ARTICLE 4 – SHORELINE JURISDICTION AND ENVIRONMENT DESIGNATIONS

1. Shoreline Jurisdiction and Mapping

C. The provisions of this Program shall apply to all shorelines of the state in unincorporated Jefferson County including all freshwater and saltwater shorelines, shorelines of statewide significance and all shorelands as defined in Article 2 and RCW 90.58.030. These areas are collectively referred to herein as 'shorelines'. The Official Shoreline Map appended to this Program [Appendix A – provided under separate cover] shows the general location and approximate extent of such shorelines.

D. The Official Shoreline Map shows the environment designations that apply to each segment of the shoreline planning area. The Official Shoreline Map is for planning purposes only. It does not necessarily identify or depict the precise lateral extent of shoreline jurisdiction or all associated wetlands. The lateral extent of the shoreline jurisdiction at the parcel level shall be determined on a case-by-case basis at the time a shoreline development is proposed. The actual extent of shoreline jurisdiction requires a site-specific evaluation to identify the location of the ordinary high water mark and any associated wetlands.

E. The County shall maintain a Geographic Information Systems database that depicts the coordinates for locating the upstream extent of shoreline jurisdiction (that is, the location where the mean annual stream flow is at least 20 cubic feet per second). The database shall also show the limits of the floodplain, floodway, and channel migration zones, and such information shall be used, along with site-specific information on the location of the ordinary high water mark and associated wetlands, to determine the lateral extent of shoreline jurisdiction on a parcel-by-parcel basis. The database shall be updated regularly as new information is made available and the public shall have access to the database upon request.

F. All areas within shoreline jurisdiction that are not mapped and/or not designated shall be designated Conservancy until the area is redesignated through a Master Program amendment.

G. If disagreement develops as to the exact location of a shoreline environment designation boundary line shown on the Official Shoreline Map, the following rules shall apply:

1. Boundaries indicated as approximately following lot, tract, or section lines shall be so construed.
2. Boundaries indicated as approximately following roads or railways shall be respectively construed to follow their centerlines.

3. Boundaries indicated as approximately parallel to or extensions of features indicated in 1.E.1 or 1.E.2 of this chapter.

4. Whenever existing physical features are inconsistent with boundaries on the Official Shoreline Map, the Administrator shall interpret the boundaries. Appeals of such interpretations may be filed pursuant to the applicable appeal procedures described in Article 10.

17. Shoreline Environment Designations – Purpose and Criteria

A. Shoreline environment designations have been developed as a part of this Program in accordance with WAC 173-26-211. The designations provide a systematic, rational, and equitable basis upon which to guide and regulate use and development within specific shoreline planning areas.

B. Shoreline environment designations are based on the following general factors, not listed in order of priority:

1. The ecological functions and processes that characterize the shoreline, together with the degree of human alteration as determined by the November 2008 *Final Shoreline Inventory and Characterization Report* and subsequent technical analyses; and

2. The County's goal of having coordinated planning for open space, public access and other aspects of shoreline management; and

3. Existing and planned development patterns, including County Comprehensive Plan designations; and

4. The County Comprehensive Plan goals for shorelines; and

5. The requirements outlined in WAC 173-26-211; and

6. Public demand for state-owned wilderness beaches, ecological study areas, and public access and recreational activities.

C. Shorelines in Jefferson County shall have one or more of the following designations:

1. **Priority Aquatic (PA)**

i. Purpose. The Priority Aquatic designation protects to the highest degree possible and, where feasible, restores waters and their underlying bedlands deemed vital for salmon and shellfish.

ii. Designation Criteria. The Priority Aquatic designation is assigned to the most vital salmon streams and nearshore areas and the highest value marine shellfish habitats waterward of the ordinary high water mark. These shorelines have one or more of the following qualities:

- Documented Endangered Species Act-listed salmonid streams and marine habitats (summer chum, chinook, and steelhead);

- Estuaries that support Endangered Species Act-listed salmonid rearing;
- Other freshwater shorelines that provide habitat for salmonid species (coho, fall chum, pink, and cutthroat) and are relatively undeveloped;
- Intact drift cell processes (i.e., sediment source, transport, and deposition);
- Documented forage fish spawning habitats (herring, surf smelt, sandlance); and/or
- Important intertidal and subtidal shellfish areas (clam, oyster, crab, shrimp, and geoduck).

2. **Aquatic (A)**

i. Purpose. The Aquatic designation protects, manages, and, where feasible, restores lake, stream, and marine waters and their underlying bedlands that are not designated as Priority Aquatic.

ii. Designation Criteria. The Aquatic designation is assigned to shoreline areas waterward of the ordinary high water mark if the area does not meet the criteria for the Priority Aquatic designation.

3. **Natural (N)**

i. Purpose. The Natural designation protects from harm or adverse impact shoreline areas that are intact, have minimally degraded functions and processes, or are relatively free of human influence.

ii. Designation Criteria. The Natural designation is assigned to shoreline areas landward of the ordinary high water mark if any of the following characteristics apply:

- The shoreline is mostly ecologically intact and therefore currently performing an important or irreplaceable function or process that would be damaged by human activity; or
- The shoreline, whether minimally disturbed or intact, represents an ecosystem type or geologic feature that is of particular scientific and/or educational interest; or
- The shoreline contains undisturbed wetlands, estuaries, feeder bluffs, unstable slopes, coastal dunes, and/or accretional spits; or
- The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or processes; or
- The shoreline has the potential to ~~return to~~regain ~~–~~ natural conditions with minimal or no restoration activity; or

- The shoreline possesses serious development limitations or human health and safety risks due to the presence of environmental hazards related to flooding, channel migration, erosion or landslides and similar occurrences.

4. Conservancy (C)

   i. Purpose. The Conservancy designation provides for sustained use of resource lands and other relatively undeveloped shorelines while protecting ecological functions, conserving natural, historic and cultural resources, and providing recreational opportunities.

   ii. Designation Criteria. A Conservancy designation is assigned to shoreline areas landward of the ordinary high water mark if they do not meet the criteria for the Natural designation and if any of the following characteristics apply:

      - The shoreline is relatively undeveloped or currently supporting resource-based uses; or
      - The shoreline can support low impact outdoor recreational activities; or
      - The shoreline is predominantly low density Rural Residential use (RR 1:10, RR 1:20); or
      - The shoreline can support low density residential development and low intensity water-oriented uses, including some commercial and industrial uses, without significant adverse impacts to shoreline functions or processes; or
      - The shoreline is a good candidate for ecological restoration.

5. Shoreline Residential (SR)

   i. Purpose. The Shoreline Residential designation accommodates residential development and accessory structures that are properly located and designed, in areas where high density residential developments and services exist or are planned.

   ii. Designation Criteria. The Shoreline Residential designation is assigned to shoreline areas landward of the ordinary high water mark if they do not meet the criteria for the Natural, Conservancy or High Intensity environments, and if any of the following characteristics apply:

      - The shoreline is within an Urban Growth Area (UGA); or Master Planned Resort (MPR); or designated high density Rural Residential area (RR 1:5); or
      - The shoreline is predominantly high density (RR 1:5) single-family or multifamily residential development or is planned and platted for high density (RR 1:5) residential development.

6. High Intensity (HI)

i. Purpose. The High Intensity designation ensures continued use of shorelines that are either presently used for commercial, industrial, or other high intensity non-residential purposes or provide future economic development or recreational opportunities at a higher scale and intensity than can be achieved in more ecologically sensitive areas.

ii. Designation Criteria. The High Intensity designation is assigned to shorelines landward of the ordinary high water mark if they do not meet the criteria for the Natural, Conservancy or Shoreline Residential environments if any of the following characteristics apply:

- The shoreline is within an urban growth area (UGA), Rural Commercial area, or Rural Industrial area and is suitable for high intensity uses; or
- The shoreline is currently used for industrial, commercial or other high intensity non-residential uses and is suitable for ongoing high intensity use.

18. Uses Allowed in each Shoreline Environment Designation

A. Each shoreline environment designation shall be managed in accordance with its designated purpose as described in this section. Table 1 shows the permitted uses, conditional uses and prohibited uses for each environment designation. The requirements governing each use are described in Articles 6, 7 and 8 of this Program. The permit criteria are described in Article 9 and the administrative standards including the review procedures are described in Article 10. Table 1 is intended to illustrate the text of the Master Program. In the event discrepancies exist, the text shall govern. *[Author Note: In this document, no changes have been proposed for the Use Table based on the proposed text revisions. Should text revisions be accepted, the Use Table must be updated to accurately reflect such changes.]*

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Table 1 - Permitted, Conditional and Prohibited Uses by Shoreline Environment Designation

P = Use may be permitted subject to polices and regulations of Program.

C(a) = Conditional use administrative.
C(d) = Conditional use discretionary.

X = Prohibited use.
* see specific section for exceptions and limitations.

Exceptions and limitations apply as noted in the Program. Subject to limitations (*). Subject to exceptions (-).

	Environment Designations					
Shoreline Uses	**Priority Aquatic**	**Aquatic**	**Natural**	**Conservancy**	**Shoreline Residential**	**High Intensity**
Agriculture	N/A	N/A	X-	P	P	P
Aquaculture						
Bottom culture/) Hanging/floating culture	P	P	P	P	C(a)	P
Net Pens	X*	X*	X*	X*	X*	X*
Nurseries, incubators, hatcheries, sorting and staging facilities	P*	P*	P*	P*	P*	P*
Beach Access Structures	P	P	C(a)	P	P	P
	P	P	P	P	P	P
Boating Facilities						
Boat launches	P*	P*	P	P	P	P
Docks, piers, floats, lifts	P*	P*	P	P	P	P
Marinas	X	P*	X	C(d)	C(d)	P
Mooring buoys	P*	P	P	P	P	P
Commercial Development						
Water-oriented (recreation)	X*	P*	X-	C(d)	P	P
Water-oriented (other than recreation)	X	P*	X	C(d)	P	P
Non-water-oriented	X	X	X	X-	C(d)	C(d)
Dredging	C(d)	C(d)	X-	C(d)	C(d)	P

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	Environment Designations					
Shoreline Uses	**Priority Aquatic**	**Aquatic**	**Natural**	**Conservancy**	**Shoreline Residential**	**High Intensity**
Dredge Disposal	C(d)	C(d)	X-	P*	P*	P*
***Filling & Excavation**	C(d)	C(d)	X-	C(d)	P	P
Flood Control Structures	C(d)	C(d)	X-	C(d)	C(d)	C(d)
Forest Practices	X	X	P*	P*	P*	P*
In-stream Structures	C(d)	C(d)	X	C(d)	C(d)	C(d)
Industrial & Port Development						
Water-oriented	X	P	X	P	P	P
Non-water-oriented	X	X	X	X-	X-	P
Mining	X	X	X	X	X	X
Parking						
Accessory to permitted use	X	X	X	X	P	P
Primary use	X	X	X	X	C(d)	C(d)
Recreation						
Water-oriented	P*	P*	P*	P*	P*	P*
Non-water-oriented	X	X	X	X	P*	P*
Residential						
Single family (and normal appurtenances)	X	X	C(a)	P	P	P
Accessory structures associated with single family development (other than)	X	X	C(a)	P	P	P
Boating facilities and boat houses Associated with single Family Structures	X	X	X	P	P	P

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Exceptions and limitations apply as noted in the Program. Subject to limitations (*). Subject to exceptions (-).

	Environment Designations					
Shoreline Uses	**Priority Aquatic**	**Aquatic**	**Natural**	**Conservancy**	**Shoreline Residential**	**High Intensity**
Multifamily	X	X	X	P*	P	P*
Restoration & Enhancement	P	P	P	P	P	P
Shoreline Armoring (river and marine)						
Structural (non residential)	X	C(a)	C(a)	C(a)	C(a)	C(a)
Structural (accessory to residential development)	X	X	X	C(a)	C(a)	C(a)
Non-structural (bio-stabilization)	P	P*	P*	P	P	P
Shoreline Armoring (lakes)						
Structural	X	X	X	X	P	P
Nonstructural	X	C(a)	P	P	P	P
Signs	P*	P*	X-	P	P	P
Transportation						
Serving an allowed use	C(d)	C(d)	P*	P*	P*	P*
Not serving a specific allowed use	C(d)	C(d)	X-	P*	P*	P*
Utilities						
Essential Public Facilities	C(d)	C(d)	X-	C(d)	C(d)	C(d)
Oil, Gas and Natural Gas Transmission Lines	C(d)	C(d)	X-	P*	P*	P
Power/Tidal energy generation facilities	X	C(d)	X	C(d)	C(d)	C(d)
Desalinization Plants	X-	X-	X	C(d)	C(d)	C(d)
Sewage Systems	X-	X-	X-	C(d)	C(d)	P
Water Systems	X-	X-	X-	C(d)	C(d)	P
Electrical and Communication Lines	C(d)	C(d)	X-	P*	P*	P