Centralia Shoreline Master Program Update

Shoreline Policies and Regulations

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Community Development Department

Ecology Grant #G1200468

February 20, 2020

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City of Centralia Shoreline Master Program

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Chapter 1 – General Provisions

1.1 Purposes

The purposes of the Shoreline Master Program are to:

A. Guide future use and development of the City of Centralia's shorelines in a positive, effective and equitable manner, and adhere to the policies of the Shoreline Management Act of 1971, RCW 90.58 as amended; and
B. Promote the health, safety and general welfare of the community by providing long range, comprehensive policies and effective, reasonable regulations for use and development of the City's shorelines; and
C. Ensure no net loss of shoreline ecological functions and processes; and
D. Plan for restoration and enhancement of shorelines that have been impaired or degraded over time; and
E. Abide by the policies contained in RCW 90.58.020 for shorelines of the State of Washington.

1.2 Applicability

A. All proposed uses and development, as outlined in this Program, occurring within shoreline jurisdiction shall comply with this Program and RCW 90.58. This Program applies to all uses and developments within shoreline jurisdiction whether a shoreline permit or exemption is required. This Program shall apply to the following:
    1. Every person(s), individual, firm, partnership, corporation, association, organization, local or state governmental agency, or other non-federal entity; and
    2. As recognized in RCW 90.58.350, the provisions of this Program shall not affect treaty rights of Native American Tribes.

B. The shoreline uses and developments contained in this Program shall be classified as follows:
    1. Allowed: Uses and developments that are consistent with this Program and RCW 90.58. These uses and/or developments shall require a Shoreline Substantial Development permit, Shoreline Conditional Use permit, Shoreline Variance approval, and/or a Letter of Shoreline Exemption.
    2. Prohibited: Uses and developments that are inconsistent with this Program and/or RCW 90.58 and cannot be allowed.

C. Uses and developments may also be subject to review and approval by State, Federal and/or other agencies.

D. The City may attach conditions to any use/development as necessary to ensure consistency with this Program and the Shoreline Management Act.

E. Nonfederal developments and uses undertaken on federal lands and on lands subject to nonfederal ownership, lease or easement, even though such lands may fall within the external boundaries of a federal ownership, are subject to this Program and RCW 90.58.

F. The provisions of the Program shall not apply to lands held in trust by the United States for Indian Nations, tribes or individuals.

1.3 Governing Principles

A. The goals, policies, objectives and regulations of this Program are based on the governing principles in WAC 173-26-186 and the policy statements of RCW 90.58.020.

B. Any inconsistencies between this Program and RCW 90.58 must be resolved in accordance with the RCW.

C. The City may achieve the planning policies and goals of this Program by numerous means; including, but not limited to, regulation enforcement, land acquisitions, implementation of capital projects and programs, voluntary measures, incentive programs, etc.

D. This Program must not unconstitutionally infringe upon private property rights or result in an unconstitutional taking of property when enforcing the use/development regulations.

E. The regulatory provisions of this Program are limited to shorelines of the state, whereas the planning functions of this Program may extend beyond shoreline jurisdiction.

F. The policies and regulations of this Program must be integrated and coordinated with policies, ordinances, rules, and regulations of the City of Centralia, State of Washington, and the Federal Government.

G. The policies and regulations of this Program are intended to protect shoreline ecological functions by the following:

1. Require currently existing and potential new ecological functions be identified when evaluating project proposals;
2. Ensure all uses/developments result in no net loss of shoreline ecological functions.
3. Require adverse impacts to be mitigated in a manner as to ensure no net loss of shoreline ecological functions. Mitigation sequencing as described in this Program shall include, in the order listed, avoidance, minimization/mitigation and replacement/compensation for all lost functions and/or

resources. To the greatest extent possible, prevent cumulative impacts from individual proposals.

4. Include regulatory and/or voluntary incentives to restore/enhance shoreline ecological functions where degraded by past uses/developments.

1.4 Authority

Authority for enforcement and administration of this Program is provided via the Shoreline Management Act of 1971 (SMA), RCW Chapter 90.58. This Program must also be in compliance with Washington Administrative Code WAC Chapter 173-26 and WAC Chapter 173-27.

1.5 Relationship to Other Codes, Ordinances, Regulations and Plans

A. All applicable local, State and Federal laws shall apply to properties within shoreline jurisdiction.

B. All uses/developments subject to the shoreline permit requirements of this Program shall be coordinated with all other local permit requirements. Other applicable permits shall not be issued until a shoreline permit or Letter of Exemption has been granted. The same terms and conditions of the shoreline permit or Letter of Exemption will apply to other permit applications associated with the project.

C. In the case of zoning special use permits or variances required by Centralia Municipal Code Title 20 that are also within shoreline jurisdiction, the Administrator shall document review and compliance with bulk and dimensional standards, policies and regulations of this Program. Conditions shall be attached to such permits/variances as needed to ensure compliance with this Program.

D. In the case of land divisions (i.e.: short plats, long plats, binding site plans, planned unit developments, etc.), the Administrator shall document review and compliance with bulk and dimensional standards, policies and regulations of this Program. Conditions shall be attached to such land use divisions as needed to ensure the design, development and future use(s) are in compliance with this Program.

E. Uses/developments shall comply with all other City, State and Federal requirements provided they do not conflict with the goals, policies and regulations of this Program.

F. The Critical Areas regulations, ~~as identified~~ in Centralia Municipal Code Title 16 - Environment, in effect on April 10, 2018, by adoption of Ordinance No. 2396, contained in the City of Centralia Critical Areas Ordinance, CMC Chapters 16.16 through 16.21 shall be adopted as part of this Program, ~~that are located within shoreline jurisdiction are regulated by this Program,~~ subject to the exceptions of section 5.7. Should any conflicts between the Critical Areas regulations and this Program

arise, the provisions of this Program shall apply.

1.6 Liberal Construction

As provided for in RCW 90.58.900, the SMA is exempted from the rule of strict construction; the SMA and this Program shall therefore be liberally construed to give full effect to the purposes, goals, objectives and policies for which they were enacted.

1.7 Severability

Should any section or provision of this Program be declared invalid, the remainder of the Program shall not be affected and does not affect the validity of this Program as a whole.

1.8 Title

This document shall be known as the Shoreline Master Program for the City of Centralia, also referred to as the Program or SMP.

1.9 Amendments

Amendments to this Program shall be processed per WAC 173-26-090 and RCW 90.58.080.

A minimum of every eight (8) years the City shall evaluate the SMP and shoreline conditions to assure the master program complies with current laws and rules; assure consistency with the city's comprehensive plan and development regulations; and determine whether there are any changed local circumstances, new information or improved data. A review of city decisions (see 2.1 G) should also help inform any proposed amendments.~~determine if intervention and/or enforcement is necessary to ensure no net loss of ecological functions~~. Specific evaluation issues include, but are not limited to, the following:

a. Visual quality.
b. Historic, cultural, educational and/or scientific value.
c. Water quality.
d. Vegetation conservation and control of invasive species and noxious weeds.
e. Changes as a result of new, expansion, or alteration developments.
f. Shoreline stabilization.
g. Shoreline modification.

1.10 Authorization of a Moratorium

The City of Centralia may adopt a moratorium or other interim official controls on development and/or activities within the shoreline jurisdiction, as necessary and appropriate to implement and enforce the SMP.

The moratorium must be adopted in conformance with CMC 20.02 and RCW 90.58.590. Including, but not limited to, the following:

1. In adopting a moratorium or control under this section the City of Centralia must:

i. Hold a public hearing on the moratorium or control;

ii. Adopt detailed findings of fact that include, but are not limited to justifications for the proposed or adopted actions and explanations of the desired and likely outcomes;

iii. Notify the Department of Ecology of the moratorium or control immediately after its adoption. The notification must specify the time, place, and date of any public hearing required by this subsection;

iv. Provide that all lawfully existing uses, structures, or other development shall continue to be deemed lawful conforming uses and may continue to be maintained, repaired, and redeveloped, so long as the use is not expanded, under the terms of the land use and shoreline rules and regulations in place at the time of the moratorium.

v. (b) The public hearing required by this section must be held within sixty days of the adoption of the moratorium or control.

2. A moratorium or control adopted under this section may be effective for up to six months if a detailed work plan for remedying the issues and circumstances necessitating the moratorium or control is developed and made available for public review. A moratorium or control may be renewed for two six-month periods if the local government complies with subsection 1 of this section before each renewal. If a moratorium or control is in effect on the date a proposed master program or amendment is submitted to the Department of Ecology, the moratorium or control must remain in effect until the Department's final action under RCW 90.58.090; however, the moratorium expires six months after the date of submittal if the Department has not taken final action.

3. Nothing in this section may be construed to modify county and city moratoria powers conferred outside this chapter.

1.11 Effective Date

This Program and all amendments thereto shall become effective fourteen (14) days from the date of written notice of final action by the Washington State Department of Ecology.

Chapter 2 – Shoreline Permits

2.1 General Provisions

A. Unless specifically exempted by statute (see WAC 173-27-044 and 045), all development and use of shorelines of the state shall be consistent with the requirements of this Program and the policy of the Act as required by the Shoreline Management Act of RCW 90.58 whether or not a shoreline permit or statement of exemption is required.

B. No use, development or land/water alteration shall be undertaken within shoreline jurisdiction by any person without first obtaining a permit or Letter of Exemption. Pursuant to RCW 90.58.140, Conditional Use and Variance permit applications approved by the City must be submitted to the Department of Ecology for review and approval, approval with conditions, or denial.

C. When reviewing a use or development, the Administrator shall consider the surrounding uses, potential similar future uses and the impact the cumulative effects may have on the shoreline environment.

D. Should conflict arise between sections of this Program, the more specific requirement should apply over the general requirement. Specifically, the more restrictive requirement shall apply.

E. Pursuant RCW 90.58.580, a Substantial Development Permit is not required for uses/developments on land that is brought into shoreline jurisdiction due to a restoration project creating a landward shift in the ordinary high water mark (OHWM).

F. The Applicant may apply to the Shoreline Administrator for relief from the SMP development standards and use regulations for projects on land that is brought into shoreline jurisdiction by a restoration project that resulted in a landward change of the OHWM. Any relief granted shall comply with the requirements of RCW 90.58.580.

G. The City shall keep record of all reviews, actions, decisions, etc. within shoreline jurisdiction, including but not limited to, shoreline permits and letters of exemption. This record can be used to help inform periodic evaluations of shoreline conditions identified in section 1.9.

2.2 Substantial Development Permits

A. A Shoreline Substantial Development permit shall be required for all projects located within shoreline jurisdiction unless the project qualifies for a Letter of Exemption.

B. In order to be approved, a project must be consistent with the following:

1. All applicable regulations of this Program appropriate to the shoreline environment designation and the type of use or development proposed shall be met, except those bulk and dimensional standards that may have been modified by approval of a shoreline variance.
2. All policies of this Program appropriate to the shoreline environment designation and the type of use or development activity proposed shall be considered and substantial compliance demonstrated.
3. The review criteria in WAC 173-27-140 and 150.

C. The City is the final authority for Substantial Development permit issuance. Any person(s) aggrieved by the permit issuance may file an appeal to the City of Centralia Hearings Examiner. City of Centralia Hearing Examiner decisions may be appealed to the Washington State Shorelines Hearings Boards pursuant to RCW 90.58.180.

2.3 Conditional Use Permits

A. Uses that are classified as Conditional Use Permit required, may be authorized provided the following criteria are met:

1. The proposal is consistent with the policies of RCW 90.58, this Program, underlying zoning, Comprehensive Plan and other applicable regulations.

2. The proposal meets all the requirements of WAC 173-27-160; including but not limited to the following:

a. That the proposed use is consistent with the policies of RCW 90.58.020 and the master program;

b. That the proposed use will not interfere with the normal public use of public shorelines;

c. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;

d. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and

e. That the public interest suffers no substantial detrimental effect

B. Unclassified uses, may be authorized as a conditional use provided the applicant can prove consistency with the requirements of this section.

C. Prohibited uses may not be authorized under this section.

D. The Washington State Department of Ecology is the final authority for issuing a Conditional Use Permit. Within thirty (30) days of the date of submittal of the city's decision, the Department of Ecology shall render a decision of Approved, Approved with Conditions or Denied. Said decision will be forwarded to the City and the applicant and be final. Any person(s) aggrieved by the decision may file an appeal with the Shorelines Hearings Board.

E. Pursuant to WAC 137-27-160(2), in the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.

2.4 Variance Permits

Variance permits should be granted on a limited basis and only where there are extraordinary circumstances relating to the physical character (shape, topography, etc.) of the property, and where strict application of this Program would cause undue hardship on the applicant or conflict with the policies set forth in RCW 90.58.020.

A. The burden of proof of extraordinary circumstances rests with the Applicant. The Applicant must also demonstrate the project will result in no detrimental impact to the public interest.

B. Variance permits for projects located landward of the OHWM, or landward of a wetland area, may be authorized provided all of the following criteria are met:

1. The strict application of this Program significantly reduces or precludes the reasonable use of the property.

2. The extraordinary circumstances are strictly related to the property and are unique physical characteristics, not a result of the Applicant's own actions.

3. The project is compatible with the surrounding uses and uses allowed under the underlying zoning, Comprehensive Plan and this Program.

4. The use will not result in an adverse impact to the shoreline environment.

5. The variance will not result in the granting of special privilege.

6. The variance request is the minimum necessary to allow for reasonable use of the property.

7. The public interest will not be detrimentally affected.

C. Variance permits for projects located waterward of the OHWM, or waterward of a wetland area, may be authorized provided all of the following criteria are met:

1. The strict application of the bulk, dimensional or performance standards of this Program will preclude all reasonable use of the property.

2. The proposal is consistent with the criteria of Section 2.4.B.

3. The proposal will not adversely impact the public rights of navigation and use of the shorelines.

D. Prohibited uses may not be authorized under this section.

E. If a development/use does not comply with the bulk, dimensional or performance standards of this Program, a variance shall be required whether or not the project requires a Substantial Development Permit.

F. The Department of Ecology is the final authority on issuance of a Variance Permit. The Department of Ecology shall render a decision of Approved, Approved with Conditions, or Denied within thirty (30) days of the date of submittal of the city's decision. Said decision shall be forwarded to the City and the applicant and be final. Any person(s) aggrieved by the decision may file an appeal with the Shorelines Hearings Board.

G. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example if variances were granted to other developments and/or uses in the area where similar circumstances exist the total of the variances shall also remain consistent with the

policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.

2.5 Letter of Exemption

A. A letter of exemption shall be obtained from the City for exempt activities. An exemption from the substantial development permit is not an exemption from compliance with the Act or this Program, or from any other regulatory requirements.

Letters of exemption issued for development or use within shoreline jurisdiction shall include written findings prepared by the Administrator, including documentation of compliance with applicable bulk and dimensional standards and policies and regulations of this Program. The Administrator may attach conditions to the approval of exempt developments and/or uses as necessary to assure consistency of the project with the Act and this Program.

1. Letters of Exemption are not required for the following activities:

    a. Any person conducting remedial action at a facility pursuant to a consent decree, order, or agreed order pursuant to RCW 70.105D – Hazardous Waste Cleanup, Model Toxics Control Act.

    b. WSDOT projects and activities that meet the conditions of RCW 90.58.356.

    c. Projects that meet the conditions of RCW 77.55.181 – Fish Habitat Enhancement Project.

2. Consistent with WAC 173-27-050, when the Administrator determines the development is exempt from the substantial development permit requirements and is subject to one or more of the following federal permit requirements:

    a. A U.S. Army Corps of Engineers section 10 permit under the Rivers and Harbors Act of 1899; or

    b. A section 404 permit under the Federal Water Pollution Control Act of 1972.

The letter shall indicate the specific exemption provision from WAC 173-27-040 that is being applied to the development and provide a summary of the Administrator's analysis of the consistency of the project with the Program and the Act.

B. Exemptions shall be construed narrowly. Only those developments that meet the precise terms of one or more of the listed exemptions and as set forth in WAC 173-

27 may be granted exemptions from the substantial development permit.

C. The burden of proof, that a development or use is exempt, is on the applicant or proponent.

D. If any part of a proposed development is not eligible for exemption, then a substantial development permit is required for the entire project.

E. Exemptions listed. The following shall be considered exempt from the requirement to obtain a shoreline substantial development permit in accordance with RCW 90.58.030 and WAC 173-27-040, or their successors. The list below is a summary of common exemptions that may occur within the City's shorelines; a complete list of exemptions is provided in WAC 173-27-040.

1. Any development of which the total cost or fair market value, whichever is higher, does not exceed seven thousand forty seven dollars ($7,047.00), or as adjusted by the Office of Financial Management (WAC 173-27-040), if such development does not materially interfere with the normal public use of the water or shorelines of the state. For the purpose of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of the development that is occurring on shorelines of the state as defined in RCW 90.58.030(2)(g) or successor. The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials;

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

3. Construction of the normal protective bulkhead common to single-family residences;

4. Emergency construction necessary to protect property from damage by the elements;

5. Construction and practices normal or necessary for farming, irrigation and ranching activities, including agricultural service roads and utilities on shorelands, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels. A feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary for farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

6. Construction or modification of navigational aids such as channel markers and anchor buoys;

7. Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five (35) feet above average grade level and which meets all requirements of the Department or the City other than requirements imposed pursuant to this Program;

8. Construction of a dock, including a community dock, designed for pleasure craft only, for the private non-commercial use of the owner, lessee or contract purchaser of single and multiple family residences. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances. This exception applies if either:

   a. In salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars ($2,500); or

   b. In fresh waters, the fair market value of the dock does not exceed: (I) ~~Twenty~~ Twenty-two thousand five hundred dollars (~~$20,000~~ 22,500) for docks that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced, and are located in a county, city, or town that has updated its master program consistent with the master program guidelines in chapter 173-26 WAC as adopted in 2003; or (II) ~~ten~~ eleven thousand two hundred dollars (~~$10,000~~ 11,200) for all other docks constructed in fresh waters. However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified in either (a) or (b) of this subsection (8), the subsequent construction shall be considered a substantial development.

9. 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 groundwater for the irrigation of lands;

10. The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

11. Operation and maintenance of any system of dikes, ditches, drains or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system;

12. Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this Program, if:

    a. The activity does not interfere with the normal public use of the surface waters;

    b. The activity will have no significant adverse impact on the environment including, but not limited to, fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;

    c. The activity does not involve the installation of a structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;

    d. A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the City to ensure that the site is restored to pre-existing conditions; and

    e. The activity is not subject to the permit requirements of RCW 90.58.550;

13. The process of removing or controlling aquatic noxious weeds, as defined in RCW 17.26.020, through the use of a herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the Department of Agriculture or the Department jointly with other state agencies under RCW 43.21C.

14. The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities.

2.6 Unclassified Uses

This Program does not attempt to identify or foresee all conceivable shoreline uses or types of development. When a use or development is proposed which is not specifically classified within an existing use or development category, the Administrator shall identify and apply those program policies and regulations which will best promote the policies of the Act and this Program, with special reference to the policies of the environmental designation in which the use will be located. A conditional use permit is required in accordance with section 2.3.

2.7 Permit Process and Revisions

A. The Administrator can help determine if a project is classified as a substantial development, determine if a permit is necessary or if a project is exempt from the permit requirements, and identify which regulations in the Program may apply to the proposed project.

B . In development of any procedures for, and/or administrative interpretations of, the Master Program, the City shall consult with the Department of Ecology to insure any formal written interpretation is consistent with the purpose and intent of the Shoreline Management Act and the Shoreline Master Program Guidelines.

C. The Administrator can also provide information on the permit application process and how the Program relates to, and can coordinate with, the State Environmental Policy Act (SEPA). Permit applications are reviewed and processed pursuant to this Program, and Title 20.02. However, the public comment period for Shoreline Permits shall be a minimum of 30 days. The Administrator shall coordinate with the Department of Ecology and all other local, state and federal agencies to ensure compliance with the Shoreline Management Act and this Program. Any revisions to issued permits must comply with WAC 173-27-100.

D. Application requirements to submit a permit application shall be consistent with WAC 173-27-180 and as follows:

1. Complete application form including a detailed description of the project.
2. Required fee paid.
3. Detailed, dimensioned site plan including all of the following:
4. Scale, North arrow and property lines.
5. Location of all existing and proposed structures with setbacks to property lines, buffer areas, roads, etc.
6. Existing and proposed contours at 5' intervals.
7. Location and name of water body.
8. Location of the Ordinary High Water Mark.
9. Location of any associated wetlands, floodplain and other critical areas.
10. Location and footage of all required buffer areas from the OHWM.
11. Other items, as determined by the Administrator, needed for specific proposals (studies, reports, assessments, etc.)

E. All final shoreline permit decisions, whether approvals or denials, shall be submitted to Ecology consistent with WAC 173-27-130. Final decisions shall mean the decision established after all local administrative appeals related to the permit have concluded or the opportunity to initiate such appeals have lapsed.

F. Permit procedures and timelines are as follows:

1. Procedures:
    a. After all city permit administrative appeals and reconsideration periods have lapsed and the permit documents are amended to incorporate any necessary changes, the city will mail the permit by return receipt requested mail to the Department of Ecology regional office and the Office of the Attorney General Ecology Division or submit by other authorized methods. Projects that require both Conditional Use and/or Variance Permits shall be mailed simultaneously with the Substantial Development Permit for the project.
    b. The permit and documentation of the final city decision will be submitted together with the complete permit application(s), a findings and conclusion letter, a completed permit data form (cover sheet), and applicable SEPA documents/determination.
    c. Consistent with RCW 90.58.140(6), the state's Shorelines Hearings Board twenty-one (21) day appeal period starts with the date of filing. The date of filing is defined as follows:
        i. For projects that only require a Substantial Development Permit the date of filing is the date that Ecology receives the city's final decision.
        ii. For Conditional Use or Variance Permits the date of filing is the date that Ecology's final decision on the project permit is transmitted to the applicant and city.
        iii. For Substantial Development Permits simultaneously mailed with Conditional Use (CUP) and/or Variance Permits, the date of filing is the date that Ecology's final decision on the CUP or Variance is transmitted to the applicant and the city.
2. Timelines:
    a. Construction activities associated with a Substantial Development, Variance and/or Conditional Use permit(s) shall be commenced or, where no construction activities are involved, the use or activity shall be commenced within two years of the

effective date of a substantial development permit. However, a single extension for a period not to exceed one year based on reasonable factors may be granted by the Administrator if a request for extension has been filed before the expiration date. A notice of the proposed extension shall be given to parties of record on the substantial development permit and to the department.

b. Authorization to conduct development activities shall terminate five years after the effective date of a substantial development permit. However, the Administrator may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and to the department.

c. The effective date of a substantial development permit shall be the date of filing as provided in RCW 90.58.140(6). The permit time periods in subsections (1) and (2) of this section do not include the time during which a use or activity was not actually pursued due to the pendency of administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals

2.8 Inspections

The Administrator or designated representative may enter the subject property to enforce the provisions of this Program and inspect progress to ensure compliance with permits during regular business hours pursuant to RCW 90.58.200.

2.9 Penalties, Violations and Enforcement

The Shoreline Management Act imposes significant penalties for violation of the Act and this Program. A violation constitutes a gross misdemeanor, which is punishable by fine or imprisonment (RCW 90.58.220). In addition to the criminal penalty, the Act imposes liability on any person violating the Act or conditions of a permit for all damage to public or private property resulting from the violation. Furthermore, if liability has been established for the cost of restoring an area affected by a violation, the court shall make provision to assure that restoration will be accomplished within a reasonable time at the expense of the violator. In addition to such relief, including money damages, the court in its discretion may award attorney's fees and costs of the suit to the prevailing party. (RCW 90.58.230). Violations are also subject to the provisions of CMC Title 16.08.100, RCW 90.58.140, and RCW 90.58.180.

Chapter 3 – Shoreline Jurisdiction and Environment Designations

3.1 Shorelines of the State

Shorelines of the State are defined in RCW 90.58.030 and in Chapter 9 of this Program.

3.2 Shoreline Jurisdiction within the City of Centralia

A. Lake Shoreline Jurisdiction

1. Shoreline jurisdiction for lakes shall include lakes twenty (20) acres or greater in size, the land extending two hundred (200) feet from the OHWM and any associated wetlands.

B. Stream Shoreline Jurisdiction

Shoreline jurisdiction shall include streams with a mean annual flow of twenty (20) cubic feet per second (cfs) or more and the greater of the following:

1. Lands that extend two hundred (200) feet in all directions from the OHWM, measured on a horizontal plane.

2. The SMP flood course and contiguous floodplain areas landward up to two hundred (200) feet from the flood course. The statutory minimum distance from the SMP flood course is measured entirely within the floodplain. If the floodplain boundary is less than 200' from the SMP flood course, the floodplain boundary becomes the SMA boundary.

3. The FEMA Floodway and the contiguous floodplain areas landward up to two hundred (200) feet from the floodway. The statutory minimum distance from the floodway is measured entirely within the floodplain. If the floodplain boundary is less than 200' from the floodway, the floodplain boundary becomes the SMA boundary.

4. Wetlands associated with these streams.

5. Lands within a river delta.

C. Shoreline jurisdiction under the authority of the City of Centralia includes water areas, wetlands and shorelands , as defined in 3.2.A and B, associated with the following:

1. Chehalis River
2. Skookumchuck River

3. Salzer Creek
4. Plummer Lake
5. Lakeside Industries Gravel Pit

D. The City has pre-designated Shoreline Environment Designations in certain areas of the Urban Growth Area. However, until such time as those areas are officially annexed into city limits, the City of Centralia has no jurisdictional authority to enforce any regulations. Development in UGAs is subject to the Lewis County SMP until annexation.

3.3 Shoreline Environment Designations (SED's)

The City of Centralia has adopted four (4) classifications within shoreline jurisdiction. The purpose, designation criteria and management policies are outlined in this section.

3.3.1 Aquatic

A. Purpose

1. Protect existing functions and resources located waterward of the OHWM.

2. Restore and enhance previously degraded functions and resources located waterward of the OHWM.

3. Manage the unique characteristics, functions and resources of lands located waterward of the OHWM.

B. Designation Criteria

1. All lands located waterward of the OHWM.

C. Management Policies

1. Allow new over-water structures for water-dependent uses, public access, or ecological restoration only.

2. Limit the size of new over-water structures to the minimum necessary to support the structure's intended use.

3. Encourage multiple uses of over-water facilities to reduce the impacts of development and increase effective use of water resources.

4. Minimize interference with surface navigation, consider impacts to public views, and allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.

5. Design and manage shoreline uses and modifications to prevent degradation of water quality and alteration of natural hydrographic conditions.

6. Prohibit uses that adversely impact the ecological functions of fish and wildlife habitat areas except where necessary to achieve the objectives of RCW 90.58.020, and then only when the impacts are mitigated to ensure no net loss of ecological functions.

3.3.2 SHORELINE RESIDENTIAL

A. Purpose

The purpose of the Shoreline Residential designation is to accommodate residential development, residential accessory and appurtenant structures, appropriate public access and recreational uses that are consistent with the SMP.

B. Designation Criteria

The Shoreline Residential designation is applicable to shoreline areas that are predominantly existing and future residential developments. Residential developments may include single- and multi-family structures and must be consistent with the Critical Areas Ordinance as incorporated into the SMP. This designation is applicable in low to high density residentially zoned areas with lot coverage limitations.

C. Management Policies

1. Apply standards that are designed to ensure no net loss of shoreline functions or values.

2. Preserve ecological functions by applying development standards for buffers, setbacks, density, etc.

3. Provide appropriate public access and community recreational facilities.

4. Ensure access, utilities and public services are available and adequate to serve the existing and future needs.

5. Commercial development should be highly discouraged, with the exception of very low intensity water-oriented uses.

3.3.3 URBAN CONSERVANCY

A. Purpose

The Urban Conservancy designation is intended to provide for ecological protection and rehabilitation in open space, floodplain and other sensitive areas, while allowing for agricultural, low intensity water-related uses, very-low and low intensity residential developments.

B. Designation Criteria

The Urban Conservancy designation should be assigned to areas that are compatible with restoring and preserving ecological functions where the following applies:

1. Areas that are appropriate for agricultural, recreational and residential uses that are compatible with preserving and restoring ecological functions, and are not suitable for water-dependent and other high intensity uses.
2. Areas that are open space, floodplain, habitat, wetlands, steep slopes or other sensitive areas.
3. Areas that are suitable for water-related and/or water-enjoyment uses.
4. Areas that are undesignated.

C. Management Policies

1. Uses should result in no net loss of ecological functions to the greatest extent feasible and promote preservation of ecological functions.
2. Preserve, restore and protect the ecological functions to the greatest extent feasible.
3. Implement public access and recreation objectives in areas where feasible and ecological impacts can be mitigated.
4. Water-oriented uses should be given preference over non-water- oriented uses.

3.3.4 HIGH INTENSITY

A. Purpose

The purpose of the High Intensity shoreline environment designation is to provide for high intensity commercial, industrial and transportation uses while protecting existing ecological functions and restoring ecological

functions in shoreline jurisdiction that have been degraded.

B. Designation Criteria

Assign the High Intensity shoreline environment designation to areas within shoreline jurisdiction that currently support high intensity uses related to commerce, industry, public facilities, transportation, or are suitable for high intensity uses, with preference given to water-oriented uses. Areas of shoreline jurisdiction assigned this designation should have the following characteristics:

1. Can support high-intensity uses without degradation to existing shoreline function;

2. Designated by the City's Comprehensive Plan and zoning for high intensity, commercial, industry, multifamily, public, or mixed-use development.

3. Existing commercial uses that are consistent with the underlying zoning.

C. Management Policies

1. Prioritize uses on sites with physical access to the water in the following order of preference:

    a. Water-dependent
    b. Water-related
    c. Water-enjoyment

2. Allow for new non-water-oriented uses within this designation where at least one of the following apply:

    a. Water-dependent uses are not feasible, because a lake, river, or stream is unnavigable, or
    b. There is a developed roadway, dike or levee between the OHWM and the proposed use, or no direct access to the water from the site, or
    c. Development is part of a mixed-use development, or
    d. The applicant can demonstrate that the use will not conflict with or limit opportunities for water-oriented uses.

3. Development shall result in no net loss of ecological function.

4. Restore and remediate shoreline areas within new development sites consistent with State and Federal laws.

5. Require visual and physical access where feasible with physical access prioritized over visual access.

6. Require sign control regulations, appropriate development siting, screening and architectural standards, and vegetation conservation areas to promote visually attractive uses.

3.4 Official Map

A. The City of Centralia Shoreline Jurisdiction and Shoreline Environmental Designation Map is located in Appendix A of this Program.

B. The boundaries of shoreline jurisdiction as depicted on the map are approximate. Should questions arise, exact boundaries shall be determined by the Administrator after an onsite inspection and review of the best available information, and in accordance with RCW 90.58.030 (2).

C. The official copy of this map shall reside with the Washington State Department of Ecology.

D. Copies of this map are available for public use from the City of Centralia Community Development Department.

3.5 Conflicts between Map and Criteria

Should any of the boundaries as depicted on the map conflict with the criteria outlined in this section, the criteria shall control. Map boundaries tend to follow topography lines and critical area boundaries; such as, floodplain, wetlands, etc. Should conflicts exists after conducting a site visit to determine ground conditions and reviewing the specific criteria, the Administrator will make a final determination on whether a parcel/development is located within shoreline jurisdiction boundaries.

3.6 Shoreline Areas not Mapped or Designated

Per WAC 173-26-211(2)(e), all areas within shoreline jurisdiction that are not otherwise mapped and/or designated shall automatically be designated as Urban Conservancy until such time as the area can be re-designated via a master program amendment.

Chapter 4 – Program Goals

Pursuant to State SMP Guidelines contained in WAC 173-26-186, and the principles of this Program, this section describes goals and long term visions for the shoreline environments of the City. Achievement of these goals shall be consistent with SMA requirements of avoiding adverse impacts as much as possible, mitigating and minimizing impacts and ensuring no net loss of ecological functions. The goals contained in this chapter are listed in no particular order.

4.1 Conservation

A. Purpose

Comply with RCW 90.58.100(2)(f), which states: The program shall contain, when appropriate, a conservation element for the preservation of natural resources, including but not limited to scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection.

B. Goal

1. Recognize, protect, preserve and/or enhance the existing shoreline ecological functions and resources through wise management practices and requirements.

2. Recognize and promote the restoration of degraded shoreline ecological functions and resources while maintaining appropriate uses.

4.2 Restoration

A. Purpose

1. Comply with WAC 173-26-201(2)(f), which states: Master programs shall include goals, policies and actions for restoration of impaired shoreline ecological functions. These master program provisions should be designed to achieve overall improvements in shoreline ecological functions over time, when compared to the status upon adoption of the master program. The approach to restoration planning may vary significantly among local jurisdictions, depending on:

• The size of the jurisdiction;

• The extent and condition of shorelines in the jurisdiction;

• The availability of grants, volunteer programs or other tools for restoration;

and

• The nature of the ecological functions to be addressed by restoration planning.

B. Goal

1. Encourage restoration of degraded shoreline functions through voluntary programs and enforcement actions.

2. Provide support to restoration projects by connecting and coordinating with various organizations and agencies.

3. Encourage enhancement along with restoration to improve habitat and ecological functions.

4.3 Shoreline Use

A. Purpose

Comply with RCW 90.58.100(2)(e), which states: The program shall contain, when appropriate, a use element which considers the proposed general distribution and general location and extent of the use on shorelines and adjacent land areas for housing, business, industry, transportation, agriculture, natural resources, recreation, education, public buildings and grounds, and other categories of public and private uses of the land.

B. Goals

1. Ensure that all uses are in compliance, and compatible, with ecological functions.

2. Protect habitat, water quality and ecological functions to the greatest extent feasible and require mitigation for unavoidable impacts.

3. Increase protection of the ecological functions by proper siting, monitoring and regulating of all uses.

4. Encourage uses that allow for and include enhancement whether a regulatory requirement or not, to restore areas affected by previous uses and activities.

5. Ensure that all uses are compatible with the Comprehensive Plan and underlying zoning.

6. Reduce health and safety risks by limiting development in critical areas as defined by CMC Title 16.

4.4 Recreation

A. Purpose

Comply with RCW 90.58.100(2)(d), which states: This program shall contain, when appropriate, a recreational element for the preservation and enlargement of recreational opportunities, including but not limited to parks, tidelands, beaches, and recreational areas.

B. Goals

1. Maintain existing shoreline recreational uses and encourage development of new, diverse shoreline recreational uses to serve the demands of the citizens and visitors of the city, while protecting the ecological functions.
2. Provide for both active and passive recreational uses, where appropriate.
3. Plan for future shoreline recreational needs. If needed, acquire shoreline areas with high potential to provide for future shoreline recreational uses.
4. Aid other agencies in acquiring and/or developing public recreational uses.

4.5 Public Access

A. Purpose

Comply with RCW 90.58.100(2)(b), which states: This program shall contain, when appropriate, a public access element making provision for public access to publicly owned areas.

B. Goals

1. Upgrade and enhance the quality of existing public access areas to ensure they are safe, compatible with the natural features, and widely distributed to avoid concentration of user pressure. In the process, ensure that ecological functions are restored and protected.
2. Provide additional public access areas to allow the general public to view, reach and enjoy the waters. In the process, ensure that private rights, public safety and shoreline ecological functions are protected.

3. Afford priority to public access associated with water-dependent uses.

4. Where appropriate, coordinate with other agencies and person(s) to enhance and increase public access to shorelines.

5. Require public access to shoreline areas as a condition of commercial, mixed use, multi-family and/or multi-lot residential developments.

4.6 Historic, Cultural, Scientific and Education

A. Purpose

Comply with RCW 90.58.100(2)(g), which states: This program shall contain, when appropriate, an historic, cultural, scientific, and educational element for the protection and restoration of buildings, sites, and areas having historic, cultural, scientific, or educational values.

B. Goals

1. Identify, protect, preserve and restore areas and structures that have historic, archaeological, cultural, educational and/or scientific values.

2. Coordinate with tribal organizations, state agencies and local commissions for the review of projects that could potentially impact these resources.

4.7 Economic

A. Purpose

Comply with RCW 90.58.100(2)(a), which states: This program shall contain, when appropriate, an economic development element for the location and design of industries, projects of statewide significance, transportation facilities, port facilities, tourist facilities, commerce and other developments that are particularly dependent on their location on or use of the shorelines of the state.

B. Goals

1. Encourage viable economic growth for the benefit of the local economy while assuring no net loss in ecological functions.

2. Give priority to water-oriented uses; with highest priority to water-dependent uses.

3. Encourage economically viable developments in areas that are already partially developed.

4.8 Circulation

A. Purpose

Comply with RCW 90.58.100(2)(d), which states: This program shall contain, when appropriate, a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other public utilities and facilities, all correlated with the shoreline use element.

B. Goals

1. Encourage a multi-mode, multi-purpose transportation and circulation system that provides efficient, safe movement of people while ensuring no net loss of ecological functions.

2. Encourage and facilitate transportation systems and facilities that provide safe, efficient services while ensuring no net loss of ecological functions.

4.9 Flood Hazard

A. Purpose

Comply with RCW 90.58.100(2)(h), which states: This program shall contain, when appropriate, an element that gives consideration to the statewide interest in the prevention and minimization of flood damages.

B. Goals

1. Recognize the hydrologic and hydraulic dynamics of floodplains and protect its functions.

2. Encourage developments that are primarily open space, recreational and/or compatible with floodplain areas, while ensuring no net loss of ecological functions.

Chapter 5 – General Policies and Regulations

The following policies and regulations are general in nature and apply to all Shorelines of the State, regardless of shoreline environment designation. The goal of this section is to protect environmental resources, reduce the risk to life and property, and promote access to shoreline areas.

5.1 Universally Applicable Policies and Regulations

A. Policies

1. Coordinate with Federal, State and Tribal organizations for review of projects.

2. Pursue planning and regulation processes pertaining to the development of private property that are consistent with the SMA and relevant constitutional and other legal limitations for the regulation of private property.

B. Regulations

1. All shoreline uses and developments within shoreline jurisdiction, regardless of whether a shoreline permit is required or not, shall conform to the SMA and the policies and regulations of the SMP.

2. If provisions of this Program conflict, or if provisions of this Program conflict with other regulations, the provisions most directly achieving the objectives of the SMA shall apply. A final determination of which provisions apply will be made by the Administrator.

3. Shoreline uses, developments and/or modifications listed as prohibited shall not be eligible for consideration as a shoreline variance or conditional use.

5.2 Archaeological & Historical Resources

A. Policies

1. Preserve archaeological and historical sites for scientific study and public observation when feasible. Shoreline permits in such areas should be conditioned to allow for inspection and evaluation by the appropriate agencies to ensure proper salvage of data and materials.

2. Report all inadvertent discoveries to the Washington State Department

of Archaeology and Historic Preservation (DAHP), the appropriate Tribe and other appropriate authorities (i.e.: Police Dept., Community Development Dept., etc.). Prevent the destruction of and/or damage to a site that has been inadvertently discovered and has historic, archaeological, cultural, scientific or educational value.

3. If demolition or development is proposed adjacent to a historic or archaeological site, ensure the demolition or development is compatible with the continued protection of such site.

4. For development regarding historic or archaeological sites, coordinate review of such projects with the Washington State Department of Archaeology and Historic Preservation (DAHP), the appropriate Tribe, and other appropriate authorities.

5. Provide for the protection, restoration and/or reconstruction of historic structures listed on the National, State or local historic registers.

6. Encourage the designation of historic structures or sites on the National, State and local registers.

B. Regulations

1. Prior to the issuance of a Shoreline permit in areas documented to contain archaeological resources, a site survey and report shall be required, conducted by a professional archaeologist in coordination with the DAHP and appropriate Tribes. Failure to complete a site survey and submit a report will result in denial of the shoreline permit. Permit conditions may be established that include provisions for the preservation or retrieval of data, modifications to reduce impacts, or other mitigation measures authorized under the State Environmental Policy Act (SEPA), or other applicable laws.

2. The inadvertent discovery of a historic or archaeological site shall require the immediate stoppage of all work, protection and preservation of the site, and notification to the DAHP, appropriate Tribe and other appropriate agencies.

3. The protection, reconstruction, rehabilitation or restoration of a historic structure with shoreline jurisdiction shall be governed by the Secretary of Interior's Standards for Rehabilitation and Illustrated Guidelines for Applying the Standards, as amended.

5.3 Educational and Scientific Resources

A. Policies

1. Conduct scientific studies and educational uses of the shorelines in a manner that minimizes impacts and ensures no net loss of ecological functions.

2. Require shoreline permits or letters of exemption for all scientific and educational activities that may impact the ecological functions, water quality, vegetation, interfere with public access, etc.

B. Regulations

1. Scientific and educational activities shall comply with the following:

   a. Wildlife populations and organisms shall not be jeopardized.

   b. Biological habitats shall not be permanently altered except with approved enhancement/restoration projects and in compliance with the mitigation sequence identified in Section 5.4.B.4.

   c. Shall result in no net loss of ecological functions.

2. Proposals for shoreline development or use, that do not meet the criteria of 5.3.B.1, located on or near a known site of educational/scientific value that would adversely affect such resources should be prohibited. Such proposals may be allowed by a shoreline conditional use permit if it is demonstrated by a qualified professional that all educational/scientific resources and values may be restored or mitigated. All adverse impacts shall be remediated, rectified or otherwise mitigated to ensure no net loss of ecological functions.

3. Temporary impacts to biological systems may be permitted if the activity will result in the restoration or enhancement of such biological systems.

4. Permits involving several activities may be issued for an extended period of time provided definite limits on the time frame are established and enforced.

5.4 Environmental Protection and Mitigation

A. Policies

1. All shoreline uses and developments should be conducted in a manner that avoids or substantially minimizes the impact to the shoreline environment. To ensure no net loss of ecological functions, avoidance, on-site compensatory mitigation or off-site compensatory mitigation measures may be utilized.
   Preference shall be given to avoidance and on-site mitigation, in that order. Except compensatory flood storage, off-site compensatory mitigation should be utilized only if no other measures are feasible.

2. Project specific, reach area and cumulative impacts should be considered in reviewing each project.

3. Protect and preserve existing ecological functions and ecosystem-wide processes through regulations and developments standards for shoreline stabilization, vegetation conservation, critical areas, buffers and water quality.

4. Encourage voluntary restoration and enhancement through stewardship programs.

5. Promote public access provided it does not adversely impact ecological functions.

B. Regulations

1. The provisions of this section and CMC Title 16 – Environment, as incorporated into the SMP in section 5.7, shall apply to all uses and developments within shoreline jurisdiction, whether or not a shoreline permit or letter of exemption is required.

2. The provisions of the State Environmental Policy Act (SEPA), WAC 197-11, may be applicable.

3. The cumulative effects of individual projects and projects within the same reach shall be considered to ensure no net loss of ecological functions.

4. Mitigation shall be required for all projects having impacts on ecological functions. The applicant/owner must demonstrate all reasonable efforts have been made to avoid and minimize impacts. Mitigation ratios are established in CMC Title 16 – Environment as incorporated

into this Program. Mitigation sequencing is as follows, listed in the order of priority:

a. Avoid the impact completely by redesigning, restructuring and/or relocating the development components.

b. Minimize the impact by limiting the magnitude of the action and its implementation by using appropriate technology and/or taking affirmative action.

c. Rectify the impact by repairing, rehabilitating or restoring the impacted environment to its original state.

d. Reduce or eliminate the impact over time by preservation and maintenance actions.

e. Compensate for the impact by replacing, enhancing and/or providing substitute resources and/or environments.

f. Monitor the impact and compensation projects and take appropriate corrective measures as required.

5. When determining required mitigation measures, lower priority measures shall be applied only when it is adequately demonstrated that higher priority measures are infeasible.

6. Required mitigation shall not be in excess of the minimum necessary to ensure no net loss of ecological functions.

7. Mitigation actions shall not have an adverse impact on other shoreline functions or critical areas.

8. When compensatory mitigation is required, the following shall apply in the order listed:

   a. Compensatory mitigation actions in the immediate vicinity of the proposal.

   b. Compensatory mitigation actions in the same watershed of the proposal. Limiting factors that make the immediate vicinity mitigation infeasible must be adequately identified.

9. Authorization of these compensatory mitigation actions may require safeguards, terms or conditions to ensure no net loss of ecological functions.

Hydrologic connections between water bodies and associated wetlands shall be protected.

5.5 Flood Hazard Management

A. Policies

1. Achieve flood hazard management through the adoption and enforcement of the Comprehensive Plan, stormwater management regulations, Hazard Mitigation Plan and CMC Title 16, as well as with the coordination of other federal, state and local regulations.

2. Discourage development inside the floodplains within the shoreline jurisdiction to reduce the risk of flood, cumulative adverse impacts and ensure no net loss of ecological functions.

3. Give preference to non-structural flood hazard management measures over structural measures where feasible. Structural measures may be allowed when the applicant provides all necessary scientific, technical and comprehensive analysis data, as required by the Administrator, in order to make an informed decision. The data, reports and analyses must show the structural measures are necessary to protect existing development and that non-structural measures are infeasible. Structural measures will most likely require mitigation.

    a. Non-structural measures include, but are not limited to, buffers, land use controls, wetland restoration, stormwater management, relocation, etc.

    b. Structural measures include, but are not limited to, dikes, levees, revetments, flood walls, dams, channel realignments, etc.

4. New development or uses in shoreline jurisdiction, including subdivisions, should not be established when it is possible that structural flood hazard reduction measures within the channel migration zone or SMP flood course would be required.

5. Limit development and shoreline modifications that would result in modification or interference with channel migration and may cause adverse impacts.

B. Regulations

1. All proposed developments and uses within the SMP flood course and 100-year floodplain shall comply with the requirements of CMC Title 16.21, as incorporated into this SMP, and all other applicable local, state and federal regulations.

2. New developments shall not increase the flood hazards or reduce the flood storage volume in shoreline jurisdiction. Developments that impact the flood storage volume or potentially increase flood hazards, shall be required to meet the requirements of section 6.12.

3. New structural flood hazard management measures may be allowed in shoreline jurisdiction only when it has been demonstrated by all necessary scientific, engineering, geo-technical and comprehensive analysis data, as required by the Administrator that they are necessary to protect existing development, that non-structural measures are infeasible and that no net loss of ecological functions can be achieved.

4. New public structural flood hazard management measures, such as dikes and levees, shall include improvements to provide public access. This requirement may be waived if it can be adequately demonstrated that public access would:

    a. Cause health or safety hazards.

    b. Cause significant security problems.

    c. Cause ecological impacts that cannot be mitigated.

    d. Cause a cost that is unreasonable in amount relative to the long-term cost of the development.

    e. Cause a conflict of uses.

5. New structural flood hazard management measures shall be placed landward of associated wetlands, buffer areas and vegetation conservation areas, except where no other alternative exists as documented by a technical analysis, or the actions will result in an increase of ecological functions.

6. Removal of material for flood management purposes shall be consistent with the requirements of this Program and the Centralia Municipal Code. Such projects may only be permitted upon submittal and approval of a biological and geomorphological study demonstrating that removal will provide long-term benefit for flood hazard management, result in no net loss of ecological functions and is part of a comprehensive flood management solution.

7. Development in channel migration zones, floodways and/or in the SMP flood course is limited to the following:

    a. Actions that protect or restore the ecosystem-wide processes or

ecological functions; including, but not limited to, compensatory flood storage.

b. Forest practices in compliance with the Washington State Forest Practices Act and its implementing rules.

c. Existing and ongoing agricultural practices, provided that no new restrictions to channel movement occur.

d. Mining when conducted in a manner consistent with the environment designation and with the provisions of WAC 173-26-241 (3)(h).

e. Bridges, utility lines, and other public utility and transportation structures where no other feasible alternative exists or the alternative would result in unreasonable and disproportionate cost. Where such structures are allowed, mitigation shall address impacted functions and processes in the affected section of watershed or drift cell.

f. Repair and maintenance of an existing legal use, provided that such actions do not cause significant ecological impacts or increase flood hazards in other areas. See Chapter 8 for detailed information pertaining to reconstruction and/or repair of legal non-conforming structures or uses.

g. Modifications or additions to an existing nonagricultural legal use, provided that channel migration is not further limited and that the new development includes appropriate protection of ecological functions. See Chapter 8 for detailed information pertaining to reconstruction and/or repair of legal non-conforming structures or uses.

h. Development where existing structures prevent active channel movement and flooding.

i. Measures to reduce shoreline erosion, provided that the measure does not interfere with normal hydrological and geomorphological processes and includes appropriate mitigation of impacts to ecological functions.

j. Development with a primary purpose of protecting or restoring ecological functions and ecosystem-wide processes.

8. Certain recreational and water-oriented uses located in portions of the SMP flood course, that are not located within the FEMA floodway; such as parks, trails, etc. may be authorized by the Shoreline Administrator. Compensatory mitigation may be required and the use must result in no net loss of ecological functions.

5.6 Public Access

A. Policies

1. Encourage and seek opportunities to protect, increase and/or enhance the public's access to shoreline areas.

2. Public access should be regulated with the following priorities unless found infeasible:

    a. Maintain existing accesses sites.

    b. Provide new or enhance existing public access sites on existing public lands and easements.

    c. Acquire property or easements to add public access sites or to protect areas that hold unique value for public enjoyment.

    d. Require public access sites as part of shoreline developments for new or expanded commercial, industrial, recreational and multi-family or multi- lot residential developments. Public access requirements should be commensurate with the scale and character of the development.

3. Design public access to minimize impacts to private property, safeguard private property rights and maintain public safety. Public access does not include the right to enter upon or cross private property, except where public rights-of-way or easements are established. Developments and uses on or near the shoreline should not impair or detract from the public's access to the water or the rights of navigation and shall be designed in compliance with the Americans with Disabilities Act.

4. Shoreline developments conducted by public agencies, including local jurisdictions, port districts, State agencies and public utility districts, must include public access unless it is adequately demonstrated that such access is unsafe, unsecure and/or negatively impacts the shoreline environment.

B. Regulations

1. Public access shall consist of land dedications, easements or a physical improvement in the form of trails, walkways, bikeways, corridors, viewpoints, parks, decks, observation towers, piers, boat launches, ramps, docks, interpretive centers and displays, or other areas to serve as a means of physical or visual access to public waters.

2. Shoreline public access shall be required for the following developments and uses:

    a. Recreational.

    b. New public structural flood hazard management measures.

    c. Developments conducted or funded by public entities, including local jurisdictions, State agencies, port districts and public utility districts.

    d. New water-related, water-enjoyment or non-water dependent uses.

    e. New, expanded or substantially altered uses where interference with existing public access will occur.

    f. Commercial and industrial developments.

    g. Residential developments involving more than four (4) lots or dwelling units.

3. Public access may not be required for the following uses or activities, as determined by the Administrator:

    a. Single-family residential developments involving four or fewer lots or dwelling units.

    b. Ecological restoration or enhancement activities not associated with development, except as outlined in 2(c) above.

    c. Private docks serving four or fewer dwelling units.

    d. Shoreline stabilization projects except as outlined in 2(c) above.

    e. Adequate public access already exists; however, enhancement of the existing public access may be required.

4. The Administrator may waive the public access requirement if one or more of the following conditions apply:

    a. Public access would result in significant security problems.

b. Significant unavoidable conflict between the access and the proposed use or adjacent uses would occur and cannot be mitigated.

c. The cost would be significantly disproportionate to the long-term cost of the proposed development.

d. Legal limitations preclude such access.

e. The site is physically separated from the shoreline by intervening public or private improvements such as highways, railroads, existing structures or similar improvements; and public access is not desirable or feasible.

5. Where public access is provided via a pedestrian or shared use trail the following shall apply:

a. The trail shall be no greater than ten (10) feet wide. Not including landscaping, no more than eight (8) feet of improved surface is recommended.

b. The trail shall be buffered from sensitive ecological areas and features.

c. Landscaping shall be of native species and site appropriate.

d. Fencing may be required to control damage to plants and access to sensitive ecological areas and features.

6. Public access shall be compatible with adjacent uses. When adjacent to private property, a definite separation between public and private property shall be accomplished via landscaping, fencing or methods as approved by the Administrator. Trail placement shall avoid locations near private windows, doors and outdoor areas to the greatest extent feasible to minimize the intrusion of privacy.

7. Public access shall be fully developed and open for use prior to occupancy or use of the associated development, and shall be maintained in perpetuity.

8. Public access and trails shall be located adjacent to or connected to existing public areas, accesses and trails to the greatest extent feasible.

9. Where visual access to the water or shoreline is available but physical access is not, a public viewing area shall be provided.

10. Design of public areas shall provide for the safety of the users and

control offensive conduct through public visibility or provisions for oversight. If offensive conduct cannot be reasonably controlled, alternative public access may be approved through a permit revision and the existing access closed.

11. Where there is an irreconcilable conflict between water-dependent shoreline uses or physical public access and maintenance of views from adjacent properties, the water-dependent uses and physical public access shall have priority, unless there is compelling reason to the contrary.

5.7 Vegetation and Critical Areas Conservation

A. Policies

1. Ensure no net loss of ecological functions, protect critical areas within the shoreline, and sustain the natural shoreline to the greatest extent feasible.
2. Protect, enhance and restore ecological functions and ecosystem-wide processes provided by vegetation conservation along shorelines.
3. Conserve native vegetation by limiting clearing to the minimum amount necessary to accommodate an approved shoreline development.
4. Encourage the removal of non-native vegetation and invasive species and the re-planting of native vegetation.
5. Allow selective pruning for safety and view protection.
6. Prohibit developments that are within identified geologically hazardous areas or pose a foreseeable risk to people and property.
7. Allow maintenance and enhancement of existing structures, uses, etc. provided the overall footprint is not expanded.
8. Preserve, restore, protect and/or mitigate for adverse impacts to wetlands, habitat areas and buffers within shoreline jurisdiction to ensure no net loss of ecological functions, wetland areas and habitat areas.

B. Regulations

1. Required critical area buffers within shoreline jurisdiction, or the minimum setback required by Table 7-3 in this Program, whicheveris greater, shall be considered the vegetation conservation area.

2. All shoreline uses and activities shall be located, designed, constructed and operated to protect and/or enhance the ecological functions and ecosystem- wide processes provided by critical areas and shoreline vegetation. Critical areas are defined in Chapter9.

3. Normal maintenance of vegetated areas, such as pruning and trimming, is allowed.

4. Clearing and grading activities must meet all requirements of this Program and other local, state and federal regulations.

5. Speculative vegetation removal shall be prohibited. Vegetation removal shall be accomplished in the least invasive manner possible.

6. The Critical Areas regulations, CMC Title 16 - Environment, in effect on April 10, 2018, by adoption of Ordinance No. 2396, contained in the City of Centralia Critical Areas Ordinance, CMC Chapters 16.16 through 16.21 shall be adopted as part of this Program, except as modified below:

   a. CMC 16.16.100 - Application and Review Process. Within shoreline jurisdiction, critical area review, approval, notice and appeal periods/processes shall be integrated with the associated shoreline permit or exemption (see Chapter2).
   b. CMC 16.16.110 – Reasonable Use Exception. Within shoreline jurisdiction, the process for seeking relief from critical area standards shall be a shoreline variance.
   c. CMC 16.17.030 - Mapping. Identification of wetlands and delineation of their boundaries shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements.
   d. CMC 16.17.050 (F)(4) and 16.20.080 (C) - Buffers. In shoreline jurisdiction, buffers may not be decreased by more than 25% of the base buffer width. Administrative buffer reductions of more than 25% shall require a variance. Buffer averaging shall be considered and shown infeasible before administrative buffer reductions may be authorized.

e. CMC 16.17.050(F)(6)(d) – Stormwater Management Facilities, in shoreline jurisdiction, stormwater management facilities are allowed in the outer twenty-five percent of the buffer of Category III and IV wetlands only; provided, that no other location is feasible and the location of such facilities will not degrade the functions or values of the wetland.

f. CMC 16.21.190 - Floodways. Within shoreline jurisdiction, uses and activities that may be authorized within floodways or the SMP flood course are listed in Section 5.5(B)(7).

7. Any provision of Title 16 that is not consistent with the SMA and applicable RCW and WAC chapters shall not apply in shoreline jurisdiction.

8. Areas cleared of vegetation and not developed shall be re-planted with native vegetation as soon as feasible but no later than one year from the date of clearing.

9. Re-planted areas shall be monitored and maintained so that vegetation is 90% re-established within three (3) years. At the discretion of the Administrator, a bond may be required to ensure the success of re-planted areas.

10. Proposed uses and developments must protect and preserve native trees and vegetation to the greatest extent feasible during and after construction.

11. Developments that propose removal of, or adverse impact to, vegetation conservation areas shall require a mitigation plan to ensure no net loss of ecological functions or ecosystem-wide processes. Such mitigation plan shall be prepared by a qualified professional. Such plan shall include details on how the project complies with the mitigation sequence outlined in section 5.4.B(4). Compensatory mitigation requirements shall be the minimum necessary to ensure no net loss of ecological functions, and at a minimum shall be 1:1 for riparian habitat buffers.

12. Trees that are in immediate danger of collapse and represent a clear danger to persons or property, may be removed or topped without a permit or mitigation plan. Immediate danger of collapse means the tree is already leaning, surrounding soil is heaving and there is significant likelihood that the tree or a portion of will fall and has the potential to result in damage to persons or property before a permit can be obtained.

Replacement and/or mitigation may be required.

13. Approved uses within vegetation conservation areas shall permanently remove no more than fifteen percent (15%) of the native vegetation; except for those uses allowed in section 5.5.B(7). Vegetation removal shall be limited to the minimum amount necessary to accommodate the approved use.

14. The following uses may be allowed in shoreline jurisdiction, vegetation conservation areas, and critical area buffers without a shoreline variance permit:

    a. Uses and activities allowed in Section 5.5.B, when uses are also allowed in the Shoreline Environment Designation and the underlying zoning.

    b. Water-oriented uses as allowed in Table 7-1, provided development is located, designed, constructed and operated to minimize the critical area impacts to the maximum extent feasible. Such development shall not be exempt from the protection and mitigation requirements of section 5.4, and shall comply with the setbacks in Table 7-3.

    c. Non-water oriented commercial and industrial uses may be allowed within the vegetation conservation areas in the following reaches without a variance permit, provided they're in compliance with the underlying zoning designation, existing ecological functions are protected and previously degraded ecological functions are restored and/or improved:

        1. CE-01 – PMP, M-1, M-2 zoning designations in and around the Port of Centralia; and H-1 zoning designation on the north side of Cooks Hill Road.

        2. CE-02 – Commercial areas adjacent to Harrison Avenue and Hayes Lake in the High Intensity environment.

        3. CE-05 – Commercial areas adjacent to Kresky Avenue and National Avenue in the High Intensity environment.

    Non-water-oriented uses shall be located no closer to the OHWM than those existing as of the date of adoption of this Program. These uses may be required to increase or enhance public access and/or restore or enhance ecological functions. Such developments are not exempt from the protection and

mitigation requirements of section 5.4.

d. Compensatory flood storage consistent with section 6.12.

e. Restoration and enhancement, including mitigation actions, consistent with section 6.11.

15. Critical area buffer regulations shall not apply to the removal of noxious weeds, aquatic weeds and freshwater algae when conducted in accordance with WAC 173-201.

16. The Administrator may approve removal of vegetation that exceeds the 15% limit outlined in item 13 above, when the applicant commits through an approved mitigation plan to re-establish and maintain plantings that are documented to provide a greater benefit to ecological functions then what would be provided by strict application of this section.

17. Facilities, landscape areas, vegetation areas, uses, structures, etc. legally in existence prior to the adoption date of this Program shall be allowed to be maintained and repaired to their existing condition.

18. Aquatic vegetation control shall occur only where native plant communities and associated habitats are threatened or where an existing water-dependent use is restricted by the presence of vegetation. Aquatic vegetation control shall be conducted in the least invasive manner possible and in compliance with all other applicable local, state and federal regulations.

5.8 Water Quality

A. Policies

1. Locate, design, construct and operate shoreline uses to avoid significant ecological impacts by altering water quality, quantity or hydrology.

2. Prevent water and stormwater quality impacts that would result in net loss of ecological functions, significant adverse impact to aesthetic qualities, or recreational opportunities.

3. Require reasonable setbacks, buffers and stormwater regulations to lessen negative impacts on water quality to the greatest extent feasible.

4. Locate, design, construct and operate measures for controlling erosion and stormwater runoff through engineered systems, best management practices and coordination of activities with all applicable local, state and federal regulations.
5. Prohibit uses and activities that pose a risk of contamination of ground or surface waters; including but not limited to, storage, disposal and land application of waste; feedlots, junk yards, storage of hazardous wastes, etc.

B. Regulations

1. Stormwater management systems shall be designed, constructed and maintained in accordance with all current local, state and federal regulations.
2. Best management practices for erosion and sediment control shall be implemented. A Temporary Erosion and Sediment Control plan (TESC) will be required for applicable developments.
3. Structures that may come in contact with water shall be constructed of materials that will not adversely impact water quality, aquatic plants or animals. Materials used for decking and other structural components shall be approved by the applicable agencies to avoid discharge of pollutants from waves, rain or runoff.

Chapter 6 – Shoreline Modifications Policies and Regulations

This chapter contains specific shoreline modification policies and regulations that apply to developments that propose to alter the physical form of the shoreline in any environment designation. Generally, a shoreline modification is made in preparation for a permitted shoreline use. A single permitted use may require several shoreline modifications. Policies and regulations are not listed in the order of priority.

6.1 General Policies

A. Policies

1. Ensure shoreline modifications individually and cumulatively will result in no net loss of ecological functions.
2. Design and locate the development to prevent the need for filling, beach feeding, bulkheading, berms, groins, jetties, dredging or substantial grading.
3. Ensure that permits for shoreline modifications use the mitigation sequencing process outlined in section 5.4.
4. Limit the amount and extent of shoreline modifications to reduce the negative impact to the greatest extent feasible. Give priority to modifications that propose a lesser impact.

B. Regulations

1. Structural shoreline modifications shall be allowed only when necessary to support an allowed primary structure or legally existing shoreline use, or when necessary for mitigation or enhancement.
2. The applicant shall provide all necessary scientific, technical and comprehensive analysis data, as required by the Administrator, in order to make an informed decision.
3. Shoreline modifications shall be limited in number and extent to the greatest extent feasible.
4. Shoreline modifications must be designed and located to ensure no net loss of ecological functions and no significant adverse impact to shoreline uses, resources and values pursuant to RCW 90.58.020.

5. Shoreline modifications and uses shall be designed, constructed and maintained to prevent degradation of water quality and natural hydrographic conditions.

6. Existing structures may be maintained, repaired and operated as existed prior to the adoption date of this Program. Shoreline modification standards shall not apply retroactively to legally existing modifications.

7. All disturbed areas shall be protected from erosion by planting native vegetation or other approved methods.

8. All shoreline modifications waterward of the OHWM are subject to all applicable local, state and federal regulations.

9. All shoreline modifications are subject to the mitigation sequencing process outlined in section 5.4. If other critical areas within shoreline jurisdiction are subject to impact, the requirements of section 5.7 may also be applicable.

6.2 Modification Table

Table 6-1 identifies shoreline modification activities that are allowed or prohibited in specific shoreline environment designations. Modification activities are either permitted, conditionally permitted or prohibited. Refer to the individual sections of this chapter for more detailed information on conditions that may apply.

Table 6-1 Shoreline Modification Table

Key: P = Permitted; C = Conditionally Permitted; X = Prohibited; N/A = Not Applicable

Shoreline Modification Type[1]	High Intensity	Shoreline Residential	Urban Conservancy	Aquatic
Breakwaters, jetties, groins, weirs and similar structures[2]	C	C	C	C
Compensatory Flood Storage				
≤ 500 cubic yards	P	P	P	C
>500 cubic yards	C	C	C	C
Dikes, levees and instream structures	C	C	C	C
Dredging and dredge material disposal[4]	C	C	C	C
Fill, grading and excavation[3, 4]				
≤ 500 cubic yards	P	P	P	C
>500 cubic yards	C	C	C	C

Restoration and enhancement	P	P	P	P
Shoreline stabilization				
Soft modifications	P	P	P	C
Hard modifications	C	C	C	C

Notes:

1 = If a conflict arises between Table 6-1 and the regulatory text, the text shall apply.

2 = Breakwater, jetties, groins, weirs, revetments, gabions and similar structures require a shoreline conditional use permit, except when installed to protect or restore ecological functions, such as woody debris installation.

3 = Fill, grading, and excavation is generally prohibited unless associated with an approved shoreline use or development.

4 = Fill, grading, excavation and dredging waterward of the OHWM are only allowed in very limited situations. See sections 6.7 and 6.8.

6.3 Shoreline Stabilization

Shoreline stabilization includes actions taken to address erosion impacts to property and structures cause by natural processes such as current, flood, wind or wave action.

Non-structural stabilization methods include buffers, relocations, and groundwater management and ordinances to avoid the need for structural stabilization methods.

Structural stabilization methods include beach restoration, soil bioengineering and bulkheads. Soft structural methods include vegetation design, beach enhancement and anchored logs. Hard structural methods include concrete or boulder bulkheads, groins, revetments, gabions and retaining walls.

A. Policies

1. Restrict the size of new shoreline stabilization measures to the minimum necessary.

2. Locate, design, construct and maintain shoreline stabilization measures to protect and maintain ecological functions, shoreline processes, shoreline features and to ensure no net loss of ecological functions. Compensatory mitigation may be required to ensure no net loss of ecological functions.

3. Design and locate shoreline uses and development to avoid the need for future stabilization measures.

4. Prioritize shoreline stabilization projects in the following order:

    a. Take no action and allow the shoreline to retreat naturally; increased setbacks and structure relocation.

    b. Upland vegetation enhancement and drainage controls.

    c. Soft, bioengineered protective measures; constructed of natural materials.

    d. Hard protective measures; constructed of artificial materials.

5. Locate and design shoreline stabilization on streams to fit the physical character of the reach, which may differ substantially from adjacent reaches.

6. Shoreline stabilization measures should not be used to fill the shoreline.

7. Prohibit new development that would require shoreline stabilization that would negatively impact adjacent or down-stream properties or shoreline areas.

8. Locate and design public or quasi-public shoreline stabilization projects for multiple use, restoration, and/or public access, where feasible.

9. Design land subdivisions to ensure no future shoreline stabilization projects will be needed for individual lot development.

10. Require new development on steep slopes or bluffs to be setback so that shoreline stabilization is unlikely for the life of the structure.

11. Prohibit structural shoreline stabilization on or at the base of an eroding bluff except where legally existing primary structures or uses are threatened, and non-structural stabilization methods have been determined to be inadequate by a geotechnical analysis.

12. Give preference to shoreline stabilization projects that coordinate property owner and public agency efforts and address multiple issues.

13. Remove failing, harmful and/or ineffective measures and restore shoreline ecological functions and processes.

14. Prohibit shoreline stabilization projects on publicly owned shorelines that would result in long-term decrease in public access and/or use of the

shoreline.

B. Regulations

1. New or expanded structural stabilization measures shall be allowed only in the following cases:

   a. Necessary to protect an existing primary structure that is being threatened, non-structural measures are infeasible and no net loss of ecological functions can be achieved. A geotechnical analysis is required to adequately demonstrate the structure is being threatened and the stabilization measure is needed.

   b. Enhancement, restoration and remediation projects when demonstrated that non-structural measures would be inadequate and when the structure will not result in a net loss of shoreline ecological functions.

   c. In support of water-dependent or new non-water-dependent development when all of the following conditions apply:

      i. The erosion is not caused by upland conditions, such as loss of vegetation and drainage.

      ii. Non-structural measures, planting vegetation, or installing onsite drainage improvements, are not feasible or not sufficient.

      iii. The need to protect primary structures from damage due to erosion is demonstrated through a geotechnical analysis.

      iv. . The erosion control structure will result in no net loss of shoreline ecological functions.

2. New development shall be located and designed to avoid the need for future shoreline stabilization to the greatest extent feasible.

3. Land subdivisions shall be designed to ensure future development of the created lots will not require shoreline stabilization measures for reasonable development to occur. The Administrator may require a geotechnical analysis to assure this condition is met.

4. New development on steep slopes or bluffs shall be set back sufficiently and require a geotechnical analysis to ensure future shoreline stabilization will be unlikely for the life of the structure.

5. New development that requires shoreline stabilization measures that will

cause significant adverse impacts to downstream properties and shoreline shall be prohibited.

6. Enlargement of an existing structural shoreline stabilization measure shall be considered as new structural stabilization measure.

7. In all developments requiring shoreline stabilization measures the following shall apply:

    a. Stabilization measures shall be limited to the minimum size necessary.

    b. Non-structural measures shall be given preference over structural measures.

    c. Soft structural measures shall be given preference over hard structural measures.

    d. Measures shall be designed, located, constructed and maintained to ensure no net loss of ecological functions.

    e. A geotechnical analysis shall be required.

8. An existing shoreline stabilization structure may be replaced with a similar structure if there is a demonstrated need to protect primary structures or uses from erosion caused by natural processes. Replacement means the construction of a new shoreline stabilization measure to perform the function of an existing stabilization measure that can no longer adequately serve its purpose. The replacement structure shall not result in a net loss of shoreline ecological functions and shall not encroach waterward of the OHWM or existing structure unless there are overriding safety or environmental concerns.

9. When located on the convex side of a stream or river, measures shall be designed and setback to allow the stream to maintain point bars and associated aquatic habitat through normal accretion. Where revetments or similar structures have already cut off point bars, consideration shall be given to their relocation.

6.4 Bioengineering

A. Policies

1. Encourage bioengineering projects that include self-sufficient vegetation and materials over those that require routine maintenance and care.

2. Bioengineering is the preferred method to protect an existing single family residence or to maintain access to an authorized shoreline use, instead of hard shoreline stabilization structures such as bulkheads, landfills, levees, dikes, groins or jetties.

3. Design and construct bioengineering projects to:

   a. Ensure water quality, habitat areas and flood capacity are not degraded, and are timed so that the survival of new plantings is optimized.

   b. Maximize the use of native vegetation.

   c. Minimize structural soil stabilization components, including riprap, to last only until vegetation is well established.

   d. Include vegetative buffers, fencing and/or other measures to avoid disturbance of the project site by livestock and vehicles.

B. Regulations

1. Bioengineering shall be used when geotechnical analysis confirms a need to prevent potential damage to a primary structure or use, but the need is not as immediate as within three (3) years.

2. Bioengineering projects shall include the following:

   a. Use a diverse variety of native plant materials unless demonstrated to not be feasible for the particular site.

   b. All cleared areas shall be replanted following construction and irrigated if necessary, to ensure all vegetation is fully established within three (3) years. Areas that fail shall be replanted with approved plant materials until such time as plants are viable.

   c. Vegetation conservation areas/critical area buffers shall be incorporated into the site design to allow bank protection plantings to become 90% established within three (3) years. These areas shall prohibit livestock, vehicles and other activities that may disturb the site. These areas must be maintained in perpetuity with monitoring, replacements and maintenance as needed to continually maintain a minimum of 90% functionality.

   d. Bioengineering projects shall be addressed through the plan created in accordance with section 5.7.B.11 of this Program. All projects shall be monitored and maintained.

e. All construction and planting activities shall be scheduled to minimize impacts to water quality, fish and wildlife habitat and to optimize the survival of new vegetation.

3. All grading activities shall comply with this Program, CMC Title 18 and all other local, state and federal regulations.

6.5 Bulkheads

A. Policies

1. Design and locate development along the shoreline so that stabilization projects are not necessary.

2. Require applications for new single family residence bulkheads to be processed as a shoreline conditional use permit.

B. Regulations

1. Compensatory mitigation shall be required for all adverse impacts to assure no net loss of ecological shoreline functions.

2. A bulkhead may be allowed to protect an existing single family residence or to maintain an authorized shoreline use, after other techniques have been demonstrated to not be feasible.

3. A bulkhead is prohibited in wetlands and fish spawning areas, except for the purpose of fish and wildlife habitat enhancement or restoration projects.

4. A bulkhead shall not be located waterward of the OHWM.

5. Bulkheads are prohibited on a lot where no structure currently exists.

6. Bulkheads are prohibited where the primary purpose is to retain or create dry land.

7. Bulkheads are prohibited where they may cause significant adverse impacts, erosion and/or degradation.

8. Bulkheads shall be designed to incorporate consideration of geophysical conditions, stream flow, velocity, flood capacity and impact to adjacent properties.

9. The design and construction of bulkheads shall be in compliance with all other applicable local, state and federal regulations.

10. Stairs may be incorporated into a bulkhead design, but shall not extend

waterward of the bulkhead face.

11. All grading activities shall comply with this Program, CMC Title 18 and all other local, state and federal regulations.

6.6 Dikes, Levees and Instream Structures

A. Policies

1. Encourage non-structural solutions over structural flood control devices including, but not limited to, the following:
    a. Limit development in flood prone or channel migration areas.
    b. Limit and regulate increases in stormwater runoff from upland development.
    c. Land acquisitions for flood storage.
2. Allow structural solutions only when it is adequately demonstrated that non- structural solutions are not feasible or are no less of an impact.
3. Limit flood control projects to when necessary to protect existing development. It shall be demonstrated by all necessary scientific, technical and comprehensive analysis data, as required by the Administrator, that they are necessary, that non-structural flood hazard reduction measures are not feasible and that no net loss of ecological functions can be achieved.
4. Locate, design and construct flood hazard management projects to provide:
    a. Protection to the physical integrity of the stream corridor and other properties that may be damaged by interruptions to the geohydraulic system.
    b. Protection of water quality and natural ground water movement.
    c. Protection of fish, vegetation and other life forms and habitats that are vital to the aquatic food chain.
    d. Protection of recreation resources and aesthetic values.
    e. Dedicated public access where appropriate.
    f. Protection of natural hydrologic and geomorphic channel and floodplain processes.

5. Prohibit new developments and uses, including subdivisions, and expansion of existing developments and uses, that would likely require structural flood control projects within a stream, river, lake, channel migration zone or floodway over the life of the development.

6. Prohibit structural flood control projects that result in the following:

    a. New development in previously undeveloped 100-year floodplains or channel migration zones.

    b. Loss of flood storage capacity in undeveloped 100-year floodplain areas.

    c. Reduction of flood flows to a degree that would result in increased flood levels in unprotected areas.

7. Locate, design and construct flood control and instream structure projects so the following occurs:

    a. Effects on geohydraulic shoreline processes will not cause damage to other properties or valuable shoreline resources.

    b. The physical integrity of the shoreline process corridor is maintained.

8. Construct and design instream structures to ensure the following:

    a. Compliance with applicable watershed management plans, restoration plans and/or surface water management plans.

    b. Compatibility with continued long term, multiple uses of shoreline resources where appropriate.

9. Remove existing dikes, levees and instream structures when feasible.

10. Require instream structures and associated facilities provide for the protection of natural and cultural resources.

11. Require that instream structures and associated facilities minimize adverse impacts to the shoreline and surrounding area to the greatest extent feasible.

B. Regulations

1. Compensatory mitigation shall be required for all adverse impacts to assure no net loss of ecological functions.

2. All grading activities shall comply with this Program, CMC Title 18 and all

other local, state and federal regulations.

3. New dikes and levees may be constructed as part of a shoreline environmental restoration project, a state approved comprehensive flood control management plan, approved watershed plan or approved stormwater drainage basin plan.

4. Dikes and levees shall not be constructed of materials dredged from adjacent wetland or stream areas unless part of an approved comprehensive flood and habitat plan.

5. Dikes and levees shall not be placed within the floodway except for current deflectors necessary for the protection of bridges, roads or other infrastructure.

6. Dikes and levees shall be designed to comply with the following:

    a. Located to protect shoreline ecological processes and functions.

    b. Limited in height to the minimum necessary to protect adjacent properties from the protected flood stage.

    c. Setback landward of the floodway boundary to the greatest extent feasible.

    d. Located near the tangent to outside meander bends so the stream can utilize most of its natural flood storage.

    e. Located to not interfere with channel migration except to protect existing structures and infrastructure.

    f. Must meet all local, state and federal regulations.

7. Instream structures for flood control shall be permitted only when adequately demonstrated via engineering and scientific reports that the following applies:

    a. They are necessary to protect health, safety and/or an existing development.

    b. Non-structural flood hazard reduction measures are not feasible.

    c. Measures are in compliance with an adopted comprehensive flood hazard management plan that evaluates cumulative impacts to the watershed.

8. Instream structures shall preserve valuable recreation resources and aesthetic values.

9. New instream structures shall be allowed only as part of an approved mitigation or restoration project, or an approved watershed basin plan.

10. Instream structures shall be designed to avoid altering vegetation, flows and water quality in a manner that may adversely impact critical fish species.

11. Instream structures shall be constructed and maintained in a manner that does not degrade the quality of affected waters.

12. The process for planning and locating instream structures shall give consideration to the full range of public interest, watershed functions and environmental processes.

6.7 Dredging and Dredge Material Disposal

A. Policies

1. Design and locate new development to avoid and minimize the need for new and maintenance dredging.

2. Conduct dredging in a manner that minimizes damage to natural systems in both the area to be dredged and the area for deposit of dredged materials.

3. Dispose of dredged material at a site where chemicals in high concentrations cannot cause significant harm to resident biota.

4. Plan and conduct dredging to minimize interference with navigation and adverse impacts to other shoreline uses, properties and values.

5. Allow dredging only for the following activities:

   a. In conjunction with a water-dependent use of water bodies or adjacent shorelands.

   b. In conjunction with a bridge, navigational structure or wastewater treatment facility where there is a documented public need and other feasible sites or routes do not exist.

   c. Maintenance of irrigation reservoirs, drains, canals or ditches for agricultural and stormwater purposes.

   d. Maintenance dredging of established navigation channels and basins is restricted to maintaining previously dredged and/or existing authorized location, depth and width.

e. Expanding, relocating or reconfiguring navigation channels where necessary to ensure safe and efficient accommodation of existing navigational uses.

f. Removal of gravel for flood management purposes consistent with an adopted flood hazard reduction plan which demonstrates through a biological and geomorphological study that the extraction has a long- term benefit to flood hazard reduction, will result in no net loss of ecological functions, and is part of a comprehensive flood management solution.

g. Restoration or enhancement of shoreline ecological processes and functions benefiting water quality and/or fish and wildlife habitat.

h. Minor trenching to allow the installation of authorized shoreline stabilization measures or necessary underground pipes or cables if no alternative, including boring, is feasible and:

1. Impacts to fish and wildlife habitat are avoided to the maximum extent feasible.

2. The utility installation does not increase or decrease the natural rate, extent or opportunity of channel migration.

3. Appropriate best management practices are employed to prevent water quality impacts or other environmental degradation.

i. Dredging in locations where a comprehensive management plan has been evaluated and approved by local and state government entities.

B. Regulations

1. All projects which include dredging shall have a dredging plan that includes the following:

a. A description of the applicable purpose of the proposed dredging and an analysis of compliance with the policies and regulations of this Program.

b. A detailed description of the existing physical character, shoreline geomorphology and biological resources of the area proposed to be dredged, including:

1. A site plan map outlining the perimeter of the proposed dredge area. The map must also include the existing bathymetry depths based on Mean Lower Low Water (MLLW) and have data points at a minimum of 2-foot-depth increments.

2. A habitat survey must be conducted, and Washington State Department of Fish and Wildlife (WDFW) must be contacted to ensure that the survey is conducted according to the most recent survey guidelines.

3. Information on stability of bedlands adjacent to proposed dredging and spoils disposal areas.

c. A detailed description of the physical, chemical and biological characteristics of the dredge spoils to be removed, including:

1. Physical analysis of material to be dredged: material composition and amount, grain size, organic materials present, source of material, etc.

2. Chemical analysis of material to be dredged: volatile solids, chemical oxygen demand (COD), grease and oil content, mercury, lead and zinc content, etc.

3. Biological analysis of material to be dredged.

d. A description of the method of materials removal, including facilities for settlement and movement, specifying the dredging procedure and amount of materials removed, and the frequency and quantity of project maintenance dredging.

e. Detailed plans for dredge spoil disposal, including specific land disposal sites and relevant information on the disposal site, including but not limited to:

1. Spoils disposal area including physical characteristics, such as location, topography, existing drainage patterns, surface and ground water; size and capacity of disposal site; means of transportation to the disposal site; proposed dewatering and stabilization of spoils; methods of controlling erosion and sedimentation; future use of the site, and conformance with land use policies and regulations.

2. Total initial spoils volume.

3. Plan for disposal of maintenance spoils for at least a fifty (50) year period.

f. Hydraulic modeling studies by a qualified professional sufficient to identify existing geo-hydraulic patterns and probable effects of dredging.

2. Dredging and dredge disposal shall be prohibited on archaeological sites that are listed on local, state and national registers.

3. Dredging waterward of the ordinary high-water mark for the primary purpose of obtaining fill material shall not be allowed, except when the material is necessary for the restoration of ecological functions. When allowed, the site where the fill is to be placed must be located waterward of the ordinary high-water mark. The project must be associated with a habitat restoration project or habitat enhancement project

4. Permits for dredging shall be granted only if the project it supports is consistent with the underlying zoning for the property.

5. The disposal of dredged material at an open-water disposal site may be allowed when it is found to comply with Department of Natural Resources leasing practices, Ecology Water Quality Certification process and the U.S. Army Corp of Engineers permit requirements.

6. Disposal of dredge material on shorelands or wetlands within a river's channel migration zone shall be discouraged. In the limited instances where it is allowed, such disposal shall require a conditional use permit. This provision is not intended to address discharge of dredge material into the flowing current of the river or in deep water within the channel where it does not substantially affect the geohydrologic character of the channel migration zone.

7. Dredging to construct canals or small basins for water-ski landings or swimming holes is prohibited.

8. Limit dredging to support water-dependent uses, navigation, public access, and restoration. Dredging which will damage shallow water habitat used by salmon and steelhead for migration corridors, rearing, feeding and refuge, is prohibited unless the proponent demonstrates that all of the following conditions are met:

a. An alternative alignment or location is not feasible.

b. The project is designed to minimize its impacts on the environment.

c. The facility is in the public interest.

d. If the project will create significant unavoidable adverse impacts, the impacts are mitigated by creating similar replacement habitat near the project. Where similar replacement mitigation is not feasible, rehabilitating degraded habitat may be required as a substitute.

e. Dredging for flood control when performed as an action needed in the course of implementing a solution for a sediment transport problem identified in a flood hazard management plan.

9. The removal of river gravel bars may be allowed when all of the following conditions can be met:

   a. The gravel removed from the river or stream does not exceed the average annual recruitment of bedload material as shown by an approved geomorphic and sediment transport analysis prepared by a qualified hydrologist or geomorphologist.

   b. The gravel is removed from the area between the existing water surface level and the permanently vegetated portions of the bank.

   c. The project will not cause any adverse impacts on salmon and steelhead habitat and will result in no net loss of shoreline ecological functions.

10. Proposals for dredging shall include all feasible mitigating measures to minimize adverse impacts such as turbidity, release of nutrients, heavy metals, sulfides, organic material or toxic substances, dissolved oxygen depletion, disruption of food chains, loss of benthic productivity, and disturbance of fish runs and important localized biological communities.

11. Dredging and dredge material disposal shall be done in a manner that avoids or minimizes significant ecological impacts. Impacts that cannot be avoided shall be mitigated in a manner to ensure no net loss of shoreline ecological functions.

12. New development shall be sited and designed to avoid or minimize the need for new and maintenance dredging. Dredging for the purpose of establishing, expanding, or relocating, or reconfiguring navigation channels may be allowed where necessary for assuring safe and efficient accommodation of existing navigational uses. Significant ecological impacts shall be minimized and compensatory mitigation provided.
    Maintenance dredging of established navigation channels shall be restricted to maintaining previously dredged and/or existing authorized location, depth, and width.

13. Fill disposal sites shall adhere to the following conditions:

a. Containment dikes and settling basins shall be built and maintained so that the site's discharge water carries a minimum of suspended sediment. Required basins shall be designed to maintain at least one-foot depth of standing water at all times to ensure proper settling.

b. Proper diversion of surface discharge shall be provided to maintain the integrity of the natural streams, wetlands and drainages.

c. Shoreline ecological functions and processes will be preserved. Erosion, sedimentation, floodwaters or runoff will not cause adverse impacts to shoreline ecological functions and processes or property.

d. Runoff water shall be controlled so as to enter a waterway through grassy swales or other treatment features that ensure protection of water quality and other environmental resources.

e. Underground springs and aquifers shall be identified and protected.

f. The outside face of dikes shall be sloped at 1-1/2 to 1 (horizontal to vertical) or flatter, and seeded with grass and/or native vegetation.

g. Sites shall be adequately screened from view. Fill in shoreline areas shall not impair scenic views.

6.8 Fill, Grading and Excavation

A. Policies

1. Design and located developments to minimize the need for fill.

2. Require projects including fill, grading or excavation to comply with the mitigation sequence in section 5.4 and ensure no net loss of ecological functions.

3. Design and locate fill, grading and excavation to prevent significant damage to existing ecological functions and prevent risk of injury or damage to life or adjacent properties.

4. Design the perimeter of a fill to avoid or eliminate erosion and sedimentation impacts, both during initial landfill activities and over

time. Natural-appearing and self-sustaining control methods are preferred over structural methods.

5. Prioritize fill, grading and excavations for water-dependent uses.

6. Limit the size of fills, grading, and excavation, and minimize its potential adverse impacts.

7. Allow fill, grading and excavation in limited instances for restoration, protection, enhancement and recreation projects.

8. Allow the deposit of fill material in water areas only for cleanup and disposal of contaminated sediments, restoration, enhancement, public access, mitigation and water dependent uses.

9. Require a conditional use permit for any fill, grading and excavation work that is waterward of the OHWM except for ecological restoration projects.

B. Regulations

1. The use of solid waste and organic debris, such as wood and other vegetative materials, in a fill shall be prohibited.

2. Fills shall consist of clean materials including such earth materials as clay, sand and gravel. In addition, concrete may be included in fill material if it is not likely to pollute ground water and is approved by the Administrator or Department.

3. Fill, grading and excavation shall be designed, constructed and maintained to prevent, minimize and control all material movement, erosion and sedimentation from the affected area.

4. Fill, grading and excavation areas shall be covered with sufficient earth material to support native vegetative ground cover and replanted with vegetation to blend with the surrounding environment.

5. Fill, grading and excavation may be allowed only when it can be demonstrated that the proposed action will not result in significant damage to water quality, fish, shellfish and/or wildlife habitat; adversely alter natural drainage and circulation patterns, currents, river flows; or significantly reduce flood water capacities.

6. Fill, grading and excavation which will interfere with public rights of navigation shall be prohibited unless there is an overriding public

interest.

7. Fill for the purpose of providing land for a septic tank drainfield is prohibited.

8. Filling and grading for the sole purpose of creating new dry land is prohibited.

9. Fill within a 100-year floodplain shall meet the requirements of CMC Title 16, as incorporation into this SMP, and CMC Title 18.

10. Fill within a floodway is prohibited, except as outlined in section 5.5.B(7).

11. Fill located waterward of the ordinary high water mark for the purpose of ecological restoration may be allowed subject to a shoreline substantial development permit.

12. Fill may be allowed waterward of the ordinary high water mark only for cleanup and disposal of contaminated sediments, public access, mitigation and water dependent uses, and shall require a Conditional Use Permit.

6.9 Piers and Docks

A. Policies

1. A pier or dock serves four (4) or fewer boats. A pier or dock designed to serve five (5) or more boats, is considered a marina.

2. Prohibit marinas as the City of Centralia contains no water body suitable for such use.

3. The use of mooring buoys should be encouraged in preference to either piers or docks.

4. Locate piers and docks to:

   a. Minimize obstructions to scenic views.

   b. Cause minimum interference with navigable waters and public access.

   c. Avoid locations where they will adversely impact shoreline ecological functions or processes, including currents and littoral drift, water circulation and quality, and fish and wildlife habitat.

   d. Ensure no net loss of ecological functions.

5. Construct piers and docks of materials that will not adversely affect water quality or aquatic plants and animals.

6. Minimize the length and size of any dock, pier or float, and use materials that will allow light to pass through the deck floor for walkways or boardwalks in fish bearing waters.

7. Encourage the development of public fishing piers and access to public waters as part of an overall recreation plan or development.

8. Prohibit covered moorage.

B. Regulations

1. Piers and docks may be allowed for water-dependent uses or public access.

2. Residential moorage shall include no more than one moorage type, such as buoy or pier/dock, per waterfront lot.

3. Prior to approval of a residential pier or dock, the applicant shall document why the use of a mooring buoy or shared moorage are not feasible and the pier or dock is the minimum size necessary.

4. Shared moorage proposed for use by 4 or fewer upland property owners shall require filing of a legally enforceable joint use agreement that contains maintenance responsibilities, use restrictions, easements and liability agreements. The agreement must specify that each property owner is giving up the right to construct a separate single-family dock or pier.

5. Docks and piers are prohibited on lakes where the distance to the opposite shore is one hundred fifty (150) feet or less. This is to insure the maintenance of navigation.

6. Prior to final plat recording of a residential development, a usable area shall be set aside for a pier or dock unless there is no suitable area. Only one dock or pier is permitted in a new residential development.

7. All pier and dock development shall be painted, marked with reflectors, or otherwise identified to prevent hazardous conditions for water surface users.

8. There is no maximum length and width for commercial and public piers or docks; however, the proponent must show that the size proposed is the minimum necessary and shall demonstrate that a specific need exists to support the intended water-dependent use(s).

9. New residential docks shall not exceed the average length of the existing docks within three hundred (300) feet of the property lines. If a dock exists on one side of a new proposed dock but not on the other, the average to be used for the side without a dock shall be fifty (50) feet. If there are no docks within three hundred (300) feet, the length shall not exceed fifty (50) feet as measured from the ordinary high water mark.

10. The standards for new or repaired piers or docks are as follows:

    a. Pier and dock surface coverage shall not exceed; four hundred and eighty (480) square feet for single user structures, seven hundred (700) square feet for two (2) party joint use, and one thousand (1,000) square feet for three (3) or more users.

    b. Piers shall not exceed four (4) feet in width for the first thirty (30) feet from the shoreline and six (6) feet in width thereafter and must be grated with at least thirty (30) percent functional grating.

    c. Ramps shall not exceed three (3) feet in width and must be one hundred (100) percent grated.

    d. Docks shall not rest on the substrate at any time. Stoppers on the pilings anchoring the dock or stub pilings shall be installed so that the bottom of the dock's floatation is a minimum of one (1) foot above the level of the substrate.

    e. Except for docks with floats, the bottom of all structures shall be a minimum of one and one half (1.5) feet above the ordinary high water elevation.

    f. Docks with floats or ells shall be limited to one of the following size options:

        1. Up to six (6) feet wide where the deck surface has at least thirty (30) percent functional grating;

        2. Up to eight (8) feet wide with fifty (50) percent functional grating.

    g. Floatation must be located under the solid decked area only.

    h. Docks and piers shall be constructed of materials that will not adversely affect water quality or aquatic plants and animals over the long-term. Materials used for submerged portions of a dock or pier, decking and other components that may come in contact with water shall be approved by applicable state agencies for use

in water to avoid discharge of pollutants from wave splash, rain or runoff. Construction materials shall be limited to untreated wood, approved plastic composites, concrete or steel.

i. New covered moorage over fresh water is prohibited.

j. Dock repairs or expansions shall meet the applicable standards in this section.

10. Docks and piers shall be setback from the side property line ten (10) feet.

11. The required side yard setbacks may be waived with a shared used moorage facility for two (2) or more property owners.

6.10 Recreational Floats

A. Policies

1. Shoreline residents should consider joint-use of a recreational float.

2. Locate recreational floats so as to:
   a. Minimize obstructions to scenic views.
   b. Cause minimum interference with navigable waters and the public's use of the shoreline.
   c. Avoid locations where they will adversely impact shoreline ecological functions or processes.

3. Construct recreational floats of materials that will not adversely affect water quality or aquatic plants and animals.

4. Minimize the length and size of any recreational float and use materials that will allow light to pass through the deck floor in fish bearing waters.

B. Regulations

1. To prevent the proliferation of moorage facilities, only one recreational float shall be allowed per waterfront lot unless there is a demonstration of need, and subject to a shoreline conditional use permit.

2. A recreational float shall not be located farther waterward than existing floats or designated swimming areas.

3. Single property owner recreational floats shall not exceed sixty-four (64)

square feet. Multiple property owner recreational floats shall not exceed ninety-six (96) square feet.

4. The standards for recreational floats are as follows:
   a. Recreational floats anchored offshore and used for residential recreational uses shall comply with the Washington State Dept. of Natural Resources requirements and be removed seasonally if feasible.
   b. Recreational floats shall not rest on the substrate at any time. Floats shall be located (anchored) at sufficient depth to maintain a minimum of one (1) foot of draft between the float and the beach substrate.
   c. Recreational floats shall not exceed eight (8) feet in width.
   d. Recreational float width shall comply with the following standards:
      1. Floats with a width if six (6) feet or less shall incorporate a minimum of thirty (30) percent functional grating in the dock surface area.
      2. Floats with a width greater than six (6) feet that does not exceed eight (8) feet in width shall incorporate a minimum of fifty (50) percent functional grating into the dock surface area.
      3. Recreational floats shall be anchored utilizing either helical screw or "duckbill" anchor; anchor lines shall not rest on or disturb the substrate.

5. Recreational floats must be visible under normal daylight conditions at a minimum of one hundred (100) yards and must have reflectors for night visibility.

6.11 Restoration and Enhancement

A. Policies

1. Encourage and facilitate cooperative restoration and enhancement programs between local, state and federal public agencies, tribes, non-profit organizations and landowners to restore shorelines with impaired ecological functions and/or processes.

2. Ensure that restoration and enhancement are consistent with the biological recovery goals for early Chinook, bull trout populations and other species and/or populations.

3. Integrate restoration and enhancement with other parallel natural resource management efforts.

4. Prioritize restoration actions and stand-alone projects in the following order:
    a. Reduce sediment and nutrient input to streams and rivers and associated impacts.
    b. Improve water quality and fish passage.
    c. Improve riparian areas and degraded/former wetlands to restore functions.
    d. Replant and monitor native vegetation and disturbed areas, riparian zones and wetlands.
    e. Mitigate peak flows and associated impacts caused by high stormwater runoff volume.
    f. Remove obsolete shoreline modifications.
    g. Restore connectivity between stream/river channels, floodplains and hyporheic zones.
    h. Restore natural channel-forming geomorphologic processes.

5. Recognize that restoration and enhancement may result from:
    a. Encouraging non-impacted areas to remain impact-free.
    b. Mitigation of impacts from new development.
    c. Adoption of vegetation conservation areas which are based upon shoreline ecological functions and processes.

B. Regulations

1. Restoration shall be carried out in accordance with the policies and regulations of this Program. The Shoreline Restoration Plan, and the plans of the Chehalis Basin Lead Entity, and other salmon recovery lead entities, identify potential restoration priorities and project in shoreline areas. These plans may be used as a guide for shoreline restoration and enhancement projects.

2. Restoration and enhancement projects that include shoreline modification actions or measures may be authorized if the primary purpose of such action is clearly restoration of the natural character and ecological functions of the shoreline.

6.12 Compensatory Flood Storage

A. Policies

1. Encourage the use of compensatory flood storage to mitigate any reductions in flood capacity within shoreline jurisdiction due to permitted uses and developments. Consideration of reductions in flood capacity in shoreline jurisdiction should only be granted in compliance with the mitigation sequence in Section 5.4 and the Fill, Grading and Excavation provisions in Section 6.8.

B. Regulations

1. The amount of compensatory mitigation for lost flood water storage area required within the floodplain is determined by the following:

    a. Zero to five hundred cubic yards of fill: No mitigation is required unless the project will cause adverse impacts to flood levels, as determined by the Shoreline Administrator.
    b. More than five hundred cubic yards of fill: Mitigation is required which is a zero-rise or a minimum of a one-to-one ratio which means new excavated storage volume shall be equivalent to the flood storage capacity eliminated by filling or grading. "Equivalent" shall mean that the storage removed shall be replaced by equal live storage volume.

2. The compensatory mitigation area shall meet the mitigation sequence requirements of section 5.4, and the fill, grading and excavation requirements of section 6.8.

3. Documentation by a qualified professional shall indicate, to the satisfaction of the Administrator and all other applicable agencies with jurisdiction, that zero-rise and no net loss of ecological functions are achieved. Documentation may include hydraulic, hydrological, geomorphological and/or other analyses.

4. Mitigation storage may be located off site but must be located within the city of Centralia jurisdictional boundaries unless the director approves other alternatives if it is within the same drainage area.

5. All mitigation storage areas must be documented by a legally binding contract that maintains the storage in perpetuity, or until such time as the official shoreline map is amended and compensatory mitigation is no longer required. This document must be recorded with the Lewis County Assessor's Office.

Chapter 7 – Specific Shoreline Use Policies & Regulations

7.1 INTRODUCTION

Building on the general SMP goals found in Chapter 4, this chapter contains specific shoreline use policies and regulations that will help guide development and uses in shoreline jurisdiction in an effective and equitable manner. These policies and regulations apply to all development and uses within shoreline jurisdiction regardless of environment designation or whether a shoreline permit or letter of exemption are required.

7.2 GENERAL SHORELINE USE

7.2.1 Policies

A. Shorelines are a limited ecological and economic resource. Apply the following priorities, in the order presented, when determining allowable uses or resolving use conflicts in shoreline jurisdiction:

1. Protect and restore ecological functions to control pollution, enhance water quality and habitat, and prevent damage to the natural environment and public health;

2. Strongly encourage water-dependent and associated water-related uses;

3. Reserve shoreline areas for other water-related and water-enjoyment uses that are compatible with ecological protection and restoration objectives;

4. Locate residential uses where they are appropriate and can be developed without significant impact to ecological functions or displacement of water-dependent uses; and

5. Limit non-water-oriented uses to those locations where water-oriented uses are infeasible or where it can be demonstrated the non-water- oriented use contributes to the goals and objectives of the SMP.

B. Locate accessory structures and uses, such as parking, service buildings, access roads, utilities, signs, etc., landward of the required buffer and/or development.

C. Locate, design and manage uses and development to minimize impacts through bulk and dimensional regulations, buffers, mitigation and other measures to ensure the development will result in no net loss of

ecological functions and supports long-term beneficial use of the shoreline.

D. Develop regulations for shoreline buffers that are consistent with other critical area buffer requirements, protect existing ecological functions, restore ecological functions previously degraded and accommodate water-oriented and preferred uses.

E. Prohibit development that would result in net loss of ecological functions, adversely impact habitat or interfere with navigation or other water-dependent uses.

F. If adverse impacts are unavoidable, require compensatory mitigation, monitoring and maintenance.

7.2.2 Regulations

These regulations apply to all developments and uses within shoreline jurisdiction, whether or not a permit or letter of exemption are required.

A. Use and development standards shall not apply retroactively to existing, legally established structures, uses or developments in place at the time of adoption of the SMP update. Existing structures, uses or developments may be maintained, repaired and continued to operate.

B. Developments shall comply with all other zoning, comprehensive plan, critical area and subdivision codes.

C. Developments shall be designed and constructed to be compatible with the surrounding areas and environment.

7.3 ALLOWED USES

A. Table 7-1 establishes the Permitted, Conditional and Prohibited Uses in the shoreline environments. Should there be a conflict between the table and written provisions, or other regulations, the written provision and objectives of the SMP shall apply.

B. Authorized uses and development are subject to the policies and regulations of the SMP and must comply with the underlying zoning and Comprehensive Plan.

C. Uses and development identified as Permitted require either a Substantial Development Permit or a Letter of Exemption in compliance with Chapter 2. If any part of the proposed development is not eligible

for an Exemption, then a Substantial Development Permit is required for the entire proposal.

D. Uses and development identified as Conditional require a Conditional Use Permit in compliance with Section 2.3. Any use not listed in Table 7-1 shall require a Conditional Use Permit.

E. Uses identified as Prohibited are not allowed in shoreline jurisdiction.

F. Accessory uses and structures shall be subject to the same shoreline permit process and SMP provisions as the primary use. An accessory use shall not be established prior to the establishment of the primary use.

Table 7-1. Permitted, Conditional and Prohibited Uses and Development

Key: P = Permitted Use, C = Conditional Use Permit, X = Prohibited

Shoreline Uses[1,2]	High Intensity	Urban Conservancy	Shoreline Residential	Aquatic
Agricultural[3]	P	P	P	X
Aquaculture	C	C	C	C
Boating Facilities	C			
Piers and docks	P	C	P	Per upland SED
Recreational floats	P	C	P	Per upland SED
Commercial[7]				
Water-oriented	P	C[4]	C[4]	X
Non-water oriented	P	X[9]	X	X
Forest Practices	P	P	P	X
Industrial				
Water-oriented	P	C[4]	X	C
Non-water oriented	P	X[9]	X	X
Mining	C	X	X	X
Parking[5]	P	P	P	X

Recreational[6]				
Water-oriented	P	P	P	C
Non-water oriented	P	P	P	X
Residential[7]	P	P	P	X
Signs	P	P	P	X
Transportation Facilities				
Bridges for motorized and non-motorized uses	C	C	C	C
New roads to permitted uses	P	P	P	X
Expansion or modification to existing roads	C[8]	C[8]	C[8]	X
Utilities				
Primary utilities	P	C	C	C
Accessory utilities – reviewed as part of primary use	-	-	-	-
Transmission lines within existing rights-of-way	P	P	P	C
Transmission lines outside of existing rights-of-way	P	C	P	C
Solid waste disposal or transfer sites	X	X	X	X

NOTES:

1 = Any uses that would degrade ecological functions or habitat should not be allowed. Where impacts are unavoidable, compensatory mitigation, monitoring and maintenance shall be required.

2 = Where a use would be located both upland and over-water, the more restrictive standards apply.

3 = Includes agricultural commercial uses such as roadside stands, on-farm markets, pumpkin patches and Christmas tree farms.

4 = Commercial uses in the Shoreline Residential and commercial and industrial uses in the Urban Conservancy designations should be limited to low intensity water-oriented uses and must be compatible with the underlying zoning and Comprehensive Plan.

5 = Parking may be allowed when associated with an approved use. Stand-alone parking lots, not associated with an approved use, are prohibited.

6 = Concessions stands, gift shops, interpretive centers, etc. may be permitted as accessory uses when limited to the minimum size necessary to equitably conduct business and are related to an approved use.

7 = Home occupations are incidental and accessory to a residential use and must meet the requirements of CMC 20.69. Use the Residential category to determine which shoreline environment will allow such use.

8 = Expansions on the landward side of an existing road may be permitted via a Substantial Development Permit. Expansions on the waterward side of an existing road require a Conditional Use Permit.

9 = Non-water oriented commercial and industrial uses may be allowed in the Urban Conservancy designation without a Conditional Use permit, provided the use is located within the areas designated under section 5.7.B.14(c).

7.3.1 Agricultural

A. Policies

1. Prevent soil erosion and minimize turbidity, pollution and other environmental degradation to watercourses by limiting and regulating new and expanded agricultural practices.

2. Utilize appropriate BMP's and farm management techniques to prevent contamination of and negative impacts to nearby watercourses, plants, fish and habitat.

3. Prohibit the creation of new agricultural land by diking, draining or filling watercourses and associated wetlands.

4. Allow all agricultural activities, and other exemptions of RCW 90.58.030 (3)(e)(iv), existing as of the effective date of the updated SMP to continue.

B. Regulations

1. Agricultural activities shall conform to all applicable local, state and federal policies and regulations and must be consistent with the shoreline environmental designation it is located in.
2. Agricultural uses and development shall be located, designed and operated to have no net loss of ecological functions and no significant adverse impact on shoreline resources and values.
3. Confinement lots, feeding operations, stockpiles of manure and storage of noxious chemicals are prohibited within the shoreline areas.
4. New and/or expanded agricultural activities must be in compliance with the underlying zoning requirements.
5. Upland fish hatcheries shall be considered an aquaculture use.
6. Development on agricultural land that does not meet the definition of agricultural activities and the conversion of agricultural land to other uses shall be consistent with the environment designation and the general and specific use regulations applicable to the proposed use.

7.3.2 Aquaculture

A. Policies

1. Operate aquaculture uses in a manner that allows navigational access to shorelines.
2. Minimize negative impact that aquaculture uses may have on views from upland property.
3. Design, locate and operate aquaculture activities in a manner that supports long-term beneficial use of the shoreline areas and protects and maintains ecological functions and processes.
4. Prohibit new aquaculture uses where it would interfere with other water- dependent uses.
5. Review proposed surface installations for conflicts with other uses in areas that are used for moorage, recreational boating, fishing, etc. Incorporate features to reduce such conflicts.

B. Regulations

1. Design, locate and operate aquaculture activities in a manner that supports long-term beneficial use of the shoreline areas and protects and maintains ecological functions and processes.

2. The applicant must demonstrate that the degree of proposed substrate and/or bank modification is the minimum necessary to allow for feasible aquaculture operations.

3. The activity shall result in no net loss of ecological functions, no significant adverse impact on shoreline processes, and no interference with other water- dependent uses.

4. Aquaculture facilities shall be designed and located so as not to spread disease to native aquatic life, establish new nonnative species that cause significant ecological impacts, or significantly impact the aesthetic qualities of the shoreline.

5. Upland fish hatcheries must 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.

6. Non-water-oriented accessory uses shall be located as far from the shoreline as feasible.

7. Proposed aquaculture processing plants shall provide buffers in compliance with the underlying zoning to screen operations from adjacent uses.

7.3.3 Boating Facilities

A marina services five or more boats. A pier or dock services four or fewer boats. See section 6.9 for piers or docks provisions.

A. Policies

1. Prohibit marinas as the City of Centralia jurisdiction does not currently contain a water body suitable for marina development.

2. Prohibit boat launch ramps in shallow water where dredging would be required, areas of active channel migration, and where valuable shoreline ecological functions and processes will be degraded.

3. Locate boat launch ramps in areas where parking and access to the ramp can be accomplished without causing adverse impacts to adjacent properties.

4. Require parking areas for boat launch ramps to be landscaped.
5. Design, construct and maintain the site to limit off site glare from lights by utilizing fully shielded and appropriately aimed fixtures.

6. Regulations
    1. Marina development is prohibited.
    2. Boat launch ramps shall be located, designed and operated to ensure no net loss of ecological functions and will cause the least adverse impacts to adjacent properties and aesthetic values as feasible.
    3. Boat launch ramps shall be located on stable shorelines where water depths are adequate to eliminate or reduce the need for channel construction, dredging, filling, channel maintenance activities, etc.
    4. Boat launch ramps shall be located where parking and associated infrastructure will cause the least adverse impacts to adjacent properties and aesthetic values as feasible.
    5. Effective measures shall be utilized to prevent the release of oil, chemicals and other hazardous materials into the water; such as catch basins, settling ponds, interceptor drains, planted buffers, etc.
    6. Public facilities shall provide effective measures for waste removal that meet all local, state and federal requirements for health, safety and welfare.
    7. Boaters living in their units such as house boats, live-aboards, etc. are prohibited.
    8. Boating facilities shall not conflict with the rights of navigation on navigable waterways.

7.1.2 Commercial

1. Policies
    1. Encourage water-dependent or water-related commercial developments over non-water oriented commercial developments.
    2. Locate new commercial developments where commercial uses currently exist.
    3. Provide public access to the shoreline areas where required and/or appropriate.
    4. Design and construct commercial developments to be aesthetically compatible with surrounding areas.

5. Locate parking facilities inland and away from the OHWM.

6. Prohibit commercial development that will adversely impact upstream or downstream land uses, wildlife, habitat or stream hydrology.

7. Prohibit new overwater commercial buildings.

2. Regulations

1. Commercial development shall result in no net loss of ecological functions and have no significant adverse impact to other shoreline uses, resources and values; including but not limited to, navigation, recreation and public access.

2. New overwater commercial buildings are prohibited.

3. Development must be in compliance with section 5.8 Water Quality regulations.

4. Mixed use developments that include non-water-oriented uses may be considered water-oriented for regulation purposes provided the Shoreline Administrator determines the proposal gives preference to uses that are consistent with the control of pollution, prevention of damage to the natural environment, are dependent on the shoreline location, or enhance the public's access to and enjoyment of the shoreline.

5. Commercial uses that are authorized as water related or water-enjoyment uses are required to incorporate appropriate design and operational elements so that they meet the definition of water-related or water-enjoyment uses.

6. Non-water-oriented uses may be allowed in the following reach areas without a Conditional Use Permit, provided they are in compliance with the underlying zoning designation, existing ecological functions are protected and previously degraded ecological functions are restored and/or improved:

a. CE-01 – PMP (Port of Centralia area), M-1, M-2 (Port of Centralia area), and H-1 Zones (medical facilities area north of Cooks Hill Road)

b. CE-02 – Commercial and factory outlet mall areas in the High Intensity environment along Harrison Avenue and Hayes Lake

c. CE-05 – Commercial areas in the High Intensity environment

along Kresky Avenue and National Avenue

7. Non-water-oriented commercial uses may be allowed if one of the following is met:

a. The use is part of a mixed use development that contains water- dependent uses and provides a significant public benefit as it pertains to the SMA, such as providing public access and ecological restoration, or

b. Navigability is extremely limited at the proposed site and the use provides a significant public benefit as it pertains to the SMA, such as providing public access and ecological restoration, or

c. The proposed development site is physically separated from the shoreline by another property or public right-of-way.

7.1.3 Forest Practices

1. Policies

1. Ensure forest practices related to a land conversion to a non-forestry use results in no net loss of ecological functions and no significant adverse impacts.

2. Ensure all applicable water quality standards are met.

3. Ensure limitations of RCW 90.58.150 are met, except in cases where selective logging is found to be ecologically detrimental or inadequate for the preparation of land for other uses authorized in the SMP.

4. Ensure maintenance of buffers and BMP's to prevent activities associated with forest practices from adversely impacting the shoreline ecological functions.

2. Regulations

1. Forest practices related to preparation of a land conversion to a non-forestry use or development shall be limited to areas outside of the buffers and vegetation conservation areas specified in section 5.7 and 7.4.2 of this Program and Title 16.17, 16.19 and 16.20 of the Centralia Municipal Code.

2. Forest practices related to preparation of a land conversion to a non-forestry use or development shall be reviewed for compliance with the underlying zoning, the applicable shoreline environment designation, the General Provisions of this Program, and all other local, state and federal regulations.

3. Forest practices shall not result in net loss of shoreline ecological functions or significant adverse impacts to other shoreline uses or values such as navigation, recreation, or public access.

4. All forest practices, conversions, etc. undertaken in SMAs shall comply with the applicable requirements of the FPA, SMP, and all other local, state and federal regulations.

7.1.4 Industrial

1. Policies

    1. Preference should be given to water-dependent uses over water-related uses, and to water-related uses over non-water oriented uses.

    2. Limit the expansion of existing industrial uses to the minimum necessary to be economically viable and will result in no adverse impact.

    3. Non-water-oriented uses should be allowed when the use provides a public benefit such as public access and/or restoration of ecological functions.

2. Regulations

    1. Industrial developments shall be designed, located and operated in such a manner that is consistent with the shoreline environment designation and minimizes the impact to the ecological functions.

    2. Industrial developments shall ensure no net loss to ecological functions and have no significant adverse impact on other shoreline uses, resources and values.

    3. Expansion of existing industrial uses may be allowed if the expansion is further from the shoreline than the existing development, is limited to the minimum amount necessary to be economically viable with a positive impact on society and results in no net loss of

ecological functions.

4. Mixed use development containing water-dependent and non-water-oriented industrial uses may be allowed if the Shoreline Administrator determines the proposed development gives preference to uses consistent with the control of pollution, prevents damage to the natural environment, is dependent on the shoreline location or enhances the public's ability to enjoy the shoreline.

5. Non-water-oriented uses located within 200 feet of the ordinary high water mark shall be part of a mixed use development or provide a significant public benefit such as public access and restoration of ecological functions.

6. Non-water-oriented uses shall be allowed if the property is separated from the shoreline area by another property or public right-of-way; or the development site is located greater than 200 feet from the ordinary high water mark of the adjacent lake, stream or river, and navigability is limited at the site.

7. Industrial development proposals must provide the following with application submittals:

    a. Information on traffic circulation, transportation services, utility services, access and the effect the proposal will have on uses in the vicinity. The Shoreline Administrator may require this information to be compiled by a licensed, qualified professional.

    b. Analysis by a licensed, qualified professional of the impact to natural landform patterns, ground water, hydrology, drainage patterns and erosion.

    c. Information on the methods for treatment and control of waste disposal.

8. Prior to the issuance of a development permit, an approved emergency plan must be in place for controlling and eliminating potential water pollution impacts resulting from spills, leaks and/or operational failures.

9. Over water structures and/or uses may only be permitted for water-dependent industrial uses, shall require a Conditional Use Permit and are subject to the following:

    a. View preservation, public access, traffic impacts, parking and other upland development requirements.

b. Compensatory mitigation for habitat and ecological functions impacts.

10. Compliance with section 5.8 Water Quality is required.

7.1.5 Mining

1. Policies

    1. Limit mining uses and development to where it exists, or had previously existed, at the time of adoption of this Program.

2. Regulations

    1. Mining operations shall only be allowed in areas where mining operations existed, or previously existing, at the time of adoption of this Master Program and must be located within High Intensity designated areas.

    2. A Conditional Use Permit is required for expanded mining operations, or re-activation of mining operations that have ceased.

    3. All potential impacts to ecological functions, habitat, traffic, other uses, hydrology, ground water, etc. must be adequately addressed by a licensed qualified professional.

    4. The mitigation sequence of section 5.4 shall apply.

    5. Mining within the active channel or channels (a location waterward of the ordinary high-water mark) of a river shall not be permitted unless:

        a. Removal of specified quantities of sand and gravel or other materials at specific locations will not adversely affect the natural processes of gravel transportation for the river system as a whole; and

        b. The mining and any associated permitted activities will not have significant adverse impacts to habitat for priority species nor cause a net loss of ecological functions of the shoreline.

        c. Adverse impact determinations required by (a) and (b) of this subsection shall be made consistent with RCW 90.58.100(1) and WAC 173-26-201 (2)(a). Evaluation of impacts should be appropriately integrated with relevant environmental review requirements of RCW 43.21C – SEPA and WAC 197-11 SEPA Rules.

    6. Prior to finalization of a development or operational permit all approved mitigation measures must be completed and approved.

7.1.6 Parking

1. Policies
    1. Encourage joint use parking facilities between businesses in the immediate vicinity.
    2. Locate parking facilities as far from the OHWM as feasible.
    3. Prohibit stand-alone parking facilities.
    4. Design, construct and operate parking facilities to minimize off-site light and glare.
2. Regulations
    1. Parking facilities shall be designed, constructed and adequately landscaped to minimize adverse impact on the shoreline environment and adjacent properties.
    2. Parking facilities within shoreline jurisdiction shall only be allowed as necessary for an approved use. Stand-alone parking facilities shall be prohibited.
    3. Parking facilities serving individual buildings shall be located landward of the building to minimize impact to the shoreline. Except in cases where the parking facility is within or underneath the structure it serves and adequately screened.
    4. Over-water parking facilities are prohibited.
    5. Parking facilities must comply with CMC 20.72 – Off-Street Parking and Loading.
    6. Parking facilities associated with boat launches and other shoreline accesses shall be located at least fifty (50) feet from the OHWM.
    7. Parking facilities must meet the water quality and stormwater standards of section 5.8 as well as all other applicable local, state and federal regulations.

7.1.7 Recreational

1. Policies
    1. Give priority to recreational development along the shoreline areas.
    2. Ensure recreational developments are compatible with the environment

and achieve no net loss of ecological functions.

3. Plan public access to recreational uses, such as fishing, to prevent concentration of use pressures.

4. Link shoreline parks and public access areas through linear open spaces, such as trails.

5. Design, locate and operate recreational developments to preserve, enhance or create scenic views.

6. Locate parking areas as far from the shoreline area as feasible and provide pedestrian paths for access.

7. Locate facilities for intense recreational activities where utility services and pest control can be provided without negatively impacting the environment.

8. Encourage development of public access areas as part of the City of Centralia Parks & Recreation plan, Comprehensive Plan, zoning ordinance and private developments.

9. Locate, design and construct pedestrian paths to be compatible with the natural terrain and utilize existing areas to minimize the need for alterations to the natural terrain; such as excavations, fills, etc.

10. Locate, design and construct pedestrian paths to minimize erosion and permit the natural movement of ground water and flood waters.

11. Encourage the construction of pedestrian paths with bridges and piers instead of placement of fill material.

12. Encourage low intensity recreational uses on floodplains with minor disturbances to the ecological processes and functions.

13. Encourage new high intensity recreational uses on floodplains with pre-existing disturbances to the ecological processes and functions.

2. Regulations

1. Recreational development shall be given priority over other uses and primarily associated with public access to and use and enjoyment of shoreline areas.

2. Public recreational developments must be designed, constructed and operated in a manner consistent with the shoreline environment designation requirements, must comply with the provisions of section

7.3.4 and must avoid adverse impacts or meet the mitigation sequencing of section 5.4.

3. Events and temporary uses may be allowed when no net loss of ecological functions and processes can be demonstrated.

4. Use of ATV's and/or off-road vehicles are prohibited in the shoreline areas.

5. Recreational developments must be designed, constructed and maintained with consideration to public access and view corridors. The Administrator may require a View Corridor analysis consistent with section 7.4.1 (C). Landscaping, buffers and other visual barriers may be required along areas abutting a residential or dissimilar use.

6. Public access points must provide adequate parking for the use.

7. Recreational developments shall provide for pedestrian, bicycle and other non- motorized paths to the greatest extent feasible.

8. All public access points shall be marked with the appropriate signage.

9. Pedestrian paths that cross shoreline areas shall be designed by the shortest, most direct and least impacting route feasible.

10. Pedestrian paths shall be constructed with bridges and piers to the greatest extent feasible. Should placement of fill material be necessary, it shall be limited to the smallest amount necessary to achieve the intended purpose.

11. Pedestrian bridges may be placed within fish habitats, and construction components placed waterward of the OWHM, when the following conditions are met:

    a. No other less impacting location is feasible.

    b. The bridge is designed, constructed and maintained to minimize the environmental impact to the greatest extent feasible.

    c. All adverse impacts are mitigated.

12. The placement of fill, for pedestrian paths, within water bodies, wetlands, channels, etc. may be allowed provided it has been demonstrated that no other less impacting alternative is feasible and a Shoreline Conditional Use Permit is obtained.

13. Adequate design and erosion control techniques shall be utilized to construct and maintain pedestrian paths to ensure no net loss of

ecological functions and processes.

14. Pedestrian paths may be allowed within critical areas and/or buffers in compliance with Chapter 5 of this Program.

15. Compliance with section 5.8 Water Quality is required.

7.1.8 Residential

1. Policies

    1. Design, construct and maintain residential development to minimize adverse impacts and ensure no net loss of ecological functions and processes.

    2. Encourage clustering of residential developments to minimize impact to the environment and maximize open spaces.

    3. Provide access to shoreline areas for residents of new developments and the public.

    4. Provide open space in accordance with CMC Title 19 – Subdivisions and CMC Title 20 – Zoning.

    5. Encourage the conservation of native vegetation in the shoreline areas to the greatest extent feasible and in accordance with section 5.7.

    6. Design, construct and maintain residential development to minimize impacts to view corridors.

    7. Protect critical areas within subdivisions by creating separate tracts for such areas.

    8. Allow residential development in areas where adequate utilities, access and circulation are available.

    9. Prohibit new over-water residential development.

2. Regulations

    1. New subdivisions shall not create lots that require structural stabilization, impact vegetation conservation areas, cause erosion or reduction in slope stability, or increase flood hazard or erosion.

    2. New subdivisions must have access to adequate water, sewer, access and utility services.

3. New subdivisions and residential developments must be consistent with the City of Centralia Comprehensive Plan and the underlying zoning requirements.

4. New subdivisions must not adversely impact the environment and must result in no net loss of ecological functions and processes at full build out.

5. New over-water residential development is prohibited.

6. Residential development shall be located, designed, constructed and maintained to protect views, aesthetic values and the character of the shoreline.

7. The following land areas may be excluded from the density calculation of new subdivisions:

    a. Land required to be dedicated to the public for open space, rights-of-way, critical areas and private roads.

    b. Land intended for future phases of development.

    c. Land that consists of lots devoted for uses other than residential and associated uses; such as, churches, school and support facilities.

8. Development must meet the requirements of section 5.8 Water Quality.

9. Subdivisions shall protect streams, wetlands, associated buffers, floodways, channel migration zones, geologically hazardous areas, and other critical areas by locating these features on separate tracts. Such areas may be held in common ownership by the subdivision land owners or by one land owner.

10. Mixed use developments that contain water-dependent and residential uses may be considered water-oriented for determining applicable regulations of Table 7-1; provided the Shoreline Administrator determines the proposed development gives preference to uses that are consistent with the control of pollution, prevent damage to the natural environment, are dependent on a shoreline location or enhance the public's ability to enjoy the shoreline area.

7.1.9 Signs

1. Policies

    1. Design, locate and maintain signage within shoreline jurisdiction to minimize interference with visual access.

    2. Design, construct and locate signage to be compatible with the shoreline environmental designation and adjacent uses.

    3. Prohibit billboards within shoreline jurisdiction.

2. Regulations

    1. Off-premise and/or billboard signs are prohibited within shoreline jurisdiction.

    2. Official government signs are not to be considered as off-premisesigns.

    3. All public access shall be marked with approved signs.

    4. Signs associated with a boating facility shall not exceed fifteen (15) feet in height, shall be located as to not obstruct views to the maximum extent feasible, and shall meet the requirements of CMC 18.24 – Sign Code.

7.1.10 Transportation Facilities

1. Policies

    1. Locate new roads and railroads outside of shoreline jurisdiction to the greatest extent feasible and where the impact to existing or potential water- dependent uses is minimized.

    2. Locate roads and railroads as far landward as feasible, to fit the natural topography, to utilize existing corridors to the greatest extent feasible and to limit the alterations to the natural environment to the minimum necessary.

    3. Design, construct and maintain roads and railroads to minimize erosion, and to permit the natural movement of groundwater and flood waters.

    4. Encourage piers and bridges to minimize the placement of fill within shoreline jurisdiction.

    5. Dispose of construction debris, overburden and other wastes in such a manner as to prevent their entry into any surface water body by erosion, runoff, high water or any other means.

6. Apply the mitigation sequencing of section 5.4 to locate new roads, railroads and other transportation corridors and crossings.

7. Utilize the Transportation Element of the City of Centralia Comprehensive Plan to identify new transportation corridors and crossings within shoreline jurisdiction.

2. Regulations

1. Roads and railroads shall be designed to cross the shoreline areas by the shortest, most direct, least invasive route feasible.

2. The City may not vacate any road, street or alley abutting a body of water except as provided for in RCW 35.79.035.

3. Placement of fill for roads and railroads shall be limited to the least amount necessary to achieve the intended purpose.

4. Bridges for roads and railroads may be placed within fish habitats, and construction components placed waterward of the OWHM, when the following conditions are met:

a. No other less invasive location is feasible.

b. The bridge is designed, constructed and maintained to minimize the environmental impact to the greatest extent feasible.

c. All unavoidable adverse impacts are mitigated.

5. Fill placement for roads and railroads may be allowed in water bodies, wetlands and side channels provided it has been demonstrated that no other less impacting alternative is feasible, the road/railroad is of statewide significance and a Shoreline Conditional Use Permit is obtained.

6. Roads and railroads shall be designed, constructed and maintained in such a manner to result in no net loss of ecological functions and processes.

7. New roads and/or expansion of existing roads may be allowed if no other alternatives are feasible.

8. Compliance with section 5.8 Water Quality is required.

7.1.11 Utilities

1. Policies

    1. Prohibit the installation of solid waste disposal or transfer facilities within shoreline jurisdiction.
    2. Install utilities underground, or design utilities to minimize the damage to scenic views and corridors. Fully mitigate any adverse impacts.
    3. Encourage the location of utilities outside of shoreline jurisdiction or within existing rights-of-way and corridors to the greatest extent feasible. Where necessary to install within shoreline jurisdiction, locate utilities as far landward, preserve as much of the natural environment, shoreline ecology and minimize conflicts with existing uses to the greatest extent feasible.
    4. Restore shoreline areas to the pre-development condition, replant with native vegetation and maintain the areas until new native vegetation is established.
    5. Design, construct and locate utilities to accommodate future growth and development.
    6. Use utility rights-of-way for public access to shoreline areas to the greatest extent feasible.
    7. Encourage over-water structures for utility crossings.
    8. Utilize the best available science and the mitigation sequencing of section 5.4 for new utility corridors within the shorelines jurisdiction. Co-locate transmission facilities along existing utility corridors to the greatest extent feasible.

2. Regulations

    1. New solid waste facilities are prohibited in shoreline jurisdiction.
    2. Utility facilities and transmission lines shall be designed, constructed, located and maintained in such a manner to that will: result in no net loss of ecological functions and processes, preserve the natural environment and minimize conflicts with existing and future uses.
    3. Utility facilities and transmission lines shall be located outside of the shorelines areas to the greatest extent feasible. When no less impacting alternative is feasible, the mitigation sequencing of section 5.4 shall be applicable.

4. In-water utility corridors may be allowed within fish habitat if the following conditions are met:

   a. It has been demonstrated that no other less impacting alternative is feasible.

   b. The project is designed, located, constructed and maintained to minimize its impact on the environment.

   c. All adverse impacts are fully mitigated.

   d. Any fill required is located landward of the OHWM.

   e. Any necessary pilings and piers may be placed waterward of the OHWM if no less impacting alternative method is feasible.

5. Proposals for utility facilities and transmission lines shall demonstrate how the size of the facility or line has been reduced within the shoreline areas to the minimum necessary. Proposals shall include a landscaping plan detailing the revegetation of the disturbed areas to pre-development conditions with native vegetation. Proposals shall include details on the monitoring and maintenance activities to ensure the establishment of native vegetation.

6. Installation of accessory utilities to a permitted development within the shoreline areas may be covered under the development's shoreline permit. Installation shall be considered part of the primary use and regulated by the use requirements for the permitted development.

7. Utilities shall be placed underground to the greatest extent feasible.

8. Utility facilities and transmission lines shall be designed, constructed and maintained for minimal environmental and view corridor impact.

9. Underwater utilities shall be located at a depth sufficient to ensure no interference with other shoreline uses and activities.

10. Utility facilities and transmission lines shall design safeguards to ensure no long- term damage to adjacent or downstream environments in the event of an accident, failure, etc. involving the utility facility or transmission line.

11. Compliance with section 5.8 Water Quality is required.

7.4 DEVELOPMENT STANDARDS

7.4.1 SHORELINE HEIGHT

A. Table 7-2 establishes the allowable heights to limit the obstruction of views from public or private property. The table does not apply to structures legally existing prior to the adoption of the SMP update. The table may not apply to development sites greater than 200 feet from the ordinary high water mark depending on surrounding uses, existing developments, view corridors, etc. The Shoreline Administrator shall determine applicability.

Table 7-2. Height Regulations

Height Standard	High Intensity	Shoreline Residential	Urban Conservancy	Aquatic
Maximum height	50’	35’	35’	20’

NOTES:
The maximum allowable height in Table 7-2 may be increased to the maximum height allowed in the underlying zoning designation subject to approval of a Shoreline Variance set forth in Section 2.4 and view corridor analysis under SMP section 7.4.1(C).

B. The following structures are exempt from the height standard requirement: dams, shipping cranes, freight moving equipment, power or light poles, bridges, chimneys, tanks, towers, cupolas, steeples, flagpoles, smokestacks, silos, fire or parapet walls, open railings, and/or similar building appurtenances. These structures may exceed the height standard requirement provided all other requirements of the SMP are met and no usable floor space above the height standard requirements is added.

C. View Corridor Review Process.

1. Applicants for new or expanded buildings or structures exceeding the height standard requirement in Table 7-2 shall address impacts to views from public and private areas through the Shoreline Variance process as follows:

a. Site design shall provide for view corridors between buildings using building separation, setbacks, upper story setbacks, pitched roofs and other mitigation.

b. To determine appropriate view corridors the Shoreline Administrator shall review shoreline public access plans, location of federal or state designated scenic highways, prepared studies, SEPA documents or other available information.

c. The maximum width of a view corridor shall not exceed 25% of the lot width.

2. The following standards and procedures shall apply to this review process:

a. The applicant shall prepare a view analysis consistent with the criteria below. Such view analysis shall be submitted to the City along with the other application requirements outlined in Section 7.2.3. A Shoreline Variance shall be required consistent with the requirements of Section 2.4. The view analysis shall address:

1) The cumulative view obstruction created by the proposed development combined with other developments that exceed the height standard requirement within a 1,000-foot radius of the proposed development;

2) Available view corridors; and

3) Surface water views lost, compromised or retained.

4) The development must impact less than 30% of the private and/or public view of the shoreline.

b. For phased developments, the view analysis must be prepared with the first phase and adequately address all phases within the development proposal.

7.4.2 SHORELINE SETBACKS

A. Table 7-3 establishes the standard setbacks to the OHWM. Other more restrictive criteria may apply based on critical area buffers and other local, state and federal regulations. Refer to Chapters 5 of this Program for details.

Table 7-3. Setback Regulations

Use	High Intensity*	Shoreline Residential*	Urban Conservancy*	Aquatic*
Agricultural	50’	50’	50’	N/A
Aquaculture				
Primary operations	0’	0’	0’	N/A
Water related	75’	75’	75’	N/A
Accessory uses/structures	175’	175’	175’	N/A
Boating Facilities				N/A
Water dependent	0’	0’	0’	N/A
Water related	75’	75’	75’	N/A
Accessory/ non-water oriented	175’	175’	175’	N/A
Commercial / Industrial				
Water dependent	0’	0’	0’	N/A
Water related/enjoyment	75’	75’	75’	N/A
Non-water oriented[2]	175’	N/A	N/A	N/A
Recreation				
Water dependent	0’	0’	0’	N/A
Water related/enjoyment[1]	75’	75’	75’	N/A
Non-water oriented[1,2]	175’	175’	175’	N/A
Residential				
Single-family	75’	75’	75’	N/A
Townhome/Multi-family/Other residential	175’	175’	175’	N/A
Transportation / Utilities[3]				N/A
Water dependent	0’	0’	0’	
Water related/enjoyment	75’	75’	75’	
Non-water oriented	175’	175’	175’	

NOTES:

*Setback as measured from the OHWM. Other critical area buffers may apply and exceed the setback designated in this table. The more restrictive regulation shall apply.

N/A = Not applicable

1 = Walking/biking paths may be located closer than 50' from the OHWM if all other applicable development regulations are met (Chapters 5, 6 and 7 of this Program, CMC Title 16 and any other local, state and federal regulations).

2= 50' setbacks may be allowable in certain reach areas along Hayes Lake, Cooks Hill Road and Kresky Avenue. Refer to Section 5.7.B(14) for specific details.

3= New roads/utilities and/or expansion of existing roads/utilities are subject to the requirements of section 7.3.12 and 7.3.13.

Chapter 8 – Non-conforming Uses and Structures

8.1 General Provisions

A. Structures and uses that were legally established prior to the adoption of this Program may be maintained and repaired as needed; however, they may not be enlarged, expanded or altered in a manner which would increase the non-conforming aspects of the structure or use; except as allowed in 8.1.F.

B. Non-conforming uses or structures shall not be relocated on the same site unless the move results in bringing the use or structure into closer compliance with this Program.

C. In the event a non-conforming structure is damaged, by any cause, less than 50% of the fair market value of the structure, then nothing in this chapter shall prevent the issuance of a building permit to restore such structure to its original configurations existing prior to sustaining such damage. Said building permit must be issued within one year of the date of damage. The determination of percentage of destruction shall rest with the Building Official and shall be based on fair market value, including labor and supplies.

D. In the event a non-conforming structure is damaged, by any cause, 50% or more of the fair market value of the structure, any replacement or restoration must meet all the provisions of this Program. If this is not feasible, due to the configuration or physical characteristics of the property, the applicant may seek a Shoreline Variance Permit per section 2.4.

E. To avoid undue hardship, nothing in this section shall be deemed to require a change in plans, construction or use of a structure on which actual construction lawfully commenced prior to the date of adoption of this Program. Construction must be carried on diligently and continually until the project is complete. If construction is not diligently and continually proceeding, the project shall be considered abandoned and must meet all provisions of this Program. “Actual construction” is defined as the placing of construction materials in permanent position and fastened in a permanent manner.

F. Existing non-conforming single family residences may be enlarged or expanded in conformance with height, bulk and dimensional standards upon approval of a Conditional Use Permit when the following conditions are met:

1. The expansion or enlargement may be above the building footprint of the main structure but not exceed the allowable height; or

2. The expansion or enlargement is located behind the side of the structure that is farthest away from the OHWM; and
3. The expansion or enlargement shall not cause an adverse impact and must result in no less loss of shoreline functions.

G. A non-conforming use or structure shall be considered abandoned or discontinued if that use or structure ceases to be used for the same existing purpose for a period of six consecutive months or more.

1. The Community Development Director shall have the discretion to extend this time limit due to special circumstances beyond the control of the owner/applicant. Examples include, but are not limited to, insurance settlement disputes, delays in transferring title, labor strikes, etc.

H. Non-conforming uses or structures that are or become nuisances shall not be allowed to continue as non-conforming and shall be abated.

I. Non-conforming lots of records located landward of the OHWM, which were established in accordance with local and State subdivision requirements prior to the effective date of this Program, may be developed if permitted by other local land use regulations so long as such development conforms to all other requirements of the SMA and the SMP and results in no net loss of ecological functions.

Chapter 9 – Definitions

9.1 Unlisted Words or Phrases

Any word or phrase not defined in this Program and/or definitions that are called into question when administering the SMP shall be defined utilizing the SMA and its implementing rules.

The Shoreline Administrator may obtain secondary definitions from one of the following sources:

1. Centralia Municipal Code.
2. Any City of Centralia resolution, ordinance, policy, or regulation.
3. The most applicable statute or regulation from the state of Washington.
4. Legal definitions generated from case law or provided within a law dictionary.
5. The common dictionary.

9.2 Definitions

A

Accessory structure or use – A structure or use incidental, related and clearly subordinate to the principal use of a lot or main building. An accessory structure or use is only located on the same lot as a permitted principal use.

Act – The Washington State Shoreline Management Act (SMA) (Chapter 90.58 RCW)

Action - means any grading, clearing, filling, construction, dredging, removal of trees or use on a piece of property. Action refers to process(es) performed by the developer to the physical environment.

Activity - means any application for the following actions: building permit creating additional habitable space in a residential structure as defined by the Uniform Building Code; building permit for a nonresidential structure; a land use review or other similar discretionary review.

Active channel - The portion of the channel or floodplain network that receives periodic scour and/or fill during sediment transport events.

Agricultural activities – Agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is

subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation.

Agricultural equipment and facilities – Includes, but is not limited to the following:

A. The following used in agricultural operations: Equipment; machinery; constructed shelters, buildings, and ponds; fences; upland finfish rearing facilities; water diversion, withdrawal, conveyance, and use equipment and facilities including, but not limited to, pumps, pipes, tapes, canals, ditches, and drains;

B. Corridors and facilities for transporting personnel, livestock, and equipment to, from, and within agricultural lands;

C. Farm residences and associated equipment, lands, andfacilities; and

D. Roadside stands and on-farm markets for marketing fruit or vegetables.

Agricultural land – Those specific land areas on which agricultural activities are conducted as of the date of adoption of this master program pursuant to the definition above as evidenced by aerial photography or other documentation. After the effective date of the master program, land converted to agricultural use is subject to compliance with the requirements of the master program.

Agricultural products – Includes, but is not limited to, horticultural, viticultural, floricultural, vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and harvested within twenty years of planting; and livestock including both the animals themselves and animal products including, but not limited to, meat, upland finfish, poultry and poultry products, and dairy products.

Agriculture – The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, apiaries, and animal and poultry husbandry, and the necessary accessory uses for storing produce; provided, however, that the operation of any such accessory use shall be incidental to that of normal agricultural activities. In all cases, the use of agriculture related terms should be consistent with the specific meanings provided in WAC 173-26-020.

Agriculture Existing and Ongoing - includes those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops or livestock, for example, the operation and maintenance of farm and stock ponds or drainage ditches, operation and maintenance of existing ditches, irrigation systems including irrigation laterals, canals, or irrigation drainage ditches, changes between agricultural activities, and normal maintenance,

repair, or operation of existing serviceable structures, facilities, or improved areas, and the installation of new drainage ditches that are an integral part of an ongoing agricultural practice. Activities which bring an area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted to a nonagricultural use or has lain idle for more than five years, unless the idle land is registered in a federal or state soils conservation program, or unless the activity is maintenance of irrigation ditches, laterals, canals, or drainage ditches related to an existing and ongoing agricultural activity. Forest practices are not included in this definition.

Alluvial fan - A low, outspread mass of loose materials (sand, cobbles, boulders), with variable slope, shaped like an open fan or a segment of a cone, deposited by a stream at the place where it issues from a narrow mountain or upland valley; or where a tributary stream is near or at its junction with the main stream.

Alluvium - Material (sand, gravel, cobbles, or small boulders) that is deposited by flowing water.

Alteration - means any human-induced change in an existing condition of a critical area or its buffer. Alterations include, but are not limited to, clearing, grubbing, grading, filling, channelizing, dredging, clearing (vegetation), construction, compaction, excavation, or any other activity that changes the character of the critical area. Alteration refers to the state of the physical environment either before, during or after action(s) taken by a developer.

Alteration-Substantial – means any alteration in which in the project cost exceeds 50% of the market value of the structure. Market value is determined by utilizing the Lewis County Assessor's Office assessed value for the current year.

Anadromous fish - means fish that spawn and rear in freshwater and mature in the marine (salt water) environment.

Applicant – Any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a shoreline development proposal, permit, or approval. It also means a person, party, firm, corporation, or other legal entity who files an application for approval under this title and who is either the owner of the land on which that proposed activity would be located, a contract vendee, or lessee of the land, the person who would actually control and direct the proposed activity, or the authorized agent of such a person.

Appurtenance – A building, structure, or development necessarily connected to the use and enjoyment of a single-family residence that is located landward of the OHWM and of the perimeter of any wetland. On a statewide basis, normal appurtenances include a garage, deck, driveway, utilities, fences, installation of a septic tank and drain field, and grading which does not exceed 250 cubic yards and which does not involve placement of fill in any wetland or waterward of the OHWM. Refer to WAC 173-27-040(2)(g).

Aquaculture – The culture or farming of fish, shellfish, or other aquatic plants and animals. Aquaculture does not include the harvest of wild geoduck associated with the State managed wildstock geoduck fishery. Aquaculture is dependent on the use of the water area and, when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area.

Aquifer - means a geological formation, group of formations, or part of a formation that is capable of yielding a significant amount of water to a well orspring.

Aquifer recharge area - means areas that, due to the presence of certain soils, geology, and surface water, act to recharge groundwater by percolation.

Associated Wetlands – Those wetlands that are in proximity to, and either influence or are influenced by, tidal waters or a lake or stream subject to the SMA. Refer to WAC 173-22-030(1).

Average Grade Level - the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure: In the case of structures to be built over water, average grade level shall be the elevation of the ordinary high water mark. Calculation of the average grade level shall be made by averaging the ground elevations at the midpoint of all exterior walls of the proposed building or structure.

B

Best Available Science (BAS) – Information from research, inventory, monitoring, surveys, modeling, synthesis, expert opinion, and assessment that is used to designate, protect, or restore critical areas that is derived from a valid scientific process as defined by WAC 365-195-900 through -925, BAS is derived from a process that includes peer-reviewed literature, standard methods, logical conclusions and reasonable inferences, quantitative analysis, and documented references to produce reliable information.

Berm – A linear mound or series of mounds of sand or gravel generally that parallels the water at or landward of the OHWM. In addition, a linear mound used to screen an adjacent use, such as a parking lot, from transmitting excess noise and glare.

Best Management Practices (BMPs) – mean physical, structural, and/or managerial practices, that when used singly or in combination, prevent or reduce water pollution, erosion, groundwater contamination, slope instability and similar impacts of construction, development and other actions. Source control BMPs include those which keep the pollutant from ever coming in contact with stormwater, and stormwater treatment BMPs include those which consist of various methods of treating stormwater. BMPs could include, but are not limited to, use of hay bales and plastic coverings to reduce erosion, education programs for employees regarding the use and disposal of chemicals, signage for customers regarding use of gasoline fueling facilities, and use of grass-lined swales to reduce pollutants in stormwater.

Boating Facility – A structure, including but not limited to, boat launch ramp, pier, dock, etc. that facilitates boat access, use and navigation of the waterbody.

Bog – A unique type of wetland dominated by mosses at the surface and that form peat soils. Bogs form in areas where the climate allows the accumulation of peat to exceed its decomposition. The water regime in bogs is dominated by precipitation rather than surface inflow. The plant community is specialized to survive in the nutrient-poor and highly acidic conditions typical of bog systems.

Breakwater – An offshore structure that is generally built parallel to shore that may or may not be connected to land, and may be floating or stationary. Their primary purpose is to protect harbors, moorages, and navigation activity from wave and wind action by creating stillwater areas along shore. A secondary purpose is to protect shorelines from wave caused erosion.

Buffer or buffer zone - means an area that is contiguous to and protects a critical area which is required for the continued maintenance, functioning, and/or structural stability of a critical area.

Building setback - means a distance where no structures may be built.

Bulkhead – A vertical or nearly vertical erosion protection structure placed parallel to the shoreline, at or adjacent to the OHWM, consisting of concrete, timber, steel, rock, or other permanent material not readily subject toerosion.

C

Channel migration- The lateral or downstream shifting of a river channel within a river valley.

Channel Migration Zone (CMZ) – The area along a river or stream within which the channel can reasonably be expected to migrate over time because of normally occurring processes. It encompasses that area of lateral stream channel movement that can be identified by credible scientific information that is subject to erosion, bank destabilization, rapid stream incision, and/or channel shifting, as well as adjacent areas that are susceptible to channel erosion. For the purpose of this SMP, legally existing linear facilities parallel to the direction of flow, including roads and railroads and flood control levees permanently maintained by a public agency, that are built above or constructed to remain intact through the 100-year flood, may be considered to form the boundary of a CMZ. The area within which a river channel that is likely to move over an interval of time is referred to as the CMZ or the meander belt.

Chapter 90.58 RCW – The SMA of 1971.

City– The City of Centralia

Clean Water Act – Federal law providing water pollution prevention and control. See 33 USC 1251 et seq.

Clearing – means the removal of vegetative material such as timber, stumps, brush, sod, etc., that does not require reforestation per an approved forest practices application/notification from the Department of Natural Resources. It also includes the removal of vegetation or plant cover by manual, chemical, or mechanical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, uprooting, etc.

Compensatory mitigation - the restoration (re-establishment or rehabilitation), establishment, creation, enhancement, and/or in certain circumstances preservation, of wetlands, streams and other aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved .

Comprehensive Plan – The document, including maps adopted by the City Council in accordance with the Growth Management Act (Chapters 36.70A and 36.70B RCW, as amended) and applicable State law.

Conditional Use – A use, development, or substantial development that is classified as a conditional use or is not classified within the applicable SMP. Refer to WAC 173-27-030(4).

Conservation easement - means a legal restriction placed on a piece of property to protect the resources (natural or manmade) associated with the parcel. It restricts the type and amount of activities that can take place on a parcel of land. Easements are recorded on the property deed and are held in trust by a conservation easement holder such as a land trust or government agency. The holder polices the terms of the easement for the duration of its existence, which is usually into perpetuity.

Contaminant - means any chemical, physical, biological or radiological substance that does not occur naturally or occurs at concentrations and duration as to be injurious to human health or welfare or shown to be ecologically damaging.

Critical areas - are those areas established as wetlands, flood hazard areas, fish and wildlife habitat areas, landslide hazard areas, and critical aquifer recharge areas. As defined under Chapter 36.70A RCW includes the following areas and ecosystems:

A. Wetlands;

B. Areas with a critical recharging effect on aquifers used for potable waters;

C. Fish and wildlife habitat conservation areas;

D. Frequently flooded areas; and

E. Geologically hazardous areas

Cumulative Impact – The impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over an interval of time.

D

Deed restriction – means clauses in a deed limiting the future uses of the property. Deed restrictions may impose a vast variety of limitations and conditions. For example, for a compensatory mitigation site, a deed restriction may limit the allowed activities on the site based on the goals and objectives of the site. If the site is primarily for wildlife habitat, human access may be restricted.

Delta - A body of alluvium consisting mostly of stratified clay, silt, sand, and gravel, nearly flat and fan-shaped, deposited at or near the mouth of a river or stream where it enters a body of relatively quiet water, usually a sea or lake.

Department – The Washington State Department of Ecology (DOE). Also referred to as Ecology.

Development – A use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this chapter at any state of water level.

Development activity does not include the following activities: (1) interior building improvements; (2) exterior structure maintenance activities, including painting and roofing; (3) routine landscape maintenance of established, ornamental landscaping, such as lawn mowing, pruning, and weeding; (4) maintenance of the following existing facilities that does not expand the affected area: septic tanks (routine cleaning); wells; individual utility service connections; and individual cemetery plots in established cemeteries; (5) dismantling or removing existing structures without any associated development or redevelopment; and (6) forest practices that only involve timber cutting.

Director - means the director of the city of Centralia department of community development or his or her designee.

Ditch - An artificial channel that is designed to convey water and drain perennially or seasonally wet areas.

Dredging – Excavating or displacing of the bottom or shoreline of a waterbody. Dredging can be accomplished with mechanical or hydraulic machines. Most dredging is done to maintain channel depths or berths for navigational purposes; other dredging is for cleanup of polluted sediments.

E

Ecological Functions – The work performed or the role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

Ecology – The Washington State Department of Ecology (DOE). Also referred to as the Department.

Ecosystem-wide Processes – The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

Emergency – Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this Program. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to chapter 90.58 RCW, these regulations, or this master program, obtained. All emergency construction shall be consistent with the policies of chapter 90.58 RCW and this master program. As a general matter, flooding or other seasonal events that can be anticipated and may occur, but that are not imminent, are not an emergency. Emergency construction is construed narrowly as that which is necessary to protect property from the elements (RCW 90.58.030(3)(e)(iii) and WAC 173-27-040(2)(d)).

Emergent wetland - means a wetland class under the Cowardin classification that is dominated by erect, rooted, herbaceous plants. Emergent wetlands include marshes and wet meadows.

Endangered Species Act (ESA) – A Federal law intended to protect any fish or wildlife species that are threatened with extinction throughout all or a significant portion of its range.

Environmental Impacts – The effects or consequences of actions on the natural and built environments. Environmental impacts include effects upon the elements of the environment listed in the SEPA. Refer to WAC 197-11-600 and WAC 197-11-444.

Environments – Designations given to specific shoreline areas based on the criteria of WAC 173-26-211, the existing development pattern, the biological and physical characteristics of the shoreline, and the goals and aspirations of local citizenry, as part of an SMP.

Excavation – any man-made cut, cavity, trench or depression in the earth's surface formed by material/earth removal. A trench is defined as a narrow underground excavation that is

deeper than it is wide and is no wider than fifteen (15) feet.

Exemption – Certain specific developments are exempt from the definition of substantial developments and are therefore exempt from the shoreline substantial development permit process of the SMA. A use or activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the SMA and this Program. Shoreline conditional use permits and variances may also still be required even though the use or activity does not need a shoreline substantial development permit (WAC 173-27-040).

Exotic - means any species of plants or animals that are not native to the planning area.

Extraordinary hardship - means strict application of this chapter and/or programs adopted to implement this chapter by the city council would prevent all reasonable economic use of the parcel.

F

Fair Market Value – The open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of donated, contributed or found labor, equipment or materials (WAC173-27-030(8)).

Feasible – An action, such as a development project, mitigation, or preservation requirement, that meets all of the following conditions:

A. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;

B. The action provides a reasonable likelihood of achieving its intended purpose; and

C. The action does not physically preclude achieving the project's primary intended legal use.

In cases where this SMP requires certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant.

In determining an action's infeasibility, the local jurisdiction may weigh the action's relative

public costs and public benefits, considered in the short- and long-term time frames.

Federally listed species - means species of fish or wildlife listed as threatened or endangered under the federal Endangered Species Act (ESA), species proposed for listing under the ESA, and candidate species for listing.

Fill – Raising the elevation or creating dry land by adding soil, sand, rock, gravel, sediment, earth- retaining structure, or other material to an area waterward of the OHWM, in wetlands, or on shorelands.

Flood or flooding - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

Flood course or SMP Flood course: The basis for determining the extent of the floodway as agreed to by Ecology and the Coalition in 2013 for the purposes of determining the areas subject to the Shoreline Management Act. For the City of Centralia, the 2010 flood channel study areas and the SMP Flood Course were used to determine the extent of the floodway for determining the areas subject to the Shoreline Management Act in those jurisdictions. For areas along the Skookumchuck River, the SMP Flood Course boundary will be the floodway boundary as identified in the City's effective Flood Insurance Rate Map Flood Boundary and Floodway Map, dated June 1, 1982. The use of the term "SMP Flood Course" does not affect the designation or treatment of floodways as outlined in CMC Title 16.21, as incorporated into this Program.

Flood insurance rate map (FIRM) - means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood insurance study - means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood insurance rate maps, and the water surface elevation of the base flood.

Floodplain - Term is synonymous with 100-year floodplain. Any land area susceptible to being inundated by water from any source. For the purposes of this chapter, the floodplain is the area identified by the Federal Emergency Management Agency in the one-hundred-year floodplain as the floodway fringe. It also means the land area that is susceptible to being inundated by stream-derived waters with a one percent chance of being equaled or exceeded in a given year. The limits of this area are based on flood regulation ordinance maps or a reasonable method that meets the objectives of the SMA (WAC 173-22-030(2)).

Floodproofing - means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved

real property, water and sanitary facilities, structures, and their contents.

Floodway – The area that either:

1. Has been established in FEMA Flood Insurance Rate Maps or Floodway Maps (this method used on the Skookumchuck River), or

2. Consists of those portions of 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 conditions, by changes in surface soil conditions or changes in types or quality of vegetative ground cover conditions, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually (this method was used to identify the SMP Flood Course areas).

Regardless of the method used to identify the floodway, 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 a license from the federal government, the state, or a political subdivision of the state. See also SMP Flood Course.

Footprint - means the area of a building site bounded by foundation walls or equivalent to the area of the site covered by structures if no foundation walls are present.

Forested wetland – a wetland class in the Cowardin classification system where woody plants greater than 20 feet in height form the dominant cover. Shrubs often form a second layer beneath the forest canopy, with a layer of herbaceous plants growing beneath the shrubs.

Functions, beneficial functions, or functions and values - means the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

G

Geotechnical Report or Geotechnical Analysis – A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and

measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

Grading – The movement or redistribution of the soil, sand, rock, or gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.

Groin – A barrier-type, rigid, hydraulic structure extending from, and usually perpendicular to, the shore or bank into a waterbody. Its purpose is to protect a shoreline and adjacent upland by influencing the movement of water or deposition of materials. A groin is relatively narrow in width but varies greatly in length. Groins are generally constructed of wood, concrete or rock piles and placed in groups. A groin is sometimes built in a series as a system and may be permeable or impermeable, high or low, and fixed or adjustable.

Groundwater - means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or other body of surface water.

Growth Management Act (GMA) – Chapters 36.70A and 36.70B RCW, as amended.

Guidelines – See Shoreline Master Program (SMP) Guidelines.

H

Height – Measured from average grade level to the highest point of a structure: provided that television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines, or the applicable SMP specifically requires that such appurtenances be included: provided further that temporary construction equipment is excluded in this calculation.

Historic Resources – Those historic or cultural properties or items that fall under the jurisdiction of the DAHP.

Hydric soil - means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper horizon(s). The presence of hydric soil shall be determined following the methods described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and applicable regional supplements, as amended.

Hydrologically distinct wetlands - means those regulated wetlands which:

1. Are outside of and not contiguous to any one-hundred-year floodplain of a lake, river, or stream; and
2. Have no contiguous hydric soil or hydrophytic vegetation between the

wetland and any surface water.

Hydrophytic vegetation - means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Federal Wetland delineation manual and applicable regional supplements, as amended.

I – J – K

In-kind compensation - means to replace wetlands with substitute wetlands whose characteristics closely approximate those destroyed or degraded by a regulated activity. It does not mean replacement "in-category."

In-Stream Structure – A structure placed by humans within a stream or river waterward of the OHWM that either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. In-stream structures may include those for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service transmission, fish habitat enhancement, or other purpose.

Interested Party – Synonymous with party of record, all persons, agencies or organizations who have submitted written comments in response to a notice of application; made oral comments in a formal public hearing conducted on the application; or notified the local jurisdiction of their desire to receive a copy of the final decision on a permit and who have provided an address for delivery of such notice by mail (WAC173-27-030(12)).

L

Landscaping – Vegetation ground cover including shrubs, trees, flower beds, grass and other similar plants and including tree bark and other materials which aid vegetative growth and maintenance.

Landslide area - means those areas susceptible to disintegration or collapse due to combinations of bedrock, soil, slope gradient, slope aspect, hydrology, and other identified factors.

Landward – that area of a development that is in the direction away from the water body.

Levee - An embankment built to prevent the overflow of a river.

Low Impact Development (LID) – A stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

M

Management Area - A management area is an area of shoreline typically distinguished by similar characteristics relating to the relative intensity of land use, the physical landscape and/or critical hydrogeomorphic or biological processes. Management areas are comprised of smaller units called reaches. Management areas were used to conduct the Inventory and Characterization.

Mass wasting - The down slope movement of material due to gravity (rather than water, wind, or ice, for example).

May – An action that is acceptable, provided it conforms to the provisions of the SMP.

Meander - One of a series of freely developing sinuous curves or loops produced as the stream moves from side to side of its floodplain. Meander bend is the convex side of a meander.

Meander bend migration - is the lateral or downstream movement of a sinuous curve in a stream within a river valley.

Mining - The removal of sand, gravel, soil, minerals, and other earth materials for commercial and other uses.

Mitigation or Mitigation Sequencing - means avoiding, minimizing, or compensating for adverse critical areas impacts. See WAC 197-11-768 and WAC 173-26-201(2)(e). Mitigation or mitigation sequencing means the following sequence of steps listed in order of priority:

1. Avoid the impact completely by redesigning, restructuring and/or relocating the development components.
2. Minimize the impact by limiting the magnitude of the action and its implementation by using appropriate technology and/or taking affirmative action.
3. Rectify the impact by repairing, rehabilitating or restoring the impacted environment to its original state.
4. Reduce or eliminate the impact over time by preservation and maintenance actions.
5. Compensate for the impact by replacing, enhancing and/or providing substitute resources and/or environments.
6. Monitor the impact and compensation projects and take appropriate corrective measures as required.

Mixed Use – A development or structure that contains a combination of water oriented and non-water oriented uses.

Must – A mandate; the action is required.

N

Native Vegetation – Vegetation comprised of plant species that are indigenous to an area.

Natural or Existing Topography - topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

Nonexempt activity - means any activity which is not exempted from the development standards of the critical area chapters.

Non-Conforming Lot – means a lot that was legally established prior to the effective date of the SMP which does not conform to the applicable shoreline dimensional requirements.

Non-Conforming Use or Development – A shoreline use, building, or structure which was lawfully constructed or established prior to the effective date of the applicable SMA/SMP provision, and which no longer conforms to the present applicable shoreline provisions (WAC 173-27-080).

Normal Maintenance – Those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition (WAC 173-27-040(2)(b)). See also Normal Repair.

Normal Repair - to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair involves total replacement which is not common practice or causes substantial adverse effects to shoreline resources or environment. See also Normal Maintenance.

Non-Water-Oriented Uses – Those uses that are not water-dependent, water-related, or water-enjoyment, which have little or no relationship to the shoreline and are not considered priority uses under the SMA. Examples include professional offices, automobile sales or repair shops, mini-storage facilities, multifamily residential development, department stores and gas stations.

O

Off-site compensation – Compensatory mitigation in which the replacement wetlands are not located at or near the project that is affecting wetlands. Off-site mitigation is often only allowed if mitigation on the project site is not practicable or if it is environmentally preferable to on-site mitigation.

On-site compensation – Compensatory mitigation in which the replacement wetlands are located at or near the project that is affecting wetlands.

One-hundred-year flood- means the flood having a one percent chance of being equaled or

exceeded in magnitude in any given year. Contrary to popular belief, it is not a flood occurring once every one hundred years.

Ordinary High Water Mark (OHWM) – That mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the City or Ecology: provided, that in an area where the OHWM cannot be found, the OHWM adjoining fresh water shall be the line of mean high water. See RCW 90.58.030(2)(c) and WAC 173-22-030(5).

Out-of-kind compensation – Compensatory mitigation in which the wetland and its associated functions used to compensate for the impacts are of a different kind that those impacted.

Over-water Structure – A device or structure projecting over the OHWM, including, but not limited to bridges for motorized or non-motorized uses, piers, docks, floats, and moorage.

P – Q

Permit (or Shoreline Permit) – A shoreline substantial development permit, conditional use permit, or variance, or any combination thereof, authorized by the Act. Refer to WAC 173-27-030(13).

Point bars - Bars that are formed on the inside of meander bends.

Priority Habitat – A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

A. Comparatively high fish or wildlife density;

B. Comparatively high fish or wildlife species diversity;

C. Fish spawning habitat;

D. Important wildlife habitat;

E. Important fish or wildlife seasonal range;

F. Important fish or wildlife movement corridor;

G. Rearing and foraging habitat;

H. Important marine mammal haul-out;

I. Refuge habitat;

J. Limited availability;

K. High vulnerability to habitat alteration;

L. Unique or dependent species; or

M. Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows). A priority habitat may also be described by a successional stage (such as, old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority or non-priority fish and wildlife.

Priority Species – Species requiring protective measures or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the four criteria listed below.

a. Criterion 1. State-listed or State proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by the WDFW (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.

b. Criterion 2. Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.

c. Criterion 3. Species of recreational, commercial, or Tribal importance. Native and non-native fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for Tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.

d. Criterion 4. Species listed under the ESA as either proposed, threatened, or endangered.

Properly Functioning Conditions (PFC) – Conditions that create and sustain natural habitat-affecting processes over the full range of environmental variation, and that support productivity at a viable population level of PTE species. PFC indicates a level of performance for a subset of the more broadly defined ecological functions, reflecting what is necessary for the recovery of PTE species.

Proposed, Threatened, and Endangered (PTE) Species – Those native species that are proposed

to be listed or are listed in rule by the WDFW as threatened or endangered.

Provisions – Policies, regulations, standards, guideline criteria or environment designations.

Public Access – Public access is the ability of the public to reach, touch, and enjoy the water's edge, to travel on the waters of the State, and to view the water and the shoreline from adjacent locations. Refer to WAC173-26-221(4).

Public Interest – The interest shared by the citizens of the State or community at large in the affairs of government, or some interest by which their rights or liabilities are affected such as an effect on public property or on health, safety, or general welfare resulting from a use or development (WAC 173-27-030(14)).

Public Use – To be made available daily to the public on a first-come, first-served basis, and may not be leased to private parties on more than a day use basis. Refer to WAC 332-30-106.

R

RCW – Revised Code of Washington.

Reach - A segment of shoreline that has a similar geomorphic context used for assessment of ecological conditions. Reaches are smaller units that comprise the management areas.

Recreational Facilities – Facilities such as parks, trails, and pathways, whether public, private or commercial, that provide a means for relaxation, play, or amusement. For the purposes of the SMP, recreational facilities are divided into two categories:

A. Water-oriented (i.e. – waterfront parks, moorage facilities, fishing piers, recreational floats, trails and pathways); and

B. Non-water-oriented (i.e. – sports fields, golf courses, and RV camping).

Residential Development – Development, which is primarily devoted to or designed for use as a dwelling(s). Residential development includes single-family development, multifamily development and the creation of new residential lots through land division.

Restore, Restoration, or Ecological Restoration – The reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

Revetment - A sloping structure placed on banks in such a way as to absorb the energy of waves or flowing water.

Riparian – Of, on, or pertaining to the banks of a river, stream, or lake.

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

River [streams] - A general term for a natural, freshwater surface stream of considerable volume and generally with a permanent base flow, moving in a defined channel toward a larger river, lake, or sea. Rivers are a subset of streams.

Run-Off – Water that is not absorbed into the soil but rather flows along the ground surface following the topography.

S

Shall – A mandate; the action must be done.

Shorelands - those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the Department of Ecology.

Shoreline Administrator – The Community Development Department Director, or designee, as appointed by the Mayor and/or City Manager. The city's Shoreline Administrator is charged with the responsibility of administering the SMP.

Shoreline Buffer and/or Setback – A required vegetated open space, specified in SMPs, measured horizontally upland from and perpendicular to the OHWM.

Shoreline Environment Designations – The categories of shorelines established by the local jurisdiction's SMP in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. See WAC 173-26-211.

Shoreline Management Act (SMA) – Chapter 90.58 RCW, as amended. Washington's SMA was passed by the Legislature in 1971 and adopted by the public in a 1972 referendum. The goal of the SMA is to prevent the inherent harm in an uncoordinated and piecemeal development of the State's shorelines.

Shoreline Master Program (SMP) – The comprehensive use plan and related use regulations, which are used by the City to administer and enforce the permit system for shoreline management. The SMP must be developed in accordance with the policies of the SMA, be approved and adopted by the State, and be consistent with the rules (WACs) adopted by Ecology.

Shoreline Master Program (SMP) Flood Course – The basis for determining the extent of the

floodway as agreed to by Ecology and the Coalition in 2013 for the purposes of determining the areas subject to the Shoreline Management Act. For the City of Centralia, the 2010 flood channel study areas and the SMP Flood Course were used to determine the extent of the floodway for determining the areas subject to the Shoreline Management Act in those jurisdictions. For areas along the Skookumchuck River, the SMP Flood Course boundary will be the floodway boundary as identified in the City's effective Flood Insurance Rate Map Flood Boundary and Floodway Map, dated June 1, 1982. The use of the term "SMP Flood Course" does not affect the designation or treatment of floodways as outlined in CMC Title 16.21, as incorporated into this Program.

Shoreline Master Program (SMP) Guidelines – The State standards that the City must follow in drafting the SMP or any amendments. The Guidelines translate the broad policies of the SMA into standards for regulation of shoreline uses.

Shoreline Modification – Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

Shoreline Stabilization – Actions taken to address erosion impacts to property and dwellings, businesses, buildings, or structures caused by natural processes, such as current, flood, tides, wind, or wave action. These actions include structural measures such as bulkheads, gabions, groins, revetments and bioengineering; and non-structural methods such as placing the development further from the shoreline, planting vegetation or installing on-site drainage improvements. New stabilization measures include the enlargement of existing structures.

Shorelines – All of the water areas of the State, including reservoirs and their associated shorelands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(e).

Shorelines Hearings Board – A State-level quasi-judicial body, created by the SMA, which hears appeals by an aggrieved party on the granting, denying or rescinding of a shoreline permit, imposition of an enforcement penalty, and adoption by Ecology of any rules, regulations, or guidelines. See RCW 90.58.170, 90.58.180 and 90.58.210.

Shorelines of Statewide Significance – A select category of Shorelines of the State, defined in RCW 90.58.030(2)(f), where special policies apply and where greater planning authority is granted by the SMA. Permit review must acknowledge the use priorities for these areas established by the SMA. See RCW 90.58.020.

Shorelines of the State – Shorelines and Shorelines of Statewide Significance.

Should – A particular action is required unless there is a demonstrated, compelling reason, based on policy of the SMA and the SMP, against taking the action.

Sign – A device, structure, fixture, or placard that uses words, letters, numbers, symbols, graphic designs, logos, or trademarks for the purpose of: a) providing information, directions, b) identifying, advertising a place, establishment, product, good, or service.

Significant Vegetation Removal – The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

Single-Family Residence – A detached dwelling designed for and occupied by one family including those buildings, structures and developments within a contiguous ownership which are a normal appurtenance (WAC 173-27-040(2)(g)).

SMP Flood Course – see Shoreline Master Program Flood Course or Flood Course.

Solid Waste – All garbage, rubbish, trash, refuse, debris, scrap, waste materials and discarded materials of all types whatsoever, whether the sources be residential or commercial, exclusive of hazardous wastes, and including all source-separated recyclable materials and yard waste.

Stream – A naturally occurring body of periodic or continuously flowing water where: a) the mean annual flow is greater than 20 cubic feet per second and b) the water is contained within a channel (WAC 173-22-030(8)).

Strict Construction – The close or narrow reading and interpretation of a statute or written document.

Structure – A permanent or temporary edifice or building, or a piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above or below the surface of the ground or water, except for vessels (WAC 173-27-030(15)).

Structural Shoreline Stabilization – Hard structural stabilization measures refer to those with solid, hard surfaces, such as concrete groins, retaining walls, and bulkheads, while soft structural stabilization measures rely on less rigid materials, such as biotechnical vegetation measures or beach enhancement. There is a range of measures varying from soft to hard that include vegetation enhancement, upland drainage control, biotechnical measures, beach enhancement, anchor trees, gravel placement, rock revetments, gabions, concrete groins, retaining walls, and bluff walls, and bulkheads. Generally, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology, and biological functions.

Substantial Development – A development of which the total cost or fair market value exceeds $7,047.00, or a development, which materially interferes with the normal public use of the

water or Shorelines of the State. The dollar threshold established in this definition must be adjusted for inflation by the office of financial management every five years, beginning September 15, 2012, based upon changes in the consumer price index during that interval of time. Consumer price index means, for a calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The Office of Financial Management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the *Washington State Register* at least one month before the new dollar threshold is to take effect (RCW 90.58.030(3)(e)). For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on Shorelines of the State as defined in RCW 90.58.030 (2)(c). The total cost or fair market value of the development shall include the fair market value of donated, contributed, or found labor, equipment, or materials. A list of developments, uses, and activities that shall not be considered substantial development is provided in SMP Chapter 7: Shoreline Administration (WAC 173-27-040(2)(a)).

Substantially Degrade – To cause significant ecological impact.

T – U

Tributary - A stream flowing into a larger stream or lake.

Upland – Generally described as the dry land area above and landward of the OHWM.

Utilities – Services and facilities that produce, transmit, store, process, or dispose of electric power, gas, water, stormwater, sewage, and communications.

Utilities, Accessory – Utilities comprised of small-scale distribution and collection facilities connected directly to development within the shoreline area. Examples include local power, telephone, cable, gas, water, sewer, and stormwater service lines.

Utilities, Primary – Utilities comprised of trunk lines or mains that serve neighborhoods, areas, and cities. Examples include solid waste handling and disposal sites, water transmission lines, sewage treatment facilities and mains, power generating or transmission facilities, gas storage and transmission facilities and stormwater mains and regional facilities.

V – W – Y – Z

Variance – A means to grant relief from the specific bulk, dimensional or performance standards specified in the applicable SMP, but not a means to vary a shoreline use. Shoreline variances must be specifically approved, approved with conditions, or denied by Ecology (See WAC 173-27-170).

Water-Dependent Use – A use or a portion of a use, which cannot exist in any other location and is dependent on the water due to the intrinsic nature of its operations. Examples of water-dependent uses may include moorage structures (including those associated with residential properties), ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities and sewer outfalls.

Water-Enjoyment Use – A recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

Water-Oriented Use – Any combination of water-dependent, water-related, or water enjoyment uses that serves as an all-encompassing definition for priority uses under the SMA.

Water-Related Use – A use or a portion of a use, which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because:

A. Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or,

B. The use provides a necessary service supportive of the water-dependent activities and the proximity of the use to its customers makes its services less expensive or more convenient. Examples include manufacturers of ship parts large enough that transportation becomes a significant factor in the products cost, professional services serving primarily water-dependent uses and storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker and log storage.

Water Quality – The physical characteristics of water within the area subject to the SMA, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in the SMP, the term water quantity refers only to development and uses regulated under the SMP and affecting water quantity, such as impermeable surfaces and stormwater handling practices. Water quantity, for purposes of the SMP, does not mean the withdrawal of ground water or diversion of surface water in accordance with RCW 90.03.250 through RCW 90.03.340.

Watershed Restoration Plan – A plan developed or sponsored by the WDFW, Ecology, Department of Natural Resources, Department of Transportation a federally recognized Indian Tribe acting within or in accordance with its authority, a City, a County or a conservation district that provides a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed for which agency and public review has been conducted in accordance with SEPA.

Waterward – that area of a development that is in the direction of the water body.

Weir – A low dam built across a stream to raise its level, divert its flow, or measure its flow. Weirs have been used to address erosion and scouring of stream channels, but can also have negative impacts depending on how they are constructed, such as detrimental effects on fish habitat conditions.

Wetland or Wetland Areas – Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands.

9.3 Acronyms

BMP	Best Management Practices
CAO	Critical Areas Ordinance
cfs	cubic feet per second
CIA	Cumulative Impact Analysis
CMC	Centralia Municipal Code
CMZ	Channel Migration Zone
Corps	U.S. Army Corps of Engineers
Ecology	Washington Department of Ecology
ESA	Endangered Species Act

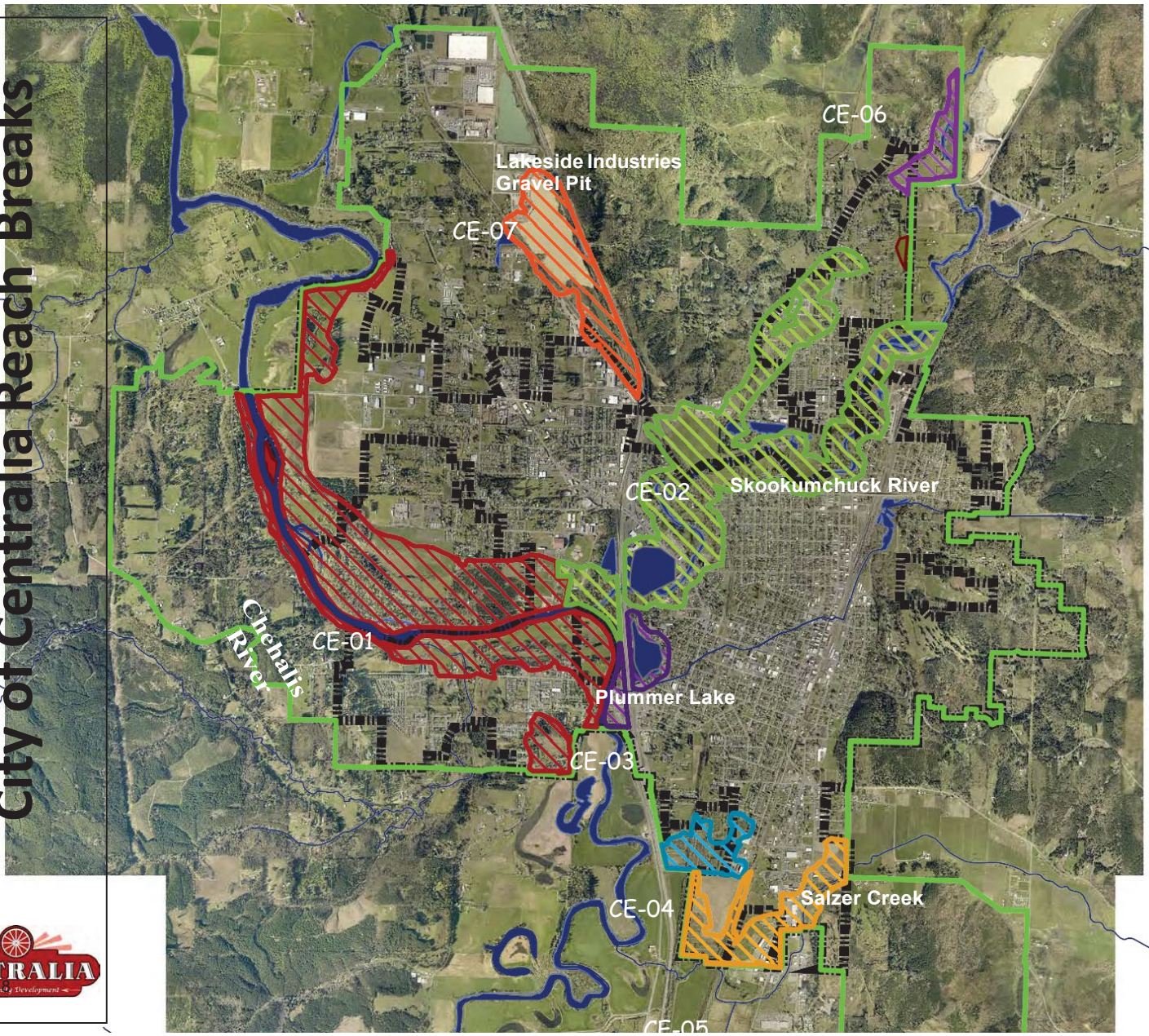
FEMA	Federal Emergency Management Agency
GMA	Growth Management Act
MA	Management Area
NPDES	National Pollutant Discharge Elimination System
NWI	National Wetlands Inventory
OHWM	Ordinary High Water Mark
PHS	Priority Habitats and Species
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
SMA	Shoreline Management Act
SMP	Shoreline Master Program
UGA	Urban Growth Area
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WDNR	Washington Department of Natural Resources
WSDOT	Washington State Department of Transportation

Appendix A

Critical Areas Ordinance

Refer to the Critical Areas regulations in effect on April 10, 2018, contained in the Centralia Municipal Code Title 16. Copies are available upon request and posted on the City of Centralia website at www.cityofcentralia.com.

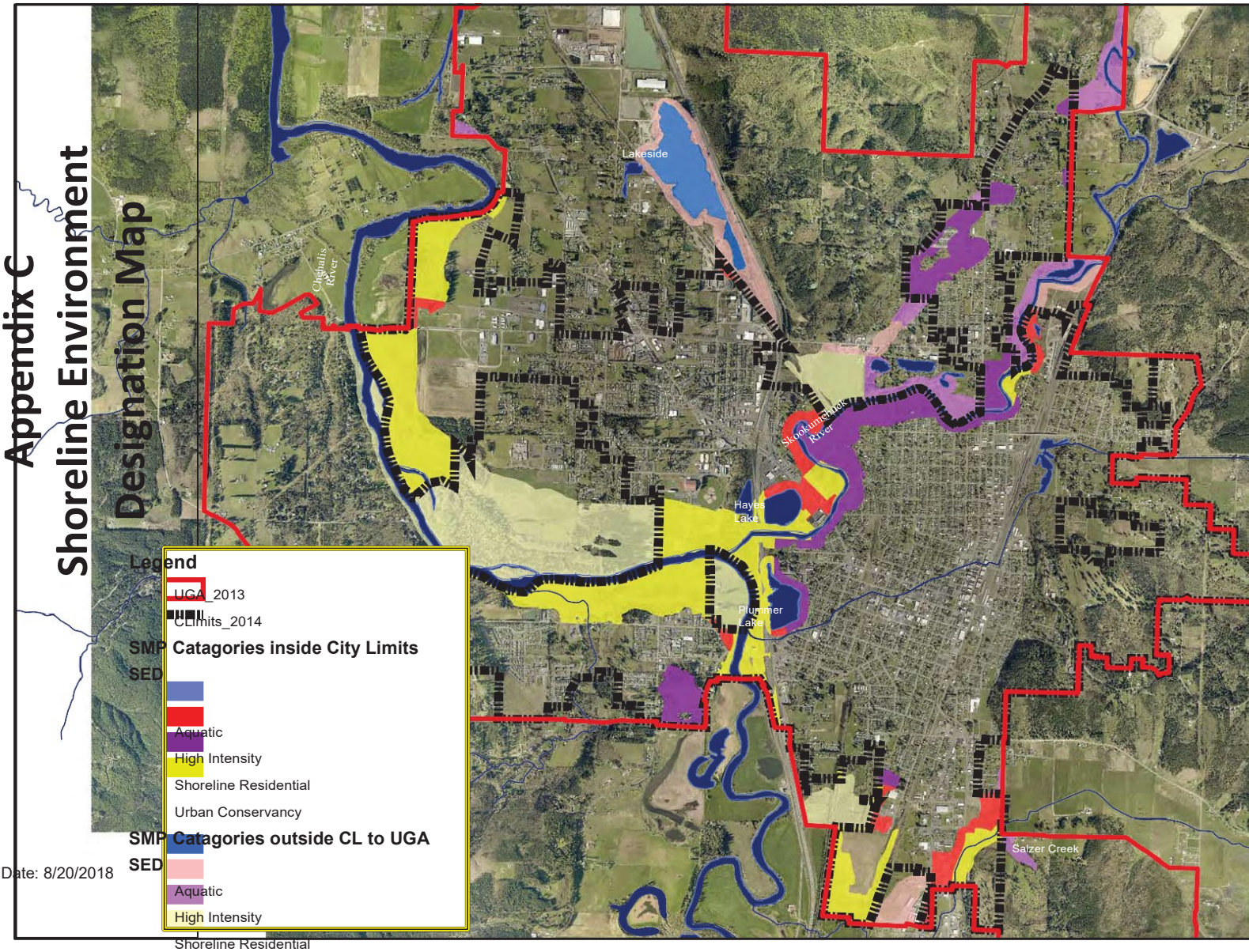
Appendix B
City of Centralia Reach Breaks



CENTRALIA
Economic Development

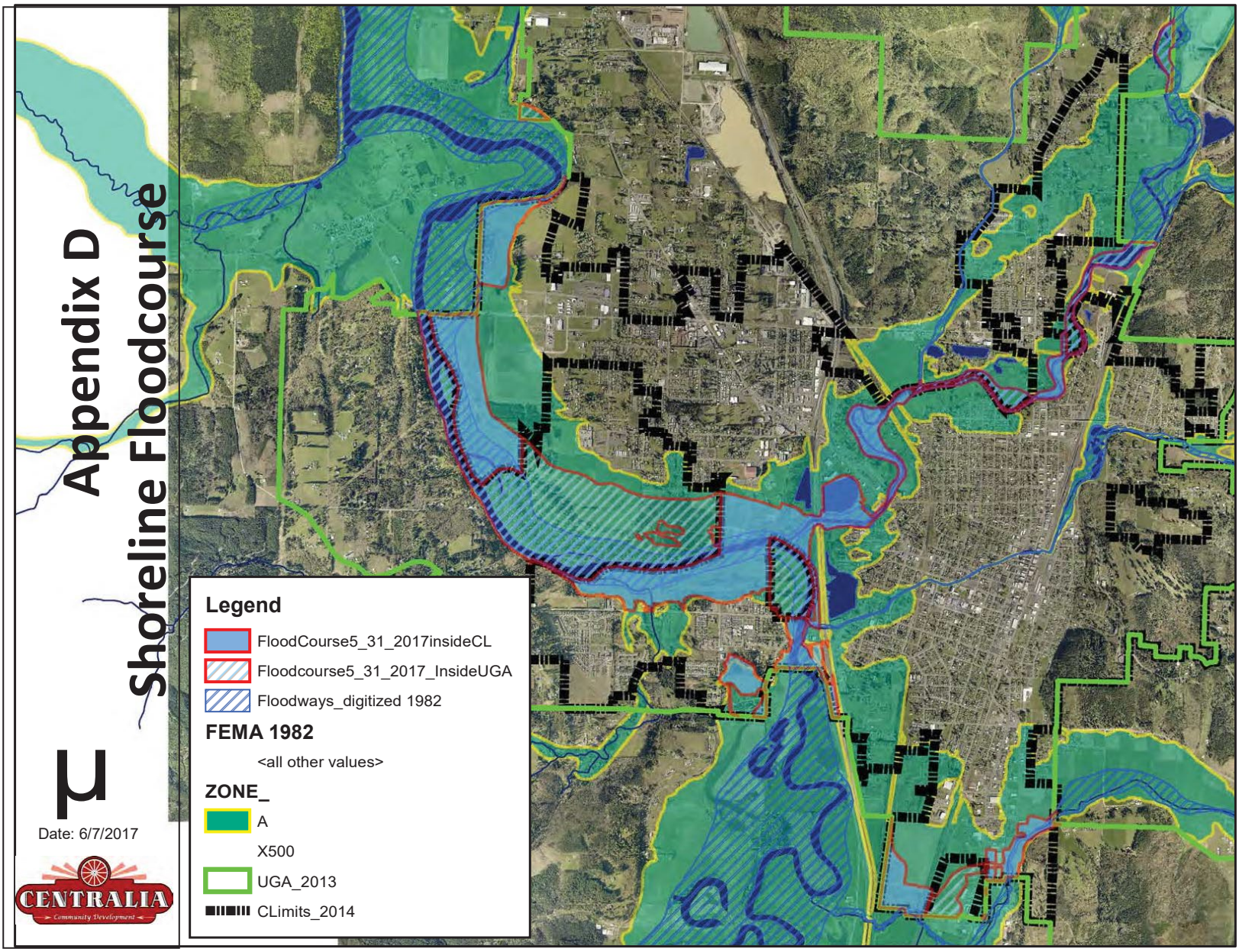
Date: 8/20/2019

Appendix C
Shoreline Environment Designation Map



Date: 8/20/2018

Appendix D
Shoreline Floodcourse



Date: 6/7/2017

CENTRALIA
Community Development