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General Regulations & Shoreline Modifications and Uses

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4.1 Archaeological and Historic Resources

- A. **Preservation, Restoration, Education.** Whenever possible, archeological or historic sites should be preserved for scientific study and public observation. In areas known to contain significant archaeological and historic data, a condition should be placed on shoreline permits which would allow for site inspection and evaluation to ensure proper salvage of such data.

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- B. **Impact Avoidance.** Any proposed site development and/or associated site demolition work should be planned and carried out so as to avoid impacts to the cultural resource or to provide appropriate mitigation.
- C. **Consultation.** Consultation with professional archaeologists and historians is encouraged to identify areas containing potentially valuable archaeological data, areas of inadvertent discovery and to establish procedures for salvaging data. Appropriate agencies to consult include, but are not limited to, the Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Colville Reservation, and the Washington State Department of Archaeology and Historic Preservation (DAHP).
- D. **Adjacent Cultural Site.** If development or demolition is proposed abutting an identified historic, cultural or archaeological site, then the proposed development should be designed and operated so as to be compatible with continued protection of the historic, cultural or archaeological site.

4.2 Ecological Protection and Critical Areas

- A. **No net loss of ecological functions.** Shoreline use and development should be carried out in a manner that prevents or mitigates adverse impacts, both on site and to the extent that impacts may propagate up- or downstream, so that the resulting ecological condition does not become worse than the current condition. For each development, this means assuring no net loss of ecological functions and processes relative to the existing condition, protecting critical areas designated in Appendix B of this SMP, and protecting additional established shoreline buffers in a manner consistent with all relevant constitutional and other legal limitations on the regulation of private property.

Shoreline ecological functions that should be protected include, but are not limited to, fish and wildlife habitat, food chain support, and water temperature maintenance. Shoreline processes that should be protected include, but are not limited to, water flow; erosion and accretion; infiltration; ground water recharge and discharge; sediment delivery, transport, and storage; large woody debris recruitment; organic matter input; nutrient and pathogen removal; and stream channel formation/maintenance.

- B. **Evaluating potential for adverse impacts.** In assessing the potential for new uses and developments to cause adverse impacts on ecological functions or processes, the following should be considered:
 - 1. Effects on ecological functions and ecosystem processes; and
 - 2. Effects that occur on-site and effects that may occur off-site; and
 - 3. Immediate effects and long-term effects; and
 - 4. Direct effects of the project and indirect effects; and
 - 5. Individual effects of the project and the incremental or cumulative effects resulting from the project added to other past, present, and reasonably foreseeable future actions; and
 - 6. Compensatory mitigation actions that offset adverse impacts of the development action and/or use.

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- C. **Development standards should protect functions.** Development standards for density, frontage, buffers, impervious surface, shoreline stabilization, vegetation conservation, buffers, critical areas, and water quality should protect existing shoreline ecological functions and processes. During permit review, the Shoreline Administrator should consider the expected impacts associated with proposed shoreline development when assessing compliance with this policy.

4.3 Flood Hazard Reduction

- A. **Implement flood hazard plans and regulations.** Ensure public and private development applications site and design flood control measures consistent with appropriate engineering principles, including guidelines of the Natural Resource Conservation Service, the U.S. Army Corps of Engineers, Chelan County Multi-Jurisdiction Natural Hazard Mitigation Plan, watershed plans, restoration plans, critical area regulations, floodplain regulations, and stormwater management plans and regulations in order to prevent flood damage, maintain the natural hydraulic capacity of floodways, and conserve limited resources such as fish habitat, water, and soil.
- B. **Non-structural methods preferred.** Where feasible, non-structural methods to protect, enhance, and restore shoreline ecological functions and processes and other shoreline resources should be encouraged as an alternative to structural flood control works. Non-structural methods may include, but are not limited to, shoreline buffers, land use controls, relocation, wetland restoration, dike removal, biotechnical measures, stormwater management programs, land or easement acquisition, voluntary protection and enhancement projects, or incentive programs.
- C. **When non-structural flood control is infeasible.** New structural flood control works should only be allowed in shoreline jurisdiction when it can be demonstrated by a scientific and engineering analysis that they are necessary to protect existing development, that impacts to ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss, that appropriate vegetation conservation actions are undertaken, and where non-structural flood hazard reduction measures are infeasible. **Avoid structural flood control works.** New or expanding development or uses in shoreline jurisdiction, including subdivision of land, that would likely require structural flood control works, such as dikes, levees, revetments, floodwalls, channel realignment, gabions or rip-rap, within a river, channel migration zone, floodway, or lake should not be allowed.
- D. **Bioengineered flood control works.** Encourage returning river and stream corridors to more natural hydrological conditions. Flood control works should be bioengineered to enhance ecological functions, create a more natural appearance, improve ecological processes, and provide more flexibility for long-term shoreline management.
- E. **Avoid damage to other properties.** Flood control works and shoreline uses, development, and modifications should be located, designed, constructed and maintained so their resultant effects on geohydraulic shoreline processes will not cause significant damage to other properties or shoreline resources, and so that the physical integrity of the shoreline corridor is maintained.

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4.4 Public Access

- A. **Types of public access.** Public access includes both physical and visual approaches to shorelines. Scattered, small access points with low levels of alteration are preferred by some users (e.g., fishing), but not others (e.g., RV camping, swim beaches, picnicking, event facilities).
- B. **Increase public access where appropriate.** Encourage increasing the amount and diversity of public access to shorelines consistent with the Shoreline Public Access Plan, the natural shoreline character, property rights, public rights under the Public Trust Doctrine¹, and public safety.
- C. **Priorities.** Public access should be maintained, enhanced, and increased in accordance with the following priorities unless found infeasible or unconstitutional:
1. Maintain existing public access sites and facilities, rights of way, and easements.
 2. Provide new or enhance existing public access opportunities on existing public lands and easements.
 3. Acquire property or easements to add public access opportunities to implement adopted public access plans and/or to recognize opportunities to protect areas that hold unique value for public enjoyment.
 4. Encourage public access to shorelines as part of shoreline development activities.
- D. **Findings.** Support public access in private development with demonstrated nexus, proportionality and reasonable necessity for the public access requirement.
- E. **Public access planning standards.** Encourage partnership with other federal, state, special district, and municipal agencies, aim for a shoreline public access system that results in:
1. More than 90% of resident population within 15 miles of regional boating, fishing, trails, parks, and open space facilities.
 2. More than 50% of resident population within 1.5 miles of local/community shoreline parks and trails.
- See Appendix E for current and future levels of service.
- F. **Implementation.** Support implementation of the Shoreline Public Access Plan contained in Appendix E to meet growing resident and tourist populations. Implementation strategies should address public access and recreation standards and a capital improvement program. Encourage periodically review the Shoreline Public Access Plan, at a minimum every eight years.

¹ The “public trust doctrine” is a common law principle holding that “the waters of the state are a public resource owned by and available to all citizens equally for the purposes of navigation, conducting commerce, fishing, recreation and similar uses.” While the doctrine “protect(s) public use of navigable water bodies below the ordinary high water mark,” the doctrine “does not allow the public to trespass over privately owned uplands to access the tidelands.” See: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/public_trust.html.

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- G. **Public access exceptions.** Public access should not be required where it is demonstrated to be infeasible due to reasons of incompatible uses, safety, security, or impact to the shoreline environment or due to constitutional or other legal limitations that may be applicable.
- H. **Willing property owners.** Encourage willing property owners to participate in public access projects, such as through conservation easements and trail easements.
- I. **Respect private property.** Public access does not include the right to enter upon or cross private property, except on dedicated public rights-of-way or easements or where development is specifically designed to accommodate public access. The design of public access should minimize potential impacts to private property and individual privacy. This may include providing a physical separation to reinforce the distinction between public and private space, and may be achieved by providing signage, adequate space, and/or through screening with landscape planting or fences.
- J. **Safety and environment.** Public access should be designed consistent with public safety objectives. Public access design should also conserve or protect natural amenities. Where public access is determined to be incompatible due to reasons of safety, security, or impact to the shoreline, the proponent should consider alternate methods of providing public access, such as offsite improvements, viewing platforms, separation of uses through site planning and design and restricting hours of public access. Off-site public access improvements may be allowed if such improvements would provide a greater public benefit and reduce safety and environmental impacts.
- K. **Visual access.** Views to shorelines contribute to the quality of life, tourism economy, and property values. Support flexible development standards, such as height, bulk, scale, setbacks, lighting, and view corridors, to assure preservation of unique, fragile, and scenic elements and to protect existing views from public property or large numbers of residences, particularly where development would exceed three stories in height.
- L. **Roads, streets, and alleys abutting bodies of water.** Roads, streets, and alleys abutting bodies of water should be preserved, maintained, consolidated enhanced, and/or created for public access.
- M. **Fishing easements.** In consultation with the Washington Department of Fish and Wildlife, review fishing easements and work in partnership with the Washington Department of Fish and Wildlife, Chelan County Public Utility District, Cities, land trusts, and others to improve public. Actions may include adding identifiable signage, improving access on unused sites, consolidating access points for maintenance purposes, or land surplus, exchanges or purchases, etc.
- N. **Accessibility.** Public access should be provided as close as possible to the water's edge without causing significant ecological impacts and should be designed in accordance with the Americans with Disabilities Act.

4.5 Vegetation Conservation and Shoreline Buffers

- A. **Conserve shoreline vegetation.** Where new developments, uses and/or redevelopments are proposed, shoreline vegetation, both upland and waterward of the OHWM, should be

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conserved to maintain shoreline ecological functions and processes. Important functions of shoreline vegetation include, but are not limited to:

1. Providing shade necessary to maintain water temperatures required by salmonids and other organisms that require cool water for all or a portion of their life cycles.
 2. Regulating microclimate in riparian and nearshore areas.
 3. Providing organic inputs necessary for aquatic life, including providing food in the form of various insects and other benthic macroinvertebrates.
 4. Stabilizing banks, minimizing erosion and sedimentation, and reducing the occurrence and severity of landslides.
 5. Reducing fine sediment input into the aquatic environment by minimizing erosion, aiding infiltration, and retaining runoff.
 6. Improving water quality through filtration and vegetative uptake of nutrients and pollutants.
 7. Providing a source of large woody debris, in appropriate areas/water bodies, to moderate flows, create hydraulic roughness, form pools, and increase structural diversity for salmonids and other species.
 8. Providing habitat elements for riparian-associated and aquatic species, including downed wood, snags, migratory corridors, breeding and rearing sites, food, and/or cover.
- B. **Native plant list.** Chelan County maintains a list of suggested native plants to be utilized in restoration or mitigation plantings. Property owners may choose species from this list when native plants are desired or required, or may use other native species identified by the Washington Native Plant Society, Washington Department of Natural Resources Natural Heritage Program, Washington Department of Fish and Wildlife, or other agency or entity that has expertise.
- C. **Noxious and invasive weeds.** Encourage management and control of noxious and invasive weeds. Control of such species should be done in a manner that retains onsite native vegetation, provides for erosion control, and protects water quality. Use of non-toxic or natural controls is preferred.
- D. **Fire Protection.** Support property owner's right to protect structures and land through recognized fire protection practices which include the reasonable modification of vegetation within the shoreline jurisdiction and shoreline buffer.

4.6 Water Quality, Stormwater and Nonpoint Pollution

- A. **Do not degrade waters.** The location, construction, operation, and maintenance of all shoreline uses and developments should maintain or enhance the quantity and quality of surface and groundwater over the long term.
- B. **Assess and mitigate stormwater impacts.** New developments or expansions or retrofits of existing developments should assess the effects of additional stormwater runoff volumes and velocities, and mitigate potential adverse effects on shorelines through design and implementation of appropriate stormwater management measures.

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- C. **Low impact development.** Use of low impact development (LID) or similar techniques for minimization of impervious surfaces and management of stormwater runoff is encouraged.
- D. **Minimize need for synthetic chemical applications.** Shoreline use and development, including invasive or noxious weed control, should minimize the need for synthetic chemical fertilizers, pesticides or other similar synthetic chemical treatments to prevent contamination of surface and ground water and/or soils and adverse effects on shoreline ecological functions and values. Use of natural and non-synthetic applications are encouraged when treatment is necessary.
- E. **Provide and maintain buffers.** Appropriate buffers along all wetlands, streams, and lakes should be provided and maintained for new development in a manner that avoids the need for chemical treatment for vegetation management and be consistent with critical areas ordinances and best management practices.
- F. **Existing development.** For existing development, implementation of management plans that minimize or avoid the need for chemical treatments of vegetation in shoreline buffers is encouraged. When lands owned by a County are leased to private parties, a vegetation management plan should be negotiated during lease renewal.

SHORELINE MODIFICATIONS AND USES

5.1 General Upland Shoreline Modification and Use Regulations

This section provides policies and standards addressing preferred layouts of shoreline development and appropriate signage serving the intended use and recognizing shoreline locations.

- A. **Designs Avoid Sensitive Areas.** Development and uses should be designed in a manner that directs land alteration to the least sensitive portions of the site to maximize vegetation conservation, both upland and aquatic; minimize impervious surfaces and runoff; protect riparian, nearshore, aquatic and wetland habitats; protect wildlife and habitats; protect archaeological, historic and cultural resources; and preserve aesthetic values.
- B. **Location of Nonwater-Oriented Accessory Uses.** Nonwater-oriented accessory development or use that does not require a shoreline location should be located landward of shoreline jurisdiction unless such development is required to serve approved water-oriented uses and/or developments.

When sited within shoreline jurisdiction, uses and/or developments such as parking, service buildings or areas, access roads, utilities, signs, and materials storage should be located landward of shoreline, riparian and/or wetland buffers and landward of water-oriented developments and/or other approved uses.

- C. **Minimize Impacts on Shoreline and Upland Uses.** Development should be located, designed, and managed to minimize impacts on shoreline or upland uses through bulk and scale restrictions, setbacks, buffers, light shielding, noise attenuation, and other measures.

5.2 General Aquatic Shoreline Modification and Use Regulations

- A. **Protect beneficial uses, including ecological functions and water-dependent uses.** Shoreline modifications and uses should be designed, located and operated in a manner that supports long-term beneficial use of the shoreline and protects and maintains shoreline ecological functions and processes. Modifications should not be permitted where they would result in a net loss of shoreline ecological functions, adversely affect the quality or extent of habitat for native species, adversely impact other habitat conservation areas, or interfere with navigation or other water-dependent uses.
- B. **Minimize and mitigate unavoidable impacts.** All significant adverse impacts to the shoreline should be avoided or, if that is not possible, minimized to the extent feasible and then mitigated.
- C. **Protect water quality and hydrograph.** Shoreline modifications and uses should be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions.

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5.3 Agriculture

- A. **Maintain Agriculturally Productive Lands.** Lands used for agriculture may be maintained in agricultural production.
- B. **Encourage Vegetative Buffer.** Support maintenance of vegetation along the shoreline of orchards and farming activities to encourage the slowing of surface water runoff, reduction of siltation, and provide sanctuary for fish and other wildlife.
- C. **Avoid Water Pollution.** Agricultural activities should be conducted and buildings designed to avoid surface or groundwater pollution.
- D. **Avoid Structures in Floodplains.** Agricultural structures should be located outside of the floodway. Agricultural structures may be placed within the 100-year floodplain when adequate protective measures are implemented.
- E. **Manage Water Resources.** Water resources should be managed in accordance with federal and state laws and adopted County watershed plans.
- F. **Right to Farm.** The farmer shall have the right to farm, consistent with appropriate local, State and Federal requirements.
- G. **Siting and Design.** Land use activities should be sited and designed to avoid and mitigate potential conflicts with adjacent agricultural practices.
- H. **Resource Uses in Rural Areas.** Agriculture and timber lands that are not designated resource lands should be accommodated in the rural setting. The development of rural lands should not preclude the existing use of land for agriculture production.
- I. **Value Added Activities.** Encourage value-added agricultural activities that strengthen and diversify the agricultural economy.

5.4 Aquaculture

- A. **Water-dependent and preferred use.** Aquaculture is dependent on the use of the water area and, when consistent with control of pollution and avoidance of adverse impacts to the environment and preservation of habitat for resident or anadromous native species, is a preferred use of the water area.
- B. **Recognize limited availability of suitable locations.** Potential locations for aquaculture activities are relatively restricted because of specific requirements related to water quality, temperature, oxygen content, currents, adjacent land use, wind protection and navigation.
- C. **Recognize and facilitate non-commercial aquaculture.** Aquaculture can be commercial or non-commercial. Non-commercial aquaculture is used for the purpose of enhancement and restoration of fish and wildlife resources. The goals and objectives of non-commercial aquaculture include, but are not limited to, supplementation, conservation, restoration, supplementation, mitigation, recreation, education, reintroduction, research, and harvest. Non-commercial aquaculture is location dependent because of the requirement for natal waters. Permitting should be streamlined for facilities that support propagation and acclimation of desirable salmonid species, particularly those covered by the Upper Columbia Salmon Recovery Plan.

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- D. **Preference for lower-impact methods.** Preference should be given to those forms of aquaculture that involve lesser environmental and visual impacts, and lesser impacts to native plant and animal species. In general, projects that require either no structures or submerged structures are preferred over those that involve substantial floating structures. Projects that involve little or no substrate modification are preferred over those that involve substantial modification. Projects that involve little or no supplemental food sources, pesticides, herbicides or antibiotic application are preferred over those that involve such practices.
- E. **Protect ecological functions.** Aquaculture activities should be designed, located and operated in a manner that supports long-term beneficial use of the shoreline and protects and maintains shoreline ecological functions and processes. Aquaculture should not be permitted where it would result in a net loss of shoreline ecological functions, adversely affect the quality or extent of habitat for native species, adversely impact other habitat conservation areas, or interfere with navigation or other water-dependent uses.
- F. **Prevent cumulative adverse effects.** Aquaculture that involves risk of cumulative adverse effects on water quality, sediment quality, benthic and other aquatic organisms, and/or wild fish populations through potential contribution of antibiotic resistant bacteria, escapement of non-native species, or other adverse effects on ESA-listed species should not be permitted unless the potential benefits outweigh the potential risks as determined by the appropriate state or federal agencies..

Consideration should be given to both the potential beneficial impacts and potential adverse impacts that aquaculture development might have on the physical environment; on other existing and approved land and water uses, including navigation; and on the aesthetic qualities of a project area.

- G. **Restrictions on experimental aquaculture.** Experimental aquaculture means an aquaculture activity that uses methods or technologies that are unprecedented or unproven in the State of Washington. The technology associated with some forms of aquaculture is still experimental and in formative stages. Therefore, some latitude should be given when implementing the regulations of this section in the development of this use. However, experimental aquaculture projects in waterbodies should be limited in scale and should be approved for a limited period of time, as specified by the regulatory agency.
- H. **Protect existing aquaculture.** Legally established aquaculture enterprises, including authorized experimental projects, should be protected from incompatible uses that may seek to locate nearby. Uses or developments that have a high probability of damaging or destroying an existing aquaculture operation are not consistent with these policies.

5.5 Boating Facilities

- A. **Recognize that boating facilities are water-dependent uses.** Boating facilities, including portions of marinas and public boat launch facilities, are water-dependent uses. When facilitating public access or providing an opportunity for substantial numbers of people to enjoy the shoreline, boating facilities should be given priority for shoreline location.
- B. **Plan and coordinate boating facilities regionally.** Regional needs for marina and boat launch facilities should be carefully considered in reviewing new proposals as well as in

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allocating shorelines for such development. Such facilities should be coordinated with park and recreation plans and, where feasible, collocated with other compatible water-dependent uses.

- C. **Minimize modifications.** Boating facilities that minimize the amount of shoreline modification, in-water structure, and overwater cover are preferred.
- D. **Balance public access and ecological functions.** New marinas should provide physical and/or visual public shoreline access, particularly where water-enjoyment uses are associated with the marina, to the extent compatible with shoreline ecological functions and processes and adjacent shoreline use.
- E. **Limitations on accessory uses.** Accessory uses at boating facilities should be limited to water-oriented uses, or uses that provide physical and/or visual shoreline access for substantial numbers of the general public. Nonwater-dependent accessory uses should be located outside of shoreline jurisdiction or outside of the shoreline buffer whenever possible.
- F. **Minimize impacts to adjacent uses and users.** New boating facilities should be located, designed, constructed and maintained to avoid adverse impacts such as noise, light and glare; aesthetic impacts to adjacent land uses.
- G. **Site facilities appropriately.** New boating facilities should be located at sites where suitable environmental conditions, shoreline configuration, access, and compatible or similar uses are present.
- H. **Consider navigation and other recreation opportunities.** Boating facilities should not unduly obstruct navigable waters and should consider adverse effects to recreational opportunities such as fishing, pleasure boating, swimming, picnicking and shoreline access and viewing.

5.6 Breakwaters, Jetties, Groins, Weirs and Barbs

- A. **Allowed circumstances.** Breakwaters, jetties, groins, weirs and barbs located waterward of the OHWM should be allowed only where necessary to support water-dependent uses, public access, shoreline stabilization, or other specific public purpose.
- B. **Use less-impacting alternatives.** Alternative structures, including floating, portable or submerged breakwater structures, or several smaller discontinuous structures, should be considered where physical conditions make such alternatives with less impact feasible.
- C. **Shoreline Conditional Use Permit required.** Breakwaters, jetties, groins, weirs, barbs and similar structures should require a Shoreline Conditional Use Permit, except for those structures installed to protect or restore ecological functions, such as woody debris, engineered log jams, or habitat-forming rock weirs installed in streams.
- D. **Protect critical areas.** Breakwaters, jetties, groins, weirs and barbs should be designed to protect critical areas and should provide for mitigation according to the sequence defined in Section 4.2.2.A.

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5.7 Dredging and Dredge Material Disposal

- A. **Permitted.** Dredging should be permitted for water-dependent uses and/or essential public facilities only when necessary and when alternatives are infeasible or less consistent with this SMP. Dredging as part of flood hazard abatement, ecological restoration or enhancement, beach nourishment, public access or public recreation should be permitted.
- B. **Prohibited.** Dredging of bottom materials for the primary purpose of obtaining material for fill, construction, or beach nourishment should not be permitted.
- C. **Disposal.** Spoil disposal on land outside of shoreline jurisdiction is generally preferred over open water disposal. Disposal of dredged material on shorelands or wetlands within a river's channel migration zone should be discouraged.
- D. **Cooperative management programs.** Long-term cooperative management programs that rely primarily on natural processes should be pursued to prevent or minimize conditions which make dredging necessary.
- E. **Siting and design.** New development should be sited and designed to avoid or to minimize the need for new maintenance dredging.
- F. **Ecological impacts.** Dredging and dredge material disposal shall be done in a manner that avoids or minimizes significant ecological impacts. Impacts that cannot be avoided should be mitigated in a manner that assures no net loss of shoreline ecological functions.
- G. **Navigation channels and basins.** Dredging for the purpose of establishing, expanding, relocating or reconfiguring navigation channels and basins should be allowed where necessary for assuring safe and efficient accommodation of existing navigational uses and then only when significant ecological impacts are minimized and when mitigation is provided. Maintenance dredging of established navigation channels and basins should be restricted to maintaining previously dredged and/or existing authorized locations, depths and widths.

5.8 Fill and Excavation

- A. **Minimize fill and excavation.** Fill and excavation should only be permitted to the minimum extent necessary to accommodate an approved shoreline use or development. Enhancement and voluntary restoration of landforms and habitat are encouraged.
- B. **Location.** Fills and excavation should be located and developed so that water quality, hydrologic and runoff patterns are not altered.
- C. **Shoreline stabilization.** Fill should not be allowed where shoreline stabilization would be required to maintain the materials placed.
- D. **Restoration.** Excavation and grading may be permitted landward of the OHWM for projects with the primary purpose of restoring ecological functions and natural character.
- E. **Creation of uplands.** Fill in waterbodies, floodways, channel migration zones, and/or wetlands should not be permitted for creation of new uplands, unless it is part of an approved ecological restoration activity or provides some other public benefit.

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- F. **Permitted Fill.** Fill should be permitted in limited instances to restore uplands where recent erosion has rapidly reduced upland area where the erosion has not been caused by the landowners own actions of vegetation removal or improper stormwater handling, to build protective berms outside required buffers and nourish beaches for shore stabilization or recreation, to restore or enhance degraded shoreline ecological functions and processes, or to facilitate upland development outside required buffers otherwise allowed by and consistent with this SMP.

5.10 Forest Practices

- A. **Avoid Steep Slopes.** Forest practices should be avoided on shorelines with slopes of such grade that large sediment runoff will result unless adequate restoration and erosion control including seeding, mulching, matting and replanting can be expeditiously accomplished.
- B. **Protect Waterways and Floodplains.** Special attention should be directed to forest practices activities including thinning, harvest and road construction to prevent the accumulation of slash and other debris in contiguous waterways and their floodplains.
- C. **Visual Impacts.** The visual impact of forest practices should be considered in all shoreline areas.
- D. **Buffer Zone.** The use of buffer zones along forested shorelines is encouraged in order to retard surface runoff, reduce siltation, provide shade for fish, and be aesthetically pleasing.
- E. **Water Quality.** Timber harvesting practices on shorelines should be conducted to maintain State and Federal water quality standards as appropriate.
- F. **Current Use Taxation.** Support the maintenance of forest lands in timber and current use property tax classification consistent with RCW 84.28, 84.33, and 84.34.
- G. **Multiple Economic Uses.** Multiple economic uses of forest resource lands is encouraged for land uses which do not eliminate or limit commercial forest resource management.
- H. **Cooperative Resource Management.** Encourage the concept of cooperative resource management between both private and government agencies.
- I. **Minimize Wildfire Potential.** Forest management activities that minimize the potential for wildfires are encouraged.
- J. **Icicle Valley Scenic Quality.** Timber practices that maintain the scenic quality of the Icicle Valley should be encouraged.
- K. **Icicle Valley Clear Cutting.** If responsible silvicultural procedures and management objectives indicate the need for clear cutting in Icicle Valley, such cuts should be carefully designed in the form of small irregular patch cuts, taking advantage of natural variations in the vegetation and topography.
- L. **Logging Roads.** Logging road construction should be minimized as much as possible. The visual and environmental impacts of such roads should be carefully evaluated.
- M. **Icicle Valley Watershed – Water Quality.** Water quality impacts to the Icicle Valley Watershed should be addressed.

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5.11 Industry

- A. **Industrial use preference.** Industries are an appropriate land use along shorelines where compatible with existing land use plans and zoning. However, first priority should be given to water-dependent industries over nonwater-dependent uses, and second priority to water-related industries over nonwater-oriented uses.
- B. **Environmental limitations.** Lands designated for industrial development should not include shoreline areas with severe environmental limitations, such as critical areas.
- C. **Water and wastewater facilities.** Sewage treatment and potable water facilities should be located with consideration for economic operation and compatibility with surrounding uses.
- D. **Cleanup and restoration.** Industrial development and redevelopment should be encouraged to locate where environmental cleanup and restoration of the shoreline area can be incorporated.
- E. **Locations for Industrial.** Support industrial development in designated industrial areas within urban growth areas and in rural lands.
- F. **Innovative Techniques.** Promote the use of innovative development techniques such as industrial parks and cottage industries, where appropriate.
- G. **Light Industrial.** Encourage the development of light industries.
- H. **Revitalization.** Promote revitalization within existing developed industrial areas determined to be suitable for continuing use.
- I. **Transition standards.** Promote adequate setbacks, landscape buffers and/or screening to aid in the transition between industrial development and other land uses.
- J. **Potential Impacts and Mitigation.** Potential impacts on nearby properties and public facilities and services should be addressed and mitigated when necessary when evaluating industrial development proposals.

5.12 In-Water Structures

- A. **Long-term compatibility.** In-water structures should be planned and designed to be compatible with appropriate multiple uses of resources over the long-term, especially in Shorelines of Statewide Significance. Appropriate multiple uses include, but are not limited to, public access, recreation, and fish migration.
- B. **Considerations.** The location, design, construction and maintenance of in-water structures should give due consideration of watershed processes, including prevention of damage to other properties and other shoreline resources from alterations to geologic and hydrologic processes; and ecological functions, with special emphasis on protecting and restoring priority habitats and species.
- C. **Siting and design.** In-water structures shall be sited and designed consistent with appropriate engineering principles, including, but not limited to, guidelines of the Washington Department of Fish and Wildlife, Natural Resources Conservation Service, and the U.S. Army Corps of Engineers. Planning and design of in-water structures should be

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consistent with and incorporate elements from applicable watershed management and restoration plans and/or surface water management plans.

- D. **Non-structural and non-regulatory alternatives.** Non-structural and non-regulatory methods to protect, enhance, and restore shoreline ecological functions, processes and other shoreline resources should be encouraged as an alternative to in-water structures. Non-regulatory and non-structural methods may include public facility and resource planning, land or easement acquisition, education, voluntary protection and enhancement projects, or incentive programs.
- E. **Prohibited development and uses.** New or expanding development or uses in the shoreline, including subdivision of land, that would likely require structural flood control works within a stream, lake, river, channel migration zone, or floodway should not be allowed.
- F. **Enhance ecological function.** In-water structure proposals should incorporate native vegetation to enhance ecological functions, create a more natural appearance, improve ecological processes, and provide more flexibility for long-term shoreline management. Such features include vegetated berms; vegetative stabilization including brush matting and buffer strips; and retention of existing trees, shrubs and grasses on stream banks, if possible.

5.13 Mining

- A. **Ecological function.** The determination of whether there will be no net loss of ecological function should be based on an evaluation of the reclamation plan required for the site and shall consider impacts on ecological functions during operation. Preference should be given to mining proposals that result in the creation, restoration, or enhancement of habitat for priority species.
- B. **Location.** Mining should not be located on shorelines where unavoidable adverse impacts, such as noise, vibration, odor, dust or other effects, on other users or resources, taken together, equal or outweigh the benefits from mining. The operator may be required to implement measures such as buffers, limited hours, or other mitigating measures to minimize adverse impacts. Mining of shorelines having high value for public recreation should not be permitted.
- C. **Post-mining restoration.** Mining, particularly surface or strip mining, should provide for timely restoration of disturbed areas to a biologically productive, attractive, semi-natural, or other useful condition through a reclamation process consistent with regulations administered by the Department of Natural Resources and other applicable local standards.
- D. **Where permitted.** Mining should only be permitted where detailed operation plans and studies prepared pursuant to Section 4.2.2, Ecological Protection and Critical Areas, and Appendix B, Critical Areas Regulations demonstrate that:
 - 1. Fish habitat, upland habitat and water quality will not be significantly harmed; and
 - 2. The operation will not adversely affect geologic or hydrologic processes, channel alignment, nor increase bank erosion or flood damage.
- E. **Minimize adverse impacts.** Mining operations should be located, designed, and managed so that they do not subject other appropriate uses to substantial or unnecessary adverse

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impacts from of the operation. The operator may be required to implement measures such as buffers, limited hours, or other mitigating measures to minimize adverse impacts.

5.14 Private Moorage Facilities

- A. **Moorage as water-dependent use.** Moorage associated with a single-family residence is considered a water-dependent use provided that it is designed and used as a facility to access watercraft.
- B. **Preferred moorage.** To minimize continued proliferation of individual private moorage, reduce the amount of over-water and in-water structures, and reduce potential long-term impacts associated with those structures, mooring buoys are preferred over docks and shared (either joint-use docks or community docks) or public moorage facilities are preferred over single-user moorage.
- C. **Avoid impacts to ecological functions.** Moorage should be sited and designed to avoid adversely impacting shoreline ecological functions or processes, and any unavoidable impacts to ecological functions should be mitigated.
- D. **Minimize interference with navigation and other uses.** Moorage should be spaced and oriented in a manner that minimizes hazards and obstructions to public navigation rights and corollary rights thereto such as, but not limited to, fishing, swimming and pleasure boating.
- E. **Minimize size.** Moorage should be restricted to the minimum size necessary to meet the needs of the proposed use.
- F. **Materials.** Moorage should be constructed of materials that will not adversely affect water quality or aquatic plants and animals.

5.15 Recreational Development

- A. **Promote recreation and public access.** Developments and uses should be designed and operated to provide the public with recreational areas, facilities, and access to the shorelines.
- B. **Support facilities and access.** Recreational areas should be supported by multi-use trails and parking to prevent undue concentration and pressure on fragile natural areas. Parking is not a preferred shoreline use, and should be located only as necessary to support an authorized use, minimizing environmental and visual impacts.
- C. **Pedestrian-oriented.** Direct access to the water should be via paths, walkways, or other pedestrian-oriented features. Vehicular traffic on beaches and fragile shorelines should be prohibited.
- D. **Public acquisition.** To reduce overcrowding of current facilities and avoid adverse impacts on adjacent properties, the increased public acquisition and dedication of land for shoreline parks and recreation areas are encouraged.
- E. **Grounds management.** The use of fertilizers, herbicides, and pesticides to maintain recreational facilities such as golf courses and playfields should be closely monitored to

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prevent contamination of waterbodies by runoff. Management that utilizes organic treatments, integrated pest management, or non-synthetic chemicals is preferred where feasible and practical over management that utilizes synthetic chemicals.

- F. **Scenic views and vistas.** Scenic views and vistas should be preserved in the design of recreational facilities, wherever practical.
- G. **State and Federal recreation use preferred to local acquisition.** As an economical alternative to new acquisition by local agencies, the use of State and Federal lands for recreational facilities should be considered.
- H. **Evaluate Recreational Needs.** Support the evaluation of recreational activities, including waterfront access and waterfront-dependent or related activities including funding mechanisms, construction, and maintenance and operation needs.
- I. **Public Access.** Encourage public access to shoreline areas in the development and maintenance of park and recreation opportunities, where consistent with the protection of critical areas and private property rights.

5.16 Residential Development

- A. **Compatibility with shoreline.** All subdivisions and residential development should be compatible with the characteristics of the shoreline and water in order to minimize impacts to the environment.
- B. **Cluster development.** Cluster development should be encouraged outside shoreline jurisdiction to minimize disruption of the natural shoreline.
- C. **Encourage restoration and environmental design.** Ecological restoration and measures to minimize environmental impacts, such as low impact development and vegetation conservation and enhancement, should be encouraged.
- D. **Overwater residential development.** New over-water residential development should be prohibited.
- E. **Floating homes.** New floating homes should be prohibited.

Liveboards may be authorized provided the use is managed to limit impacts to shoreline resources consistent with DNR and other State regulations.
- F. **Adequate utilities.** Residential development should have adequate provision for sanitary sewage disposal, storm drainage, and water supply which minimizes harmful effects on shorelines.
- G. **Provide public access.** Residential developments should be encouraged to provide public access to shorelines within the development and to minimize impacts of vehicular use and parking near the shoreline.
- H. **Housing Options.** Support a mix of housing unit, types and densities to meet the needs of existing and future residents.
- I. **Redevelopment and Infill.** Support infill, development, and redevelopment of existing intensely developed rural shoreline areas when consistent with the goals and policies of the Chelan County Comprehensive Plan and this SMP.

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5.17 Shoreline Habitat and Natural Systems Enhancement Projects

- A. **Design.** Restoration and enhancement of shorelines should be designed using principles of landscape and conservation ecology and should restore or enhance chemical, physical, and biological watershed processes that create and sustain shoreline habitat structures and functions.
- B. **Improve shoreline ecological functions.** Restoration and enhancement actions should improve shoreline ecological functions and processes and should target meeting the needs of sensitive plant, fish and wildlife species as identified by Washington Department of Fish and Wildlife, Washington Department of Natural Resources, National Marine Fisheries Service and/or U.S. Fish and Wildlife Service.
- C. **Pursue funding.** Encouraged funding from State, Federal, private and other sources to implement restoration, enhancement, and acquisition projects, particularly those that are identified in the Shoreline Restoration Plan or the local watershed plans.
- D. **Streamline review.** Support processing guidelines that will streamline the review of restoration-only projects.
- E. **Coordination.** Restoration and enhancement projects should be coordinated with local public utility and conservation districts.
- F. **Alternative mechanisms.** Restoration and enhancement projects should allow for the use of tax incentive programs, mitigation banking, grants, land swaps, or other programs, as they are developed, to encourage restoration and enhancement of shoreline ecological functions and to protect habitat for fish, wildlife and plants.

5.18 Shoreline Stabilization

- A. **Ecological functions and processes.** Shoreline stabilization should be located, designed, and maintained to protect and maintain shoreline ecological functions, ongoing shoreline processes, and the integrity of shoreline features.

Ongoing stream or lake processes and the probable effects of proposed shoreline stabilization on other properties and shoreline features should be considered.

Shoreline stabilization should not be developed for the purpose of filling shorelines or creating additional property.

- B. **Alternatives.** Structural shoreline stabilization measures should only be used when more natural, flexible, non-structural methods such as placing the development farther from the OHWM, planting vegetation, or installing on-site drainage improvements, beach nourishment and bioengineering have been determined infeasible. Alternatives for shoreline stabilization should be based on the following hierarchy of preference:
 - 1. No action. Allow the shoreline to retreat naturally, increase buffers, and relocate structures.

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2. Flexible defense works constructed of natural materials including soft shore protection, bioengineering, including beach nourishment, protective berms, large woody debris, or vegetative stabilization.
 3. Rigid works constructed of artificial materials such as riprap or concrete.
- C. **Future stabilization.** Structures should be located and designed to avoid the need for future shoreline stabilization where feasible. Land subdivisions should be designed to assure that future development of the created lots will not require shoreline stabilization.
- D. **Protect existing structures.** New or expanded structural shoreline stabilization should only be permitted where demonstrated to be necessary to protect an existing primary structure, including residences, that is in danger of loss or substantial damage, and where mitigation of impacts would not cause a net loss of shoreline ecological functions and processes.
- E. **Site-specific design.** Shoreline stabilization on streams should be located and designed to fit the physical character and hydraulic energy potential of a specific shoreline reach.
- F. **Public access and other uses.** Shoreline stabilization should not be permitted when it interferes with public access to shorelines of the state, nor with other appropriate shoreline uses including, but not limited to, navigation or private recreation.
- G. **Non-regulatory methods.** Non-regulatory methods to protect, enhance, and restore shoreline ecological functions and other shoreline resources, such as resource planning, education, voluntary enhancement and restoration projects and/or incentive programs should be encouraged for shore stabilization.
- H. **Coordination.** Shoreline stabilization should be developed in a coordinated manner among affected property owners and public agencies, particularly those that cross boundaries between local governments or other entities with authority over specific land or water areas, to address ecological and geohydraulic processes, sediment conveyance, and beach management issues.
- Where beach erosion threatens existing development, a comprehensive program for shoreline management should be established by the multiple affected property owners.
- I. **Public or quasi-public developments.** Provisions for multiple use, restoration, and/or public shoreline access should be incorporated into the location, design and maintenance of shoreline stabilization for public or quasi-public developments whenever safely compatible with the primary purpose. Shoreline stabilization on publicly owned shorelines should not be allowed to decrease long-term public use of the shoreline. For the purposes of this section, a 'quasi-public development' shall mean a privately-owned development with a public mandate and/or public funding.
- J. **Materials.** Materials used for construction of shoreline stabilization should be selected for long-term durability, ease of maintenance, compatibility with local shoreline features including aesthetic values, and flexibility for future uses.
- K. **Adjacent properties.** New development that would require shoreline stabilization which causes adverse impacts to adjacent or down-current properties and shoreline areas should not be allowed.

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5.19 Transportation and Parking

- A. **Circulation.** Public agencies and developments should provide circulation facilities including roads, streets, alleys, pedestrian, bicycle, and public transportation facilities, consistent with federal, state, or local standards and sufficient to meet adopted levels of service. Agencies should consider provisions for non-motorized and pedestrian features in the design of all roadway and bridge projects.
- B. **Essential public facilities.** Comprehensive Plans, which include Shoreline Master Programs, may not preclude the siting of essential public facilities, which include state or regional transportation facilities as defined in RCW 47.06.140.
- C. **Location and Minimize land consumption.** Encourage efficient, safe and environmentally sensitive road system development that supports desired land use patterns. Where other options are available and feasible, new roads or road expansions should not be built within shoreline jurisdiction. When transportation facilities must be located along shorelines, efforts should be made to minimize the amount of land consumed. Where feasible, such transportation facilities should be sufficiently set back so that a usable shoreline area remains. Where feasible, roads should not run parallel to shorelines.
- D. **Erosion and groundwater.** Roads in shoreline areas should be designed and maintained to prevent erosion and to permit a natural movement of groundwater.
- E. **Protect shorelands.** All construction should be designed to protect the adjacent shorelands from erosion, uncontrolled drainage, slides, pollution, and other factors detrimental to the environment. Transportation facilities and parking facilities should be planned, located, and designed where routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water-dependent uses.
- F. **Fit topography.** Road locations should be planned to fit the topography so that minimum alterations of natural conditions will be necessary.
- G. **General maintenance and reconstruction.** Road maintenance and reconstruction should be allowed in accordance with best management practices adopted by the County and the State of Washington Department of Transportation.
- H. **Public Access and Trails.** Encourage protection of existing public access and seek opportunities to increase public access, as appropriate. Multi-purpose trails should be encouraged.
- I. **Adequate Access.** Circulation plans should include pedestrian, bicycle, and public transportation where appropriate. Circulation planning and projects should support existing and proposed shoreline uses that are consistent with this SMP.
- J. **Stehekin Water Transportation.** Support improved water transportation to remote areas, such as Stehekin area.
- K. **Water Oriented Transportation – Lake Chelan.** Support cooperative efforts to provide for docking of boats, barges, and float planes, such as at the head of Lake Chelan with common agreement of the National Park Service, the Chelan County Public Utility District, and the Port of Chelan County.

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- L. **Minimize Impacts to Resource Lands, Critical Areas and Water Quality.** Transportation improvements should be designed and located to minimize disruptions to critical areas and designated resource lands. Roads should be also be designed to minimize impacts on hydrologic systems, including surface and groundwater quality.

5.20 Utilities

- A. **Meet demand for utilities.** Utilities should be located to meet the needs of current underserved areas or future growth.
- B. **Use existing corridors.** The consolidation and intensification of utility facilities and corridors is encouraged where feasible.
- C. **Minimize visual impact.** Whenever feasible, utilities should be placed underground or designed to do minimal damage to aesthetic qualities of the shoreline area.
- D. **Upland and underwater utilities.** Upland locations are recommended for utility pipelines and cables.
- E. **Restoration of disturbed areas.** Upon completion of installation or maintenance projects on shorelines, all disturbed areas within shoreline jurisdiction should be restored to pre-project conditions.
- F. **Outfalls.** Locate outfalls to avoid impacts to critical areas. Design outfalls to reduce impacts to aquatic vegetation and water quality.
- G. **Coordination of Utilities, Land Use, and Transportation.** Enhance the efficiency and quality of service from utility providers through the coordination of utility, land use, and transportation planning.
- H. **Coordination of Trenching.** Encourage effective and timely coordination of all public and private utility trenching activities.

5.21 Redevelopment, Repair, and Maintenance

5.21.1 Policies

- A. Recognize existing legally established uses and developments in the shoreline and allow them to continue consistent with their lawfully established condition.