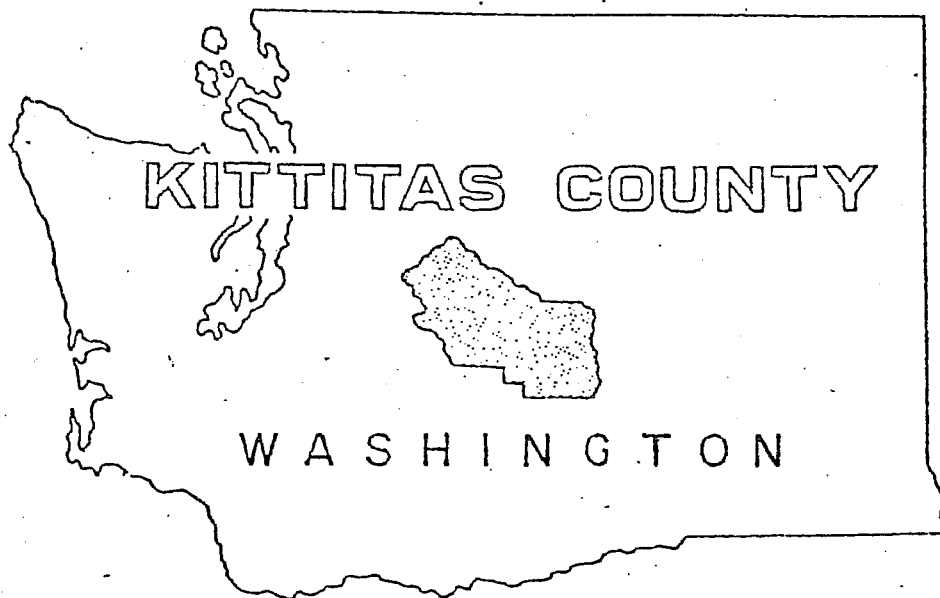


Shoreline Master Program

for



MARCH 5, 1975

Prepared For
The Cities of Cle Elum, South Cle Elum, Ellensburg
and
Kittitas County

By
Kittitas County Shoreline Citizen Advisory Committee
and
Kittitas County Regional Planning Office

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CHAPTER ONE

INTRODUCTION

Background

For several years, there has been growing concern among citizens and local and state governmental officials about the increasing pressures for use of the shorelines within the State. Shorelines, such as we have in Kittitas County are limited in supply with agriculture, private housing, forest management, fish and wildlife management, recreation and commercial and industrial development competing for their use. More people, higher incomes, more leisure time, greater mobility and general business growth have combined to create a potential threat to the shorelines' natural integrity and functional viability.

Shoreline property ownerships and uses of and by individual private property owners ranges from agriculture to housing to recreation. Government activities also compete for shoreline use. The issue is how to provide for these legitimate uses of shoreline areas and at the same time prevent the destruction or substantial alteration of the shorelines' features.

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

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

Requirements of the Shoreline Management Act

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

1. Administration of a shoreline permit system for proposed substantial development on wetlands and designated water bodies.
2. Compilation of a comprehensive inventory which includes a survey of natural characteristics, present land uses and patterns of ownership.
3. Development of a Master Program to provide an objective guide for regulating the use of shorelines. The Master Program must reflect local needs therefore making citizen input imperative.

Compliance in Kittitas County

Permit System

In April of 1972, Kittitas County established a permit system in compliance with the first requirement of the Act. Under this permit system a permit must be obtained for any "substantial development" proposed on designated shorelines. (For a list of designated shorelines, see Plate One, Page 7, and Appendix A.) Substantial development is defined by the Act as being any development of which the fair market value exceeds \$1,000 or any development which would interfere with the normal public use of the water or shorelines.

The following are general exceptions to the permit requirement:

1. A permit will not be required for any development costing \$1,000 or less fair market value.
2. Normal maintenance and repair of existing structures including replacement provided the structure is approximately the same size, serves the same general function and is placed in the same general location. The type of material used for replacement of the structure is not of importance.
3. Emergency construction necessary to protect property from damage by the elements.
4. Construction of barns or similar agricultural buildings.
5. Construction or modifications of navigational aids.
6. Single-family dwellings for use by the owner or his family and not to exceed a height of 35 feet above the average grade of the property.
7. Construction of a dock for pleasure craft only, for the non-commercial use of the owner of a single-family residence, the cost of which does not exceed \$2,500.

A proposed development, however, within the jurisdictional boundaries of the Act, whether it requires a permit or not, must be consistent with the intent of the law and the regulations of this Master Program.

Under Kittitas County's shoreline permit system, administrative responsibility for shorelines within the unincorporated portions of the County lies with the Kittitas County Planning Department; administrative responsibility for those shorelines within corporate city limits has been assigned to an appropriate department within each city. (For a list of Shoreline Permit Centers, refer to Appendix B.)

Before a permit becomes effective, the State Department of Ecology and the Attorney General's Office must review each case. The entire permit process takes a minimum of 83 days and is explained in Appendix C and Section 38 of the Master Program Ordinance, page ORD-19. Liberal provisions for appeals for permit decisions are also provided under the law. The appeals process is explained in Section 42 of the Master Program Ordinance, page ORD-22.

Shoreline Inventory

In compliance with the second requirement of the Act, the County Planning Office conducted a comprehensive inventory of the natural characteristics, present land uses and ownership patterns for all the designated shorelines. The inventory was completed in November of 1972 and is on file in the Planning Office.

Shoreline Master Program

In compliance with the third requirement of the Act, the citizens of Kittitas County, with the assistance of the County Planning Office, have developed this Master Program to be used as a practical guide in making determinations in shoreline permits and for establishing standards for future shoreline development.

The remainder of this report is divided in six additional chapters and includes a description of the Master Program development process, the goals and policies established by County citizens and an ordinance to be adopted so that the provisions of the program can be enforced.

C H A P T E R T W O

MASTER PROGRAM DEVELOPMENT

Requirements

The Shoreline Management Act requires that a Shoreline Master Program serve as an objective guide for regulating use of designated shorelines. The Master Program should clearly state local policies for development of shorelines and indicate how these policies relate to both the goals of the local citizens and to specific regulations of uses affecting the physical development of the County's land and water resources.

As required by the Act, the Master Program is to be general, comprehensive and long-range in order to be applicable to all of Kittitas County's shorelines for a reasonable length of time under changing conditions.

"General" means that the policies, proposals and guidelines are not directed towards any specific sites. "Comprehensive" means that the program is directed towards all land and water uses, their impact on the environment and logical estimates of future growth, and it also means that the program shall recognize the plans and programs of other government units; adjacent jurisdictions, and private developers. "Long-range" means that the program is to be directed at least 20 to 30 years into the future, look beyond immediate issues, and follow creative objectives rather than a simple projection of current trends and conditions.

In compliance with the Act, the Department of Ecology developed Final Guidelines (WAC 1973-16) for use by local governments in developing their master programs to insure that they meet these overall requirements of the Act. These Guidelines were intended to serve as standards for implementing the policy of the Act and to provide criteria to local governments and the Department of Ecology in developing their Master Programs.

The Guidelines specifically require that local governments develop their Shoreline Master Programs using local citizen participation, and that the Master Programs contain "Goals", "Policies", and "Use Regulations" for regulating use of the shorelines within designated areas of the shoreline, called "Environments". In order to assist local governments in the formulation of the goals, policies, environments, and use regulations, the Department of Ecology also suggested several "Elements" and "Use Activities" to be considered as the subjects of these goals, policies, and use regulations, and it suggested four possible types of environments.

The Act and the Guidelines also require that local governments establish provisions for allowing variances and conditional uses within their permit system, and that they establish a procedure for periodically updating the Master Program.

Finally, the Act requires that in development of Master Programs, local governments should give preference to uses which:

1. Recognize and protect statewide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Result in long term over short term benefit;
4. Protect the resources and ecology of the shorelines;
5. Increase public access to publicly owned areas of the shorelines;
6. Increase recreational opportunities for the public in the shoreline.

Procedure

In compliance with the Act, Kittitas County including the cities of Ellensburg, Cle Elum and South Cle Elum, has developed its Master Program in such a way as to meet all of the above mentioned requirements. It has established goals for the ten different elements of its program; developed policies and regulations for 21 different shoreline uses; delineated four shoreline Environments; made provisions for conditional uses and

variance, created a review and updating procedure; and developed all the language necessary to create and enforce a permit system.

This Master Program is the result of a cooperative effort between the citizens of Kittitas County and local and State government, with the Kittitas County Planning Office acting as the coordinating agency. The remaining section of Chapter Two describes the process used in developing the Master Program.

Public Involvement

Public involvement and notification is required by the Act in developing the Master Program. Shaping the program to meet County needs can be achieved only through an effective public information and participation program.

The public has been encouraged to attend all meetings on the Master Program, a record of which is listed in Appendix D. Publicity of the meetings, done specifically to induce public input, was wide-spread, and a series of articles covering the shoreline program was also published in the local newspaper. A synopsis of the Shoreline Act and its effect on Kittitas County was printed and distributed throughout the area.

Citizen Advisory Committee

In May of 1973 the Board of Kittitas County Commissioners appointed a Shoreline Citizen Advisory Committee and assigned them the task of developing a Master Program which would reflect local needs yet meet State minimum requirements. In selecting a committee, the Commissioners' aim was to create a group "balanced" with representation from all segments of the community and geographic areas of the County. Twenty-two persons were selected with fifteen accepting the position. The Committee then added three additional members to complete a balance. The resulting committee membership is listed below:

Mary Burke - Rancher
Dorothy Cole - Teacher
Gloria Lindstrom - Librarian
John A. Eberle - Sheriff
Dave Foster - Realtor
John R. Clerf - Farmer
Ben Swier - Parks and Recreation Commission
Charles Jewett - Burlington Northern
Frank Bernritter - Burlington Northern
Dave Hammermeister - Boise Cascade
Dave Browitt - Boise Cascade
Archie Patrick - Developer
Martin Kaatz - Professor
Ray Poulsen - Rancher
W. S. Vickerman - President of Washington State Sportsmen's Council
Bud Dunning - Soil Conservation Service
Bob Benton - Professor
Charles Haight - Department of Natural Resources
Vic Battson - Appraiser
Roy Thomas - Rancher

Additional input was sought and received from each of the following:

Field and Stream Club
Kittitas County Sheriff's Department
Department of Natural Resources
U. S. Soil Conservation Service
Yakima River Basin Steering Committee
West Fork Timber
Washington State Cattlemen's Association
National Farmers Organization
Sierra Club
Alpine Lakes Protection Society

City of Ellensburg
City of Cle Elum
City of South Cle Elum
Kittitas County Utility Coordinating Council
Washington State Department of Game
Kittitas County Engineering Office

Scope

The shorelines that fall within the jurisdiction of the permit system and the Master Program are determined by criteria established by the Act. This criteria defines shorelines as land bordering all streams with a mean annual flow greater than 20 cubic feet per second (cfs) and lakes larger than 20 acres in size. The Act also applies to land extending landward 200 feet from the ordinary high water mark (essentially, the line of natural vegetation) on water areas including their flood plain. (Plate One illustrates those shorelines in Kittitas County that are under the Act's jurisdiction and the jurisdiction of this Master Program. Appendix A lists the legal description of lakes, streams and rivers under the jurisdiction of the Act.)

General Findings and Conclusions

Kittitas County is located on the doorstep of populous King County. The Yakima River valley provides the corridor followed by the most heavily traveled mountain pass highway in western North America, outside of California. The shorelines of the Yakima River system are, therefore, vulnerable to many pressures from non-county residents. The need to accommodate local desires and to withstand possibly negative outside pressures on shoreline use have been important factors in the Committee's deliberations and conclusions.

Economy:

1. Agriculture provides most of the base for the County's economy.
2. Timber products are an important resource derived from approximately 50% of the County area that is forested.
3. Coal mining has been important historically and may experience some resurgence as interest in domestic energy supplies increases.
4. Recreation related activities are experiencing steady growth in the County.
5. Ellensburg's strategic location at the intersection of two major freeways and on two transcontinental railways provides it some potential for becoming a significant distribution center.
6. Tourist and freeway oriented enterprises are growing.
7. Central Washington State College provides an important stimulus for retail and service-oriented business.

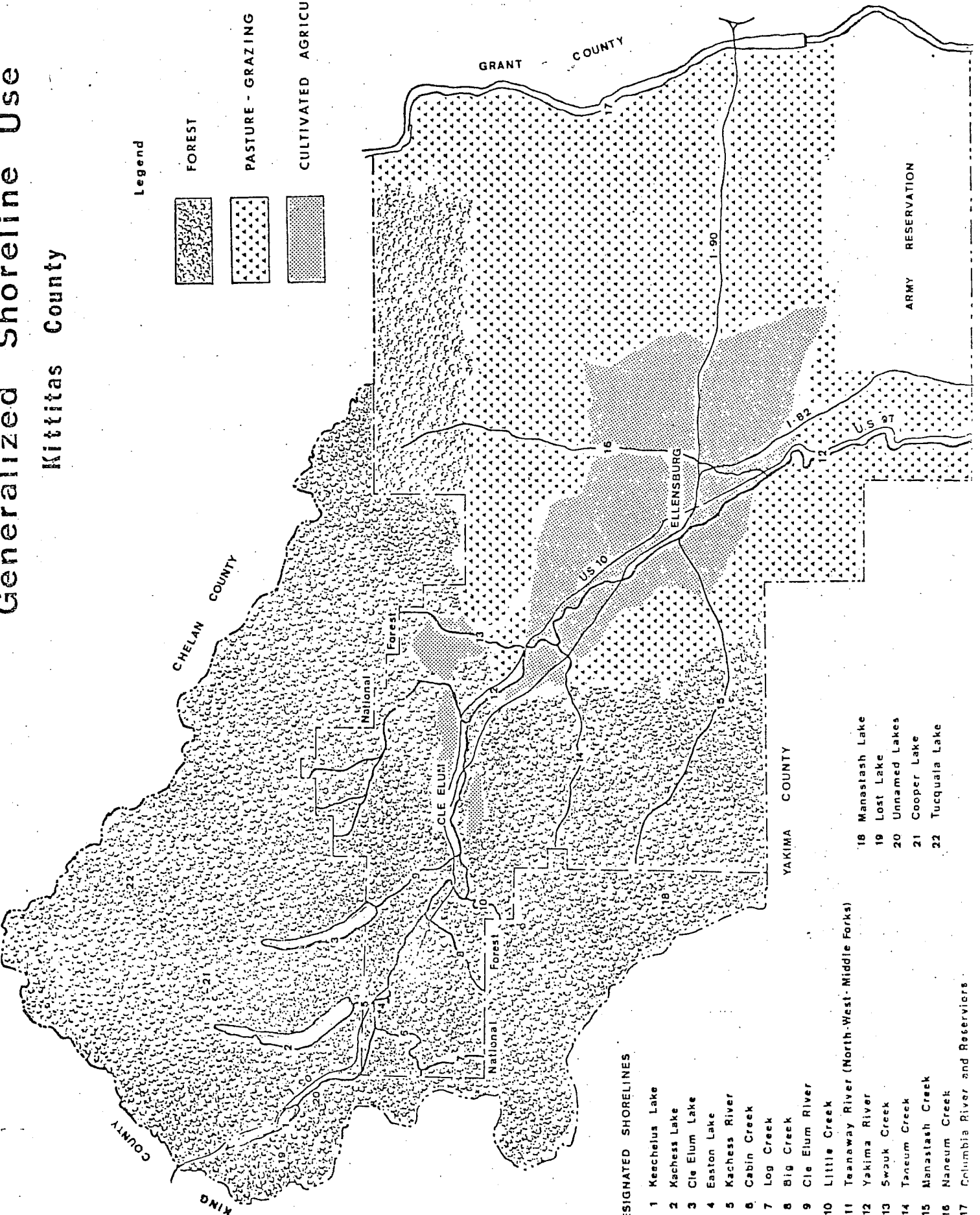
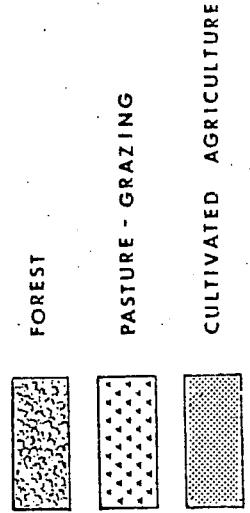
Shorelines Today:

1. Shorelines forested in commercial timber constitute fifty-five percent of the total designated shoreline area and is owned primarily by the federal government and private corporate firms. These forested shorelines are used for timber productions as well as recreation and forest range for livestock.
2. Twenty percent of all shorelines is in irrigated pasture and cropland, placing a heavy demand for the use of stream water. These shorelines are characterized by a private individual ownership pattern.
3. Many shoreline areas are not suited to any particular use due to their physical limitations. Such shorelines are characterized by thick foliage and deciduous forest which provide excellent cover for wildlife.
4. The Columbia River is the only water body under the jurisdiction of the Act which is not within the Yakima drainage basin. Its shoreline is dominantly in rangeland. Much of the shoreline is owned by the State and water oriented recreation is becoming increasingly significant.

Generalized Shoreline Use

Kittitas County

Legend



DESIGNATED SHORELINES

- 1 Keachelus Lake
- 2 Kachess Lake
- 3 Cle Elum Lake
- 4 Easton Lake
- 5 Kachess River
- 6 Cabin Creek
- 7 Log Creek
- 8 Big Creek
- 9 Cle Elum River
- 10 Little Creek
- 11 Teanaway River (North-West-Middle Forks)
- 12 Yakima River
- 13 Swauk Creek
- 14 Tancum Creek
- 15 Manastash Creek
- 16 Naneum Creek
- 17 Columbia River and Reservoirs
- 18 Manastash Lake
- 19 Lost Lake
- 20 Unnamed Lakes
- 21 Cooper Lake
- 22 Tucquala Lake

5. Less than one percent of the County's shorelines are urbanized and only one industrial activity is located adjacent to a water body. Vantage and the City of South Cle Elum are the only urban areas located directly on shorelines. Both towns have small populations and have experienced little growth or change in land use. The western-most part of Ellensburg is within the outer-limits of the Yakima flood plain, but is located a mile from the river itself. Most of the Yakima River is paralleled by railroads and roads.
6. Recreational uses intermingle with all of the above, usually in a compatible manner.

The Committee concluded that a continuation of the present shoreline uses would result in the greatest short, as well as long, term benefit to the citizens of the County. (1) Those areas particularly suited for agriculture should remain in agriculture. (2) Those areas particularly suited for timber management should remain in forest production. (3) Those areas particularly suited for recreation should be used accordingly. The Committee also agreed that non-water oriented or water dependent commercial and industrial development should be located inland away from any immediate shoreline area.

Goals and Policies and Regulations

Once conclusions had been drawn, the Committee turned to the task of establishing goals and policies which will serve as a guide to implementing the Master Program.

Simply stated, goals are the long range aspirations of the community and they define the desired state or condition of shoreline use the community wishes to achieve. Policies are specific statements of intent which guide the community in day to day decisions which will ultimately achieve the goals. Based on the Committee's conclusions about shoreline use in the County, goals, policies and statements reflecting needs and desires were created. Goals and policies as developed by the Committee, are present in Chapter Three and Chapter Four of this Master Program.

Environments

In order to plan and effectively manage shoreline resources, a system of categorizing shoreline areas was devised for use by local governments in the preparation of Master Programs. The system was designed to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. To accomplish this, the environmental designation to be given any specific area was based on the existing development pattern, the biophysical capabilities and limitations of the shoreline being considered for development and the goals and aspirations of the local citizenry.

The shoreline Environment titles are supplied by the Act and include: Urban, Rural, Conservancy and Natural. The Department of Ecology guidelines offer the basic understanding of what these Environments are intended to accomplish, however, the guidelines are still too general to account for local interests.

The Citizen Advisory Committee, therefore, has adjusted the Environment definitions to reflect local needs. These adjusted definitions are presented in Chapter Five of this Master Program. All shorelines under the jurisdiction of the Act have been classified as one of the four Environment designations (see Appendix E for designation).

Variances and Conditional Uses

The variances and conditional use procedures have been developed as part of the Shoreline Master Program Ordinance, Chapter Six, Sections 39 and 40, pages ORD-20 and 21.

Updating Procedure and Amendments

The procedure for updating the Master Program was established in compliance with the Shoreline Act and is outlined in Chapter Seven. Procedure for initiating Master Program amendments is found in Chapter Six, Section 43, page ORD-22.

Deviations From the State Guidelines

This Master Program is in general compliance with the Shoreline Act and the State guidelines. During development of the program; however, several minor deviations did occur which are explained below.

In developing the Master Program, the Committee chose to apply development priorities for shorelines of statewide significance to all shorelines in Kittitas County. This decision reflects the community attitude that all of Kittitas County's shorelines are a valuable and limited resource worthy of equal protection.

In developing goal statements, the Committee concluded that in addition to the seven suggested elements, a eighth goal statement addressing agriculture and irrigation, a ninth goal addressing restoration and a tenth goal addressing public awareness were necessary.

The Committee also concluded that the consolidation of several of the suggested use activities was necessary to reduce redundancy. Consequently, bulkheads, groins, breakwaters, shoreline protection structures, jetties and piers were combined into one section entitled "Shoreline Works and Structures".

As mentioned earlier, the Environment definitions have been adjusted by the Committee to reflect local needs.

C H A P T E R T H R E E

GOAL STATEMENTS

The Citizen Advisory Committee has established the following ten goals concerning shoreline use in Kittitas County:

Shoreline Use

Kittitas County is characterized by four major shoreline uses: (1) irrigated agriculture; (2) range; (3) forest and wild lands; (4) recreational use. A continuation of such uses should be encouraged.

Alternative uses may occur which are compatible with the specific Environments of this Act, provided that they are compatible to the physical characteristics of any particular site. These concepts are intended to promote a pattern of shoreline uses which will minimize conflict, preserve a high quality environment, and leave open the greatest number of options for future generations of shoreline users.

Agriculture and Irrigation

Irrigated agriculture is a water dependent use and a key factor in the economy of Kittitas County, therefore, it is a goal of our County that other shoreline uses should not jeopardize production on agricultural lands.

While other shoreline uses may be compatible with irrigation systems, it is a goal of our County that all shoreline uses shall be constructed and maintained in such a way as to not interfere with the diversion or delivery of water. Irrigation easements, headditches, headgates, turnouts, and other necessary appurtenances shall be given priority.

Economic Development

It is a goal of our County that commercial development locate inland from designated flood plain and shoreline areas unless that development is particularly dependent upon a shoreline location and is consistent with the long range needs of the public.

Recreation

It is a goal of our County to encourage recreational opportunities which will not compromise water quality, will not have a detrimental effect on the fragile systems of our shorelines, nor infringe on the rights of the private property owner.

Conservation

It is a goal of our County to encourage sound management of renewable shoreline resources and that non-renewable shoreline resources be preserved to the greatest extent feasible.

Circulation

It is a goal of our County to encourage a transportation network capable of delivering people, goods, and services, which will result in minimum disruption of the natural system of our shorelines.

Public Access

Shoreline dependent recreational activities are of significant importance to the citizens of Kittitas County. A public access system should facilitate movement to public shoreline areas without compromising the natural features of the shoreline. Public access to public areas shall in no way limit or lessen any private landowner's right to prevent trespassing.

It is a goal, therefore, of our County to develop a network of well planned and maintained public access areas located on publicly owned shorelines, to purchase additional shoreline property when feasible and to encourage a provision of public access in all future public land shoreline development. Intrusions created by such public access should not have detrimental effects on fragile natural features, endanger life, or infringe upon the rights of private property owners.

Historical/Cultural

It is a goal of our County to protect and restore areas and sites having historical, cultural, or educational importance without infringing upon the private property owners.

Public Awareness

The public should be made aware of the content of the Shoreline Management Act as it applies to Kittitas County. The rights and obligations of the public and private citizens should be clearly stated. This information should be clearly identified. Methods of informing the public should be those most appropriate to a given situation.

These are examples of items to be considered:

1. Standardized markers should be developed to inform public of access routes, parking, limitation of area, etc.
2. The public should be made aware of their responsibility in maintaining the quality of the environment, especially for such things as litter prevention, trail cutting, clearing brush, and off road vehicular traffic.
3. The public should be made aware of private property (where public lands end).

Restoration

It is the goal of Kittitas County to provide, where feasible and desirable, for restoration of blighted areas along the shorelines of Kittitas County to a natural and/or rehabilitated condition.

C H A P T E R F O U R

USE ACTIVITY POLICY STATEMENTS

The Citizen Advisory Committee has developed the following policy statements addressing each of twenty-three shoreline use activities. These policies will reflect the intent of any one or all of the goal statements prescribed in Chapter Three depending on their applicability.

Agriculture

Kittitas County should (1) assure that lands suitable for agriculture are maintained in agricultural production; (2) should not allow the locations of confined animal feedlot operations, retention and storage ponds for feedlot wastes, or stock piles of manure solids close enough to shoreline areas to affect water quality; and (3) should encourage the maintenance of a buffer of permanent vegetation between tilled areas and associated water bodies which would retard surface runoff, reduce siltation, provide habitat for fish and wildlife and reduce erosion.

Aquaculture

Aquaculture enterprises should (1) not obstruct navigational access to upland areas, (2) shall not obstruct visual access of upland owners, and (3) should be located in areas where they do not impair the aesthetic quality of the shoreline or quality of the water involved.

Note that spawning areas and fish hatcheries which are managed by the Department of Game and Fisheries are required to obtain a hydraulic project approval permit for work done in any stream or lake bed.

Archaeological/Historic Sites

Where possible archaeological and historical sites should be permanently preserved for scientific study and public observation.

Kittitas County Planning Department should consult with professional archaeologists to identify areas containing potentially valuable archaeological data, and to establish procedures for salvaging the data.

In areas known to contain archaeological data, local governments shall attach a special condition to a shoreline permit, providing for a site inspection and evaluation by an archaeologist to insure that possible archaeological data are properly salvaged.

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

The National Preservation Act of 1966 and Chapter 43.51, RCW provides for the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American and Washington history, architecture, archaeology or culture. The State Legislature names the Director of the Washington State Parks and Recreation Commission as the person responsible for this program.

Commercial Development

Consideration to approve a permit for commercial development located on a shoreline shall be given only to those commercial developments which are shoreline dependent or shoreline oriented.

Commercial development which is non-shoreline oriented should be located inland away from the ordinary high water mark where commercial uses exist and where the appropriate zoning exists.

Commercial developments should be constructed in a manner which would either improve or at most result in minimal damage to the normal qualities of the shoreline area.

Dredging

Dredging of materials for the single purpose of obtaining fill material should be prohibited in any designated environment.

Dredging for the purpose of deepening a navigational channel should be permitted in any designated environment provided such dredging will not cause damage to existing ecological values and natural resources of both the area to be dredged and the area for deposit of the materials.

Flood Plains

It is the policy of this Section to minimize losses in flood plains by restricting or prohibiting uses which are dangerous to health, safety or property in times of flood or cause excessive increases in flood heights or velocities.

Uses vulnerable to floods, including facilities which serve such uses shall be protected against flood damage at the time of initial construction. General regulations for carrying out this policy given under the Shoreline Master Program Ordinance, Section 25, pages ORD - 10-11, apply to the four Environments which include Natural, Conservancy, Rural and Urban.

Forest Management

Logging within shoreline areas should be conducted in such a manner to ensure the maintenance of buffer strips of ground vegetation, brush, and trees to prevent temperature increases adverse to fish population and erosion of stream banks.

Shoreline areas having scenic qualities, such as those providing a diversity of views, unique landscape contrasts, or landscape panoramas should be encouraged as scenic views in timber harvesting areas. Timber harvesting practices, including road construction and debris removal, should be regulated so that the quality of the view and viewpoints in shoreline areas of the State are not degraded.

Seeding and replanting should be accomplished where necessary to provide stability on areas of steep slope which have been disturbed. Replanted vegetation should be of a similar or improved type and concentration as existing in the general vicinity of the logged area.

Special attention should be directed in logging and thinning operations to prevent the accumulation of slash and other debris in contiguous waterways.

Logging should be avoided on shorelines with slopes of such grade that large sediment run-off will be precipitated, unless adequate restoration and erosion control can be expeditiously accomplished.

Proper road and bridge design, location and construction and maintenance practices should be used to prevent development of roads and structures which would adversely affect shoreline resources.

Industry

Significant alteration of the shoreline environment is associated with industrial use, therefore, the location of industry on the shorelines of Kittitas County shall be limited to:

Enterprises which are clearly dependent upon access to the shoreline and associated waters (for successful operation); and

To sites which currently possess advantages to industry such as proximity to adequate transportation, raw materials, labor and the like.

In Kittitas County sites meeting the above objectives are associated with urban areas of Ellensburg, Cle Elum, South Cle Elum and the Milwaukee Railroad crossing of the Columbia River.

Industrial development which is not shoreline dependent should be located inland away from the ordinary high water mark where industrial uses exist and where the appropriate zoning exists.

Industrial sites should be encouraged to locate within areas adjacent to other industrial sites, without overcrowding the area involved.

Industrial developments should be constructed in a manner which would either improve or result in minimal damage to the normal qualities of the shoreline area.

Landfill

In evaluating fill projects and in designating areas appropriate for fill, such factors as total water surface reduction, navigation restriction, impediment to water flow and circulation, impediment to irrigation systems, reduction of water quality, and destruction should be considered.

Shoreline fills or cuts should be designed and located so that significant damage to existing ecological values, natural resources or alteration of local currents will not occur creating a hazard to adjacent life, property and natural resources systems.

Landfills should be allowed only for water-dependent uses, for public uses, and for the purpose of elevating a structure to meet flood proofing requirements as required by the flood control zone permit.

Marinas

Location and design of marinas should consider effects on fish and wildlife resources during construction and operation and at the same time be aesthetically compatible with adjacent areas.

Fuel handling and storage should be given special attention in design to minimize spillage and provide means for handling such spillage.

Marina construction and development should comply with the Washington State Department of Fisheries guidelines and local standards which apply.

All dockings and marinas should be equipped with receptacles to receive and adequately dispose of sewage, waste, rubbish and litter from boats.

Mining

Land reclamation should be included as part of the mining project and should be initiated after completion of each phase of the mining activity.

When minerals are removed from shoreline areas, adequate protection against the sediment and silt production should be provided. If such removal is to occur in a lake, river or stream bed, a Hydraulics Permit from the Department of Game and Fisheries is required.

If the diversion of water for mining purposes is required, water rights shall be established prior to issuing the permit.

Outdoor Advertising

Outdoor advertising signs should be located on the upland side of transportation routes which parallel and are adjacent to shorelines.

Views and vistas should not be degraded and visual access to the water from such vistas should not be impaired by the placement of signs.

Local sign ordinances should be strictly enforced.

Recreation

Allow various recreational opportunities to meet the needs of the people.

Where uses designated for a specific recreational area are planned to satisfy a diversity of demands, these uses must be compatible with each other and not damaging to the area's environment.

Signs should be posted informing the public of areas available for their use.

The location, design, construction and operation of recreational facilities should prevent undue adverse impacts on adjacent or nearby privately owned properties.

Parking facilities should be located in areas which will be the least damaging to the natural character of the area. Large parking lots should be located outside the immediate shoreline area.

Water supplies, sewage, drainage, alteration of shoreline vegetation and other changes associated with recreational development should be planned to preserve a high quality environment.

Residential

Residential subdivisions should be designed (1) so as to adequately protect and/or to improve the area's aesthetic qualities and characteristics of the water and shoreline areas; and (2) at a level of density of site coverage and of occupancy compatible with the physical capabilities of the shoreline and water.

Planned Unit Developments which reserve substantial portions of land as open space or recreation area are preferred over conventional subdivisions.

Subdividers should be encouraged to provide pedestrian access to the shorelines within the development and to minimize the impact of vehicular use and parking on the normal aesthetic qualities of the shoreline area.

Roads, Railroads and Bridges

Future roads and railways should be located away from the shorelines wherever feasible. "Wherever feasible" in an important condition, since shorelines often offer the least troublesome and costly sites for road construction, but wherever a public road can be located outside the shoreline area, even at somewhat greater construction costs and problems, then the inland location should be used.

Extensive loops or spurs of old highways with high aesthetic quality should be kept in service as pleasure bypass routes.

When planning public roads, federal, State and local governments should, where appropriate, provide sanitary facilities, scenic view points, and picnic areas on publically owned shorelines.

Road management for logging shall be done in accordance with the regulations for "Roads" under the Shoreline Master Program, Ordinance, Section 26, Forest Management.

Shoreline Works and Structures

The approval of shoreline works and structures projects should be based on flood back-water evaluation and on the projects' impact on properties downstream.

The approval of shoreline works and structures projects should be based on the projects' impact on the river's environment.

Solid Waste Disposal

Solid waste materials should be handled, contained, or disposed of in a manner which avoids damage to the environment and will maintain the aesthetic values to the shoreline area.

Utilities

Utilities should be designed and installed in a manner which would result in minimal damage to the normal qualities of the shoreline area.

Utilities should be planned to avoid destroying scenic views.

Upon completion, the applicant should restore the project area to a natural or near natural condition.

CHAPTER FIVE

ENVIRONMENT DESIGNATIONS

The Citizen Advisory Committee has created, based on the State's guidelines, the following Environment classifications. Each classification is defined by Committee philosophy, definition and designation criteria.

Urban Environment

Committee Philosophy

As the name implies, this Environment is to be used for the most intensely developed areas, or areas where intensive development is desired or tolerable. Commercial, industrial, residential, and any other use are to be permitted in as high a density as allowed by the appropriate zoning. The basic regulation in an Urban Environment is oriented toward quality of development.

The intent of designating shoreline areas as an Urban Environment is to insure optimum utilization of shorelines occurring within urbanized areas by providing for intensive public use and by managing development so that it enhances and maintains the shorelines for a multiplicity of uses.

Definition

The Urban Environment is characterized by high intensity land uses, high land values, major public and private capital investments. This Environment does not necessarily include all shoreline areas within an incorporated city, but it is particularly suitable to those areas which are presently subjected to extremely intensive use pressure as well as those areas planned to accommodate urban expansion. The management objective is one of optimum future utilization of land to public investment. In view of the intensity of present and future development and consequent population densities, there is a correspondingly high requirement for open space and access to the water in this Environment.

Criteria for Designation

In addition to the above, the following criteria was used for the designation of Urban Environments:

1. Areas presently supporting high intensity land use including residential, commercial, industrial and recreational.
2. Areas which are planned to accommodate urban expansion of residential, commercial, industrial and recreational uses.
3. High land values.
4. Major public or private capital investments.
5. Close proximity to services and utilities.
6. Few biophysical limitations to development.
7. Potentially low flood hazard.

Rural Environment

Committee Philosophy

The Rural Environment is intended to protect agricultural land from urban, suburban, commercial, or industrial expansion and to restrict intensive development along undeveloped shoreline areas which might interfere with the normal operations or economic viability of an agricultural activity located on adjacent and associated shoreline areas.

The Rural Environment is also intended to maintain open spaces and allow opportunities for recreational uses which are compatible with agricultural activities.

Definition

The Rural Environment is characterized primarily by agricultural activities.

The management objectives are to protect agricultural land, maintain open space, and allow for recreational uses compatible with agricultural production.

Criteria for Designation

In addition to the above, the following criteria would be used for the designation of Rural Environments:

1. Agricultural use including cultivated cropland, pastures and rangeland.
2. Those areas with potential for agricultural use.
3. Those undeveloped natural areas which lie between agricultural areas.
4. Low density residential and recreational uses.
5. Moderate land values.
6. Potential low demand for services.
7. High flood hazard.

Conservancy Environment

Committee Philosophy

The Conservancy Environment classification is used for areas where maintenance of the existing character of the area is desirable. This would not necessarily mean preservation, but rather a use of natural resources on a sustained yield basis. Thus, the harvesting of timber as well as recreational activities are to be the primary uses permitted. The tendency of man to dominate and reshape nature is to be replaced by a desire to live with, manage and accommodate nature.

Definition

The Conservancy Environment is characterized by land uses which are primarily related to natural resource use. Management objectives are oriented toward maximizing sustained yield natural resource utilization, recreation and low intensity recreational homes while restricting development in hazardous areas.

Criteria for Designation

In addition to the above, the following criteria would be used for the designation of Conservancy Environments:

1. Those areas which have steep slopes presenting erosion and slide hazards, areas prone to flooding, and areas which cannot provide adequate water supply or sewage disposal shall be included in a Conservancy Environment.
2. Those areas which are presently characterized by recreational uses and subdivisions, and areas which demonstrate potential for such uses. These types of activities must not be allowed to reach a density which will jeopardize the areas natural integrity and must be spaced so a continuous flow of recreational benefits will persist.
3. Areas of active and potential timber harvesting activities.
4. Areas which are isolated from services, have poor drainage, high flood danger, poor ground for septic tanks, unstable earth, or steep slopes, shall be designated Conservancy.

Natural Environment

Committee Philosophy

The Natural Environment is intended to protect those shoreline areas which are considered unique by virtue of their existence and valuable only to the extent that the natural integrity is preserved for the benefit of future, as well as, present generations.

Prime targets for classification into the Natural Environment will be certain lands and wetlands owned or controlled by the various State wildlife management agencies and certain private lands which are seen to be proper for Natural classification, and owners which will be interested in the promise of very low taxation.

Definition

This Environment is characterized by land being relatively free of human influence, and having severe biophysical limitations for development. The presence of some unique natural or cultural feature which is sensitive to intensive human use is also an important criteria. In addition, the Natural Environment is intended for areas being of such a nature that its value is retained only in its natural condition.

Criteria for Designation

In addition to the above, the following criteria would be used for the designation of Natural Environments:

1. The presence of a natural, historical, cultural, scientific, or educational feature considered valuable by virtue of its existence in a natural or original state and thereby warranting preservation for the benefit of present and future generations.
2. Those areas which have been generally uninfluenced by human activities.
3. Those areas which are generally sensitive to intensive human use.

C H A P T E R S I X

SHORELINE REGULATIONS

The Citizen Advisory Committee has developed the following regulations, which are presented in ordinance form, to implement the stated intent of the Goals and Policies of this Master Program.

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SHORELINE MASTER PROGRAM REGULATIONS

Section 1: Title. These Regulations and amendments thereto, shall be known as the Shoreline Management Master Program Regulations for Cle Elum, South Cle Elum and Kittitas County.

Section 2: Short Title. These Regulations may refer to themselves as "These Regulations".

Section 3: Intent and Purpose. These Regulations are intended to carry out the responsibilities imposed on Cle Elum, South Cle Elum and Kittitas County by the Shoreline Management Act of 1971 insofar as regulations can, and the adoption of these Regulations does not remove other responsibilities imposed by the Act. The purpose of the Shoreline Management Program is to:

- (1) Promote reasonable and appropriate use of the shorelines which will protect the public and private interest;
- (2) Protect against adverse effects to the public health, the land, its vegetation, and wildlife and the waters and their aquatic life;
- (3) Protect public rights of navigation;
- (4) Recognize and protect private property rights;
- (5) Preserve and protect fragile natural resources and culturally significant features;
- (6) Increase public access to publicly owned areas of the shorelines where increased use levels are desired;
- (7) Protect public and private properties from adverse effects of improper development in hazardous shoreline areas;
- (8) Recognize and protect statewide interest; and
- (9) Give preference to uses which result in long term over short term benefits.

Section 4: Authority. The authority for the passage of these regulations is that granted and required by the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

Section 5: Definitions and Concepts. As used in this Master Program, unless context requires otherwise, the following definitions and concepts will apply:

- (1) Administration:
 - (a) The "Administrative Authority" shall be Kittitas County Regional Planning Department.
 - (b) "Act" means the Shoreline Management Act of 1971 (RCW 90.58).
 - (c) "Hearing board" means the Shoreline Hearings Board established herein.
 - (d) "Local government" means County of Kittitas, Cle Elum or South Cle Elum.
 - (e) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal cooperation, or agency of the state or local governmental unit, however designated.
- (2) Geographical:
 - (a) "Environment" when capitalized refers to those areas as established by Section 12 of these regulations.
 - (b) "Environment", not capitalized, refers to all that surrounds an area including all natural, as well as man-made or man influenced features.
 - (c) "Flood Control Zone" is a district established by Title 86 RCW flood control laws of the State of Washington.
 - (d) "Ordinary high water mark" on all lakes and streams is that mark that will be found by examining the bed and banks and ascertaining when the presence and actions 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 abutting upland, in respect to vegetation as that condition exists on June 1, 1971, or as it may naturally change thereafter; provided that in any area when the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the line of mean high water.
 - (e) "Shorelines" means all of the water areas of the state, including reservoirs and their associated wetlands, together with lands underlying them, except:
 - (i) Shorelines on segments of streams upstream from the point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and
 - (ii) Shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes.
 - (f) "Wetlands" or "wetland area" means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; and all marshes, bogs, swamps, floodways, river deltas, and associated with the streams and lakes.
- (3) Procedural Terms:
 - (a) "Accessory building." A building, part of a building or structure, or use which is subordinate to and the use of which is customarily incidental to that of the main building, structure or use on the same lot.
 - (b) "Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of pilings; 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 the Act at any state of water level.
 - (c) "Environment Designation Map" shall be the map as provided for in Section 13, REG-5.
 - (d) "Feedlots" shall be defined as an area used for commercial feeding of 100 or more head of cattle, confined in a density of less than 500 square feet per head for six months or more. Normal stock wintering operations and dairy operations with a Washington State Grade A License are not included in this definition.
 - (e) "Flood plain". The relatively flat area or low lands adjoining the channel of a river or stream subject to flooding.

- (f) "Floodway". The channel or waterway and those portions of the flood plain adjoining the channel which are reasonably required to carry and discharge the flood waters of any water course or drainage way without causing a significant rise in water surface profile.
- (g) "Guidelines" means those standards adopted by the Department of Ecology to implement the policy of the Shoreline Management Act.
- (h) "Lot". A lot is a fractional part of subdivided lands having fixed boundaries. The term includes tracts and parcels.
- (i) "Low density development" shall be defined as those which are planned to control numbers of facilities used by people so that overcrowding is avoided and the opportunity to enjoy the qualities afforded by the area are not degraded.
- (j) "Master Program" shall mean the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts and other descriptive material and text, a statement of desired goals and standards developed in accordance with the policies enunciated in RCW 90.58.020.
- (k) "Non Conforming Use" shall be defined as a lawful use of land or structure in existence on the effective date of this ordinance or at the time of any amendment and which does not conform to the use regulations of the environment in which it is located.
- (l) "Official shoreline designation map" shall mean the map in WAC 173-18-230 and WAC 173-20-400, as provided by the State Department of Ecology which identifies those shorelines listed.
- (m) "Permit" means that permit required by the Shoreline Management Act of 1971 (RCW 90.58) as amended, for substantial development on shorelines, to be issued by the administrative authority, subject to review by the Department of Ecology and the State Attorney General's Office.
- (n) "Planned development". A residential development which permits departures from the conventional siting, setbacks and density requirements of other sections of this code in the interest of achieving superior site development, creating open space, and encouraging imaginative design by permitting design flexibility.
- (o) "Residence, multi-family". A building designed exclusively for occupancy by two (2) or more families living independently of each other, and containing two (2) or more dwelling units.
- (p) "Residence, single-family". A detached building designed exclusively for occupancy by one (1) family and containing one (1) dwelling unit. This definition includes mobile homes and modular homes. This definition does not include travel trailers.
- (q) "Structure". Anything constructed in the ground, or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground or water.
- (r) "Substantial development" shall mean any development of which the total cost or fair market value exceeds one thousand dollars, or any development which materially interferes with the normal public use of the water or shorelines of the state; except that the following shall not be considered substantial developments for the purpose of this chapter:
 - (i) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements;
 - (ii) Construction of the normal protective bulkhead common to single family residences;
 - (iii) Emergency construction necessary to protect property from damage by the elements;
 - (iv) Construction of a barn or similar agricultural structure on wetlands;
 - (v) Construction or modification of navigational aids such as channel markers and anchor buoys;
 - (vi) Construction on wetlands by an owner, lessee or contract purchaser of a single family residence for his own use or for the use of his family, which residence does not

exceed a height of thirty-five (35) feet above average grade level and which meets all requirements of the stage agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter; (1971 1st ex.s. c 286 3)

- (vii) Construction of a dock, designated for pleasure craft only, for the private non-commercial use of the owners, lessee, or contract purchaser of a single family residence, the cost of which does not exceed two thousand five hundred dollars (\$2,500).
- (s) "Use" shall mean the purpose for which land or a structure is primarily designed, arranged or intended or for which it is primarily occupied or maintained.
- (t) "Water dependency" shall mean that a use is dependent on a shoreline location. The degree of dependency is expressed as follows:
 - (i) "Shoreline Dependent Uses" shall include those uses that cannot exist in any other location and must by reason of the intrinsic nature of their operations locate on a shoreline;
 - (ii) "Shoreline Oriented Uses" shall include uses which do not depend on a waterfront location to successfully continue their operation, but whose operation would facilitate public access and enjoyment of a shoreline area through design and aesthetic appearance of the facility;
 - (iii) "Non-Shoreline Oriented" shall include uses which do not need a shoreline location to successfully operate and which through design and appearance, would not facilitate public access and enjoyment.
- (4) Other terms used in these regulations shall have the same meaning as those found in the Act or the Guidelines (WAC 1973-16) as amended.

Section 6: Administration and Enforcement. It shall be the duty of the Administrative Authority to administer the provisions of these regulations.

The Prosecuting Attorney or the City Attorney, at the request of the Administrative Authority, may constitute any legal proceeding necessary to enforce the provisions of these regulations.

Section 7: Application of Regulations. These regulations shall apply to all lands and waters within the jurisdiction of these regulations which are deemed by the Act and the guidelines to be under the jurisdiction of the Act. Except as provided hereafter, all sections of these Regulations and the Goals and Policy Statements adopted as part of the Master Program, apply to all developments and uses whether or not a permit is required.

These regulations shall apply to all areas which are not less than two hundred feet from the ordinary high water mark of a stream, or the landward boundary of the flood way whichever is furthest from the stream, for all streams designated by the Act.

These Regulations shall apply to every person, firm, corporation, local and state governmental agency and other non-federal entities which would develop, use and/or own lands, wetlands, or waters under the control of these Regulations. Further, these Regulations apply to all existing and future conditions within the area of jurisdiction.

Section 8: Relations to Master Program Goals and Policies. These Regulations are intended to implement the Goals and Policies of this Master Program as adopted.

Section 9: Relationship to Existing Land Development Regulations. All underlying zoning, comprehensive land use plans, subdivision ordinances and other land use regulations adopted by the local government shall remain in full force and effect and in the case of conflict, the more restrictive provision shall apply.

Section 10: Compliance. No structure or lot shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged, or altered except in compliance with the provisions of these Regulations and no lot area, yard, or other open space existing on or after the effective date of these Regulations shall be reduced in area, dimension or size below the minimum as required by these Regulations.

Section 11: Non-Conforming Uses. For the purposes of these Regulations, no use shall be considered as non-conforming. All uses existing prior to the adoption of this master program shall be allowed to continue and/or expand their present operation provided such expansion is incidental to the main use. Expansion, alteration, or modification of uses existing prior to the adoption of this master program shall comply with all appropriate sections of this master program dealing with such changes. This section in no way shall negate the permit requirement of RCW 90.58.

Section 12: Environments. The Shoreline Environments are used as a system of categorizing shoreline areas according to management's objectives and the character of the shoreline. The following four Environments are hereby established:

- (1) Urban Environment. The Urban Environment is characterized by high density land uses, high land values, major public and private capital investments. This Environment does not necessarily include all shoreline areas within an incorporated city, but it is particularly suitable to those areas which are presently subjected to extremely intensive use pressure as well as those areas planned to accommodate urban expansion. The management objective is one of optimum future utilization of land to public investment. In view of the intensity of present and future development and consequent population densities, there is a correspondingly high requirement for open space and access to the water in this Environment.
- (2) Rural Environment. The Rural Environment is characterized by agricultural activities. The management objectives are to protect agricultural land, maintain open space, and allow for recreational uses compatible with agricultural production.
- (3) Conservancy Environment. The Conservancy Environment is characterized by land uses which are primarily related to natural resource use. Management objectives are oriented toward maximizing sustained yield natural resource utilization, recreation, and low intensity recreational homes while restricting development in hazardous areas.
- (4) Natural Environment. The Natural Environment is characterized by land being relatively free of human influence, and having severe biophysical limitations for development. The presence of some unique natural or cultural feature which is sensitive to intensive human use is also an important criteria. In addition, the Natural Environment is intended for areas being of such a nature that its value is retained only in its natural condition. Management objectives are oriented toward preserving unique features, restricting activities which may degrade the actual or potential value of this Environment, and severely restricting development in hazardous areas.

Section 13: Shoreline Environment Designation Map. There is hereby made a part of this Master Program, a map which shall be officially known as the "Shoreline Environment Designation Map", but which, for the purpose of brevity shall be referred to in this Master Program as "The Map". There shall be only one official copy of this map which shall reside in the custody of the Kittitas County Auditor's Office. Unofficial copies of this map may be prepared for administrative purposes. The lines and information displayed on the map shall not be altered except through the procedure presented in Section 43 of these regulations.

The Map will show the areas of Cle Elum, South Cle Elum and Kittitas County which are under the jurisdiction of these regulations and clearly distinguish the four shoreline environments as they apply to the various lands and waters of Cle Elum, South Cle Elum and Kittitas County. The Map shall also contain written descriptions of the Environment boundaries, when the scale of the Map makes direct interpretation too difficult. Such written descriptions shall appear directly on the face of the Map.

Where uncertainty or conflict may occur in the exact location of a jurisdiction boundary line, or environment boundary line, the following rules will apply:

- (1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such lines.
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (3) Boundaries indicated as approximately following the corporate limits shall be construed as following such corporate limits.
- (4) Boundaries indicated as following railroad lines shall be construed to be halfway between railroad right-of-way lines.
- (5) Boundaries indicated as following shorelines or lakes or rivers shall be construed to follow such shorelines 200 feet to the upland side, and in the event of change in a shoreline shall be construed as moving with the actual shoreline.
- (6) Boundaries indicated as parallel to or extension of features indicated in subsections (1) through (5) shall be so construed.
- (7) Distances not specifically indicated on the map shall be determined by the scale of the map.
- (8) Where physical or cultural features existing on the ground are at variance with those shown on the map or in other circumstances not covered by (1) through (6) the Administrative Authority shall interpret the boundaries.

Section 14: Shoreline Setback Regulations. The regulations of this section shall govern the location and alignment of all structures.

- (1) Shoreline Setback. All structures shall be set back a minimum of 100 feet from the ordinary high water mark on all shorelines. However, in the Natural Environment, all structures and parking facilities shall be set back a minimum of 200 feet from the ordinary high water mark. Shoreline dependent structures shall not be subject to these setback requirements, but will be evaluated and established on a case by case basis.
- (2) Road Setback. All structures shall be located no closer than 25 feet from the edge of any dedicated public right-of-way.
- (3) Side Yard. There shall be a side yard of not less than 15 feet in all Environments except in the Urban Environment where the side yard shall be not less than 5 feet.
- (4) Rear Yard. There shall be a rear yard with a minimum depth of not less than 10 feet.

Section 15: Siting Regulations. The regulations in this section shall apply to all shoreline development and deal with their general location.

- (1) Navigation. Shoreline development shall not be located in areas where navigational access will be restricted.
- (2) Flood plain. All shoreline development located in a flood plain shall comply with the regulations in Section 25.
- (3) Public Access. Shoreline development shall not interfere with public access and enjoyment of nearby publicly owned land areas.
- (4) Parking. Parking facilities shall be located in areas which will be the least damaging to the natural character of the area and as far removed from the shoreline as possible.
- (5) Height Limitations. RCW 90.58.32. No structure shall exceed thirty-five (35) feet in height measuring from the average road grade level except as permitted in Section 12: Agriculture.

Section 16: Minimum Lot Sizes and Water Frontages. The regulations in this section shall apply to all residential structures.

- (1) Urban Environment.
 - (a) Minimum lot size shall be:
 - (i) One acre for lots served by individual wells and individual on-site sewage disposal systems.
 - (ii) Lots of less than one acre must be served by community water and sewer system.
 - (b) Minimum lot width at the property line on the ordinary high water mark shall be 60 feet.

- (2) Rural Environment
 - (a) Minimum lot size shall be that as established for the Agricultural Zone.
 - (b) Minimum lot width at the property line on the ordinary high water mark shall be 300 feet.
- (3) Conservancy Environment.
 - (a) Minimum lot size shall be:
 - (i) One acre for lots serviced by individual wells and individual on-site sewage disposal systems.
 - (ii) One-half acre for lots served by a community water and individual on-site sewage disposal system.
 - (iii) Lots less than one-half acre must be served by a community water and sewer system.
 - (iv) No lot shall be less than 7,200 square feet.
 - (b) A minimum lot width at the property line on the ordinary high water mark shall be 150 feet.
- (4) Natural Environment.
 - (a) Minimum lot size shall be 5 acres.
 - (b) Minimum lot width at the property line on the ordinary high water mark shall be 300 feet.
- (5) Grade and Lot Size. All minimum lot areas and widths listed in these Regulations shall be increased in relation to slope as given below:

Average Lot Grade	Percentage Increase In Area
0-10%	0%
11-15%	25%
16-21%	50%
22- 3	100%

Section 17: Health and Sanitation. The regulations in this section shall apply to all shoreline development.

- (1) Water Supply. Adequate water supplies shall be available so that the ground water quality will not be endangered by overpumping. Such water supplies must be approved by the County Health Department.
- (2) Sewage Disposal. Sewage disposal facilities must be provided in accordance with appropriate state and local health regulations. Such treatment must receive approval from the County Health Department.
 - (a) Fill for the purposes of installing a septic tank and drainfield shall not be permitted.
 - (b) There shall be a minimum setback of 100 feet from the ordinary high water mark for all on-site sewage treatment systems.
- (3) Waste Disposal. Shoreline use activities where appropriate shall be equipped with receptacles to receive and/or dispose of rubbish, waste, and litter, so that water quality and/or quantity is not degraded or diminished and so that the aesthetic qualities of shoreline areas are not seriously jeopardized. Such disposal systems must receive approval from the County Health Department.

Section 18: Irrigation Protection and the Diversion of Water. All shoreline uses shall be constructed and maintained in such a way not to interfere with the diversion or delivery of water; irrigation easements, headditches, headgates, turnouts, and other necessary appurtenances that have prior rights shall be given priority.

The diversion of water for any purposes shall be done in accord with the Washington State Water Code.

Section 19: Protection of the Natural Shoreline Features. The regulations in this section shall apply to all shoreline development.

- (1) Resource Management. All construction shall be designed to protect the adjacent shoreline lands against erosion, uncontrolled drainage, slides, pollution, excessive excavations and fills and other factors detrimental to the environment, and shoreline development shall not

substantially diminish the natural quality or near natural qualities of nearby areas including the quality of the water involved.

- (2) Vegetation. Buffer strips of permanent vegetation between shoreline developments and associated water bodies are encouraged, and private and public land owners shall be responsible for the preservation of vegetation to minimize erosion within the shoreline area.
- (3) Project Area Restoration. Upon completion of installation of any substantial development which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to provide an attractive vegetation cover which is harmonious with the surrounding area and the project requirements.

Section 20: Agriculture. The Act specifically exempts "construction of a barn or similar agricultural structure on wetlands. . ." from the permit system.

- (1) Urban Environment. All agricultural activities shall be permitted in shoreline areas designated Urban.
- (2) Rural Environment. All agricultural activities shall be permitted in shoreline areas designated Rural.
- (3) Conservancy Environment. Agricultural activities shall be permitted in shoreline areas designated Conservancy, provided that its operations do not substantially change the character of the environment.
- (4) Natural Environment. Agricultural activities shall be permitted in shoreline areas designated Natural, provided that its operations do not have a harmful ecological impact and that no extensive clearing, construction or other operations which will change the natural character of the area is necessary.
- (5) A permit will be required for the construction of a feedlot in any Environment.
- (6) In instances where feedlots are permitted at least 100 feet of vegetated area between confinement lots and the ordinary high water mark is required.
- (7) In instances where feedlots are permitted the operational guidelines for livestock waste management found in "Livestock Waste Management Guidelines" (E.M. 3479, Revised), Cooperative Extension Service, W. S. U., shall be followed.
- (8) There shall be no height limitation on any agricultural structure common to normal farming and ranching activities in Kittitas County.

Section 21: Aquaculture. Aquaculture means the farming of lakes or streams. It refers to the planting, feeding, raising, and harvesting of aquatic species and would include fish hatcheries and natural spawning grounds managed by the Department of Fisheries.

There are at present, no aquacultural enterprises in Kittitas County, but because aquaculture requires water of high quality, Kittitas County river systems might well provide an opportunity for such activities. If in the future, therefore, such enterprises were to locate on our shorelines, the regulations shall apply.

- (1) Urban Environment. All aquacultural activities shall be permitted on shorelines designated as an Urban Environment.
- (2) Rural Environment. All aquacultural activities shall be permitted in a Rural Environment provided that the construction and operation of such facilities does not adversely affect the normal operations or economic viability of nearby agricultural operations.

- (3) Conservancy Environment. All aquacultural activities shall be permitted in a Conservancy Environment provided that its operations do not involve major construction or other activities which substantially change the character of the area.
- (4) Natural Environment. The successful maintenance of spawning grounds, within existing stream beds, depends largely on maintaining the surrounding shoreline and associated shoreline areas in a natural state. The operation and maintenance of natural spawning grounds shall be the only aquacultural activity allowed in a Natural Environment.

Section 22: Archaeological/Historic Sites. The following regulations shall apply to activities which are related to the identification, reclamation, and/or restoration of sites of historical or archaeological significance.

- (1) Archaeological diggings and the restoration and construction necessary to protect historical sites, shall be permitted in the Conservancy, Rural and Urban Environments.
- (2) Natural Environment. Because of their historical and scientific importance, archaeological excavations shall be permitted in a Natural Environment provided the activity does not permanently alter the natural features or quality of the area.
The collecting of rocks, fossils, and petrified wood by individuals or groups shall not compromise the natural integrity of the area. Large scale collecting for commercial purposes shall be prohibited.
- (3) In areas revealed to contain archaeological material, an inspection of the area shall be performed by a professional archaeologist or historian before a development permit is granted.
- (4) If in the course of development, material or archaeological interest is discovered, work on the development shall cease for a reasonable period until an examination by a professional archaeologist or historian has been made and its value determined.
- (5) It shall be incumbent upon the developer to notify the proper authorities if he should discover evidences of archaeologist interest.

Section 23: Commercial Development. Commercial development for purposes of this section shall include activities involved in the wholesale or retail trade of goods and services. Commercial recreation and amusement facilities are covered in Section 32; marinas are covered in Section 29 and aquaculture is covered in Section 21.

- (1) Shoreline Commercial Uses:
 - (a) Shoreline Dependent commercial uses such as:
Boat launch facilities;
Ferry passenger facilities;
Terminal fueling and transfer facilities for marine commerce;
Boat and sea plane rental facilities;
Commercial swimming beaches.
 - (b) Shoreline Oriented commercial uses such as:
Restaurants; not including drive-ins;
Hotels;
Motels;
Resorts;
Boating and fishing supplies.
- (2) Urban Environment. Shoreline Dependent and Shoreline Oriented commercial development shall be permitted on the shorelines in an Urban Environment. Non-shoreline oriented commercial development shall be permitted upland away from the ordinary high water mark where commercial uses exist and where the appropriate zoning exists.
- (3) Rural Environment. Commercial development is not permitted in a Rural Environment.

- (4) Conservancy Environment. Shoreline Dependent commercial development shall be permitted on the shoreline in a Conservancy Environment provided such development is low-intensity and collectively development will not substantially change the natural features of the area.
- (5) Natural Environment. Commercial development is not permitted in a Natural Environment.
- (6) Land transportation and utility corridors serving commercial developments shall comply with Section 37, Utilities and Section 34, Roads, Railroads and Bridges.

Section 24: Dredging. Dredging is the removal of earth from the bottom of a stream, river, lake, bay, or other water body for the purposes of deepening a navigational channel or to obtain use of the bottom materials for landfill. A significant portion of all dredged materials are deposited either in the water or immediately adjacent to it, often resulting in problems of water quality.

- (1) All four Environments shall be subject to the following:
 - (a) Dredging shall be a conditional use.
 - (b) Dredging of bottom materials for the single purpose of obtaining fill material shall be prohibited in any designated environment.
 - (c) Dredging for the purpose of deepening a navigational channel shall be permitted only when such dredging is done to reduce damage to existing ecological resources of both the area to be dredged and the area for deposit of the materials.
- (2) Disposal sites shall be selected which will not cause detrimental effects on the shoreline environment. In particular, the area of productive wetlands affected shall be kept to a minimum in the selection of suitable disposal sites.
- (3) Dredge spoil disposal sites shall be completely enclosed by dikes of sufficient capacity to allow for the settling of sediments before entrapped water leaves the diked area. The outside face of the dike shall be sloped at 1½ to 1 (horizontal to vertical) or less and seeded with grass or otherwise protected to prevent erosion. Outlet structures in dikes shall be placed so that water discharged within the dikes will take the longest possible time to reach the outlet and shall be designed so that only the clearest water is allowed to return to the receiving waters.
- (4) Disposal sites which have been completely filled shall be drained. Efforts to retard the movement or erosion of material by the wind should be made unless specific plans for other uses of the filled land are submitted to the Administrative Authority within one year of filling.
- (5) Dredging operation shall receive approval from the Department of Game and Fisheries.

Section 25: Flood Plains. Flood plains which are designated as wetlands subject to the Act, are shoreline areas which are subject to flooding. Within a flood plain there are flood hazard areas subject to periodic inundations severe enough to result in loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services. Virtually all of the use activities regulated under Sections 20 through 37 of this Ordinance can suffer losses due to flooding or can increase the hazards of flooding to other uses.

All new development, therefore, which is within the jurisdiction of this Ordinance, shall be evaluated in terms of its susceptibility to flood damage. Permits may be denied, granted outright or granted

on condition (requiring flood proofing) depending on flood damage susceptibility.

- (1) A permit shall either be granted or denied according to whether or not appropriate precautions designed to minimize losses due to flooding have been taken, those precautions being in addition to conditions applied under sections of this Ordinance.
- (2) In determining the appropriateness of any proposed use in a flood plain area, the following shall be considered:
 - (a) The danger of life and property due to increased flood heights or velocities by encroachments.
 - (b) The danger that materials may be swept on to other lands or downstream to the injury of others.
 - (c) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - (d) The susceptibility of the proposed use and its contents to flood damage and the effect of such damage on the individual owner.
 - (e) The importance of the services provided by the proposed use to the community.
 - (f) The requirements of the use for a waterfront location.
 - (g) The availability of alternative locations not subject to flooding for the proposed use.
 - (h) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (j) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.
 - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities such as sewer, gas, electrical and water systems and streets and bridges.
 - (l) Such other factors which are relevant to the policy of this Program.
- (3) Any use activity involving levees, fills, structures, or other features which will individually or collectively significantly increase flood flows, heights, or damages shall be prohibited.
- (4) Flood proofing shall be required as determined by the Department of Ecology through an application for development in an established flood control zone.
- (5) A structure or structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters.
- (6) All water systems, including individual wells and sewers located in flood hazard areas, whether public or private, shall be flood proofed to the satisfaction of the County Health Department.

Section 26: Forest Management. Forest management activities shall include any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, including but not limited to road and trail construction; harvesting, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects, and fire control; salvage of trees; and brush control.

Preparatory work such as tree marking, surveying and road flagging, and removal or harvesting of incidental vegetation from forest lands such as cones, berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber, or public resources are exempt.

The harvesting of timber itself does not require a shoreline permit; however, any development occurring in connection with the harvesting of timber (ie. construction of roads, bridges, staging areas, etc.) does require a permit.

- (1) Forest management activities in the Conservancy, Rural and Urban Environments shall be permitted.
- (2) Natural Environment. Forest management activities shall be prohibited in a Natural Environment except under the following circumstances and subject to the following regulations:
 - (a) Timber harvesting may be permitted to prevent an epidemic of insect or disease infestation (and to adjoining areas where no other means of epidemic control are appropriate). Clear cut methods may be used only in those limited instances that render selective cut methods ecologically detrimental.
 - (b) Timber harvesting may be permitted to clean-up and restore an area devastated by wind, slides, flooding, or fire. Clear cut methods may be used only in those limited instances that render selective cut methods ecologically detrimental.
 - (c) Roads, bridges, and landings shall not be constructed except when cutting is permitted and when there exists no alternative to crossing streams for the purpose of gaining access to these logging areas.
 - (d) Road cuts causing slope material to fall into a wetland area designated as a Natural Environment shall be prohibited.
- (3) Timber harvesting on shorelines listed below shall be by selective cut only so that no more than thirty percent of the merchantable trees may be harvested in any ten-year period as required by the Shoreline Management Act (90.58.150).

Rivers

Cle Elum River
 Teanaway River
 Kachess River
 Yakima River

Lakes

Cle Elum Lake
 Kachess Lake
 Keechelus Lake
 Easton Lake

- (4) Logging road and bridge location, design, construction & maintenance shall comply with regulations as established by the Washington Forest Practices Act of 1974, as amended.
- (5) The use of chemicals in forest management activities shall comply with the regulations as established by the Washington State Forest Practices Act of 1974, as amended.
- (6) Harvesting, reforestation and the disposal of slash shall comply with the regulations as established by the Washington State Forest Practices Act of 1974, as amended.
- (7) Protection of streams and lake beds and all shoreline areas during and after harvesting operations shall comply with the regulations as established by the Washington State Forest Practices Act of 1974, as amended.
- (8) The above forest management activities shall comply with the interior forest practices rules and regulations for the Forest Practices Act of 1974 as published by the Department of Natural Resources.

Section 27: Industrial Development. Industrial activities shall be defined as those activities involving the processing, manufacturing, packaging, and/or warehousing of any commodity. Presently, there exist few such activities located on designated Kittitas County shorelines.

- (1) Urban Environment. Shoreline dependent industrial development shall be permitted in an Urban Environment, provided the appropriate zoning exists. Industrial uses which are not shoreline dependent shall be permitted upland where industrial uses exist and where the appropriate zoning exists.
- (2) Ports or water-related industry shall not be permitted in the Natural, Conservancy, or Rural Environments.
- (3) Land transportation and utility corridors serving ports and water related industry shall comply with Section 37, Utilities and Section 34, Roads, Railroads and Bridges.

Section 28: Landfill. Landfill is the creation of dry upland areas by the filling or depositing of sand, soil, or gravel into a wetland area. Landfills also occur to replace shoreline areas removed by the normal erosive processes of nature. However, most landfills destroy the natural character of land, create unnatural heavy erosion and silting problems and diminish the existing water surface.

- (1) Landfills in a Conservancy, Rural, or Urban Environments shall be a conditional use and will be allowed only for water-dependent uses, for public uses, and for the purpose of elevating a structure to meet flood proofing requirements as required by the flood control zone permit.
- (2) Natural Environment. Landfills shall be prohibited in shoreline areas designated as a Natural Environment.
- (3) All landfills, where permitted, shall be subject to the following standards and regulations:
 - (a) The "Criteria Governing the Design of . . . Landfills . . . for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries in 1971, shall apply. (A copy of these guidelines are on file in the County Planning Office.)
 - (b) Fill materials shall be of such quality that it will not cause problems of water quality degradation or siltation and shall receive approval from a qualified professional engineer.
 - (c) Landfills shall be protected against erosion with retaining walls or similar structures or by vegetation established during the first growing season following the completion of the landfill.

Section 29: Marinas. Marinas are facilities which provide boat launching, storage, supplies, sales, and services for small pleasure craft. There are two basic types of marinas, the open type construction (floating, break-water and/or open pile work) and solid type construction (bulkhead and/or landfill). In either case marinas use shorelines in an intensive manner and most often require extensive alteration of the shoreline area. Depending on the type of construction, marinas effect aquatic habitats.

- (1) Urban Environment. Marinas shall be permitted.
- (2) Rural Environment. Marinas shall be a conditional use.
- (3) Conservancy Environment. Marinas shall be a conditional use.
- (4) Natural Environment. Marinas shall be prohibited.
- (5) The "Criteria Governing the Design of . . . Marinas . . . for Protection of Fish and Shellfish Resources" adopted by the Washington State Department of Fisheries in 1971 shall be utilized for granting a permit.
- (6) Parking facilities shall be set back from the ordinary high water mark a minimum of 20 feet measured in a horizontal plane.
- (7) All sewage and liquid waste from marinas shall be discharged into an approved sewage system. Where connection to a public sewer system is not feasible, the marina shall have an approved individual sewage disposal system constructed in accordance with the requirements of the County Health Department.
- (8) Sewage pump-out and treatment facilities shall be installed at the beginning of operations of any new marina or of an expansion of any existing marina and shall receive approval from Kittitas County Health Department. Within two years of the effective date of these regulations, existing marinas shall provide sewage pump-out facilities.
- (9) Marinas shall have an adequate supply of water meeting the requirements of WAC 248-54, Rules and Regulations of the State Board of Health Regarding Public Water Supplies.
- (10) All off-shore breakwaters will contain at least two breaches which will be no shallower than the dredged depth of the marina inside.
- (11) Marinas shall be landscaped so that they are aesthetically compatible with surrounding areas.
- (12) Satisfactory provisions dealing with the design and operational procedures for fuel handling storage and clean-up in event of a spill shall be included as part of the permit.

- (13) On-shore disposal facilities for receiving oil and fuel wastes from engines or bilges shall be installed.
- (14) Existing marinas which do not have restroom facilities shall, within six (6) months from the effective date of these regulations, provide such facilities.
- (15) Sewage pump-out facilities shall be designed, operated and maintained so as to prevent any discharge of sewage onto docks or into any watercourse. Disposal of sewage from watercraft holding tanks shall be in accordance with the requirements of the local health officer.
- (16) Overboard discharge of sewage or other liquid or solid waste from watercraft moored at marinas shall be prohibited. Any person operating a marina shall post rules in a conspicuous location prohibiting the overboard discharge of sewage or other waste.

Section 30: Mining. The removal of any natural occurring material from the earth shall be considered mining.

- (1) Mining activities which do not interfere with the normal flow of a stream or river or permanently destroy wildlife habitat shall be permitted in an Urban, Rural and Conservancy Environment.
- (2) Natural Environment. The mining of minerals on shorelines designated as a Natural Environment is prohibited.
- (3) The operation of a surface mine which is subject to the 1970 Surface Mined Land Reclamation Act (RCW 78.44) shall present to the County Planning Office one copy of each of the surface mining plan and of the reclamation plan.
- (4) A surface mining plan or a reclamation plan judged by the County to be insufficient for the protection or restoration of the shoreline environment shall be grounds for denial of a permit.
- (5) The removal of any mineral alongside, upstream or downstream of spawning areas shall be in conformance with the technical provisions of the Hydraulics Project approval by the Washington State Department of Fisheries.
- (6) Soil deposit sites shall be selected in cooperation with the Washington State Department of Natural Resources, Department of Game, and Department of Fisheries.
- (7) Surfacing mining activities not subject to the 1970 Surface Mined Land Reclamation Act (RCW 78.44) shall be required to submit a reclamation plan.
- (8) Non-patented mineral claims and short-term operating agreements or leases on federally owned land will not require a shoreline permit.

Section 31: Outdoor Advertising. Public display signs or billboards whose purpose it is to provide information, direction or advertising, shall be considered as advertising activities. Signs may be pleasing or distracting, depending upon their design and location. A sign, in order to be effective, must attract attention; however, a message can be clear and distinct without being offensive. There are areas where certain kinds of signs are not desirable, but generally, it is the size, number and design that is undesirable and not the sign itself.

- (1) Urban Environment. Outdoor advertising shall be permitted in an Urban Environment but subject to the provisions of the Kittitas County Sign Ordinance, dealing with the appropriate zones. Where shorelines include areas inside the city limits of any incorporated town, the respective city sign ordinance shall apply.
- (2) Outdoor advertising shall be permitted in the Natural, Conservancy and Rural Environments and are subject to the following:

- (a) Signs indicating direction or identification of natural phenomena with a maximum area approved by the County Planner.
 - (b) Signs advertising the sale or rental of a premise or tract of land or a sign advertising material or workmanship used during construction or repairing or improving of a permitted structure; not artificially illuminated, or a temporary nature with a maximum area on one side of eight (8) square feet shall be permitted.
 - (c) All permitted signs shall be at least ten (10) feet from the property line and ten (10) feet from the ordinary high water mark.
- (3) All non-conforming signs in place at the time of adoption of the Master Program shall be removed or made conforming within three years from the adoption date. Non-conforming signs established during the three-year period following the adoption of the Master Program shall be removed or made conforming within three years from the adoption date. Non-conforming signs existing after three years from the adoption date shall be removed or made conforming by the owner of the property on which the sign is located. Removal or conformance shall be within fifteen days.
- (4) The Kittitas County Sign Ordinance shall be strictly enforced where applicable.
- (5) Off-premise outdoor advertising signs, where permitted, shall be located on the upland side of public transportation routes which parallel and are adjacent to rivers and water bodies. In no instance shall vistas and viewpoints be degraded by reducing visual access to the water by the placement of signs.

Section 32: Recreation. Kittitas County has much to offer in water related recreational activities. Over use or improper use of this resource can result in a diminishing quality, appeal and subsequent viability.

The regulations in this section shall apply to uses related to the recreational experience. The recreational experience may be either an active one involving boating, swimming, fishing or hunting or the experience may be passive such as enjoying the natural beauty of a lake, river or mountain vista.

It is the purpose of this section to foster practices which will preserve and/or enhance the natural shoreline qualities which are necessary to that recreational experience.

- (1) Urban Environment. Any recreational use shall be permitted.
 - (a) All recreational developments shall be landscaped.
- (2) Rural Environment. Only those recreational activities which will not interfere with the normal agricultural operations of neighboring or nearby areas shall be permitted. Particular care must be taken when granting permits so that all existing road easements, fence easements, and water easements, irrigation ditches and water rights shall be recognized.
- (3) Conservancy Environment. Recreational activities such as clubhouses, swimming beaches, developed camping and picnicking facilities shall be permitted provided the facility(ies) or structure(s) will not change or detract from the character of the local environment.
 - (a) Only that clearing of vegetation which is necessary to the development and use of a recreational structure, facility, or access road shall be permitted.
 - (b) Boat launching facilities shall be a conditional use.
- (4) Natural Environment. Recreational uses, such as nature trails, unimproved beaches, and primitive camp sites shall be permitted.
 - (a) Access through the area shall be by trail only.
 - (b) Facilities such as toilet facilities or shelters which do not damage or detract from the qualities or condition of the environment shall be permitted, but must be located as far from the ordinary high water mark as possible.

- (c) Roads and parking shall remain outside of the Environment.
- (d) The removal of vegetation in a Natural Environment shall be limited to that which is necessary for the construction of restrooms, shelters, trails and primitive camp sites. The removal of large trees for such purposes shall be prohibited.
- (e) Sites shall be limited in number and shall be spaced to be compatible with existing vegetation and terrain.
- (5) Signs informing the public of areas available for their use should be posted. The signs should be informative and they should blend with the area.

Section 33: Residential. Shoreline permits are not required for construction on shorelines by an owner, lessee, or contract purchaser of a single family residence for his own use or for the use of his family. However, the Act established a basis for regulating them. (RCW 90.58.020 and 90.58.100)

A shoreline permit is required for the construction or addition to any multi-family residence in which the work exceeds \$1,000 in cost.

- (1) Urban Environment.
 - (a) Multi-family residences shall be permitted in an Urban Environment but must be serviced by municipal water and sewer.
 - (b) Single-family residences shall be permitted in an Urban Environment.
- (2) Rural Environment.
 - (a) Multi-family residences shall be prohibited in a Rural Environment.
 - (b) Single-family residences shall be permitted in a Rural Environment.
- (3) Conservancy Environment.
 - (a) Multi-family residences in the form of Planned Unit Developments shall be permitted as a conditional use in a Conservancy Environment.
 - (b) Single-family residences shall be permitted in a Conservancy Environment.
- (4) Natural Environment.
 - (a) Multi-family residences shall be prohibited in a Natural Environment.
 - (b) Single-family residences shall be permitted in a Natural Environment.

Section 34: Roads, Railroads and Bridges. A road is a linear passageway, usually for motor vehicles, and a railroad is a surface linear passageway with track for train traffic. Bridges shall be any structure whose purpose is to traverse a water body by connecting opposite shorelines. Roads built for the sole purpose of providing access to logging areas shall be regulated under Section 26.

- (1) Roads, railroads and bridges shall be permitted in the Conservancy, Rural and Urban Environments subject to the following:
 - (a) Road Construction:
 - (i) Roads shall be permitted when providing direct access to residences or other structures permitted in each Environment.
 - (ii) Roads necessary for normal agricultural activities shall be permitted.
 - (iii) Clearing for access roads and the running surface shall not be wider than absolutely necessary.
 - (iv) Roads crossing shorelines shall be permitted provided no alternative routes exist.
 - (v) Where dikes are present, they may be used in lieu of a thirty-five (35) foot setback.
 - (b) Railroad Construction:
 - (i) The construction of new railroad lines shall be permitted only where topography prohibits the construction on alternative routes located outside the designated shoreline area.

- (ii) Railroads crossing shorelines shall be permitted only when alternative routes do not exist.
- (2) Natural Environment.
 - (a) Road Construction:
 - (i) Roads shall be permitted when providing direct access to residences or other structures or uses permitted in the Natural Environment.
 - (ii) Clearing for access roads and the running surface shall not be wider than absolutely necessary.
 - (iii) Roads crossing water bodies shall be prohibited.
- (3) Roads, railways, and bridge structures shall be designed so that minimum flood debris will be trapped by the structure.
- (4) Road Construction:
 - (a) Roads shall follow natural contours where possible. Natural benches, ridge tops, and flatter slopes are preferred locations.
 - (b) Erodible cut, filled and side cast slopes when allowed within 100 feet of the ordinary high water mark shall be protected by planting or seeding with appropriate ground cover.
 - (c) Cross culverts for relief of ditch drainage shall be installed at all low points in permanent roadways.
 - (d) Culverts across intermittent and tributary streams of less than 20 cubic feet per second mean annual flow located within shorelines of the State shall be adequate in size to carry the maximum anticipated flow.
 - (e) Ditches shall be installed on the uphill side of all permanent roads, except through solid rock cuts. Ditches shall be kept clear of obstructions.
 - (f) Major roads shall be surfaced with rock whenever necessary to prevent erosion of the subgrade.
 - (g) Roads shall either be maintained so as to minimize erosion or be permanently closed and reforested or planted or seeded with appropriate ground cover.
 - (h) All road segments shall have complete drainage control by the end of the construction season in which initial grading occurred.
- (5) Railroad Construction:
 - (a) Regulations for road construction, Section 34 (6) (a) through (h) shall apply to the construction of railroad beds.
- (6) Bridge Construction:
 - (a) Bridges shall be designed and built so that they will not restrict or interfere with high water flows and be high enough to allow all potential debris to pass under.
 - (b) Any disturbed bank material shall be removed from the channel and any soils exposed by bridge construction shall be protected from erosion by planting or seeding with appropriate ground cover, by rip-rap or by other means.
 - (c) At least one end of each stringer bridge shall be tied to prevent it from being washed away during high water.

Section 35: Shoreline Works and Structures. Shoreline works and structures not including irrigation works, but including bulkheads, breakwaters, jetties, groins, shoreline protection structures and piers are a necessary adjunct to many beneficial uses of the shoreline. At the same time, since shoreline works and structures often involve major transformations of the shorelines where they are located, it is imperative that they be sited, designed, constructed and/or expanded with care for the shoreline environment and for other shoreline uses.

- (1) Shoreline works and structures shall be permitted in a Conservancy, Rural and Urban Environment only where they do not substantially change the character of that environment, where

they are a necessary part of a project clearly dependent on a nearby location and where necessary to protect or facilitate irrigation structures. Any project will be denied if the possibility that downstream properties and natural river systems will be adversely affected by any such development.

- (2) Natural Environment. Shoreline works and structures shall be prohibited in shoreline areas designated as a Natural Environment.
- (3) Where shoreline works and structures can have significant adverse effects, including direct destruction of or damage to fish and wildlife habitat and indirect effects on currents causing shoaling and/or erosion, it is the responsibility of the applicant to determine the nature of those effects and to demonstrate how those effects will be minimized or eliminated.
- (4) Shoreline alterations which result in or tend toward channelization of streams and rivers shall be avoided.
- (5) Rip-rapping and other bank stabilization measures shall be located, designed, and constructed to avoid the need for channelization and to protect the natural character of the streamway.
- (6) Flood protection measures shall be placed landward of the streamway, which includes the wetlands, swamps and marshes.
- (7) Channelization as a flood protection measure shall be controlled in accordance with the State and local flood control measures.
- (8) Flood Control Zone Permit must be obtained for all shoreline works or structures, constructed or modified, private or public, and done within an established flood control zone.
- (9) Where both might be applicable, floating structures are preferred over non-floating types in order not to interfere with waterlife, currents, sand movements, and circulation. Where practical, open piling is preferred for piers and docks.
- (10) Encouragement shall be given to the cooperative use of docks rather than a proliferation of single purpose private docks in order to minimize disruption of shorelines and reduction of usable water surface.
- (11) Construction of bulkheads, for the purpose of creating land at the expense of reducing the water surface area or flood water storage area, shall not be permitted.
- (12) Shoreline works and structures shall be designed where practical, to blend with the surrounding areas and not detract from the aesthetic qualities of the shoreline.
- (13) The ecological importance of swamps, marshes, and wetlands shall be recognized and efforts made to maintain these areas in their natural state.
- (14) Shoreline works and structures shall minimize and/or compensate adverse effects on sand movement and further minimize alteration of the natural shoreline.
- (15) The risk of oil spills or other dangers that would arise because of shoreline structure must be evaluated and accounted for when applying for permission to build.
- (16) Shoreline works and structures must meet minimum engineering standards accepted by a qualified professional engineer.

Section 36: Solid Waste Disposal. "Solid Waste" is all putrescible and nonputrescible solid or semi-solid wastes, including garbage, rubbish, ashes, industrial wastes, swill, demolition, and construction wastes, abandoned vehicles, or parts thereof, and discarded commodities.

The collection, storage, transferring and disposal of any solid waste material which creates a public nuisance or health hazard shall be subject to the regulations in this section.

- (1) The proper disposal of solid waste in a Conservancy, Rural, or Urban Environment shall be permitted.
- (2) Natural Environment. The disposal of any solid waste material in a Natural Environment shall be prohibited.
- (3) Shoreline areas are not to be considered for sanitary land fills or the disposal of solid waste.

- (4) All solid waste disposal sites shall conform to the State minimum functional standards for solid waste handling (WAC 173-301).
- (5) All solid waste disposal sites shall conform to Kittitas County's solid waste management plan.
- (6) All solid waste transfer sites, where allowed, shall be designed to minimize adverse visual impacts. Landscaping, including the planting of vegetation to beautify and screen these areas shall be required.
- (7) Transfer sites shall be designed to avoid the scattering of rubbish by the wind.

Section 37: Utilities. Utilities are services which produce and carry such things as electric power, sewage, communications, and fuels. At this time the most feasible methods of transmission are the lineal ones of pipes and wires. Installation of these systems disturbs the landscape but can usually be planned to have minimal visual and physical effect on the environment.

- (1) Urban and Rural Environments. Utility services in an Urban and Rural Environment shall be subject to Section 37 (2) (b).
 - (a) Utilities shall be placed underground wherever feasible.
- (2) Natural and Conservancy Environments. Utility services in shoreline areas designated as Natural and Conservancy Environments shall be permitted subject to the following regulations:
 - (a) Those utilities required to service uses permitted in a Natural and Conservancy Environment shall be permitted.
 - (b) Those utilities which unavoidably must cross a body of water or pass through the Environment shall be permitted.
 - (c) Utility service drops to shoreline use facilities shall be underground.
- (3) When alternatives exist, overhead utilities shall not parallel shorelines unless for the electrification of railroad lines.
- (4) Where such utility systems cross shoreline areas, clearing necessary for installation or maintenance shall be kept to the minimum necessary to prevent interference by trees and other vegetation with the proposed facilities.
- (5) Upon completion of installation of any underground or overhead system or of any maintenance project which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to prevent erosion and provide an attractive vegetation cover which is harmonious with the surrounding area and the project requirements.
- (6) When alternatives exist, utilities shall not obstruct, parallel or destroy scenic views.

Section 38: Permit Fees, Applications and Permit Review Procedure. If a shoreline permit is required, the applicant shall make application on forms provided by the Administrator. Incomplete applications will not be accepted. Fees and procedures are established in Section 38 (1) through (2) (j) below.

- (1) A fee of \$50.00 shall accompany each permit application filed with the Administrator. This fee is intended to help defray administration costs.
- (2) If a shoreline permit is required, the applicant must follow the application procedure outlined below. A minimum of eighty-three (83) days is involved in the permit process. The Administrator will assist in completing the application.
 - (a) The applicant must, at his own expense, publish two (2) legal notices in the local paper one each week for two consecutive weeks. (Attached to the application shall be a standard form for the legal notices.)
 - (b) The Administrator, upon receipt of an affidavit of publication, shall mail notice of the application to all property owners of record within three hundred (300) feet of the boundaries of the property involved in the application.

- (c) The Administrator receives mail in response to the legal notices for a period of thirty (30) days after the final publication.
 - (d) Approximately thirty days after final publication, the Legislative Authority shall consider the application at their next scheduled meeting.
 - (e) If the Legislative Authority determines that a public hearing is needed, one legal notice will be published, at local government's expense with the hearing date set ten (10) days following the notice.
 - (f) Within 30-days the Legislative Authority will take action by approving, denying, or approving on condition.
 - (g) Applicant and Department of Ecology are advised of the action within five (5) days of the decision.
 - (h) When the Department of Ecology receives notice of the decision, a forty-five (45) day review period will commence, during which time appeals to the decision can be made. (For procedures on appeals, see Section 42.)
 - (i) Should there be no appeal of the local decision within the forty-five (45) day review period, the Administrator will receive notice of determination from the Department of Ecology and forwards it to the applicant. In the case of approval, the project may proceed at this point provided no other permits are needed.
 - (j) The Administrative Authority may revoke the permit and halt the project if conditions are not fulfilled or if regulations are violated. Any such revocation shall be in the form of "cease" or "desist" order from the Prosecuting Attorney, obtained at the request of the Administrative Authority or legislative body.
- (3) Applicants for permits shall have the burden of proving that a proposed substantial development is consistent with the criteria established by the Shoreline Law and the regulations listed in the Master Program before a permit is mailed. It is, therefore, the responsibility of the applicant to demonstrate to the legislative body that his proposed substantial development is consistent with the Master Program by addressing each appropriate section of the program.

Section 39: Conditional Uses. Conditional uses are those uses which may be permitted to locate in shoreline areas, but are usually considered not to be suitable for siting in shoreline locations. It is understood, however, that there may be special circumstances or special type or style of conditional use that would make shoreline siting of special cases acceptable to the goals, policies, and intentions of the Master Program.

- (1) The procedure for obtaining permission to create or conduct a conditional use is the same as the Substantial Development Permit Procedure, and it is intended that the applicant may make a joint application for the Permit and for the conditional use. Certain additional information will be required as specified in Section 39 (2). No additional permit fee is required for a conditional use application.
- (2) The applicant must supply whatever evidence, information, or agreements indicating that all of the following conditions will be met:
 - (a) That there is some necessity for a shoreline site for the proposed use, or that the particular site applied for is essential for this use, and that denial of the condition use request would create a hardship on the applicant to locate the proposed use anywhere outside the shoreline jurisdiction area.
 - (b) That the design of the proposed use will make it compatible with the environment it will be placed in.
 - (c) That water, air, noise, and other classes of pollution will not be more severe than the pollution that would result from the uses which are permitted in the particular environment.
 - (d) That none of the Goals, Policy Statements or specific aims of the particular environments would be violated, abrogated, or ignored.

- (e) That no other applicable regulations will be violated.
- (3) Failure to satisfy any one of the provisions of Section 31 (2) will result in denial of the conditional use application.
- (4) Review and hearing procedures shall be as established in Section 38 (2) (a) through (j).
- (5) If action by the legislative authority is affirmative, the specific conditions of approval shall be written on the permit issued to the applicant.
- (6) Action by the legislative authority to approve the Conditional Use application shall mean approval of the Substantial Development Permit also.
- (7) A decision by the legislative authority on Conditional Use applications is preliminary pending a final decision by the Department of Ecology as provided in RCW 90.58.140. Department of Ecology's review period shall be forty-five (45) days. Failure by the Department to act within forty-five (45) days shall imply concurrence with the decision of the legislative body.

Section 40: Variance. It is understood that these Regulations may cause unnecessary hardships in particular situations, or that these Regulations may be unreasonable in light of new evidence, technology, or other special circumstances and that the goals and policies of the Master Program may not necessarily be served by the strict application of these Regulations. Therefore, when the applicant feels that such special conditions apply to him, he can request a variance from these Regulations. No additional permit fee is required for a variance application.

- (1) The variance procedure is the same as the Substantial Development Permit procedure, and it is intended that an applicant may make a joint application for the Permit and for variance to any of these Regulations which he deems unreasonable, or provoke an unnecessary hardship in his case. The applicant must identify each of the provisions in these Regulations from which a variance is requested. Should a conditional use also be applied for, then all three actions: (a) Substantial Development Permit; (b) Conditional Use, and (c) Variance, may be applied for in the same application.
- (2) The applicant shall submit information or evidence demonstrating all of the following:
 - (a) That the hardship which serves as basis for granting of a variance is specifically related to the property of the applicant.
 - (b) That the hardship results from the application of the requirements of the Act and not from; example, deed restrictions or the applicant's own actions.
 - (c) That the variance granted will be in harmony with the general purpose and intent of the Master Program.
 - (d) That public welfare and interest will be preserved.
- (3) Failure to satisfy any one of the Provisions of Section 40 will result in denial of the variance. The medium of variance is to be used only for the relaxation of these Regulations as they apply to a permitted use, or in conjunction with an application for a conditional use.
- (4) Review and hearing procedures shall be as established in Section 38 (2) (a) through (j).
- (5) Action by the legislative body to approve the variance application shall mean approval of the Substantial Development Permit also.
- (6) A decision by the legislative body on variance applications is preliminary pending a final decision by the Department of Ecology as provided in RCW 90.58.140. Department of Ecology's review period shall be forty-five (45) days. Failure by the Department to act within forty-five (45) days shall imply concurrence with the decision of the legislative body.

Section 41: Interpretation. Where the provisions of these Regulations may be unclear in special circumstances, or where judgment must be made because of the nature of the language used, the Administrative Authority shall make such interpretations and judgments. A separate record of all such actions taken shall be kept. To avoid arbitrariness, an earlier interpretation or judgment which may relate to a pending action shall be examined by the Administrative Authority for its effect or influence on the pending action, and a finding shall be made indicating whether or not the earlier action was considered relevant to the pending decision and if not so considered, why not, and if so considered, the fashion it was used shall be made public record and kept.

Section 42: Appeals. Any approval, denial, or conditional approval of a Substantial Development Permit, Conditional Use, or Variance may be appealed.

- (1) Appeals may be registered by the initial applicant, affected property owners, interested citizens or groups appealing on the basis of a class action, the local unit of government, the State or other affected units of government.
- (2) An appeal by the Department of Ecology or the State Attorney General must be filed with the State Shorelines Hearings Board within forty-five (45) days of the Department and/or Attorney General's receipt of the local government's decision, as provided by the Shorelines Management Act of 1971, RCW 90.58.180.
- (3) An appeal by an aggrieved applicant must be filed with the State Shorelines Hearings Board within thirty (30) days of the applicant's receipt of the final order. Copies of the appeal must also be filed with the Department of Ecology and the State Attorney General.
- (4) All other appeals of the granting, denial, or rescinding of a permit on a shoreline of the State must be filed with the State Shorelines Hearings Board within thirty (30) days of the issuance of the final order. Copies must also be filed with the Department of Ecology and the State Attorney General's Office.
- (5) Action by the State Shorelines Hearings Board, the Department of Ecology and/or the Attorney General on all such appeals shall proceed according to the Shoreline Management Act of 1971, RCW 90.58.180.
- (6) If the appeal fails to become certified for hearing by the State Shorelines Hearings Board, the case may be brought before the Superior Court of the State of Washington in and for Kittitas County.

Section 43: Amendments and Changes of Environment Designation Procedures. Any of the Master Program Environment Designations may be amended.

- (1) Such amendments may be proposed by:
 - (a) Washington State Department of Ecology.
 - (b) Washington State Attorney General.
 - (c) The Legislative Body.
 - (d) The Administrative Authority.
 - (e) Petition of the property owners affected, or their authorized agent.
 - (f) Concerned citizens or groups.
- (2) All applications shall be completed on forms provided by the Administrative Authority. Applications for a change of Environment Designation shall be accompanied by a fee of \$ _____ to help defray the cost of filing and processing the application.
- (3) An application for a change from one Environment Designation to another must be signed by the owners of not less than fifty (50) percent of the property within the proposed Environment Designation change area.
- (4) Each signer of an application for a change of Environment Designation shall give his address and the description of his property as shown on the assessment and tax roll showing the extent of his shorelines frontage.

- (5) Public notification procedures outlined in Section 38 (2) (a) and (b) shall be adhered to.
- (6) Review and hearing procedures shall be as established in Section 38.
- (7) When the legislative body has enacted, the proposed amendment will be sent to the Department of Ecology for its review in accordance with RCW 90.58.190. Department of Ecology's review period shall be forty-five (45) days. If the Department of Ecology approves the change, it shall become effective thirty (30) days from the date of official Department approval. Failure by the Department to act within forty-five (45) days will imply Department concurrence with the proposed amendment.

Section 44: Violations and Penalties. The Shoreline Management Act of 1971, RCW 90.58.210 and 90.58.220 provides penalty for the violation or failure to comply with the provisions of these Regulations.

- (1) Violators of these Regulations shall be guilty of a gross misdemeanor punishable by a fine of not less than twenty-five (25) nor more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment; provided, that the fine for the third and all subsequent violations in any five year period shall not be less than five hundred (500) nor more than ten thousand (10,000) dollars.
- (2) Each day of violation shall be considered a separate and separately punishable offense.

Section 45: Restrictions Affecting Fair Market Value of Property. The restrictions imposed by these Regulations shall be considered by the Kittitas County Assessor in establishing the fair market value of the property pursuant to RCW 90.58.290.

Section 46: Existing Requirements for Permits, Certificates, etc., Not Obviated. Nothing in these Regulations shall obviate any requirement to obtain any permit, certificate, license, or approval from any state agency or local government.

Section 47: Severability. If any provision of these Regulations, or its application to any person or legal entity or circumstances is held invalid, the remainder of these Regulations or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

C H A P T E R S E V E N

MASTER PROGRAM UPDATING PROCEDURE

In order to insure that the Master Program serves the current need, the following three part updating procedure has been established.

Periodic Community Review

The Kittitas County Shoreline Citizen Advisory Committee will convene at least once each year for the purpose of reviewing and updating the Shoreline Master Program. The Committee will analyze new legislation, technological changes, shoreline development demands, change in community attitudes and Master Program successes and weaknesses. Master Program administrators within each jurisdiction will also be contacted. The County Planning staff will assist in the review. Public involvement through the notification system established in the guidelines will be followed.

The Citizen Advisory Committee will maintain a size of not less than 18 members, or more than 22 members, requiring the presence of 11 to establish a quorum for each meeting. The Committee members' terms shall be indefinite with replacements to be appointed by the Board of County Commissioners following approval by each legislative authority. The Committee shall maintain a balanced membership with representation from all segments of the County. The Committee shall recommend to the Board of County Commissioners the kind of representation needed for replacement members to maintain the balance.

A summary of findings and recommendations for adjustments will be sent to each legislative body for review. Adjustments will then be submitted to the Department of Ecology for approval, in accordance with the Shoreline Management Act, Chapter 90.58.190 RCW. No such adjustment shall become effective until it has been approved by the Department of Ecology and the local legislative authority.

Amendment Provisions

It is likely that in the future changing conditions may prevail on adjoining shoreline or upland lands and may warrant a change in environment designation to meet these changing conditions.

To fulfill this need, Section 43 of the Master Program Regulations (Chapter 6) establishes procedures for amending Master Program environment designations. A public notification system has been established to guard against "arbitrariness" in this procedure.

The Shoreline Management Act provides for Department of Ecology review and approval of amendment actions.

Inventory Updating Procedures

Inventory of manmade alterations to the shoreline will be kept current by recording newly issued shoreline permits and other pertinent permits on inventory maps.

If funds are allocated, changes in shoreline natural characteristics will be recorded through periodic review of aerial photos and field surveys.

LAKES, STREAMS AND RIVERS UNDER THE JURISDICTION
OF THE SHORELINE MANAGEMENT ACT

<u>Streams</u>	<u>Legal Description</u>
Big Creek	From the Wenatchee National Forest boundary (Section 35, T20N, R13E), downstream (excluding federal lands) to mouth at Yakima River (Section 21, T20N, R14E).
Cabin Creek	From Wenatchee National Forest boundary (Section 19, T20N, R13E) downstream to mouth on Yakima River (Section 9, T20N, R13E).
Little Creek	From the Wenatchee National Forest boundary (Section 33, T20N, R14E) (excluding all federal lands) downstream to mouth at Yakima River (Section 22, T20N, R14E).
Log Creek	From confluence of Log Creek and unnamed creek (NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 31, T20N, R13E) downstream to mouth on Cabin Creek (Section 19, T20N, R13E).
Manastash Creek	From confluence of North and South Forks Manastash Creek (Section 17, T17N, R17E) downstream to mouth on Yakima River (Section 4, T17N, R18E).
Manastash Creek (South Fork)	From the Wenatchee National Forest boundary (Section 31, T18N, R16E) downstream to mouth at Manastash Creek (Section 17, T17N, R17E).
Naneum Creek	From the confluence of Naneum Creek and Pearson Creek (Section 10, T20N, R19E) downstream (excluding all federal lands) to mouth at Wilson Creek (Section 30, T17N, R19E).
Swauk Creek	From the Wenatchee National Forest boundary (Section T20N, R17E) downstream (excluding all federal lands) to mouth at Yakima River (Section 20, T19N, R17E).
Taneum Creek	From Wenatchee National Forest boundary (Section 30, T19N, R16E) downstream (excluding all federal lands) to mouth on Yakima River (Section 33, T19N, R17E).
Wilson Creek	From mouth of Naneum Creek (Section 30, T17N, R19E) downstream to mouth on Yakima River (Section 31, T17N, R19E). This stream has over 300 square miles of drainage area ending at mouth of Cherry Creek (Section 31, T17N, R19E).
Cle Elum River	From the Wenatchee National Forest boundary crossing Cle Elum Lake (Section 33, 34 and 35, T21N, R14E) downstream to mouth at Yakima River (Section 32, T20N, R15E). The stream flow exceeds 200 cfs MAF at Wenatchee National Forest boundary.
Columbia River	From the Chelan County line on the Columbia River (Section 5, T20N, R22E) downstream along the Douglas and Kittitas County line to Yakima County (Section 32, T15N, R23E). The stream flow exceeds 200 cfs MAF at Chelan County line.
Kachess River	From the Wenatchee National Forest (Section 3, T20N, R13E) downstream through Lake Easton State Park and to mouth at Yakima River (same section). The flow exceeds 200 cfs MAF at Wenatchee National Forest boundary.

Rivers

Legal Description

Teanaway River

From the confluence of the Middle Fork and the West Fork Teanaway River (Section 6, T20N, R16E) downstream to Yakima River (Section 3, T19N, R16E). The 200 cfs MAF point begins at confluence of West Fork and North Fork Teanaway River (Section 6, T20N, R16E).

Teanaway River
(Middle Fork)

From the Wenatchee National Forest boundary (Section 15, T21N, R15E) downstream to mouth at Teanaway River (Section 6, T20N, R16E).

Teanaway River
(North Fork)

From the Wenatchee National Forest boundary (Section 4, T21N, R16E) downstream (excluding all federal lands) to the Teanaway River (Section 6, T20N, R16E).

Teanaway River
(West Fork)

From the Wenatchee National Forest boundary (Section 30, T21N, R15E) downstream (excluding all federal lands) to the Teanaway River (Section 6, T20N, R16E).

Yakima River

From the Wenatchee National Forest boundary (Section 15, T21N, R12E) downstream (excluding all federal lands) to the Yakima County line (Section 33, T15N, R19E). The stream flow exceeds 200 cfs MAF at Wenatchee National Forest boundary.

Lakes

Manastash Lake

Section 3-A, T17N, R15E.

Easton Lake

Section 11-F, T20N, R13E.

Lost Lake

Section 3-L, T21N, R11E.

Unnamed Lakes

Section 15-NW $\frac{1}{4}$, T21N, R12E.

Cooper Lake

Section 2, T22N, R13E.

Tucquala Lake

Section 3-NE $\frac{1}{4}$, T23N, R14E.

Cle Elum Lake

Section 10-A, T20N, R14E.

Keechelus Lake

Section 12-H, T21N, R11E.

Kachess Lake

Section 34-N/P, T21N, R13E.

SHORELINE PERMIT CENTERS

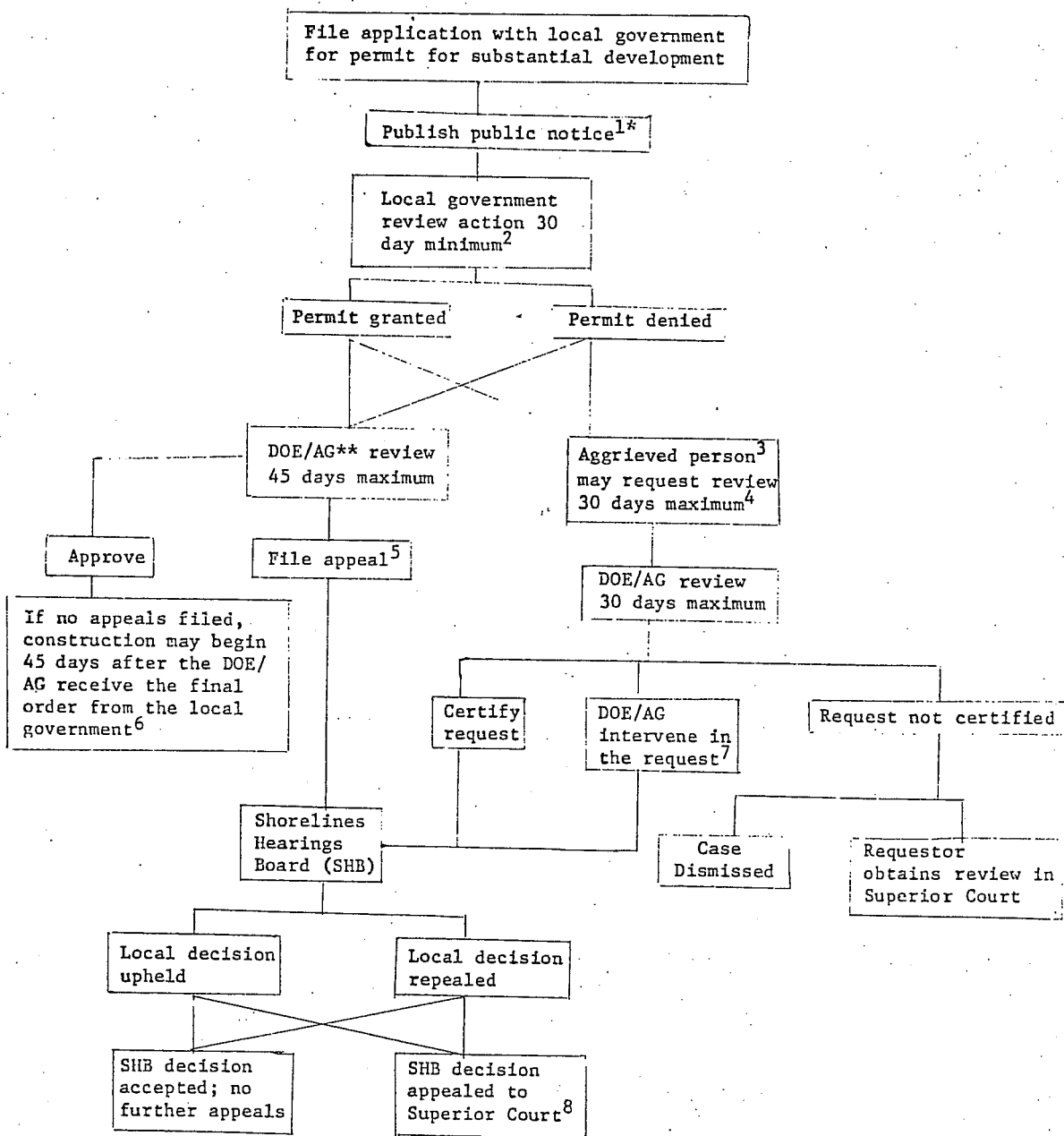
Shoreline Permits required for development within the jurisdictional boundaries of each of the following political entities can be obtained at each of the permit centers listed below.

	<u>Permit Center</u>
Kittitas County	Kittitas County Planning Office County Courthouse Room 217
City of Ellensburg	Director of Public Works Building Inspection Office City Hall
City of Cle Elum	
City of South Cle Elum	

EXPLANATORY REMARKS

1. Public notice: Public notices are published twice, first after filling the application and once again in seven days. Public notices must be published in a newspaper of general circulation within the county in which the development is proposed.
2. Local government action: Local government is required to wait a minimum of 30 days after the final public notice before responding to a request for a permit. During this 30 day interim, citizens who wish to express a grievance or register support should make their opinions known to the local decision-making body. This is also the opportune time for local government to request advice from the Interdisciplinary Advisory Committee. There is no maximum time set for local governments to respond to a permit application; reasonableness should be the guiding principle.
3. Aggrieved person: Section 18 (1) of the Shoreline Management Act of 1971 states that "Any person aggrieved by the granting or denying of a permit on the shorelines of the state, or rescinding a permit pursuant to Section 15 of this chapter may seek review from the shorelines hearings board. . ."
4. Maximum time allowance: The 30 days are marked from the date the aggrieved party receives a copy of the final order. This is not necessarily the date the final order was issued. The test of reasonableness is applied to prevent excessive delays by requestors.
5. Appeals: Either the Department of Ecology or the Office of Attorney General may file an appeal. They have the option to act jointly or independently.
6. Construction: If an appeal is filed and approved, construction must be delayed until all review proceedings are terminated.
7. Intervention: The Department of Ecology/Office of Attorney General have an additional 15 days to certify a request if they intervene on behalf of either the appellant or the respondent. There are several courses of action which may be pursued: They may join a request as a party to either the appellant or the respondent or they may join a request as a friend of the court.
8. Shorelines Hearings Board appeal: Any petition for court review must be filed within 3 months after the date of the final decision by the Shorelines Hearings Board.

PERMIT PROCEDURES



* - Footnotes 1-8 appear on the next page.
 ** - DOE - Department of Ecology
 AG - Office of Attorney General

Record of Kittitas County Shorelines Citizens' Advisory Committee
public meetings.

<u>Date</u>	<u>Purpose</u>
May 16, 1973	Organizational
May 30, 1973	Orientation of Phase I
June 13, 1973	General Goal Formulation
June 27, 1973	Element Goal Formulation
July 11, 1973	Element Goal Formulation
August 1, 1973	Element Goal Formulation
August 22, 1973	Policy Statement Development
August 28, 1973	Review Draft I, Phase I
September 5, 1973	Review Draft I, Phase I
September 12, 1973	Review Draft I, Phase I
September 19, 1973	Review Draft I, Phase I
September 27, 1973	Draft II, Phase I, Formal adoption and review of completion report for Phase I
October 10, 1973	Orientation for Phase II
October 30, 1973	Use Regulation Development
November 7, 1973	Use Regulation Development
November 20, 1973	Draft I, Use Regulation Review
December 5, 1973	Draft I, Use Regulation Review
December 12, 1973	Draft I, Use Regulation Review
December 19, 1973	Draft I, Use Regulation Review
January 16, 1974	Draft I, Use Regulation Review
January 23, 1974	Draft I, Use Regulation Review
January 30, 1974	Draft I, Use Regulation Review
February 6, 1974	Draft I, Use Regulation Review
February 13, 1974	Draft I, Use Regulation Review
February 20, 1974	Draft I, Use Regulation Review
February 27, 1974	Draft I, Use Regulation Review
March 6, 1974	Draft I, Use Regulation Review
March 13, 1974	Draft I, Use Regulation Review
March 20, 1974	Draft I, Use Regulation Review
April 10, 1974	Environment Designation
April 17, 1974	Environment Designation
April 24, 1974	Environment Designation
May 1, 1974	Environment Designation
May 8, 1974	Environment Designation
May 15, 1974	Environment Designation
June 3, 1974	Draft I, Shoreline Master Program Review
June 12, 1974	Draft I, Shoreline Master Program Review
June 19, 1974	Discuss Public Hearing Presentation
June 25, 1974	Public Hearing - Cle Elum
June 26, 1974	Public Hearing - Ellensburg
July 10, 1974	Review minutes of the Hearings and consider suggested changes
November 13, 1974	Review matters to be presented and discussed at the Nov. 20, 1974 public hearing.
November 20, 1974	Public hearing on proposed shoreline Master Program.

February 5, 1974

Review public hearing testimony
and requested changes.

February 19, 1974

Review public hearing testimony
and requested changes.

March 5, 1974

Review public hearing testimony
and requested changes.

ENVIRONMENT DESIGNATION MAP

This appendix contains a set of generalized Shoreline Environment Designation Maps. Each shoreline has been designated as being one of the four Environments defined in the Ordinance, Section 5, ORD-5. These maps, however, are only a generalized representation of the Act's jurisdictional boundaries. For a more concise delineation, consult the Administrative Authority in your area.

Environment Designations Map Index

<u>Streams</u>	<u>Plate Number</u>
Big Creek	3, 5
Cabin Creek	3
Little Creek	5
Log Creek	3
Manastash Creek	11, 12
Manastash Creek (South Fork)	13
Naneum Creek	14, 15, 16
Swauk Creek	7, 10
Taneum Creek	9, 10
Wilson Creek	11
Cle Elum River	5
Columbia River	18, 19, 20, 21
Kachess River	3
Teanaway River	7
Teanaway River, Middle Fork	6
Teanaway River, North Fork	6
Teanaway River, West Fork	6
Yakima River	1, 2, 3, 5, 7, 8, 9, 10, 11, 17
 <u>Lakes</u>	
Manastash Lake	*
Easton Lake	3
Lost Lake	*
Unnamed Lakes	*
Cooper Lake	*
Tucquala Lake	*
Cle Elum Lake	4
Keechelus Lake	1
Kachess Lake	2, 3

* - Lakes indicated with an asterisk (*) have not been illustrated in this appendix and are all designated in a Natural Environment.

KITTITAS COUNTY

MAP INDEX

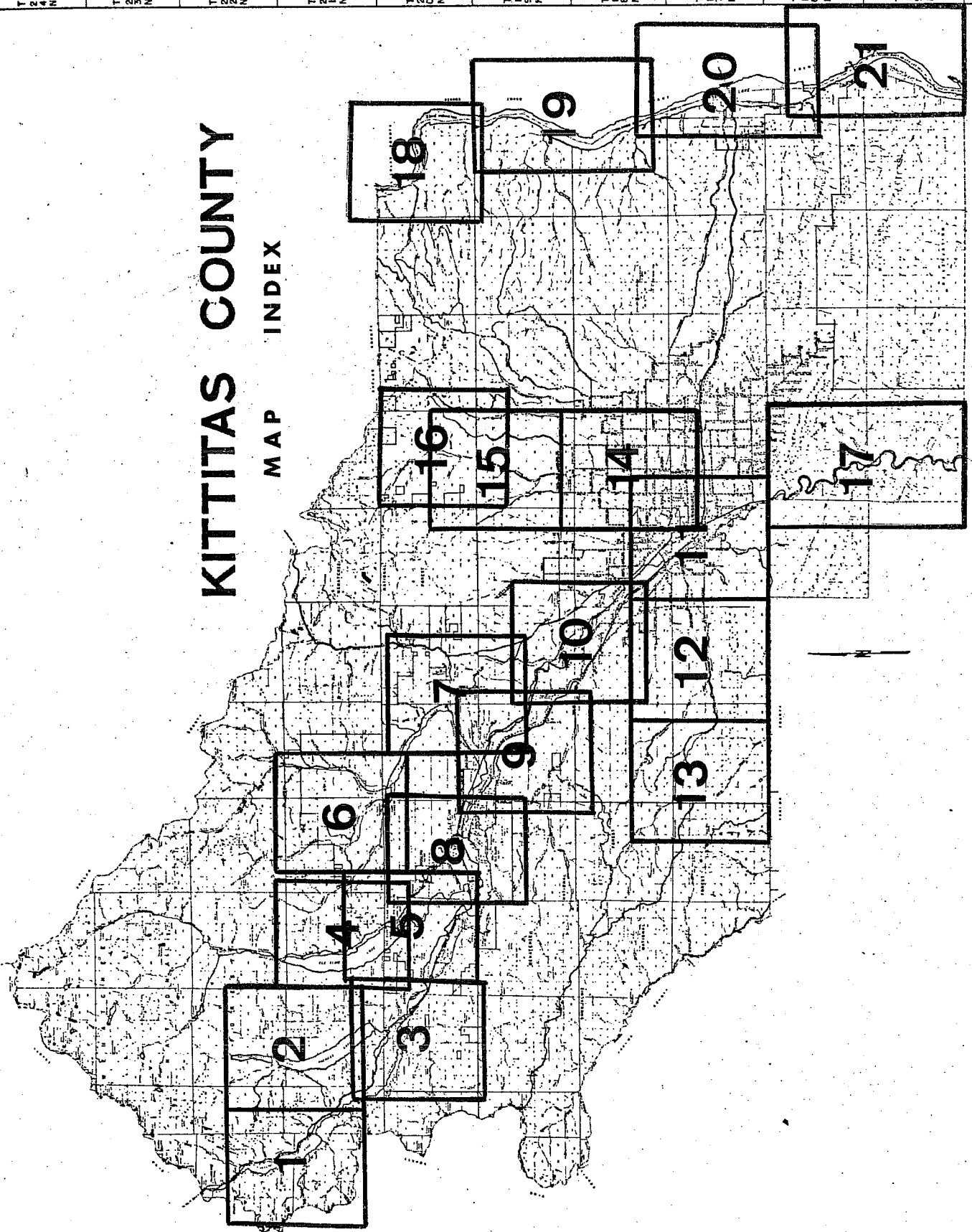
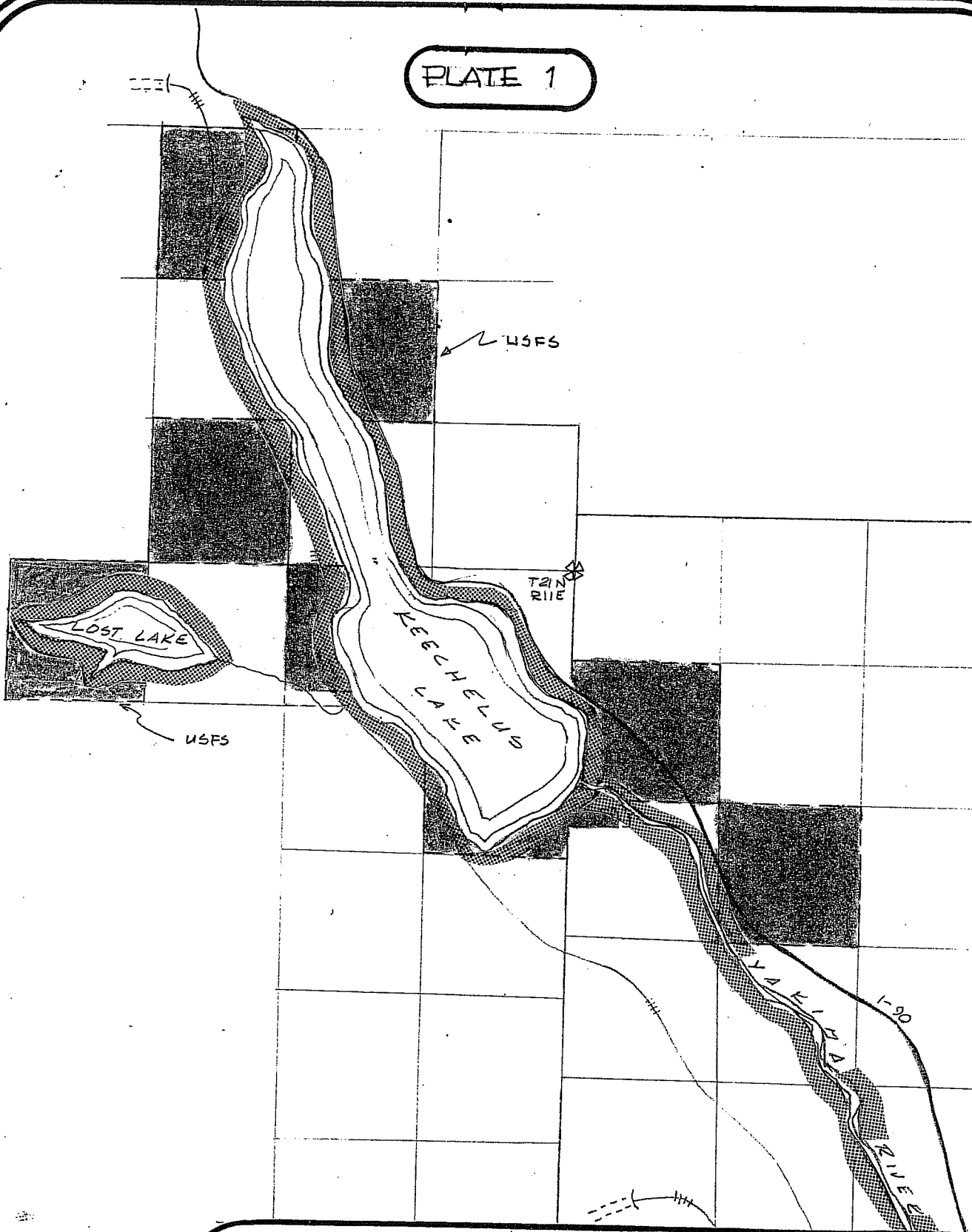






PLATE 1

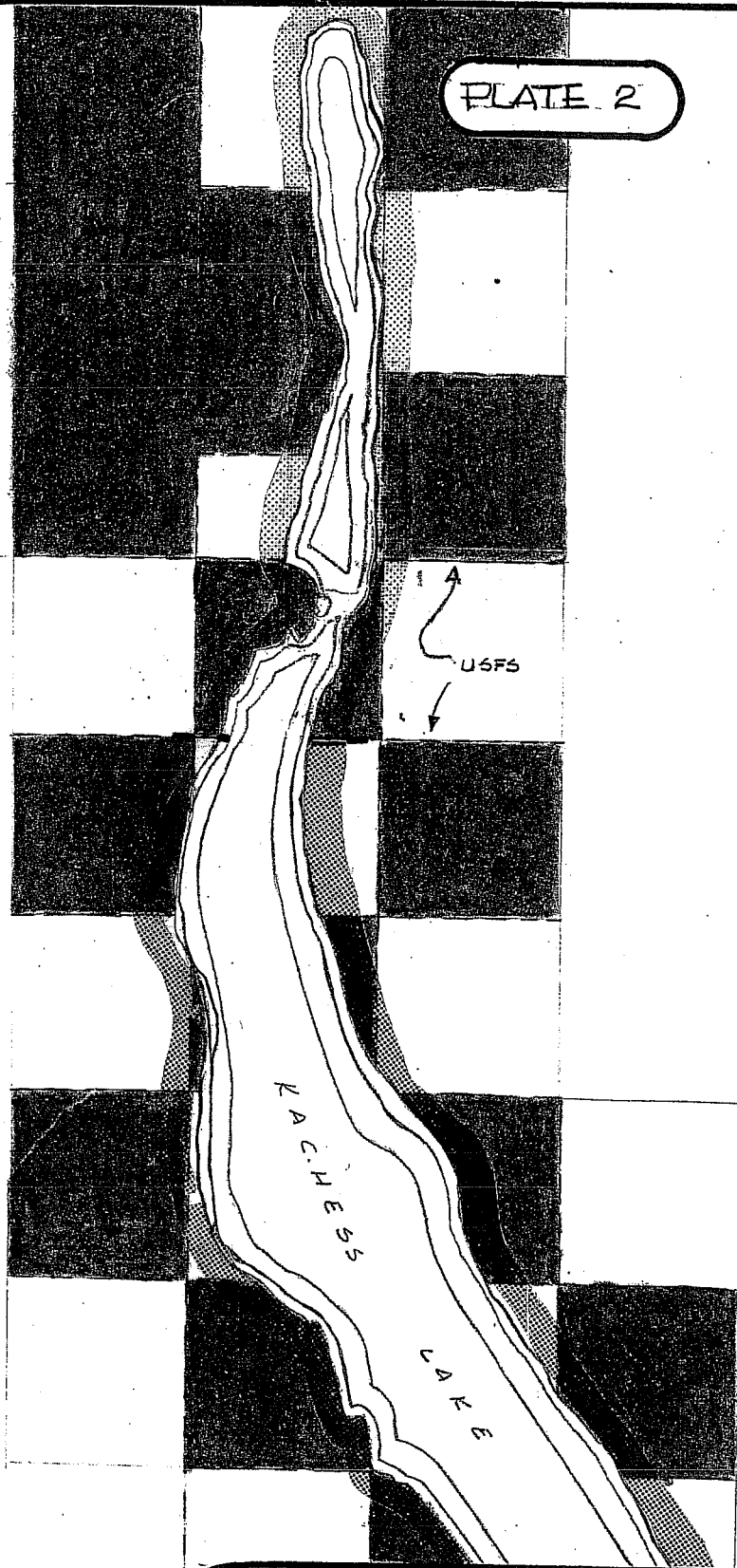


GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL

1 INCH = 1 MILE

PLATE 2



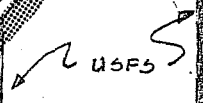
GENERALIZED
ENVIRONMENT
DESIGNATIONS



URBAN
RURAL
CONSERVANCY
NATURAL

1 INCH = 1 MILE

PLATE 3



T20N R13E

LAKE EASTON

YAKIMAF R.

I-90

CABIN CR.

SCR.

LOG

DICK CR.

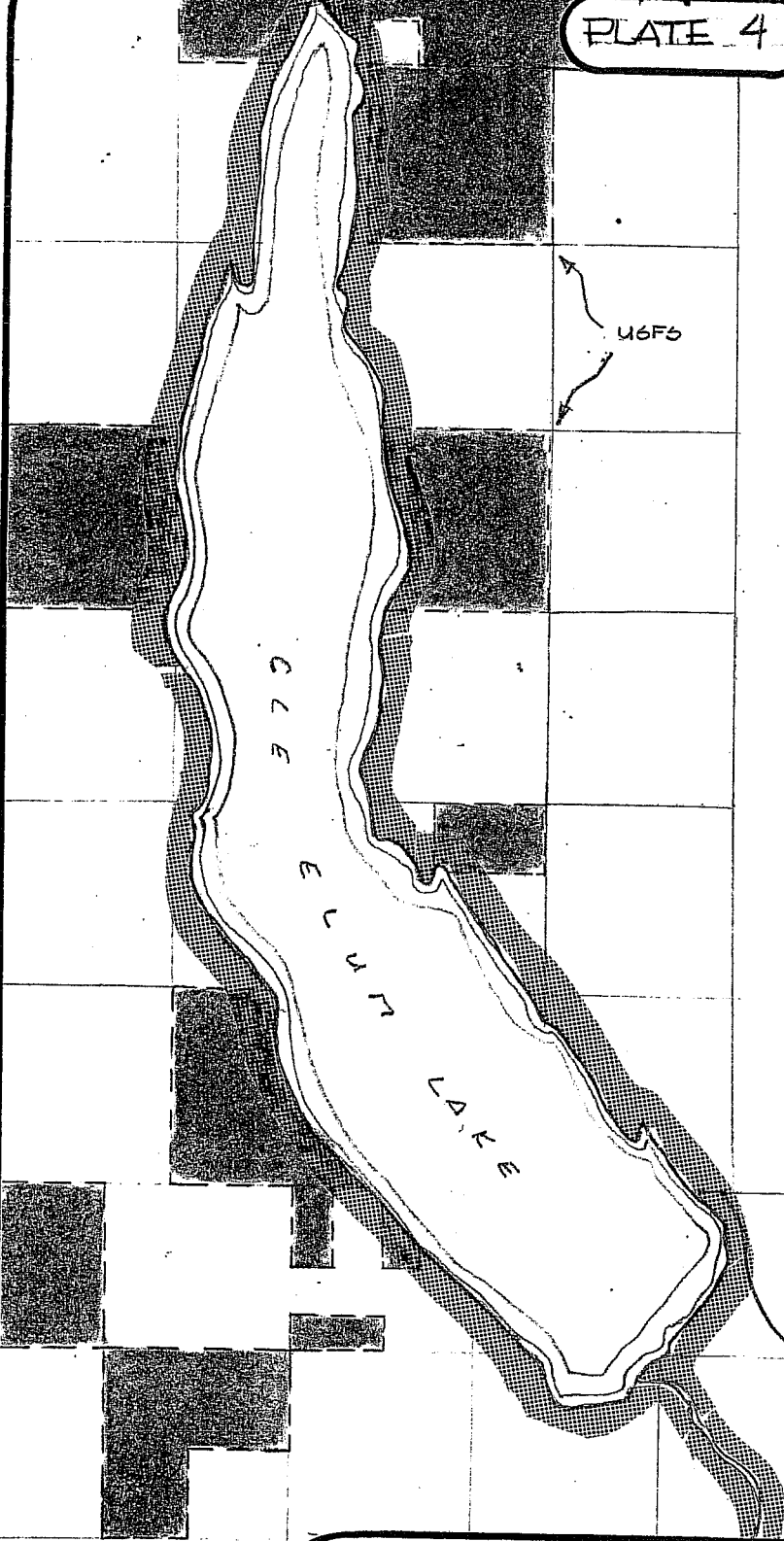
GENERALIZED ENVIRONMENT DESIGNATIONS



URBAN RURAL CONSERVANCY NATURAL

1 INCH = 1 MILE

PLATE 4



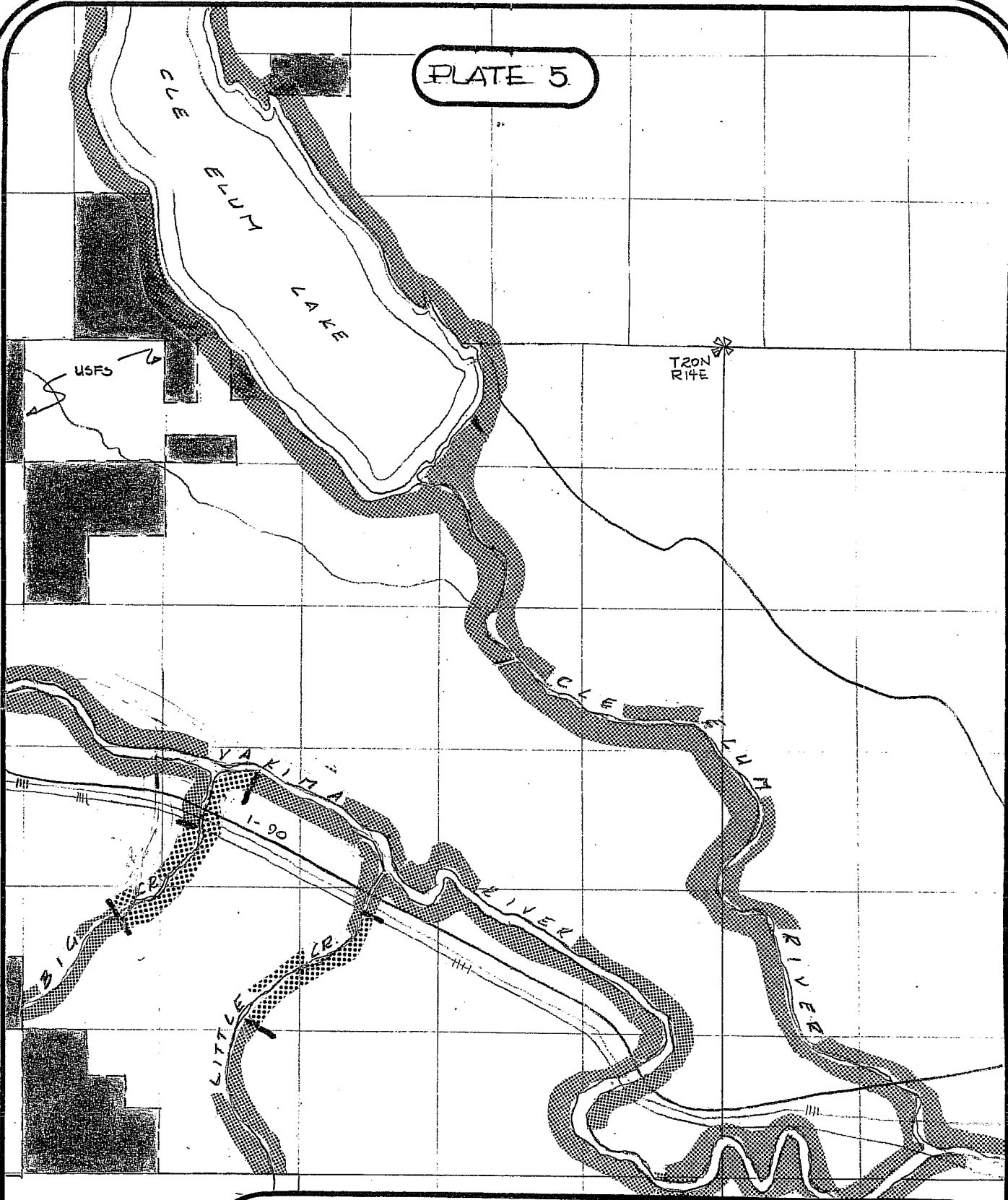
GENERALIZED ENVIRONMENT DESIGNATIONS

1 INCH = 1 MILE







URBAN
RURAL
CONSERVANCY
NATURAL

PLATE 5



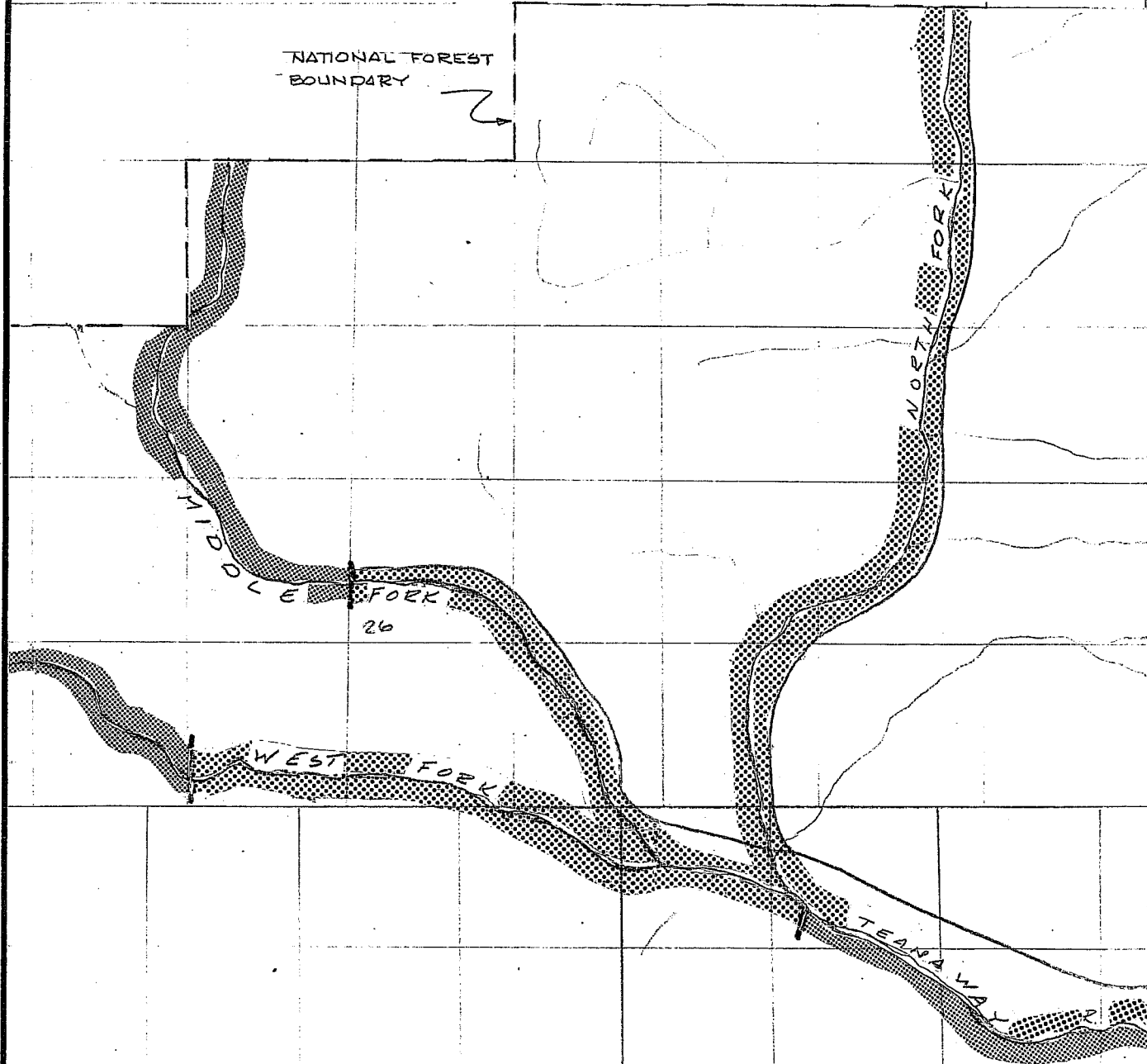
GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL

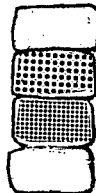
1 INCH = 1 MILE

PLATE 6

NATIONAL FOREST
BOUNDARY



GENERALIZED
ENVIRONMENT
DESIGNATIONS

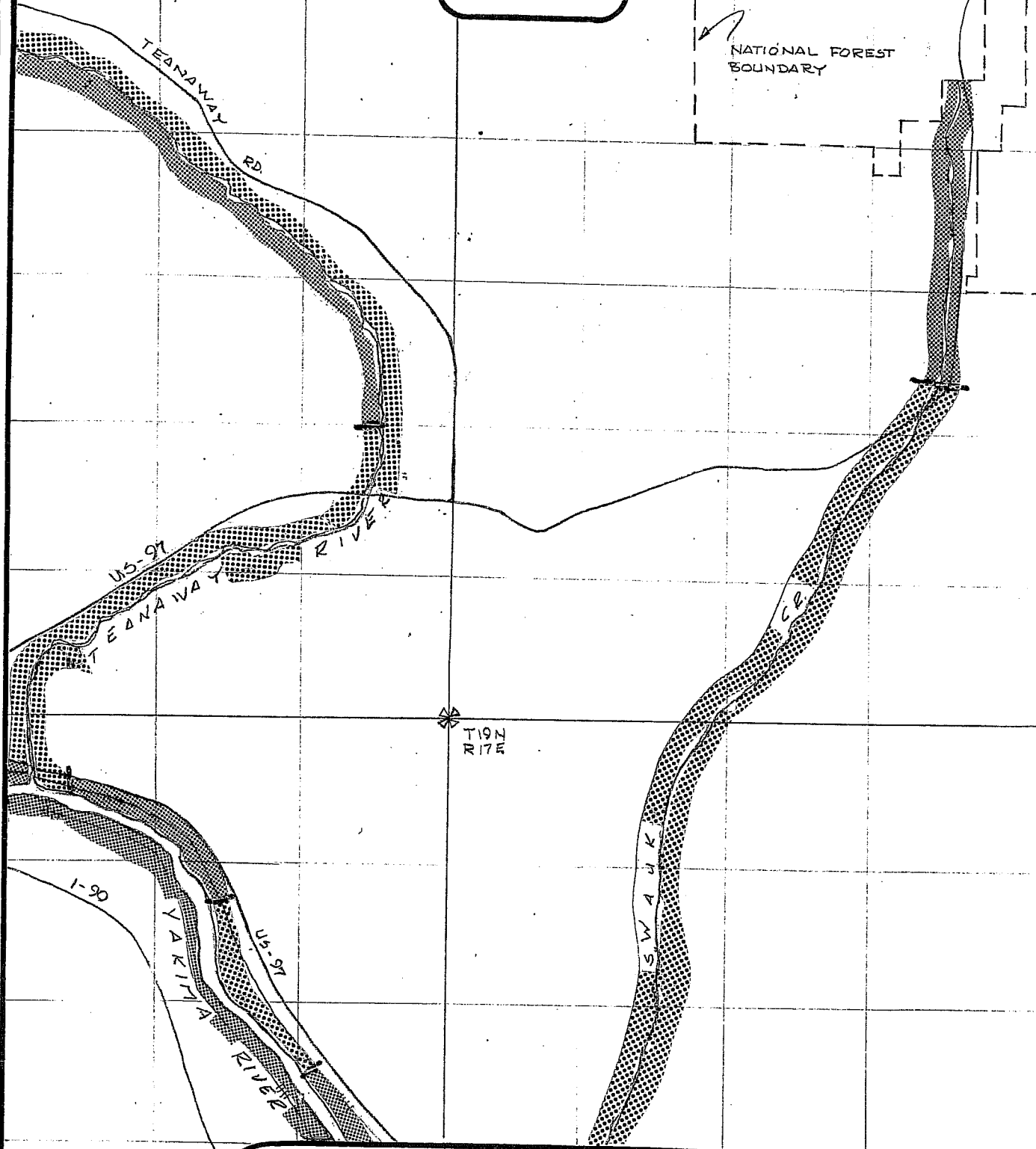


URBAN
RURAL
CONSERVANCY
NATURAL

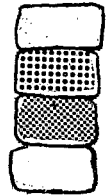
1" INCH = 1 MILE

PLATE 7

NATIONAL FOREST
BOUNDARY



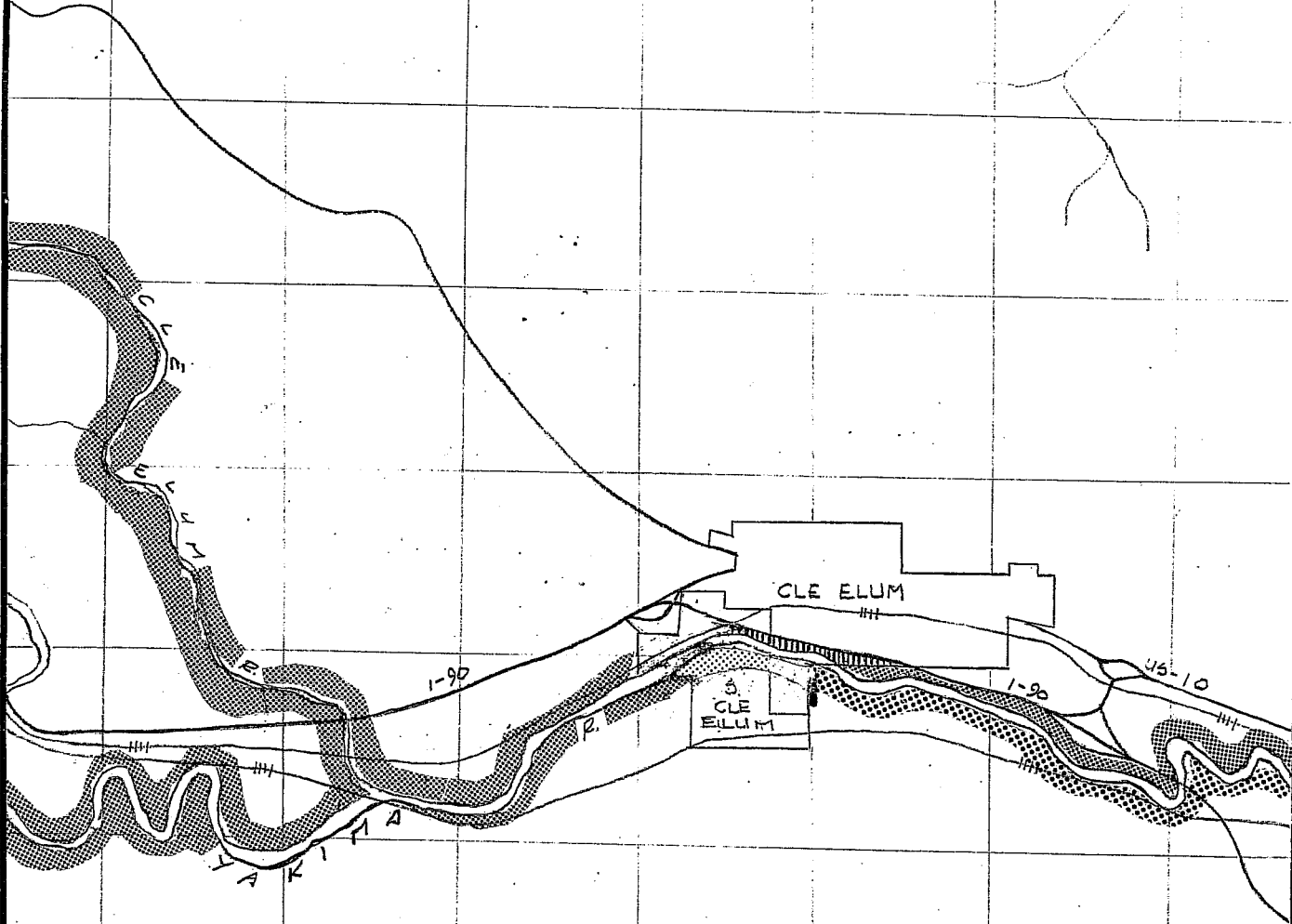
GENERALIZED
ENVIRONMENT
DESIGNATIONS







URBAN
RURAL
CONSERVANCY
NATURAL

1 INCH = 1 MILE

PLATE 8



GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL

1 INCH = 1 MILE

PLATE 9

TEANAIVAY R.

TIGN RISE





I-90

US-97

NATIONAL FOREST
BOUNDARY

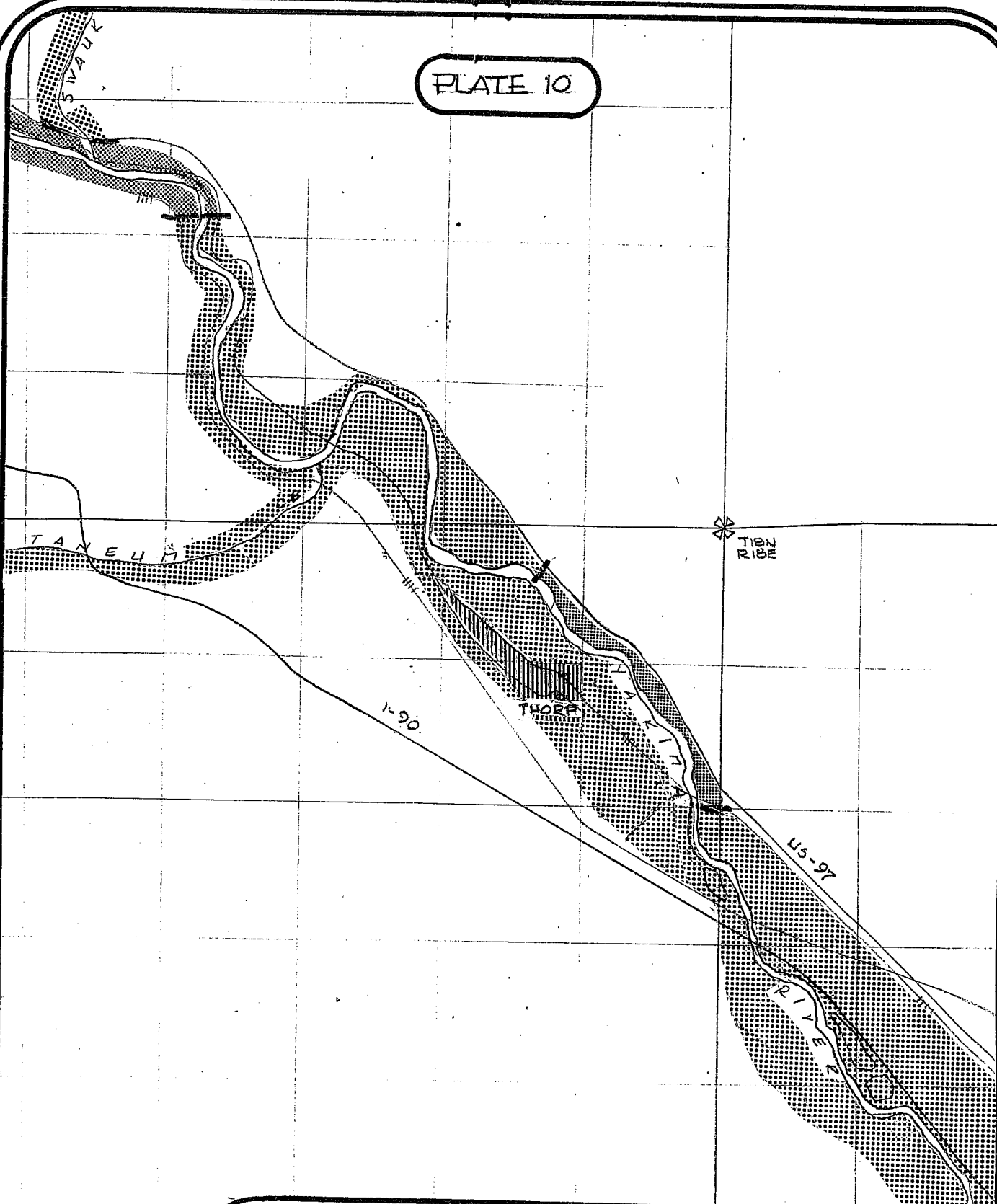
STANEUT
CR.

GENERALIZED ENVIRONMENT DESIGNATIONS





	URBAN
	RURAL
	CONSERVANCY
	NATURAL

1 INCH = 1 MILE

PLATE 10

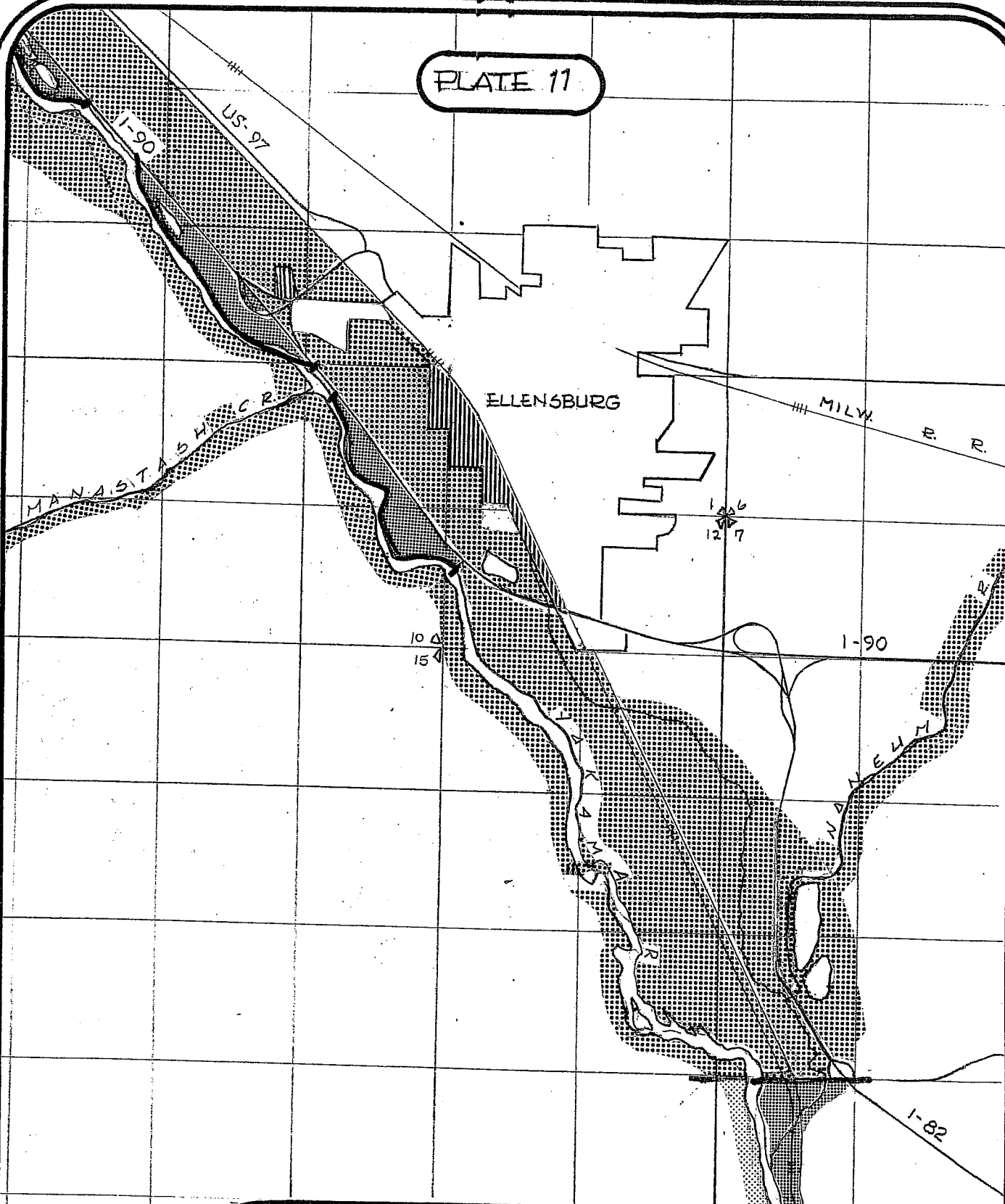


GENERALIZED ENVIRONMENT DESIGNATIONS





	URBAN
	RURAL
	CONSERVANCY
	NATURAL

1 INCH = 1 MILE

PLATE 11



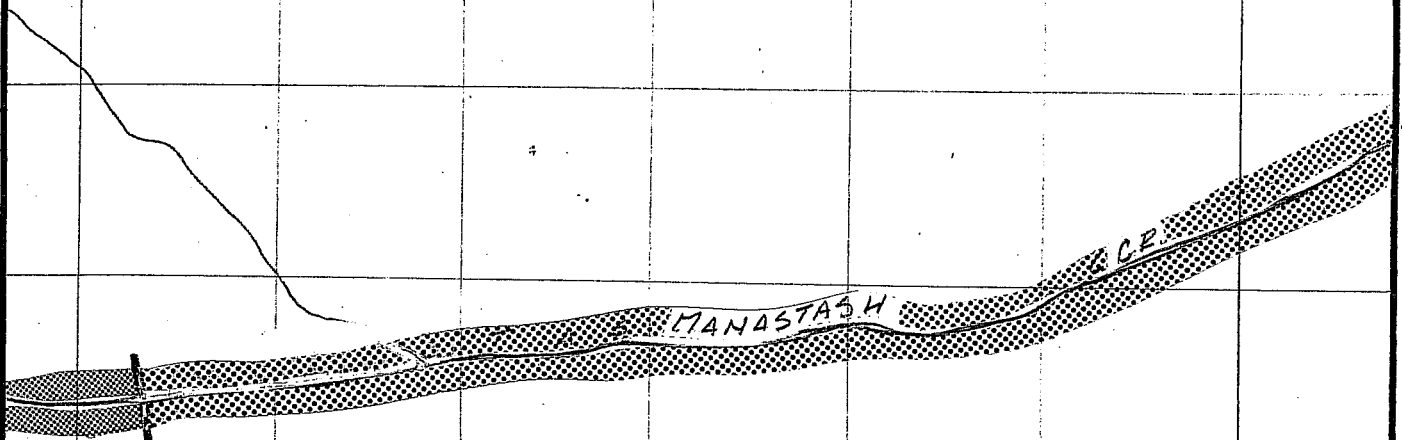
GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL

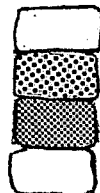
1 INCH = 1 MILE

PLATE 12

T17N
R17E



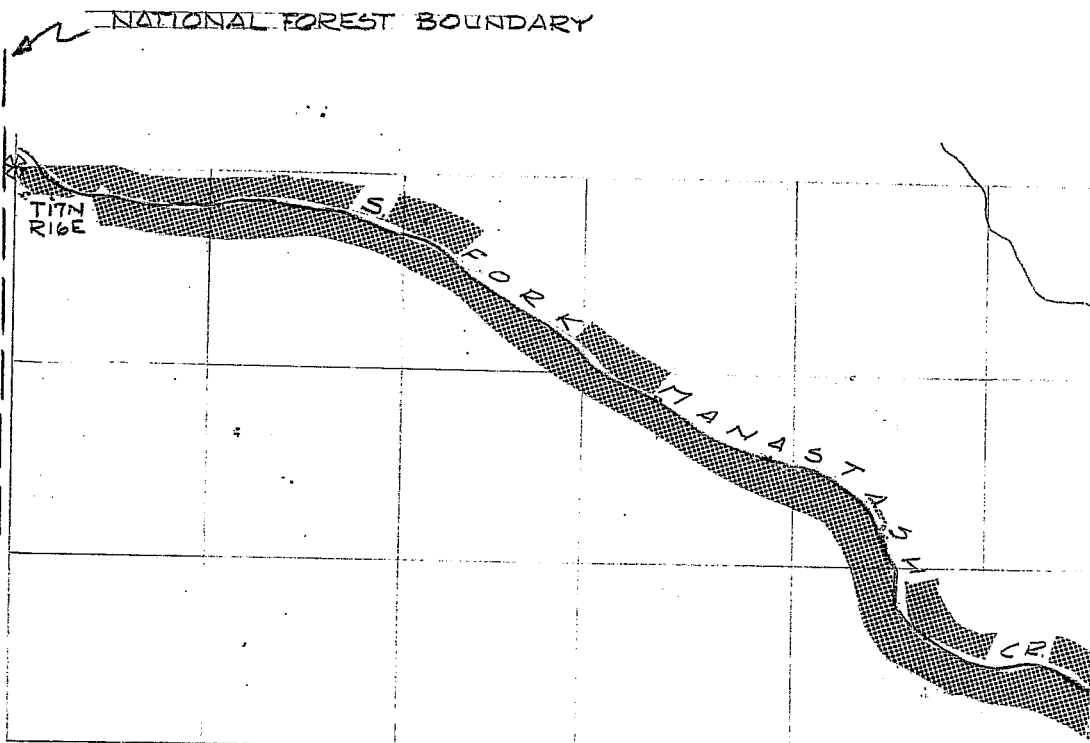
GENERALIZED
ENVIRONMENT
DESIGNATIONS



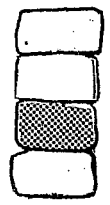
URBAN
RURAL
CONSERVANCY
NATURAL

↑ INCH = 1 MILE

PLATE 13



GENERALIZED ENVIRONMENT DESIGNATIONS



URBAN
RURAL
CONSERVANCY
NATURAL

1 INCH = 1 MILE

PLATE 14

T18N
R19E

M
A
N
E
U
M
I
S
E

E'BURG

VANTAGE HWY

MILW.
R.R.

GENERALIZED
ENVIRONMENT
DESIGNATIONS

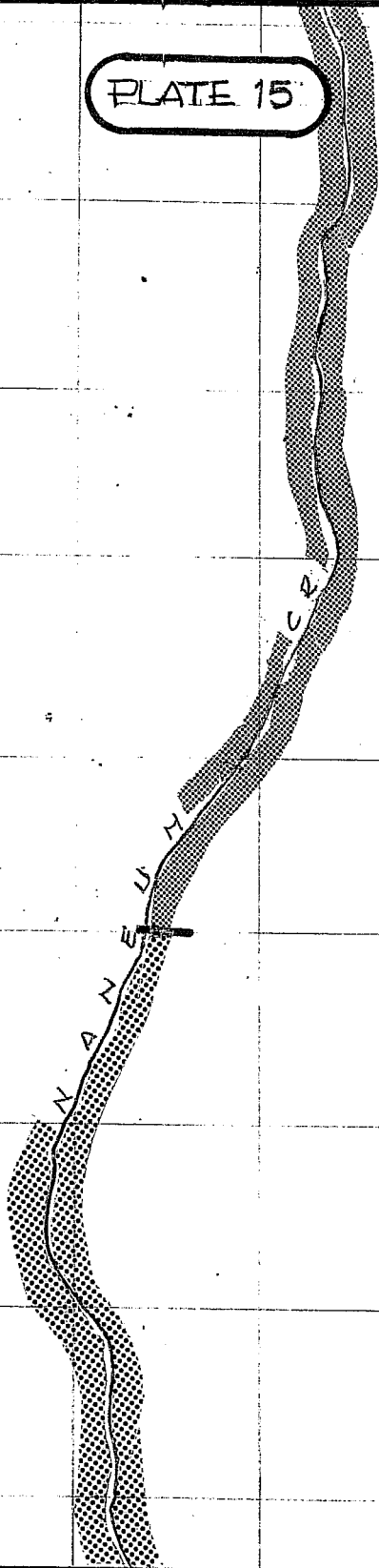


URBAN
RURAL
CONSERVANCY
NATURAL

1 INCH = 1 MILE

PLATE 15

T19N
R19E



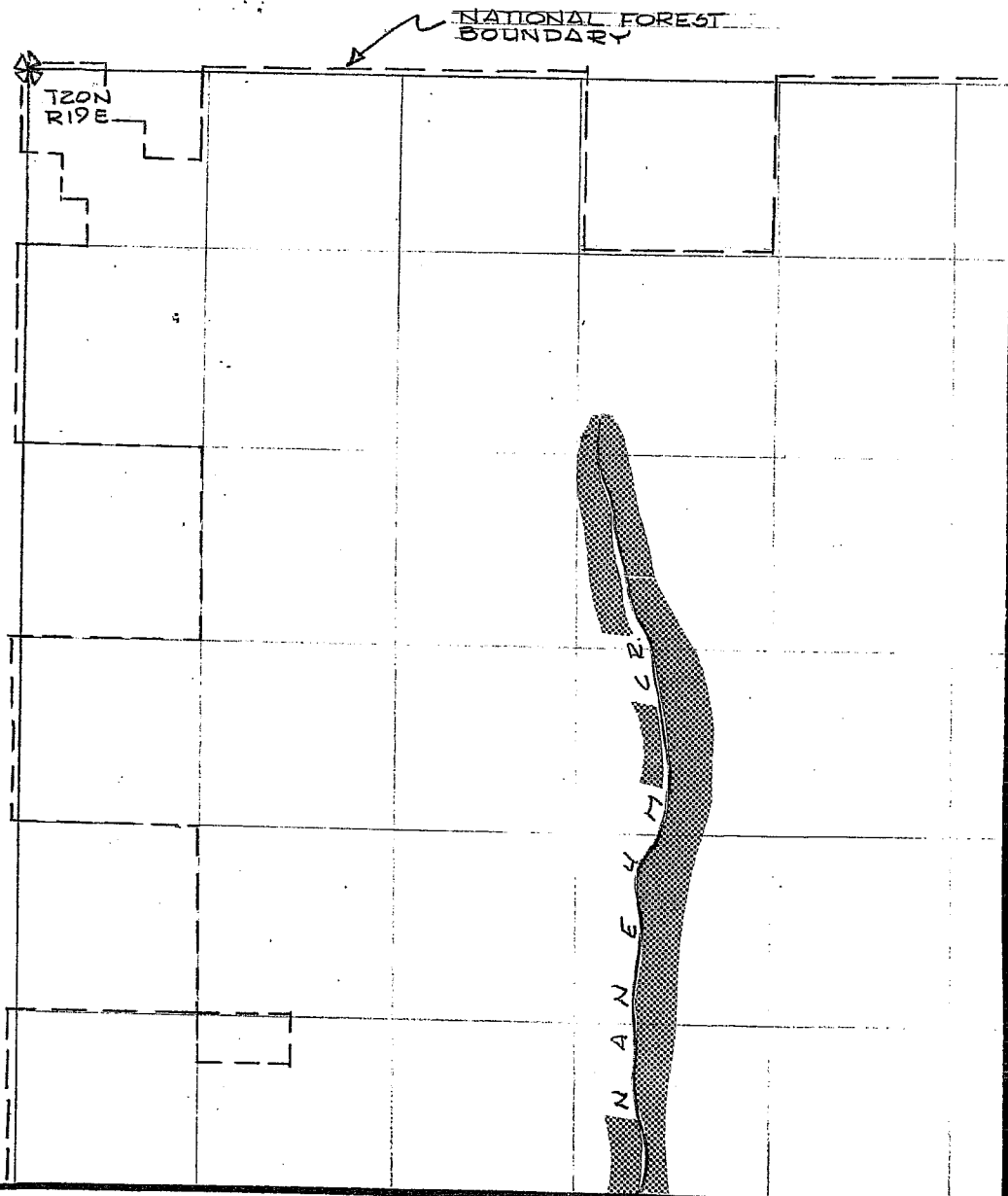
GENERALIZED
ENVIRONMENT
DESIGNATIONS







URBAN
RURAL
CONSERVANCY
NATURAL

1 INCH = 1 MILE

PLATE 16

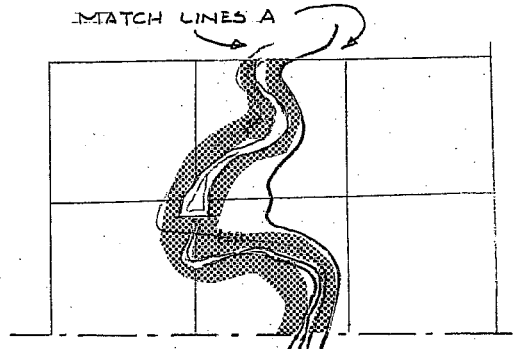
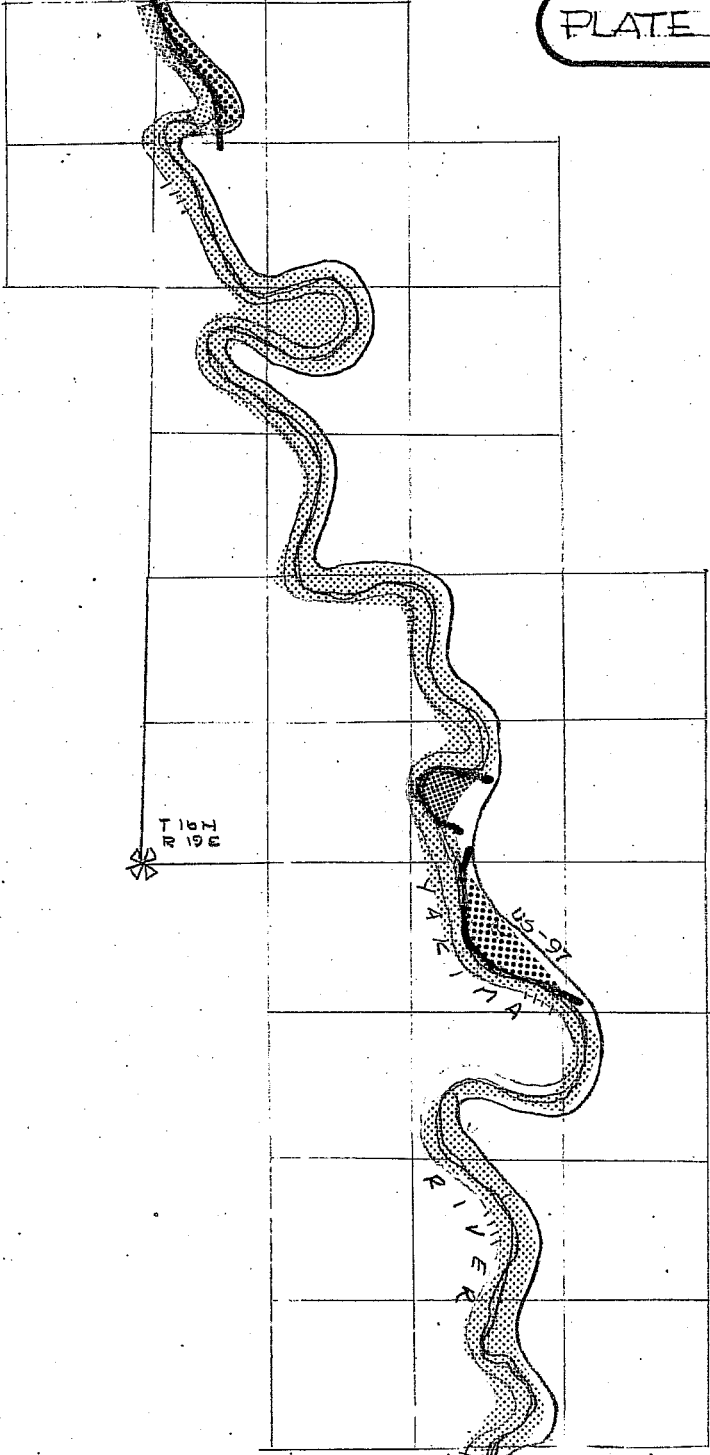


GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL

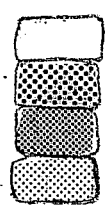
↑ INCH = 1 MILE

PLATE 17



YAKIMA COUNTY

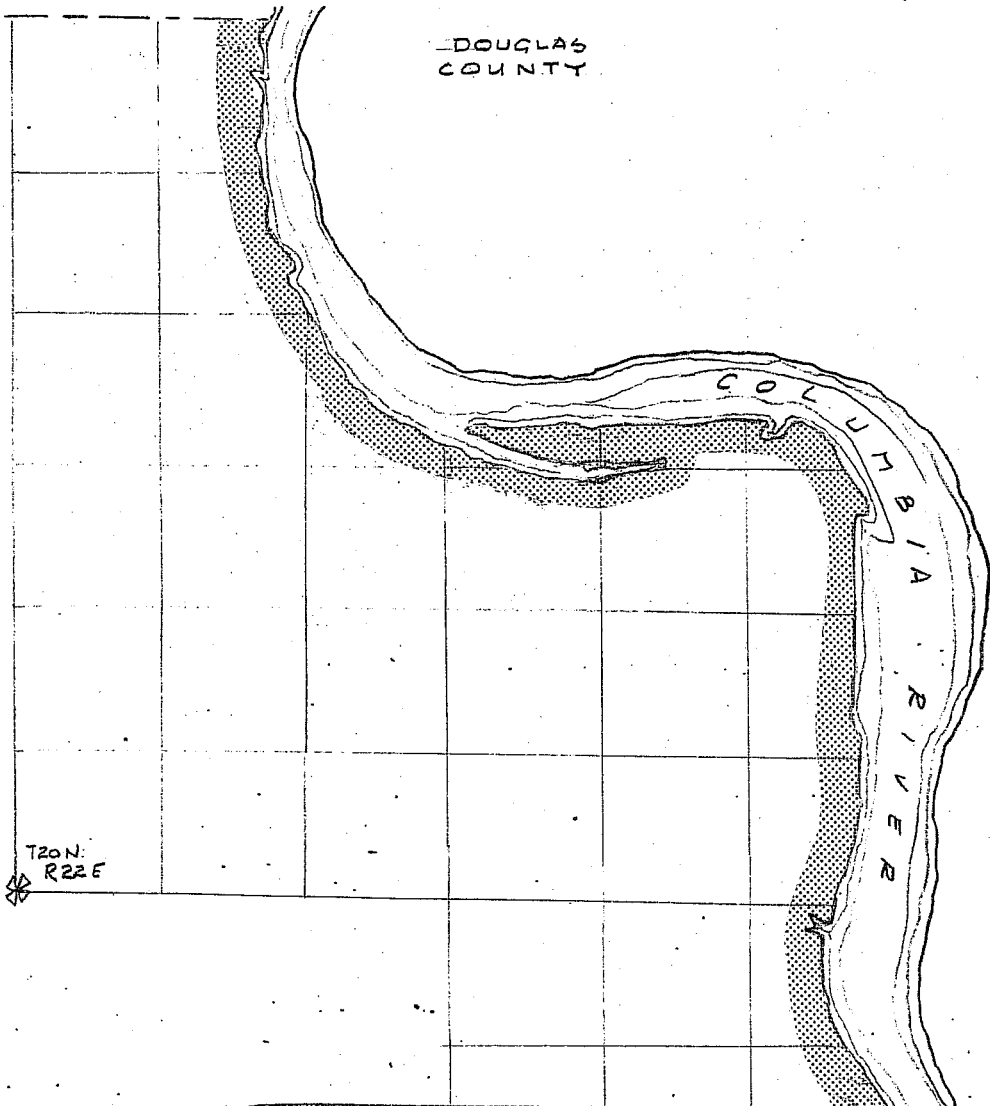
GENERALIZED ENVIRONMENT DESIGNATIONS



URBAN
RURAL
CONSERVANCY
NATURAL

$\frac{3}{4}$ INCH = 1 MILE

PLATE 18

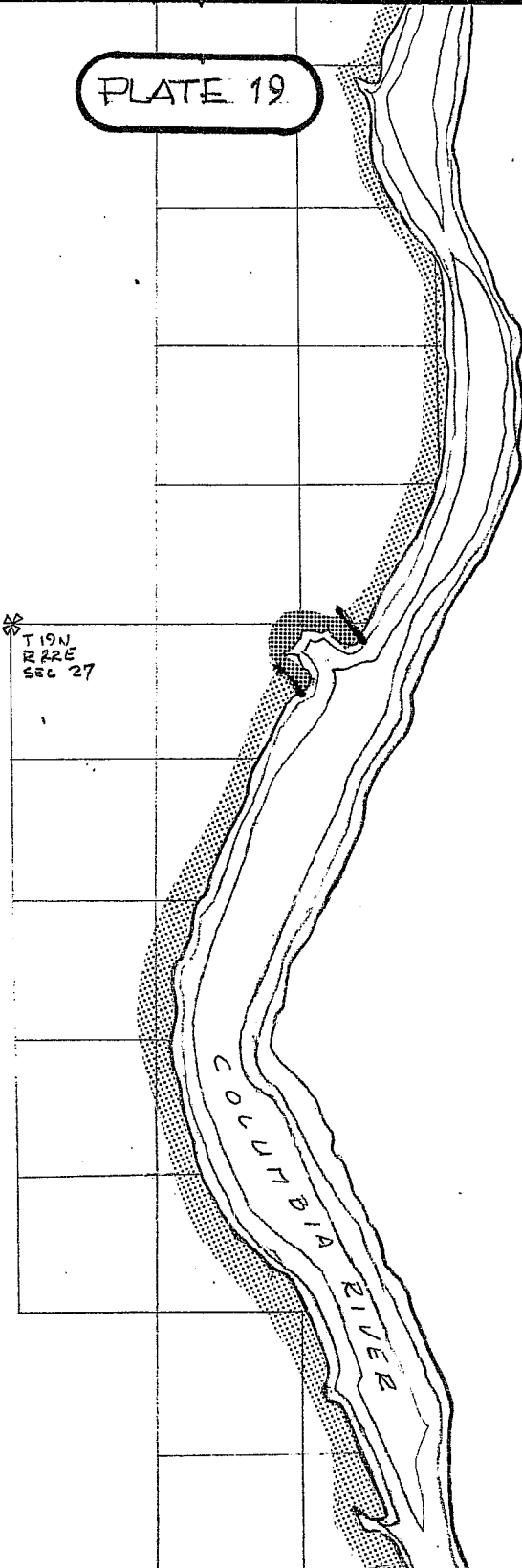


GENERALIZED ENVIRONMENT DESIGNATIONS





[White box]	URBAN
[White box]	RURAL
[White box]	CONSERVANCY
[Stippled box]	NATURAL

1/4 INCH = 1 MILE

PLATE 19



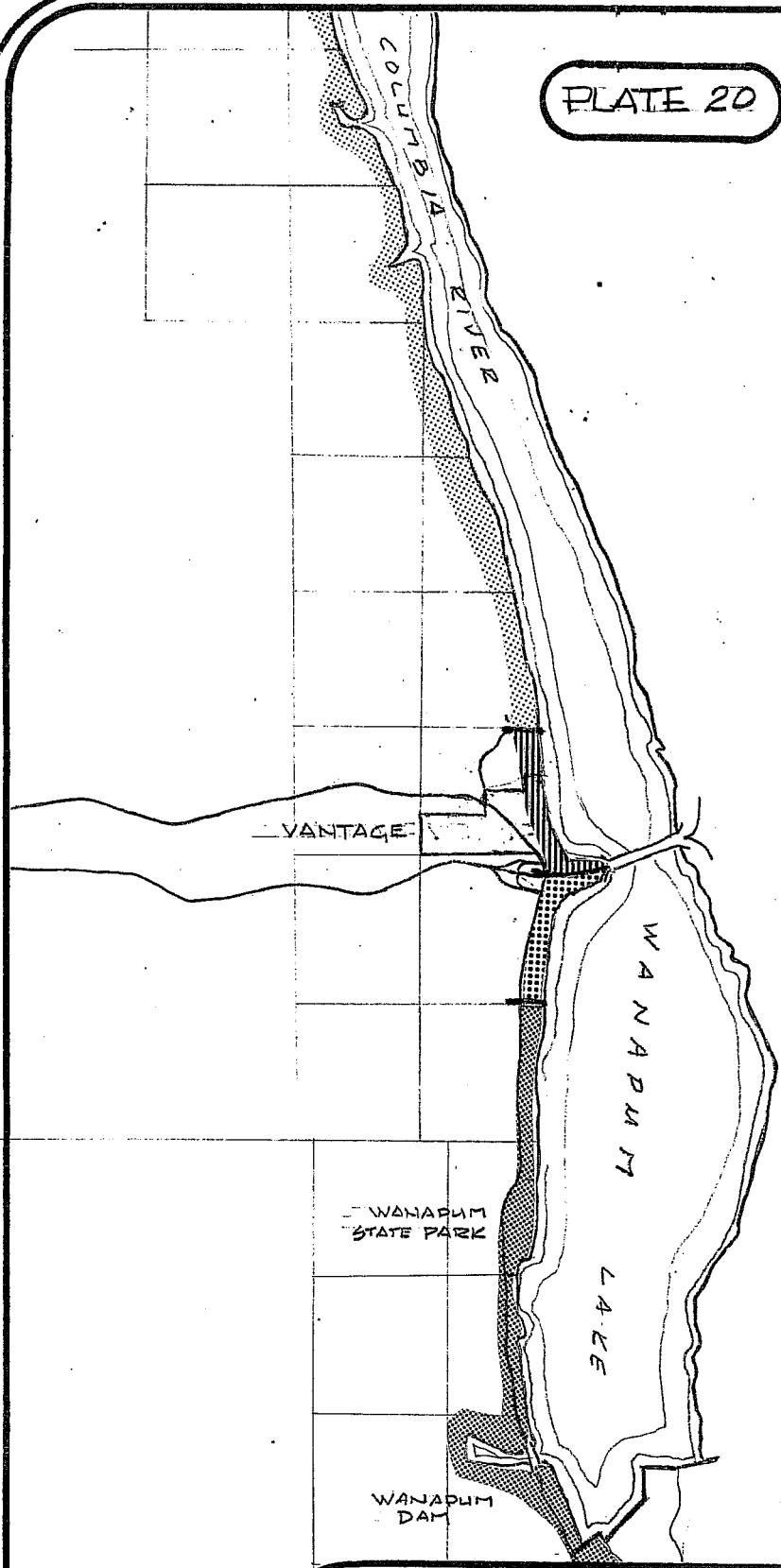
GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL





$\frac{3}{4}$ INCH = 1 MILE

PLATE 20

GRANT COUNTY



GENERALIZED ENVIRONMENT DESIGNATIONS

	URBAN
	RURAL
	CONSERVANCY
	NATURAL

3/16 INCH = 1 MILE

PLATE 21

GRANT
COUNTY

T15N
R23E

PRIEST RAPIDS
LAKE

YAKIMA COUNTY

GENERALIZED
ENVIRONMENT
DESIGNATIONS



URBAN
RURAL
CONSERVANCY
NATURAL

1/4 INCH = 1 MILE