had the choice of accepting Initiative 43, passing a substitute measure, or taking no action. They chose the second option and enacted engrossed Substitute House Bill No. 584, which was called the Shoreline Management Act of 1971, and it became Initiative 438. Initiative 438 called for local control of planning and implementation of the Act.

In November of 1972 both measures were placed on the ballot and the State's voters selected Initiative 438, presently known as the Shoreline Management Act. This Act is based on a philosophy that the shorelines of the State are among the most valuable and fragile of our natural resources and unrestricted development of this resource is not in the best public interest. Therefore, planning and management are necessary in order to prevent the harmful effects of uncoordinated and piecemeal development of the state's shorelines.

REQUIREMENTS OF THE SHORELINE MANAGEMENT ACT

Under the Act, local governments have the primary responsibility for initiating the planning program and administering the regulatory requirements of the Act with the Department of Ecology acting in a supportive and review capacity. As set forth in the provisions of the Act, local governments must fulfill the following basic requirements:

1. Administration of a shoreline permit system for proposed substantial development on wetlands of designated water bodies.

2. Compilation of a comprehensive inventory which includes a survey of natural characteristics, present land uses, patterns of ownership and a review of related plans and programs.
3. Development of a master program to provide an objective guide for regulating the use of shorelines.

OBJECTIVE OF THE MASTER PROGRAM

The objective of the Master Program is to provide a guide for local government for regulating the use of shorelines. The Master Program is to contain general policies, proposals and guidelines that will cover all land and water uses and their impact on the environment at least 20 to 30 years in the future.

One of the key features of the Master Program is the required citizen involvement, through a citizens committee and a series of public meetings. It is the intent of the Master Program development that goals, policy and regulations be consistent with the desires of the citizens of the local government unit.

The following Master Program Elements are to be used as a guide for development of goals and where applicable as a guide for preparation of policy and use regulations.

The plan elements are:

1. Economic Development. This element deals with location and design of agricultural developments, industries, transportation facilities, port facilities, tourist facilities, commercial and other developments that are particularly dependent on shoreline locations.
2. Public Access. This is an element for assessing the need for providing public access to public shoreline areas.
3. Circulation. This is an element for assessing the location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other public facilities and correlating those facilities with the shorelines use elements.
4. Recreation. This is an element for the preservation and expansion of recreational opportunities through programs of development.
5. Shoreline Use. This is an element for considering:
 - (a) The pattern of distribution and location requirements of land uses on shorelines and adjacent areas, including, but not limited to, housing, commerce, industry, transportation, public buildings and utilities, agriculture education and natural resources .
 - (b) The pattern of distribution and location requirements of water uses including, but not limited to, aquaculture, agriculture, recreation and transportation.

6. Conservation. This is an element for the preservation of the natural shoreline resources, considering such characteristics as scenic vistas, parkways, estuarine areas for fish and wildlife protection, beaches and other valuable natural or aesthetic features.
7. Historical/Cultural Activities. This element considers the protection and restoration of buildings, sites and areas having historic, cultural, educational or scientific values.
8. Restoration. This is an element concerned with the restoration of areas to a useful condition which are blighted by abandoned and dilapidated structures.

SECTION 3 –GOALS

In order to preserve and enhance the environment of the county, developments should be carefully planned. The Shorelines Master Program has the following objective: “to aid the citizens of Columbia County in protecting and restoring the natural attractiveness of their environment concurrent and compatible with orderly physical and economic growth.”

As with all endeavors, one or more goals is essential in order to make all efforts productive and significant. The goals are intended to be a guide in formulating policies and regulations pertaining to shorelines in Columbia County.

The master program elements have been previously discussed with regard to general items of consideration. With those elements and the objectives of the Master Program in mind, the following goals have been developed and adopted by the Citizen Advisory Committee.

1. Economic Development: Encourage economic development along the shorelines of Columbia County that are consistent with the environments and at the same time enhance the quality of life for the residents.
2. Public Access: Encourage diversified types of public access to those public shorelines in Columbia County which may accommodate intensified use for recreational, educational or other purposes without it endangering fragile natural areas intolerant of human use and without infringing on the rights of private ownership.
3. Circulation: Encourage a transportation network in Columbia County which is capable of delivering people, goods, and services, which will result in minimum disruption of the shorelines.
4. Recreation: Encourage the preservation and expansion of diverse, convenient, and adequate recreational opportunities along the public shorelines of Columbia County for public use, consistent with the capacity of the land to accommodate such activity.
5. Shoreline Use: Promote viable patterns of land and water uses that do not detract from the quality of the environment; and that improve the quality of life for the residents.

6. Conservation: Assure preservation of unique, fragile and scenic elements that do not interfere with sound management of renewable and non-renewable natural resources.
7. Historical/Cultural: Encourage the protection and restoration of areas and sites in Columbia County having historic, archeological, cultural, educational or scientific value.
8. Restoration: To provide, where feasible and desirable, for restoration of blighted areas along the shorelines of Columbia County to a natural and/or rehabilitated condition.

SECTION 4 –ENVIRONMENTAL DESIGNATIONS

Four types of environment have been defined by the State to provide a uniform basis of applying policies and use regulations within distinctively different shoreline areas. The four environments are described below.

NATURAL ENVIRONMENT

The natural environment is defined as those areas with the presence of some unique natural or cultural features considered valuable in their natural or original condition which are relatively intolerant of intensive human use. However, the Citizens Advisory Committee has unanimously agreed that a natural environment does not exist within the designated shorelines of Columbia County and, therefore, does not address this environment in this program.

CONSERVANCY ENVIRONMENT

The conservancy environment is defined as those areas which are intended to maintain their existing character. The conservancy environment is intended to protect, conserve, and manage existing natural resources and valuable historic and cultural areas in order to insure a continuous flow of recreational benefits to the public and to achieve sustained resource utilization. Examples of conservancy environment uses are, diffuse outdoor recreation activities, timber harvesting on a sustained yield basis and passive agricultural uses such as pasture and range lands. Local policy should allow for activities and uses of a nonpermanent nature which do not substantially degrade the existing character of an area.

RURAL ENVIRONMENT

The rural environment is defined as those areas characterized by intensive agricultural and recreational uses and those areas having a high capability to support active agricultural practices and intensive recreational development. Local policy should protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, provide rural environments' as a buffer between urban areas, and maintain open space and opportunities for recreational uses compatible with agricultural activities.

URBAN ENVIRONMENT

The urban environment is defined as those areas of high intensity land use including residential, commercial and industrial development. The urban environment is intended 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. Local policy should stress development within already developed areas, particularly water-dependent industrial and commercial uses requiring frontage on navigable waters.

SHORELINE ENVIRONMENT BOUNDARIES

In accordance with the above definitions, the shorelines of Columbia County have been reviewed and designated as shown on the maps included in Section 33. The shorelines in Columbia County are designated as follows:

1. Touchet River is designated rural except for the following areas:
 - (a) City of Dayton -designated urban
 - (b) Huntsville -designated urban
 - (c) Lewis & Clark State Park -designated conservancy
2. Tucannon River is designated rural except for the following areas:
 - (a) Town of Starbuck -designated urban
 - (b) Indian Burial Site -located at the mouth of the Tucannon River is designated conservancy
 - (c) Wooten and Tucannon Game Reserve -designated conservancy
3. Snake River is designated rural except for the following area:
 - (a) Port of Columbia -designated urban.
4. Pataha River is designated rural

POLICY AND USE REGULATIONS

Policy statements, which are developed through citizen involvement are necessary to provide a bridge for formulating and relating use regulations to the general goals. Policy statements reflect the intent of the Shorelines Management Act, the goals of the local citizens and specifically relate the shoreline management goals to the use regulations.

Four basic questions, established by the Department of Ecology, concerning each use activity were used as a gage to judge the merit and effectiveness of a policy; as follows:

1. "For whom is the activity of development intended?"

2. "Where is a particular activity of development going to be located?"
3. "How much of any particular use will be located along the shoreline?"
4. "What kind of development, or how a particular use will be adjusted to be acceptable for a shoreline location?"

The following policy statements are quite general in that they do not relate to any specific site or area within the shorelines of the county but are intended to be pertinent to the use activities that shall be applicable to all Columbia County shorelines.

The use regulations which specifically spell out uses for the local shorelines are the backbone of the Shorelines Master Program. The use regulations provide the means by which local government will protect and develop their shorelines in it manner consistent with public interest.

Only the shorelines of the Touchet and Tucannon Rivers are under the direct control of the county government as nearly all the shoreline of the Snake River is under the control of the U. S. Army Corps of Engineers. The policies and any resulting regulation or ordinance adopted as a consequence of the Master Program will pertain to the Touchet and Tucannon Rivers and any portions of the Snake River shoreline that is presently, or may come under the county's jurisdiction in the future, realizing that the latter shorelines is of state-wide significance.

The following use activities have been analyzed with regards to the previously established goals and environmental designations and as a result the following policies and use regulations were formulated.

SECTION 5 –AGRICULTURE

POLICIES

Areas which are suited for agriculture shall be identified and protected for agricultural usage.

Encourage the maintenance of a buffer of permanent vegetation between tilled areas and associated water bodies which would reduce bank erosion, retard surface runoff and reduce siltation.

Animal feedlot operations shall be encouraged to locate away from the shoreline.

Erosion control measures should conform to guidelines and policies recommended by the Columbia Conservation District of Columbia County.

Pesticides, when used, shall be handled and disposed of in accordance with provisions of the Washington Pesticide Application Act (RCW 17.21) and the Washington Pesticide Act (RCW 15.57) or as may be amended.

Diversion of waters for agricultural purposes should have precedence over other water uses other than domestic uses. .

Whereas, the economy of Columbia County depends upon agriculture, the local governments shall give priority consideration to agriculture practices over all other use activities.

5.1 REGULATIONS

5.1.1 CONSERVANCY ENVIRONMENT

5.1.1.1 Only passive agricultural uses shall be permitted in the conservancy environment

5.1.2 RURAL ENVIRONMENT

5.1.2.1 Agriculture shall be permitted in the rural environment.

5.1.2.2 The confinement of livestock for finishing for market shall not be permitted in a designated shoreline area.

5.1.2.3 Compliance with the Washington Pesticide Act (RCW 15.57) and the Washington Pesticide Application Act (RCW 17.21), or as may be amended, shall be necessary.

5.1.3 URBAN ENVIRONMENT

5.1.3.1 Agriculture shall be permitted in the urban environment subject, to sections 5.1.2.2 and 5.1.2.3 and local regulations.

SECTION 6 –AQUACULTURE

POLICIES

Aquacultural enterprises should be located in areas where the navigational access of upland owners and commercial traffic is not significantly restricted.

Visual access and aesthetic quality of the shoreline should be considered before the construction of an aquacultural enterprise. Then feasible, underwater structures are to be preferred.

Spawning areas which are so designated by the Departments of Game and Fisheries should be compatible with all other use activities. Hydraulics Project Approval is generally required by the Departments of Game and Fisheries before any work may be done in surface waters in Washington State except in emergency situations.

SECTION 7 -FOREST MANAGEMENT PRACTICES

POLICIES

Forest management practices shall proceed in accordance with regulations established by the Washington State Forest Practices Act of 1974 or as may be amended.

7.1 REGULATIONS

7.1.1 CONSERVANCY ENVIRONMENT

7.1.1.1 Timber harvesting shall be permitted on a sustained yield basis and harvesting shall not substantially degrade the existing character of the area.

7.1.1.2 The harvester shall comply with the Washington State Forest Practices Act of 1974 or as may be amended.

7.1.2 RURAL ENVIRONMENT

7.1.2.1 All forest management activities are permitted subject to Section 7.1.1.2

7.1.3 URBAN ENVIRONMENT

7.1.3.1 All Forest management activities are permitted subject to Section 7.1.1.2

SECTION 8 –MINING

POLICIES

Sand, gravel and minerals should be removed from only the least sensitive shorelines areas.

When rock, sand, gravel and minerals are removed from shoreline areas, adequate protection against sediment and silt production should be provided. If such removal is to occur in a lake, river, or stream bed, a Hydraulics Permit is generally required.

Excavations for the production of sand, gravel and minerals should be done in conformance with the Washington State Surface Mining Act, (RCW 78.44) or as may be amended.

Land reclamation plans should be required of any mining venture proposed within a shoreline area and shall require approval from the local government concerned.

8.1 REGULATIONS

8.1.1 CONSERVANCY ENVIRONMENT

8.1.1.1 Mining shall be prohibited in the conservancy environment.

8.1.2 RURAL ENVIRONMENT

8.1.2.1 Mining operations which do not substantially alter the natural characteristics of an area may be permitted subject to the following:

- a. All mining operations shall be done in accordance with the Washington State Surface Mining Act (RCW 78.44) or as may be amended.

b. A land reclamation plan must be submitted by the applicant before a permit to mine can be issued.

8.1.3 URBAN ENVIRONMENT

8.1.3.1 Mining activities shall be permitted by Conditional Use Permit only and is subject to Section 8.1.2.1

SECTION 9 – ARCHEOLOGICAL AREAS AND HISTORIC SITES

POLICIES

The continuing phase of the Master Program should include consultation with professional archeologists, historians and biologists to identify areas containing potentially valuable data, and to establish procedures for salvaging the data or maintaining the area in an undisturbed condition.

Wherever possible, sites should be permanently preserved for scientific study and public observation.

Shoreline permits should contain special provisions which require developers to notify local governments if any possible archeological data are uncovered during excavations.

Development which would destroy archeological or historical sites or data may be delayed for a reasonable time to allow the appropriate agency or organization to purchase the site or to recover the data.

9.1 REGULATIONS

9.1.1 ALL ENVIRONMENTS

9.1.1.1 Projects which preserve or retrieve archeological or historical data shall be permitted.

SECTION 10 -COMMERCIAL DEVELOPMENT

POLICIES

New commercial developments on shorelines shall be encouraged to locate in those areas where current commercial uses exist.

An environmental assessment shall be made in regard to the effect a commercial structure will have on a given area.

Parking facilities shall be placed inland away from the immediate water's edge and recreational beaches.

10.1 REGULATIONS

10.1.1 CONSERVANCY ENVIRONMENT

10.1.1.1 Commercial development shall be prohibited.

10.1.2 RURAL ENVIRONMENT

10.1.2.1 Commercial development shall be permitted in the rural environment in conformance with the Columbia County Zoning Ordinance and Comprehensive Plan.

10.1.2.2 Commercial developments shall be subject to the following:

- a. Commercial structures other than docks and related facilities will be set back a minimum of 50 feet from the ordinary high water mark.
- b. Commercial structures shall not exceed 35 feet in height.
- c. All parking lots shall be set back a minimum of 100 feet from the ordinary high water mark.

10.1.3 URBAN ENVIRONMENT

10.1.3.1 Commercial development shall be permitted in the urban environment subject to local zoning ordinances and Comprehensive plans.

SECTION 11 - RESIDENTIAL DEVELOPMENT

POLICIES

Subdivisions shall be designed to a level of density of site coverage and of occupancy compatible with the physical capabilities of the shoreline and water.

Sub dividers shall be encouraged to provide public access along the shorelines within the subdivision.

New residential development should be encouraged to locate in areas of similar development.

New residential development along shorelines shall be permitted only after it is demonstrated that regulations of the local governments pertaining to water and sewage disposal can be met and that the development is in line with the zoning and subdivision ordinances and comprehensive plan of the jurisdiction.

Subdivisions should be restricted in areas subject to flooding as specified by federal and state regulations.

Residential developers shall be required to provide plans to preserve desirable shore vegetation and control erosion.

11.1 REGULATIONS

11.1.1 CONSERVANCY ENVIRONMENT

11.1.1.1 All residential development shall be prohibited.

11.1.2 RURAL ENVIRONMENT

11.1.2.1 Subdivisions and residential developments shall be permitted subject to Columbia County's subdivision, zoning and building code and permit ordinances and subject to the following:

- a. Only single family residences shall be permitted.
- b. Lot size shall be as required by the local government's applicable ordinance.
- c. Minimum lot width shall be 200 feet adjacent to the water-front.
- d. No residence shall be constructed closer than 100 feet from the ordinary high water mark.
- e. No structure shall be constructed over 35 feet in height.

11.1.3 URBAN ENVIRONMENT

11.1.3.1 Residential development in the urban environment shall be subject to all local zoning, subdivision and health regulations.

SECTION 12 – RECREATION

POLICIES

The location design, construction and operation of recreational facilities should prevent undue adverse impact on environmental quality and the natural resources of an area and on adjacent or nearby private properties.

Whenever practical, scenic views and vistas should be preserved in the design of recreational facilities.

Where the uses designated for a specific recreational area are planned to satisfy a diversity of demands, these uses must be compatible with other use activities and the environment of the area.

Recreational developments shall comply with County Health regulations and all other state and local regulations.

Encouragement shall be given to the cooperative use of docks rather than a proliferation of single-purpose private docks in order to minimize disruption of shorelines and reduction of useable water surface.

Drainage and surface runoff from recreation facilities shall be controlled to prevent contamination of water areas.

Where feasible and desirable the use of public lands for recreational facilities is encouraged as a more economical alternative to new acquisitions by local government agencies.

12.1 REGULATIONS

12.1.1 CONSERVANCY ENVIRONMENT

12.1.1.1 Only low intensity recreational uses which do not substantially change the environmental quality and natural resources of an area will be permitted.

12.1.2 RURAL ENVIRONMENT

12.1.2.1 Recreational activities shall be permitted in the rural environment subject to the following:

- a. Parking facilities shall be set back a minimum of 100 feet from the ordinary high water mark.
- b. Major construction that will substantially alter the characteristics of the environment shall not be permitted.
- c. All zoning, building permit, subdivision and health regulations shall be met.

12.1.3 URBAN ENVIRONMENT

12.1.3.1 Recreational activities shall be permitted in the urban environment subject to Section 12.1.2.1.

SECTION 13 – ROAD AND RAILROAD DESIGN AND CONSTRUCTION

POLICIES

When it is necessary to locate roads, highways, freeways and railroads along stream drainages or lakeshores, such facilities should be sufficiently set back so that a useable shoreline area remains. Care should also be taken to insure that a minimum land area is consumed.

Proper design, location and construction of road and railroad facilities shall be exercised to:

- (a) Minimize erosion and permit the natural movement of water.

- (b) Prevent the entry of pollutants or waste materials into the water body.
- (c) Use existing topography to maximum advantage and preserve natural conditions to the greatest practical extent.
- (d) Provide to the degree practical, scenic corridors, rest areas, view points, and other public oriented facilities in public shoreline areas.

13.1 REGULATIONS

13.1.1 CONSERVANCY ENVIRONMENT

13.1.1.1 Roads which do not substantially change the environmental quality and natural resources of an area will be permitted.

13.1.1.2 Railroad construction shall be prohibited.

13.1.2 RURAL ENVIRONMENT

13.1.2.1 Road and railroad construction shall be permitted in the rural environment subject to the following:

(a) Road and railroad construction shall conform to the operating standards specified on federal, state and local regulations.

(b) Roads and railroads shall be designed, constructed and maintained to protect natural drainage channels.

13.1.3 URBAN ENVIRONMENT

13.1.3.1 Road and railroad construction shall be permitted in the urban environment subject to Section 13.1.2.1.

SECTION 14 – MARINAS

POLICIES

Marinas shall be designed, located and built in a manner that is aesthetically compatible with adjacent areas and will minimize damage to aquatic life.

In planning for marina location and design special consideration shall be made in regard to:

(a) Fuel handling and storage facilities to minimize accidental spillage.

(b) Proper water depth and flushing action for any area considered for overnight or long-term moorage facilities.

(c) Adequate facilities and regular inspections, to properly handle wastes from holding tanks or other waste disposal systems approved by the local jurisdiction.

(d) Necessary facilities such as adequate access, parking and restroom facilities for the public. Such facilities shall be located away from the immediate water's edge.

All marinas shall be developed and operated in accordance with all local regulations and with the guidelines established by the Washington State Department of Fisheries and Department of Game, and/or state or federal agencies.

14.1 REGULATIONS

14.1.1 CONSERVANCY ENVIRONMENT

14.1.1.1 Marinas shall be prohibited in the conservancy environment.

14.1.2 RURAL ENVIRONMENT

14.1.2.1 Marinas shall be permitted in the rural environment subject to the following:

a. All marina facilities are subject to the Columbia County and State Board of Health Regulations.

b. Marinas shall include sewage pump-out and treatment facilities.

c. Parking facilities shall be set back a minimum of 100 feet from the ordinary high water mark.

d. All regulations as adopted by the local government shall be strictly enforced.

14.1.3 URBAN ENVIRONMENT

14.1.3.1 Marinas in the urban environment shall be permitted subject to the provisions of Section 14.1.2.1.

SECTION 15 – PORTS AND WATER RELATED INDUSTRY

POLICIES

The planning commissions of the local jurisdictions should zone sufficient quantities of suitable land for water-related industries.

The major expansion of existing industrial facilities or location of new facilities must be given careful consideration to determine the potential effects on the shoreline and surrounding area.

Sewage treatment, water reclamation and power plants shall be located only where compatible with recreational, residential or other public uses of water and shorelines. Waste treatment ponds for industrial waste shall be located upland when feasible.

Land transportation routes serving shoreline industrial areas should be located upland.

Industries which have proven to be environmentally hazardous shall be discouraged from locating along the shorelines.

15.1 REGULATIONS

15.1.1 CONSERVANCY ENVIRONMENT

15.1.1.1 Ports and water related industry shall be prohibited.

15.1.2 RURAL ENVIRONMENT

15.1.2.1 Ports and other related industry shall be permitted by Conditional Use Permit only.

15.1.3 URBAN ENVIRONMENT

15.1.3.1 Ports and water related industry shall be permitted in the urban environment subject to the following:

- a. Compliance with appropriated federal, state and local requirements shall be considered previous to issuance of any permit.
- b. Facilities and structures for ports and water related industries over 35 feet in height shall be designed to minimize obstruction of views from adjoining areas.

SECTION 16 – UTILITIES

POLICIES

Whenever utilities must be placed in a shoreline area, the location should be chosen so as not to obstruct or destroy scenic views. Wherever feasible, these facilities should be placed underground.

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

Local jurisdictions should attempt to incorporate plans for any major transmission line rights-of-way on shorelines into programs for public access to water bodies.

Wherever possible, utilities should be confined to a single corridor.

Upon completion of installation/maintenance projects on shorelines, banks should be restored to pre-project configuration, replanted with native species and provided maintenance care until the newly planted vegetation is established.

16.1 REGULATIONS

16.1.1 CONSERVANCY ENVIRONMENT

16.1.1.1 Utilities shall be prohibited in the conservancy environment except where necessary and subject to the following:

- a. All utility systems shall be underground when such undergrounding is economically feasible.
- b. All clearing for installation or maintenance shall be kept to the minimum width necessary.
- c. Upon completion of installation of utility systems or of any maintenance, disturbed areas shall be restored as nearly as practical to the pre-existing condition.
- d. Utilities shall be located above flood levels wherever practical.

16.1.2 RURAL ENVIRONMENT

16.1.2.1 Utilities shall be permitted subject to the provisions of Sections 16.1.1.1a, 16.1.1.1b, and 16.1.1.1c.

16.1.3 URBAN ENVIRONMENT

16.1.3.1 Utilities shall be permitted subject to the provisions of Sections 16.1.1.1a, 16.1.1.1b, and 16.1.1.1c.

SECTION 17 – OUTDOOR ADVERTISING, SIGNS AND BILLBOARDS

POLICIES

Off-premise outdoor advertising signs shall be limited to areas of high-intensity land use, such as commercial and industrial areas. Provisions for billboard size, spacing and lighting shall conform to the Scenic Vistas Act of 1971 (RCW 47.42) or any subsequent revisions or amendments.

17.1 REGULATIONS

17.1.1 CONSERVANCY ENVIRONMENT

17.1.1.1 Outdoor advertising signs and billboards of any type shall be prohibited except when necessary for the physical well being of the public or to protect the natural character of the area.

17.1.2 RURAL ENVIRONMENT

17.1.2.1 Outdoor advertising, signs and billboards shall be prohibited except signs of a directional or informational nature and subject to the following:

- a. Not more than two signs having an area of six square feet or less in each sign advertising the sale of products raised or grown on the premises.
- b. Signs shall not exceed 10 feet in height.

17.1.3 URBAN ENVIRONMENT

17.1.3.1 All outdoor advertising signs and billboards shall be allowed in the urban environment subject to local regulations and subject to the Scenic Vistas Act of 1971 (RCW 47.42) or as may be amended.

SECTION 18 – SHORELINE PROTECTION

POLICIES

Shoreline protection activities should be located and constructed in such a manner which will result in minimal adverse effects on nearby shorelines, with minimize alterations of the natural shorelines, and have minimal long term detrimental effects on fish and wildlife habitats.

As much as possible shoreline protection activities should be designed to blend with the surroundings and not detract from the aesthetic qualities of the shorelines.

All shoreline protection activities must be designed and constructed to accepted engineering standards.

Flood protection measures shall tend to retain normal river channels.

18.1 REGULATIONS

18.1.1 CONSERVANCY ENVIRONMENT

18.1.1.1 Shoreline protection shall be prohibited except where deemed necessary to protect or preserve the character of the environment.

18.1.2 RURAL ENVIRONMENT

18.1.2.1 Shoreline protection shall be permitted subject to the following:

- a. Shoreline protection operations shall conform to the operating standards specified in federal and state regulations for such operations except in emergency situations.
- b. All major shoreline protection activities must be designed and constructed to accepted engineering standards.
- c. Flood protection measures shall tend to retain normal river channels.

18.1.3 URBAN ENVIRONMENT

18.1.3.1 Shoreline protection shall be permitted subject to the provisions in Section 18.1.2.1.

SECTION 19 – LANDFILL

POLICIES

Shoreline areas shall not be considered for sanitary landfills or for waste disposal.

In evaluating fill projects and in designating areas appropriate for fill, such factors as total water surface reduction, navigation restriction, impediment to water flow and circulation, impediment to irrigation systems, reduction or water quality, and destruction of fish and wildlife habitat shall be examined.

Shoreline fills or cuts shall be designed, constructed, and located so that significant damage to existing ecological values or natural resources will not occur and, shall, as much as practical, prevent the creation of any hazard to adjacent life, property and natural resource systems.

Normal and reasonable land grading and filling shall be allowed where necessary to develop a land area for a permitted use. There should be no encroachment on the shoreline waters. There should be minimal substantial changes made in natural drainage patterns.

Major filling in floodplain areas shall require a shoreline permit and the preparation of an environmental impact document may be required.

All perimeters of fills should be provided with vegetation, retaining walls, or other mechanisms for erosion prevention.

19.1 REGULATIONS

19.1.1 CONSERVANCY ENVIRONMENT

19.1.1.1 Landfills shall be permitted by Conditional Use Permit only.

19.1.2 RURAL ENVIRONMENT

19.1.2.1 Landfills shall be permitted in the rural environment subject to the following provisions:

- a. Fill materials should be of such quality that it will not cause degradation of water quality.
- b. Landfills shall be protected against erosion with vegetation, retaining walls or other similar structures.
- c. Landfills shall not cause a reduction in flow or flood-water storage.

19.1.3 URBAN ENVIRONMENT

19.1.3.1 Landfills shall be permitted subject to the provisions of Section 19.1.2.1.

SECTION 20 – SOLID WASTE DISPOSAL

POLICIES

The disposal of all solid wastes shall proceed in accordance with the Columbia County Urban and Rural Solid Waste Management Plan and all state regulations.

20.1 REGULATIONS

20.1.1 ALL ENVIRONMENTS

20.1.1.1 Solid waste disposal shall be prohibited in all environments.

SECTION 21 –DREDGING

POLICIES

Dredging should be controlled to minimize damage to existing ecological values and natural resources.

Deposits of spoils in water areas should be permitted only to improve habitat or when the alternative is more detrimental than depositing in water areas.

Dredging of bottom materials for the single purpose of obtaining fill material shall be discouraged.

Prior to any dredging activity, required federal, state and local permits shall be obtained.

21.1 REGULATIONS

21.1.1 CONSERVANCY ENVIRONMENT

21.1.1.1 Dredging shall be prohibited except where necessary to protect or enhance the character of the environment.

21.1.2 RURAL ENVIRONMENT

21.1.2.1 Dredging shall be permitted subject to the following:

- a. Dredging of bottom materials for the single purpose of obtaining fill materials shall not be permitted.

b. Dredging operations shall conform to the operating standards specified by any federal, state or local regulations.

c. Depositing of dredge spoils in water shall be prohibited except for improvements of fish habitat or stream bank protection.

d. When minor irrigation projects are involved.

21.1.3 URBAN ENVIRONMENT

21.1.3.1 Dredging shall be permitted in the urban environment subject to the provisions in Section 21.1.2.1.

SECTION 22 – BULKHEADS

POLICIES

Bulkheads should be located and constructed in such a manner which will not result in adverse effects and will minimize alterations of the natural shoreline.

Bulkheads should be constructed in such a way as to minimize damage to fish habitats. Open-piling construction is preferable to the solid types.

The builder of a proposed bulkhead shall consider the effect on public access to publicly owned shorelines. Bulkheads should be designed to blend with the environment and not detract from the aesthetic qualities of the shorelines.

The construction of bulkheads should be permitted only where necessary to provide protection to upland areas or facilities. Bulkheads planned for the indirect purpose of the creation of land by filling behind the bulkhead shall not be permitted.

22.1 REGULATIONS

22.1.1 CONSERVANCY ENVIRONMENT

22.1.1.1 Bulkheads shall be prohibited except where necessary to protect or preserve the character of the environment or when such bulkheads do not substantially alter the natural environment.

22.1.2 RURAL ENVIRONMENT

22.1.2.1 Bulkheads shall be permitted by Conditional Use Permit only.

22.1.3 URBAN ENVIRONMENT

22.1.3.1 Bulkheads shall be permitted by Conditional Use Permit only.

SECTION 23 – BREAKWATERS

POLICIES

Breakwaters should be constructed only where design modification can eliminate potentially detrimental effects on the movement of sand and circulation of water.

23.1 REGULATIONS

23.1.1 ALL ENVIRONMENTS

23.1.1.1 Breakwaters shall be permitted by Conditional Use Permit only.

SECTION 24 – JETTIES AND GROINS

This use activity is not applicable at this time.

SECTION 25 – CONDITIONAL USES

Conditional uses are provided because of the fact that there are special uses, which due to some unique feature or characteristic cannot be properly classified. Conditional uses can be permitted by the local governing body only after holding a public hearing and finding that:

1. The use will cause no unreasonably adverse effect on the environment.
2. The use will not interfere with public use of public shorelines.
3. Design of the site will be compatible with the surrounding and the master program.
4. The proposed use will not be contrary to the general intent of the master program.

The local governing-body shall have the power to place in such permits, conditions or limitations which in its judgment is required to secure adequate protection to the environment in which the use is to be permitted. Likewise subject to such review the local governing body shall have the power to terminate any such permit upon complaint and public hearing, for any violation of the terms or limitations therein prescribed.

SECTION 26 – VARIANCES

Variations are provided in certain cases where strict compliance with the master program may cause unnecessary hardship on the property owners. Variations can be permitted by the local governing body only after public hearing procedures and findings that:

1. The hardship which serves as a basis for granting of a variance is specifically related to the property of the applicant.
2. The hardship results from the application of the requirements of the act and master program and not from deed restrictions or the applicants own action.
3. The variance granted will be in harmony with the general purpose and intent of the master program.
4. Public welfare and interest will be preserved.
5. The variance shall not be for the convenience of the property owner but rather for the correction of any inequity which application of the regulations may impose.

SECTION 27 – ASSESSMENT OF PROPERTY

The restrictions imposed by these Regulations shall be considered by the Columbia County Assessor in establishing the fair market value of the property pursuant to RCW 90.58.290.

SECTION 28 – AMENDMENT PROCEDURES

An amendment to any of the provisions of the master program, including the Goals, Policies, Use Regulations and Environmental Boundary lines, may be initiated by the local Planning Commission of the specific jurisdiction involved, an individual property owner, any concerned citizen, or by any state agency involved in development and enforcement of the Shoreline Management Act.

The local government body upon their own motion and after public hearing and with the concurrence of its local Planning Commission may amend the master program.

SECTION 29 – PERMITS

Permits are required for substantial development (\$2,000 or more) on shorelines. Permits are administered and enforced by the local governments concerned.

PERMIT PROCEDURES:

1. An individual obtains application for a Shoreline Management Substantial Development Permit from the Columbia County Planning Department or at the City Hall of the concerned city government unless otherwise preempted by state or federal agencies.
2. Upon receipt of a proper application by the local government concerned, the applicant should be provided with:

- a. Public Notice form
- b. Instructions for Public Notice

3. After a minimum of thirty (30) days from the last public notice publication the local government shall take action by either granting or denying the permit.
4. Copies of the action shall be submitted to the Washington Department of Ecology, and the State Attorneys General office. Also, the applicant shall be notified of the action taken by the local government concerned.
5. No construction shall begin pursuant to the granting of a permit for forty-five (45) days after the state receives notice of local government action. This time is required for state review and possible appeal of the action. Should an appeal be made to the Shorelines Hearings Board, the applicant shall be notified.

PERMIT APPEALS:

Any person, including the applicant, aggrieved by the granting or denying of a permit may request an appeal. The request is sent to the Department of Ecology or Attorney General AND the Hearing Board.

If the request is certified, the Hearings Board conducts a review and sustains or overturns the local government decision.

Any party which fails to obtain certification or any party to a review before the Hearings Board may appeal to Superior Court.

SECTION 30 – VIOLATIONS AND PENALTIES

The Shoreline Management Act of 1971, RCW 90.58.210 and RCW 90.58.220 provides penalty for the violation or failure to comply with the provisions of these Regulations.

1. Violators of these Regulations shall be guilty of a gross misdemeanor punishable by a fine of not less than twenty-five (25) nor more than one thousand (1,000) dollars or by imprisonment in the county jail for not more than ninety (90) 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 not be less than five hundred (500) nor more than ten thousand (10,000) dollars.
2. Each day of violation shall be considered a separate and separately punishable offense.

SECTION 31 – SEVERABILITY

If any section or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section or separate provision of these regulations and

such holding shall not affect the validity of the remaining portions of these regulations.

SECTION 32 –DEFINITIONS

- ACT - Shoreline Management Act of 1971, Chapter 90.58 RCW.
- AQUACULTRE - The culture or farming of food fish, shellfish, or other aquatic plants and animals.
- DEVELOPMENT - A use, consisting of the construction or exterior alteration of structures; dredging, drilling, dumping, filling; removal of any sand, gravel or minerals; bulk-heading, 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 land subject to the act at any state of water level.
- FEEDLOT - 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.
- FLOODWAY - Floodways are those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types of quality of vegetative ground cover condition. The floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.
- GUIDELINES - Those standards adopted to implement the policy of this chapter for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards shall also provide criteria to local governments and the Department in developing master programs.
- HEARINGS BOARD - The Shorelines Hearing Board established by the Act and made up of six members: Three members shall be members of the pollution control hearings board; two members, one appointed by the Association of Washington Cities, and one appointed by the Association of County Commissioners, each to serve at the pleasure of the said associations; and the State Land Commissioner or his designee. The Chairman of the Pollution Control Hearing Board shall be the Chairman of the Shorelines Hearing Board.

MASTER PROGRAM - The comprehensive use plan for Columbia County, City of Dayton and the City of Starbuck and the use regulations, policy statements and goals together with maps, diagrams, charts or other descriptive material or text.

ORDINARY HIGHWATER MARK –

The mark on lakes and streams which will be found by examining the beds and banks and ascertaining where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this chapter, 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 adjoining freshwater shall be the line of mean high-water.

PERMIT - Permits required by the Act for substantial development on shore-lines, shall be issued by the local government entity having administrative jurisdiction and subject to review by the Department of Ecology and the Attorney General.

SHORELINES - Shorelines are all the water areas of the state, including reservoirs, and their associated wetlands, together with the land underlying them except:

- a. Shorelines of state-wide significance
- b. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less, and the wetlands associated with such upstream segments; and
- c. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes.

SHORELINES OF STATE-WIDE SIGNIFICANCE –

The shorelines of the Snake River are the only shorelines of statewide significance in Columbia County.

SUBSTANTIAL DEVELOPMENT –

Any development of which the total cost, or fair market value, exceed two thousand five hundred dollars (2,500), or any development which materially interferes with normal public use of the water or shorelines of the slate except that the following shall not be considered substantial development:

- a. Normal maintenance or repair of existing structures or developments, including damage by fire, accident or elements;

- b. Construction of the normal protective bulkhead, common to single-family residences:
- c. Emergency construction necessary to protect from damage by the elements;
- d. Construction and practices normal or necessary for farming, irrigation, and ranching activities including agricultural service roads and utilities on wetlands, 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.
- e. Construction or modification of navigational aids, such as channel markers and anchor buoys;
- f. 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 35 feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof.
- g. Operation, maintenance or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow, and artificially stored ground water for the irrigation of lands.
- h. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing as of June 4, 1975, developed or utilized primarily as a part of an agricultural drainage or diking system.

WETLANDS -

Wetlands or wetland areas are those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the original high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all marshes, bogs, swamps and river deltas associated with the stream, lakes and tidal waters which are subject to the provisions of these regulations; the same to be designated as to location by the Department of Ecology.

SECTION 33 –MAPS

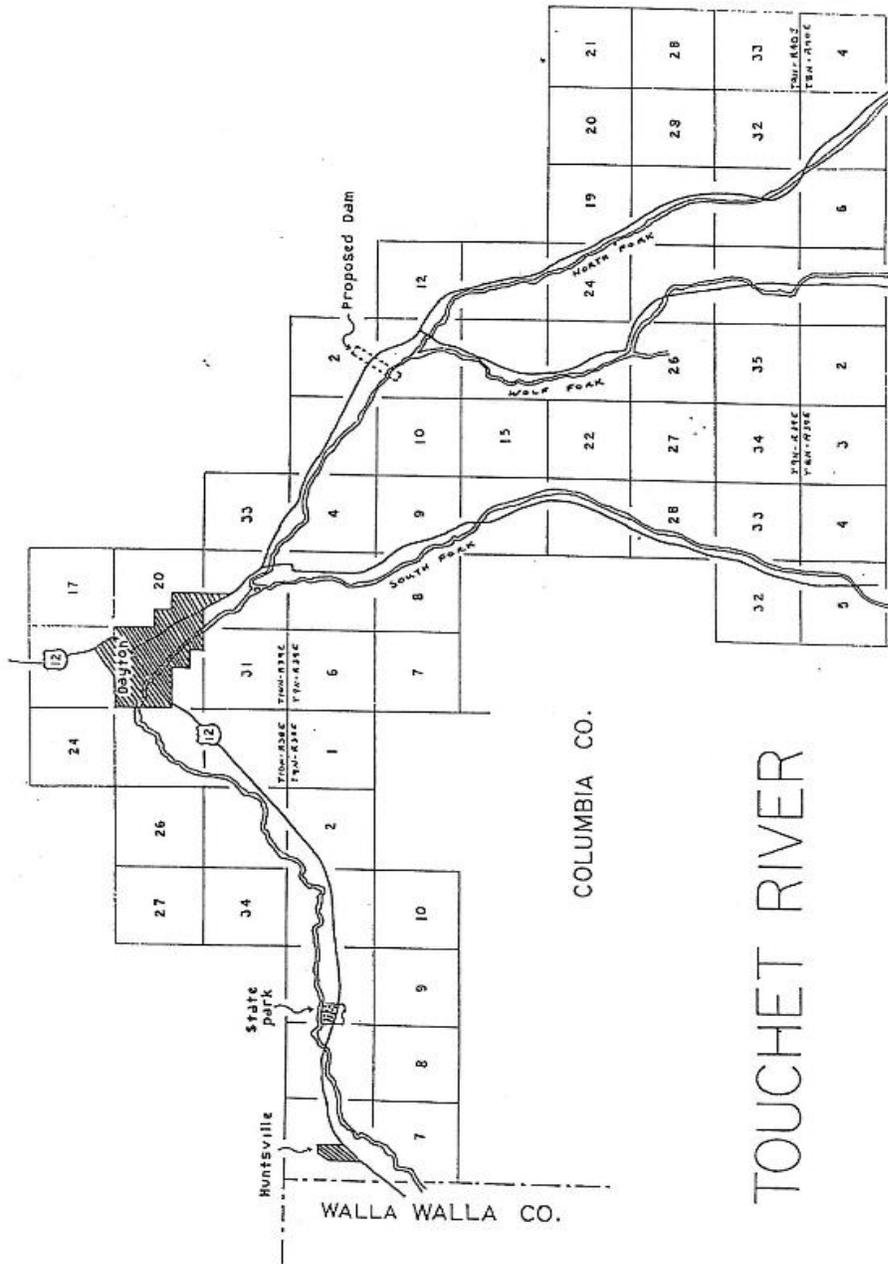
ENVIRONMENTAL DESIGNATIONS:

All Columbia County shorelines have been designated as a rural environment except when specifically noted by the following:

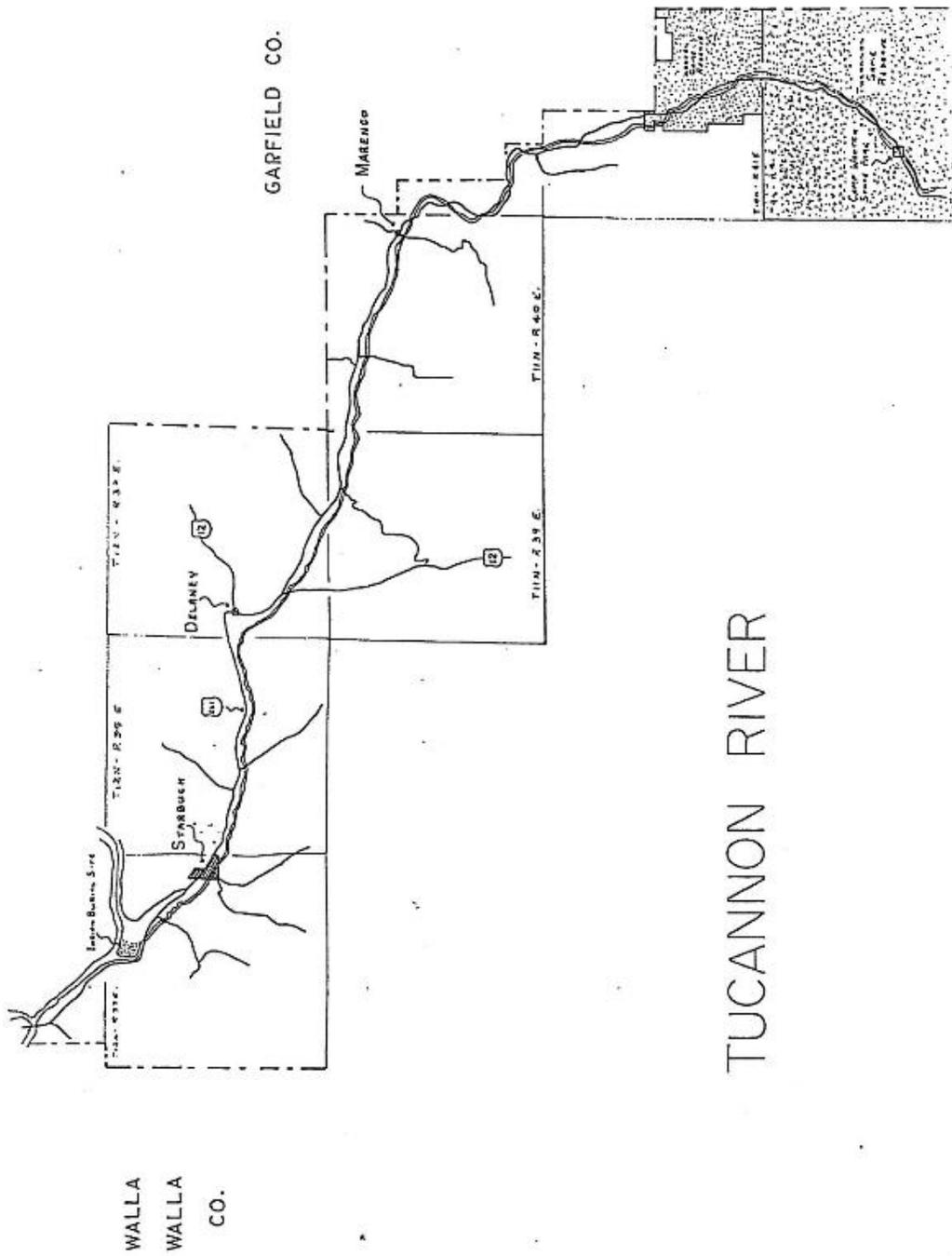
-  1. URBAN ENVIRONMENT
-  2. CONSERVANCY ENVIRONMENT

Environment designations are recorded on two types of maps. A set of official maps is on file at the County Planning Department as an inclusion to the shore-line inventory. Generalized environmental designation maps have also been prepared for inclusion with this Master Program and are for general reference only. The official maps should be consulted for specific boundaries.

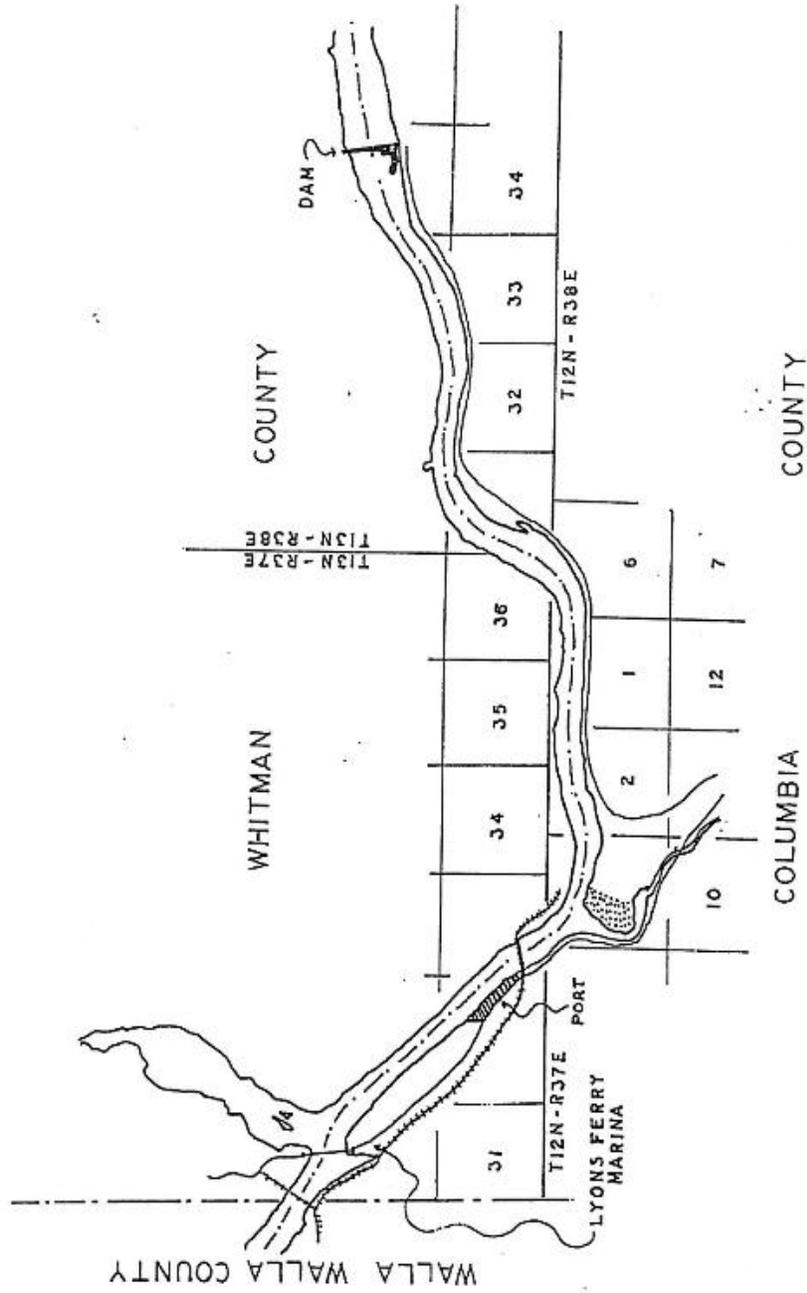
It should be noted that the Columbia County shorelines of the Snake River are almost entirely owned by the federal government, under the jurisdiction of the U. S. Corps of Engineers and therefore exempt from the provisions of this Master Program. However, the Citizens Advisory Committee feels that the citizens of Columbia County should have the right to address this area in the Master Program. Therefore, all shorelines of the Snake River are addressed in this program as a commentary to the federal government.



TOUCHET RIVER



TUCANNON RIVER



SNAKE RIVER



Snake River