

SHORELINE MASTER PROGRAM ECOLOGY SUBMITTAL CHECKLIST

KLICKITAT COUNTY GAP ANALYSIS
DRAFTED NOVEMBER 2016

This checklist provides a review of the County's existing SMP. The Location section identifies if and where the current WAC requirements are included in the SMP. The Comments section notes to what extent the current SMP is consistent with the stated Guidelines and notes what changes may need to be considered for the updated SMP.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
DOCUMENTATION OF SMP DEVELOPMENT PROCESS*		
PUBLIC INVOLVEMENT, COMMUNICATION, AND COORDINATION		
<p>Documentation of public involvement throughout SMP development process. WAC 173-26-201(3)(b)(i) and WAC 173-26-090 and 100. For SSWS, see WAC 173-26-251(3)(a).</p>	<p>Not applicable to existing SMP</p>	<p><i>* This section of the SMP checklist contains the requirements for documenting the SMP comprehensive update process. It is therefore not relevant to the existing SMP. Each of these requirements including public participation, completion of a shoreline inventory, an analysis report characterizing existing ecological functions and existing and planned land use patterns, documentation of potential restoration opportunities, and an assessment of how proposed policies and regulations cause, avoid, minimize and mitigate cumulative impacts to achieve no net loss will be completed through the update process. The results of these processes, along with the identification of the gaps in the current SMP's regulations identified below, will be used to inform the development of the updated SMP.</i></p>
<p>Documentation of communication with state agencies and affected Indian tribes throughout SMP development. WAC 173-26-201(3)(b)(ii) and (iii), WAC 173-26-100(3). For saltwater shorelines, see WAC 173-26-221(2)(c)(iii)(B). For SSWS, see WAC 173-26-251(3)(a).</p>	<p>Not applicable to existing SMP</p>	
<p>Demonstration that critical areas regulations for shorelines are based on the SMA and the guidelines, and assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources. WAC 173-26-221(2)(b)(ii),(iii) and (c). EHB 1653.</p>	<p>Not applicable to existing SMP</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Documentation of process to assure that proposed regulatory or administrative actions do not unconstitutionally infringe upon private property rights. See <i>"State of Washington, Attorney General's Recommended Process for Evaluation of Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property."</i> WAC 173-26-186(5).</p>	<p>Not applicable to existing SMP</p>	
<p>Final submittal includes:</p> <ul style="list-style-type: none"> Evidence of local government approval (or a locally approved "statement of intent to adopt"); New and/or amendatory text, environment designation maps (with boundary descriptions and justification for changes based on existing development patterns, biophysical capabilities and limitations, and the goals and aspirations of the local citizenry); A summary of the proposal together with staff reports and supporting materials; Evidence of SEPA compliance; Copies of all comments received and a record of names and addresses of interested parties involved in local processes. WAC 173-26-110. <p>Submittal must include clear identification and transmittal of all provisions that make up the SMP. <i>This checklist, if complete, meets this requirement.</i> WAC 173-26-210(3)(a) and (h).</p>	<p>Not applicable to existing SMP</p>	
SHORELINE INVENTORY		
<p>Inventory of existing data and materials. WAC 173-26-201(3)(c)(i) through (x).</p> <p>Inventory of all "shorelines of the state": Include lists and map(s) of all SMA marine, riverine, and lacustrine water bodies, including "shorelands", "floodways", and "floodplains". RCW 90.58.030(2) & WAC's 173-18-044, 173-20-044, 173-22-050, 173-26-211(b, c, d).</p>	<p>Not applicable to existing SMP</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
For jurisdictions with critical saltwater habitats, see WAC 173-26-221(2)(c)(iii)(A)&(B).		
SHORELINE ANALYSIS		
<p>Characterization of shoreline ecosystems and their associated ecological functions that:</p> <ul style="list-style-type: none"> Identifies ecosystem-wide processes and ecological functions; Assesses ecosystem-wide processes to determine their relationship to ecological functions; Identifies specific measures necessary to protect and/or restore the ecological functions and ecosystem-wide processes. WAC 173-26-201(3)(d)(i)(A). <p>Demonstration of how characterization was used to prepare master program policies and regulations that achieve no net loss of ecological functions necessary to support shoreline resources and to plan for restoration of impaired functions. WAC 173-26-201(3)(d)(i)(E).</p> <p>For vegetation, see WAC 173-26-221(5). For jurisdictions with critical saltwater habitats, see WAC 173-26-221(2)(c)(iii)(B).</p> <p>Description of data gaps, assumptions made and risks to ecological functions associated with SMP provisions. WAC 173-26-201(2)(a).</p> <p>Characterization includes maps of inventory information at appropriate scale. WAC 173-26-201(3)(c).</p>	Not applicable to existing SMP	
<p>Use analysis estimating future demand for shoreline space and potential use conflicts based on characterization of current shoreline use patterns and projected trends. Evidence that SMP ensures adequate shoreline space for projected shoreline preferred uses. Public access needs and opportunities within the jurisdiction are identified. Projections of regional economic need guide the designation of "high intensity" shoreline. WAC 173-26-201(3)(d)(ii) & (v); WAC 173-26-211(5)(d)(ii)(B)</p>	Not applicable to existing SMP	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>For SMPs that allow mining, demonstration that siting of mines is consistent with requirements of WAC 173-26-241(3)(h)(i).</p> <p><u>For shorelines of the state:</u></p> <p>Evidence the SMP preserves adequate shorelands and submerged lands to accommodate current and projected demand for economic resources of statewide importance (e.g., commercial shellfish beds and navigable harbors) based on statewide or regional analyses, requirements for essential public facilities, and comment from related industry associations, affected Indian tribes, and state agencies. <u>RCW 90.58.100</u>. Evidence that public access and recreation requirements are based on demand projections that take into account activities of state agencies and interests of the citizens to visit public shorelines with special scenic qualities or cultural or recreational opportunities. WAC 173-26-251(3)(c)(ii) & (iii).</p> <p><u>For shorelines of statewide significance:</u></p> <p>Optimum implementation directives incorporated into comp plan and development regulations. <u>RCW 90.58.100</u>. For GMA jurisdictions, SMP recreational provisions are consistent with growth projections and level-of-service standards contained in comp plan. WAC 173-26-241(3)(i).</p>		
<p>Restoration plan that:</p> <ul style="list-style-type: none"> Identifies degraded areas, impaired ecological functions, and potential restoration sites; Establishes restoration goals and priorities, including SMP goals and policies that provide for restoration of impaired ecological functions; Identifies existing restoration projects and programs; Identifies additional projects and programs needed to achieve local restoration goals, and implementation strategies including identifying prospective funding sources; 	<p>Not applicable to existing SMP</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Sets timelines and benchmarks for implementing restoration projects and programs; Provides mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals. WAC 173-26-186(8)(c); 201(2)(c)&(f).</p> <p>For critical freshwater habitats: incentives to restore water connections impeded by previous development. WAC 173-26-221(2)(c)(iv)(C)(III).</p> <p>For SSWS, identification of where natural resources of statewide importance are being diminished over time, and master programs provisions that contribute to the restoration of those resources. WAC 173-26-251(3)(b).</p>		
<p>Evidence that each environment designation is consistent with guidelines criteria [WAC 173-26-211(5)], as well as existing use pattern, the biological and physical character of the shoreline and the goals and aspirations of the community. WAC 173-26-211(2)(a). WAC 173-26-110(3).</p> <p>Lands designated as “forest lands of long-term significance” under RCW 36.70A.170 are designated either natural or rural conservancy shoreline environment designations. WAC 173-26-241(3)(e).</p> <p>For SSWS, demonstration that environment designation policies, boundaries, and use provisions implement SMA preferred use policies of RCW 90.58.020(1) through (7). WAC 173-26-251(3)(c)</p>	Not applicable to existing SMP	
<p>Assessment of how proposed policies and regulations cause, avoid, minimize and mitigate cumulative impacts to achieve no net loss. Include policies and regulations that address platting or subdividing of property, laying of utilities, and mapping of streets that establish a pattern for future development. Evaluation addresses:</p> <p>(i) <i>current circumstances</i> affecting the shorelines and</p>	Not applicable to existing SMP	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>relevant natural processes; (ii) reasonably <i>foreseeable future development</i> and use of the shoreline (including impacts from unregulated activities, exempt development, and other incremental impacts); and (iii) <i>beneficial effects</i> of any established regulatory programs under other local, state, and federal laws. WAC 173-26-201(3)(d)(iii) and WAC 173-26-186(8)(d).</p> <p>For jurisdictions with critical saltwater habitats, identification of methods for monitoring conditions and adapting management practices to new information. WAC 173-26-221(2)(c)(iii)(B).</p> <p>For SSWS, evidence that standards ensuring protection of ecological resources of statewide importance consider cumulative impacts of permitted development. WAC 173-26-251(3)(d)(i).</p>		
SMP CONTENTS		
<p>Any goals adopted as part of the SMP are consistent with the SMA. (<i>Note: Goal statements are not required.</i>)</p>	Section 1 and 2	<p>Consistent. Section 1 of the current SMP includes a chapter with general goals and objectives for the master program. Section 2 also includes goals and objectives specific to each of the following elements: economic development, public access, circulation, recreation, historical/cultural, conservation, residential and shoreline use. These goals are generally consistent with the SMA but may need to be revised to reflect new intentions of the updated SMP. The County should ensure that any modified shoreline goals continue to be consistent with the SMA.</p>
<p>Policies (A) are consistent with guidelines and policies of the SMA; (B) address elements of RCW 90.58.100; (C) include policies for environment designations, accompanied by a map or physical description of designation boundaries in sufficient detail to compare with comprehensive plan land use designations; and (D) are consistent with constitutional and other legal limitations on regulation of private property. WAC 173-26-191(2)(a)(i).</p> <p>SMP implements preferred use policies of the SMA. WAC</p>	<p>Section 4</p> <p>Not explicitly stated.</p>	<p>Partially consistent. Section 4 includes general shoreline use policies and regulations, and polices and regulations specific to each of the uses identified in WAC 173-16-060. WAC Chapter 176-16 was repealed on November 29, 2000 and replaced with the Ecology guidelines codified as WAC Chapter 173-26. WAC references will need to be revised, however the use categories are generally consistent with the current requirements. The County should consider updating the use categories to match exactly with the categories of WAC 173-26-221.</p> <p>The preferred use policies found in WAC 173-26-201(2)(d)</p>

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173-26-201(2)(d).		are not currently in the SMP. These will need to be added, along with policies for environment designations (see below).
<p>Regulations: (A) are sufficient in scope and detail to ensure the implementation of the SMA, SMP guidelines, and SMP policies; (B) include environment designation regulations; (C) include general regulations, use regulations that address issues of concern in regard to specific uses, and shoreline modification regulations; and, (D) are consistent with constitutional and other legal limitations on the regulation of private property. WAC 173-26-191(2)(a)(ii).</p>	Section 4	<p>Partially consistent. Section 4 includes general shoreline use policies and regulations, and polices and regulations specific to each of the uses identified in WAC 173-16-060. WAC Chapter 176-16 was repealed on November 29, 2000 and replaced with the Ecology guidelines codified as WAC Chapter 173-26. WAC references will need to be revised, however the use categories are generally consistent with the current requirements. The County should consider updating the use categories to match exactly with the categories of WAC 173-26-221. The County will need to review regulations for each use category. Some sufficiently implement SMP guidelines and polices as is, others will need revision to ensure consistency with the WAC, and new regulations will need to be added for some areas. See discussion in each section below.</p>
<p>Height Limitation: SMP prohibits buildings and structures >35 feet in height obstructing views of residences, with exceptions. RCW 90.58.320.</p>	Section 4, Commercial Development, B.13	<p>Partially consistent. A 35 foot height limit is currently mentioned in the Commercial Development section only. The County should consider adding a development standards table to the SMP to consolidate height, lot frontage, setback and impervious surface dimensional standards to make it clear that the height limit (and other dimensional standards) apply to all structures, with noted exceptions.</p>
ENVIRONMENT DESIGNATIONS		
<p>Each environment designation includes: Purpose statements, classification criteria, management policies, and regulations (types of shoreline uses permitted, conditionally permitted, and prohibited; building or structure height and bulk limits, setbacks, maximum density or minimum frontage requirements, and site development standards). WAC 173-26-211(2)(4).</p>	Section 3	<p>Inconsistent. The existing SMP includes a description and purpose statement for each designation. However, no classification criteria, management policies or regulations are provided. Designations should be updated to include the specific priorities, prohibitions and standards required for each designation per WAC 173-26-211. Updated environment designation mapping will also be needed. This can be included as an attachment to the SMP as in the existing document.</p> <p>Within each environment designation the existing SMP</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		designates an area called the Natural Buffer Zone. This zone is measured 50 feet from the OHWM and is intended to provide an undisturbed conservation buffer of natural vegetation. This zone may be more appropriate to discuss under another section of the SMP, rather than with the environment designations. Furthermore, the County may want to consider developing environment designation specific buffer widths based on the existing conditions observed today, as identified through the shoreline inventory and analysis process. To meet the no net loss standard, larger buffers may be necessary in some areas to preserve higher functioning shoreline, while smaller buffers may be adequate in developed areas. (See further discussion of buffers in sections below).
An up-to-date map accurately depicting environment designation boundaries. If necessary, include common boundary descriptions. WAC 173-26-211(2)(b); WAC 173-26-110(3).	Shoreline Management Plan Supplement. Legal descriptions of designation boundaries for each waterbody are also included under the “Maps” section.	Consistent.
Statement that undesigned shorelines are automatically assigned a conservancy environment designation. WAC 173-26-211(2)(e).	This language was not found in the current SMP.	Inconsistent. This language should be added to the revised environment designation section.
NATURAL ENVIRONMENT WAC 173-26-211(5)(a)		
Designation criteria: Shorelines that are ecologically intact and performing functions that could be damaged by human activity, are of particular scientific or educational interest, or are unable to support human development without posing a safety threat. WAC 173-26-211(5)(a)(iii).	Section 3	Consistent. Section 3 includes a description of the Natural Environmental designation criteria consistent with the WAC description.
Prohibition on new: Uses that would substantially degrade ecological functions or natural character of shoreline. WAC 173-26-211(5)(a)(ii)(A). Commercial uses; industrial uses; nonwater oriented recreation; roads, utility corridors, and parking	Section 4	Partially Consistent. Each of the activities in Section 4 includes a regulation which states in which environment designation the activity is allowed, and sometimes offers qualifications such as recreation is allowed as a conditional use in the Natural environment but is limited to such facilities as access trails and other passive activities (Recreation regulation 11). Many specific

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<p>areas. WAC 173-26-211(5)(a)(ii)(B). Development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions. WAC 173-26-211(5)(a)(ii)(G). Subdivision of property in a configuration that will require significant vegetation removal or shoreline modification that adversely impacts ecological functions. WAC 173-26-211(5)(a)(ii)(G).</p>		<p>activities are prohibited in the Natural Environment but broad prohibitions on these categories of activity are not specifically addressed. The County should consider reorganizing the SMP to include management policies for the environment designations that specifically includes these WAC requirements. It would also be helpful to have all of the activities allowed in an environment designation listed in one place, such as a use and modifications table that lists all uses and modifications discussed in the SMP and indicates which are allowed or prohibited in which environment designation.</p> <p>NOTE: reformatting of the SMP document should be considered to improve readability and use. This statement is inferred throughout this gap analysis.</p>
<p>For single family residential development: limits on density and intensity to protect ecological functions, and requirement for CUP. WAC 173-26-211(5)(a)(ii)(C).</p>	<p>Section 4 > Development Activities > Residential Development B.12</p>	<p>Consistent. Residential Development is prohibited in the Natural Environment.</p>
<p>For commercial forestry: requirement for CUP, requirement to follow conditions of the State Forest Practices Act. WAC 173-26-211(5)(a)(ii)(D).</p>	<p>Section 4 > Resource Based Activities > Forest Management Practices B.1 and B.10</p>	<p>Partially Consistent. The SMP states that all forest management practices shall be done in compliance with the Forest Practices Act of 1974 (Regulation B.1) and forest management practices are prohibited in the Natural Environment on Shorelines of State-Wide Significance (Regulation B.10). However, the SMP also states that “logging across shorelines, other than those of state-wide significance, shall be allowed, provided that all logs are fully suspended, and care is taken to prevent logging debris from entering a stream, and that water quality is not substantially deteriorated” (Regulation B.5). There is no specific use limitation regulation stating the type of permit required for forestry on non SSWS lands, as there is for SSWS, therefore it is inferred from the above statement that it would be allowed by SSDP in all environments. This is not consistent with the WAC.</p>
<p>For agriculture: low intensity use allowed if subject to appropriate limits or conditions to assure that the use does not expand or practices don’t conflict with purpose of the designation. WAC 173-26-211(5)(a)(ii)(E).</p>	<p>Section 4 > Resource Based Activities > Agricultural Practices B.17</p>	<p>Consistent. The SMP states that agricultural practices are a prohibited use in the Natural Environment excepts that agricultural uses, such as non-intensive pasturing or grazing, are allowed, provided that the 50 foot Natural Buffer Zone is maintained along the shoreline.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Low intensity public uses such as scientific, historical, cultural, educational research uses, and water-oriented recreational access allowed if ecological impacts are avoided. WAC 173-26-211(5)(a)(ii)(F).</p>	<p>Section 3</p>	<p>Partially consistent. The description of the Natural Environmental designation criteria in Section 3 discusses low intensity public uses such as those listed, however there is no specific mention of avoiding ecological impacts. The County should consider adding this statement to a new management polices section.</p>
<p>RURAL CONSERVANCY ENVIRONMENT WAC 173-26-211(5)(b)</p>		
<p>Designation criteria: areas outside municipalities or UGAs with: (A) low-intensity, resource-based uses, (B) low-intensity residential uses, (C) environmental limitations such as steep banks or floodplains, (D) high recreational or cultural value, or (E) low-intensity water-dependent uses. WAC 173-26-211(5)(b)(iii).</p>	<p>The County has no Rural Conservancy environment. Rather, the current SMP has a separate Rural Environment and a Conservancy Environment. A description of these environments is found in Section 3.</p>	<p>Consistent. The stated purpose and intent of the current Conservancy environment aligns most closely to the designation criteria for the Rural Conservancy environment described here.</p> <p>The SMP states that “the preferred uses are those which are non-consumptive of the physical and biological resources on a sustained basis while minimally reducing opportunities for other future uses of the resources in the area. Activities and uses of a non-permanent nature which do not substantially degrade the existing character of the area are preferred uses for the Conservancy Environment. The right of residential development, of limited density, on private lands, is recognized, with limitations.”</p> <p>The description of the current Rural Environment focuses more on the protection of agricultural lands. The SMP states that the Rural Environment “is characterized by intensive agriculture or recreational use, moderate land values, lower public and private capital investment, and/or some biophysical development limitations.</p> <p>The Rural Environment is intended to protect agricultural land from Urban Expansion. Those areas having high capability to support active agriculture or which have agriculture potential should be maintained for present and future needs. They include areas which have a potential for agriculture purposes or are already being used for agriculture purposes. Low density rural residential and moderate intensity recreational uses are types appropriate to the resources of the areas.”</p> <p>The County could consider combining these designations</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		into one Rural Conservancy designation.
<p>Restrictions on use and development that would degrade or permanently deplete resources. Water dependent and water enjoyment recreation facilities are preferred uses. Low intensity, water-oriented commercial and industrial uses limited to areas where those uses have located in the past or at sites that possess conditions and services to support the development. WAC 173-26-211(5)(b)(ii)(A) and (B).</p> <p>For SMPs that allow mining, see WAC 173-26-241(3)(h).</p>	Generally, throughout Section 4, but not explicitly stated.	<p>Partially Consistent. Each of the activities in Section 4 includes a regulation which states in which environment designation the activity is allowed, and sometimes offers qualifications. Some activities which would degrade or permanently deplete resources are restricted in the Conservancy and/or Rural environments. However, these particular more general limits and preferred uses are not explicitly stated. The County should consider reorganizing the SMP to include management policies for the environment designations that specifically includes these WAC requirements.</p>
<p>Prohibition on new structural shoreline stabilization and flood control works except where there is documented need to protect an existing primary structure (provided mitigation is applied) or to protect ecological functions. WAC 173-26-211(5)(b)(ii)(C).</p>	Section 4 > Shoreline Modification Activities > Shoreline Alteration B.7	<p>Partially consistent. Shoreline alteration, which includes stabilization and flood control works may be allowed as a Conditional Use in the Conservancy and Rural designations. The stated prohibition is not explicitly included in the SMP but Regulation 7 states the following which appears to imply the same intent. However, mitigation is not mentioned. The County should consider revising this regulation or including a new one to clarify consistency with this WAC requirement.</p>
<p>Development standards for residential use that preserve existing character of the shoreline. Density, lot coverage, vegetation conservation and other provisions that ensure no net loss of shoreline ecological functions.</p> <p>Density or lot coverage limited to a maximum of ten percent total impervious surface area within the lot or parcel, or alternative standard that maintains the existing hydrologic character of the shoreline. (May include provisions allowing greater lot coverage for lots legally created prior to the adoption of a master program prepared under these guidelines, if lot coverage is minimized and vegetation is conserved.) WAC 173-26-211(5)(b)(ii)(D).</p>	<p>Section 4 > Development Activities > Residential Development Policies A 1 and 2, Regulations 4, 6, 9 and 12</p> <p>Not explicitly stated.</p>	<p>Partially consistent. The Residential Development section includes general standards for residential use that reference compatibility with the shoreline environment and are intended to preserve ecological function and shoreline character. Setbacks are specified for development in the Rural and Conservancy environments. In general, the included provisions are not specific enough to ensure consistency with this WAC requirement. No net loss of ecology function is not specifically mentioned, nor is density or lot coverage. The County should consider adding additional provisions to address these requirements.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
AQUATIC ENVIRONMENT WAC 173-26-211(5)(c)		
Designation criteria: Areas waterward of the ordinary high-water mark (OHWM). WAC 173-26-211(5)(c)(iii).	There SMP has no Aquatic Environment designation.	Inconsistent. An Aquatic environment designation should be added.
New over-water structures: Allowed only for water-dependent uses, public access, or ecological restoration. WAC 173-26-211(5)(c)(ii)(A). Limited to the minimum necessary to support the structure's intended use. WAC 173-26-211(5)(c)(ii)(B).	Not explicitly stated.	Inconsistent. The SMP may have provisions consistent with these statements for some individual activities discussed in Section 4 but there is no overarching statement for all new over-water structures. The County should consider adding these statements to a new management polices section for the Aquatic designation.
Multiple use of over-water facilities encouraged. WAC 173-26-211(5)(c)(ii)(C).	Not explicitly stated.	Inconsistent. This statement should be added.
Location and design of all developments and uses required to: Minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration. WAC 173-26-211(5)(c)(ii)(D). Prevent water quality degradation and alteration of natural hydrographic conditions. WAC 173-26-211(5)(c)(ii)(F).	Not explicitly stated.	Inconsistent. The SMP may have provisions consistent with these statements for some individual activities discussed in Section 4 but there is no overarching statement for all new developments in the Aquatic environment. The County should consider adding these statements to a new management polices section for the Aquatic designation.
Uses that adversely impact ecological functions of critical saltwater and freshwater habitats limited (except where necessary for other SMA objectives, and then only when their impacts are mitigated). WAC 173-26-211(5)(c)(ii)(E).	Not explicitly stated.	Inconsistent. This statement should be added.
HIGH-INTENSITY ENVIRONMENT WAC 173-26-211(5)(d)		
Designation criteria: Areas within incorporated municipalities, "UGAs," and "rural areas of more intense development" (see RCW 36.70A.070) that currently support or are planned for high-intensity water-dependent uses. WAC 173-26-211(5)(d)(iii).	The County has no High-Intensity environment. The Urban/Industrial Environment described in Section 3 appears to be consistent with the intention for this designation.	Consistent. The WAC allows for unique designations. The SMP states that the "Urban/Industrial Environment is a shoreline area characterized by high intensity and diverse land uses such as commercial and industrial development, as well as community facilities. The purpose of assigning an area to an urban/industrial environment is to ensure optimum utilization of shorelines occurring in industrial

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		areas by providing for manufacturing, commercial, high density residential and industrial uses, and providing for orderly future development. The resources characteristic of this environment are those necessary to the uses of such an environment: (1) electrical, domestic water, and sewage utilities, (2) shipping and transportation.”
<p>Priority given first to water dependent uses, then to water-related and water-enjoyment uses. New non-water oriented uses prohibited except as part of mixed use developments, or where they do not conflict with or limit opportunities for water oriented uses or where there is no direct access to the shoreline. WAC 173-26-211(5)(d)(ii)(A).</p>	Not explicitly stated.	<p>Inconsistent. The SMP may have provisions consistent with this statement for some individual activities allowed within the Urban/Industrial environment but there is no overarching statement that should apply to all new development within this designation. The County should consider adding this statement to a new management polices section for the Urban/Industrial designation.</p>
<p>Full use of existing urban areas required before expansion of intensive development allowed. WAC 173-26-211(5)(d)(ii)(B).</p>	Not explicitly stated.	<p>Inconsistent. The SMP may have provisions consistent with this statement for some individual activities allowed within the Urban/Industrial environment but there is no overarching statement that should apply to all new development within this designation. The County should consider adding this statement to a new management polices section for the Urban/Industrial designation.</p>
<p>New development does not cause net loss of shoreline ecological functions. Environmental cleanup and restoration of the shoreline to comply with relevant state and federal laws assured. WAC 173-26-211(5)(d)(ii)(C).</p>	Not explicitly stated.	<p>Inconsistent. The SMP has no specific discussion of net loss of shoreline ecological functions. This statement should be added.</p>
<p>Visual and physical public access required where feasible. Sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers to achieve aesthetic objectives. WAC 173-26-211(5)(d)(ii)(D) and (E).</p>	Not explicitly stated.	<p>Inconsistent. The SMP may have provisions consistent with this statement for some individual activities allowed within the Urban/Industrial environment but there is no overarching statement that should apply to all new development within this designation. The County should consider adding this statement to a new management polices section for the Urban/Industrial designation.</p>
<p>URBAN CONSERVANCY ENVIRONMENT WAC 173-26-211(5)(e)</p>		
<p>Designation criteria: Areas within incorporated municipalities, UGAs, and “rural areas of more intense development” not suitable for water-dependent uses but suitable for water-related or water-enjoyment uses, are</p>	The County has no Urban Conservancy environment.	<p>Consistent. There are no incorporated areas or UGAs covered under the County’s SMP jurisdiction. This designation is potentially not appropriate for County shorelines. However, the County should review their current designations and determine whether to keep or</p>

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flood plains, have potential for ecological restoration, retain ecological functions, or have potential for development that incorporates ecological restoration. WAC 173-26-211(5)(e)(iii).		modify their current designation scheme or change to Ecology’s recommended system. The County is not required to use the Urban Conservancy designation if it is not appropriate for its shorelines. The WAC also allows for unique designations, such as the “Community Environment” discussed below.
<p>Allowed uses are primarily those that preserve natural character of area, promote preservation of open space, floodplain or sensitive lands, or are appropriate for restoration. WAC 173-26-211(5)(e)(ii)(A).</p> <p>Priority given to water oriented uses over non-water oriented uses. For shoreline areas adjacent to commercially navigable waters, water dependent uses given highest priority. WAC 173-26-211(5)(e)(ii)(D).</p> <p>For SMPs that allow mining, see WAC 173-26-241(3)(h).</p>	--	
<p>Standards for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications that ensure new development does not result in a net loss of shoreline ecological functions or degrade other shoreline values. WAC 173-26-211(5)(e)(ii)(B).</p>	--	
<p>Public access and recreation required where feasible and ecological impacts are mitigated. WAC 173-26-211(5)(e)(ii)(C).</p>	--	
SHORELINE RESIDENTIAL ENVIRONMENT WAC 173-26-211(5)(f)		
<p>Designation criteria: Areas within incorporated municipalities, UGAs, “rural areas of more intense development”, and “master planned resorts” (see RCW 36.70A.360) that are predominantly residential development or planned and platted for residential development. WAC 173-26-211(5)(f)(iii).</p>	<p>The County has no Shoreline Residential environment. The Community Environment described in Section 3 is intended to encourage residential development in unincorporated areas.</p>	<p>Partially consistent. The WAC allows for unique designations. The SMP states that the Community Environment is characterized as an area of moderate intensity land use including residential, recreational and commercial development. The environment is intended to encourage residential, recreational and commercial development to locate within this environment. It is particularly suitable to those areas presently planned to accommodate Community expansion.</p> <p>It is recommended that the description in the SMP be</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		<p>revised to include more specific designation criteria. Currently the SMP states that, “Although somewhat limited by the kind and quantity of services available, the opportunities are related to characteristics of a small community: 1) employment, 2) recreation, 3) business and commerce, 4) manufacturing, and 5) low cost retirement living.</p> <p>The limitations are characteristic of a small community: 1) available space, 2) remote location, 3) public transportation, 4) school curriculum, 5) employment variety, and 6) cultural variety.” It is not clear exactly what criteria would define these areas.</p>
<p>Standards for density or minimum frontage width, setbacks, buffers, shoreline stabilization, critical areas protection, and water quality protection assure no net loss of ecological function. WAC 173-26-211(5)(f)(ii)(A).</p>	<p>Not explicitly stated.</p>	<p>Inconsistent. The SMP does include discussion of a Natural Buffer Zone (NBZ) within each environment designation. Some specific activity sections also include setback widths particular to the environment designation where the activity is happening. For example, the Residential Development section specifies a minimum 50 foot setback in the Community designation and a 50 foot setback and minimum 104 foot river frontage on a SSWS in the Community designation. However, critical areas protections and discussion of no net loss of ecological function are lacking. The relationship between the NBZ and other buffers required by critical areas provisions is also not clear.</p> <p>The County should consider a development standards section specifying dimensional requirements. Critical areas regulations will also need to be clearly incorporated (see Critical Areas sections below for more discussion).</p>
<p>Multifamily and multi-lot residential and recreational developments provide public access and joint use for community recreational facilities. WAC 173-26-211(5)(f)(ii) (B).</p>	<p>Section 4 > General Regulations > Public Access Policy 1 and Regulation 1</p>	<p>Partially consistent. The SMPs public access section states that “public access shall be required for all shoreline development and uses...” An exception may be authorized in certain situations including residential projects containing less than three dwelling units. Joint use of community recreation facilities is not specifically mentioned.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		The County should consider adding this statement to a new management polices section for the Community designation, and/or adding a provisions related to joint use for community recreation facilities in the applicable sections (recreation and residential development) of the SMP.
Access, utilities, and public services required to be available and adequate to serve existing needs and/or planned future development. WAC 173-26-211(5)(f)(ii)(C).	Not explicitly stated.	Inconsistent. This statement should be added.
Commercial development limited to water oriented uses. WAC 173-26-211(5)(f)(ii)(D).	Section 4 > Development Activities > Commercial Development Regulation B.2	Consistent. For all commercial development the SMP states that “only those commercial developments that are related to or dependent upon a shoreline location shall be permitted; except, a non-water-related use may be allowed in those environments where not expressly prohibited, upon determination that: (1) a water dependent or water related use is not reasonably expected to locate on a proposed site due to topography, surrounding land uses, physical features or due to a site’s separation from the water; (2) a proposed use does not usurp land currently occupied by a water dependent use and will not interfere with adjacent water dependent uses; and/or (3) a proposed use will be of appreciable public benefit by increasing public use, enjoyment or access to the shoreline.”
GENERAL POLICIES AND REGULATIONS		
Moratoria. Under the authority of RCW 90.58.590, local governments may adopt moratoria or other interim official controls lasting up to six months. →	These controls may be extended twice. <i>These official controls are not adopted as part of a shoreline master program.</i> →	Public hearings, notice to Ecology, and other requirement are set forth in RCW 90.58.590.
ARCHAEOLOGICAL AND HISTORICAL RESOURCES WAC 173-26-221(1)		
Developers and property owners required to stop work and notify the local government, state office of archaeology and historic preservation, and affected	Section 4 has an Archeological and Historical Sites Section however this statement is not explicitly addressed. <i>(NOTE: the SMP has no numbering system beyond the first</i>	Inconsistent. The current SMP’s archaeological and historical resources section has policies and regulations which are generally in line with the current Guidelines. However, more specific regulations are required to enact

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Indian tribes if archaeological resources are uncovered during excavation. WAC 173-26-221(1)(c)(i).	<i>level section numbers. The County may consider adding numbering for subsections to make references to particular locations within the SMP easier to cite)</i>	the policies that are currently written and meet the WAC requirements noted.
Permits issued in areas documented to contain archaeological resources require site inspection or evaluation by a professional archaeologist in coordination with affected Indian tribes. WAC 173-26-221(1)(c)(ii).	Not explicitly addressed.	
CRITICAL AREAS WAC 173-26-221(2)		
<p>Policies and regulations for critical areas (designated under GMA) located within shorelines of the state that</p> <ul style="list-style-type: none"> • Are consistent with SMP guidelines • Provide a level of protection equal to critical areas within shorelines that satisfy the no net loss of ecological functions requirement, as provided by the local government’s existing critical area regulations adopted pursuant to the GMA for comparable areas other than shorelines. WAC 173-26-221(2)(a) and (c). <p>Planning objectives are for protection <i>and restoration</i> of degraded ecological functions and ecosystem-wide processes. Regulatory provisions <i>protect</i> existing ecological functions and ecosystem-wide processes. WAC 173-26-221(2)(b)(iv).</p> <p>Critical area provisions promote human uses and values, such as public access and aesthetic values, provided they do not significantly adversely impact ecological functions. WAC 173-26-221(2)(b)(v).</p>	Section 4 > General Regulations > “Environmentally Sensitive Areas” section	<p>Inconsistent. The existing SMP is very limited in the regulations specific to critical areas within shoreline jurisdiction. The Environmentally Sensitive Areas chapter of Section 4 briefly addresses development in wetlands and floodplain areas, however this section would need significant revisions to be in compliance with the current SMP Guidelines. The Guidelines require policies and regulations for critical areas that provide a level of protection to critical areas within the shoreline area that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources. The County may use their existing critical area ordinance (CAO) adopted pursuant to the GMA for comparable areas other than shorelines if it meets the current SMP Guidelines. However, some changes will be required as the SMA has different requirements than the GMA. CAO regulations that do not meet the standards of the SMP Guidelines must be changed to meet those standards before being incorporated into the SMP. The County could also chose to write entirely or partially new critical areas regulations specifically for the SMP.</p> <p>There are several options to integrate existing CAO provisions into the SMP. The County will need to consider which method would work best or if they would prefer to write new regulations for the SMP. Applicable sections of the existing CAO can be incorporated by reference or can be embedded directly into the body of the SMP.</p> <p>Compliance of the existing CAO with the SMP Guidelines is very briefly discussed in the sections below. A more thorough review of the CAO would be required to</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		determine exact revisions necessary if the County were to opt to use the CAO as the basis for their SMP critical areas regulations.
If SMP includes optional expansion of jurisdiction: Clear description of the inclusion of any land necessary for buffers of critical areas that occur within shorelines of the state, accurately depicting new SMP jurisdiction consistent with RCW 90.58.030(2)(f)(ii) and WAC 173-26-221(2)(a).	Not stated.	The County will also need to decide if they want to opt for an expansion of shoreline jurisdiction to include the land necessary for buffers of critical areas that occur within shoreline jurisdiction. This is not required but may be preferable to simplify the regulation of critical areas between the SMP and CAO.
WETLANDS WAC 173-26-221(2)(c)(i)		
Wetlands definition is consistent with WAC 173-22.	SMP glossary	Consistent.
Provisions requiring wetlands delineation method are consistent with WAC 173-22-035.	Not included.	Inconsistent. The SMP does not specify requirements for wetland delineations. Note: The current CAO has wetland delineation language consistent with this WAC provision which could be incorporated into the SMP.
Regulations address all uses and activities listed in WAC 173-26-221(2)(c)(i)(A) to achieve no net loss of wetland area and functions, including lost time when the restoration does not perform the functions. WAC 173-26-221(2)(c)(i)(A) + (C).	Not included.	Inconsistent. The SMP does not address the specific uses and activities mentioned. Note: the current CAO also does not discuss this list of activities. Revisions would be required to use the current CAO wetlands section for the SMP.
Wetlands rating or categorization system is based on rarity, irreplaceability, and/or sensitivity to disturbance of a wetland and the functions the wetland provides. Use Ecology Rating System or regionally specific, scientifically based method. WAC 173-26-221(2)(c)(i)(B)]	Not included.	Inconsistent. No rating or categorization system is used in the SMP. Note: The current CAO is partially consistent with this requirement. The CAO requires use of the 2004 rating system with reference to revisions. This should be updated to the 2014 Ecology rating system if the existing CAO were to be used for the SMP wetlands section.
Wetland Buffer requirements are adequate to ensure wetland functions are protected and maintained in the long-term, taking into account ecological functions of the	Section 4 > General Regulations > “Environmentally Sensitive Areas” Regulation 17	Inconsistent. The SMP requires an upland buffer area of “at least 50 feet” around all wetland areas “unless a greater distance is required by other provisions of this

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>wetland, characteristics of the buffer, and potential impacts associated with adjacent land uses. WAC 173-26-221(2)(c)(i)(B). Wetland buffer widths assume a naturally vegetated state; wider buffers or a revegetation plan may be needed if buffer is unvegetated or sparsely vegetated.</p>		<p>program”. This buffer width is likely too small for many wetlands and would not be supported by the most current, accurate and complete scientific and technical information required by the SMA.</p> <p>Note: The current CAO is partially consistent with this requirement. The existing CAO bases the required standard wetland buffer widths only on the wetland category. Buffer widths are in line, and in some cases larger, than Ecology’s recommended widths for buffers based solely on wetland category except in the case of Category III wetlands. The 75 foot buffer for Category III wetlands currently required is smaller than Ecology’s recommended 150 foot buffer. SMP guidelines state that buffer widths and management shall take into account the ecological functions of the wetland, the characteristics and setting of the buffer, the potential impacts associated with the adjacent land use, and other relevant factors. To use the existing CAO for the SMP, the County should consider revising the wetland buffer provisions to be compliant with Ecology’s latest buffer guidance. This may include choosing an alternative buffer scheme that determines widths based not only on category, but also intensity of impacts from the proposed land use, and/or wetland functions and other characteristics.</p>
<p>Wetland mitigation requirements are consistent with WAC 173-26-201(2)(e) and are based on the wetland rating or other scientifically valid means demonstrating replacement of all functions lost (hydrologic, habitat, and water quality). WAC 173-26-221(2)(c)(i)(E) and (F).</p>	<p>Section 4 > General Regulations > “Environmentally Sensitive Areas” Regulations 13-16</p>	<p>Inconsistent. The SMP includes a mitigation requirement for projects that propose wetland impacts. However, the regulations are not specific enough to meet the WAC mitigation requirements.</p> <p>Note: The current CAO is partially consistent with the WAC wetland mitigation requirements and could be slightly revised for use in the SMP. The major gap noted between the existing CAO and the SMP Guidelines is the lack of mitigation sequencing language in the CAO.</p>
<p>Compensatory mitigation allowed only after mitigation sequencing is applied and higher priority means of mitigation are determined to be infeasible.</p> <p>Compensatory mitigation requirements include (I)</p>	<p>Section 4 > General Regulations > “Environmentally Sensitive Areas” Regulations 13-16</p>	<p>Partially consistent. The SMP includes discussion of compensatory wetland mitigation requirements. However, not all of the WAC provisions are included and more specificity is needed to ensure compliance with the Guidelines. For example, the SMP does not include</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>replacement ratios; (II) Performance standards for evaluating success; (III) long-term monitoring and reporting procedures; and (IV) long-term protection and management of compensatory mitigation sites. WAC 173-26-221(2)(c)(i)(F).</p> <p>Compensatory mitigation requirements are consistent with preference for “in-kind and nearby” replacement, and include requirement for watershed plan if off-site mitigation is proposed. WAC 173-173-26-201(2)(e)(B).</p>		<p>reference to mitigation sequencing. Additionally, the SMP states that “wetland functional values” shall be replaced at a minimum of a 1.25 for 1 ratio. It appears this refers to replacement of wetland acreage through wetland creation, but the regulation is not clear as to how it would apply if wetland restoration or enhancement were proposed. The SMP does require monitoring but specific requirements for performance standards and long-term protection are missing. Preference for in-kind and nearby mitigation is stated.</p> <p>Note: As noted above, the current CAO is also partially consistent with the WAC wetland mitigation requirements. Replacement ratios would likely need to be revised, and reference to mitigation sequencing and specific requirements for performance standards, monitoring and long-term protection standards added. The CAO is consistent with the preference for in-kind and nearby replacement.</p>
GEOLOGICALLY HAZARDOUS AREAS WAC 173-26-221(2)(c)(ii)		
<p>Prohibition of new development and creation of new lots that would:</p> <p>Cause foreseeable risk from geological conditions during the life of the development. WAC 173-26-221(2)(c)(ii)(B);</p> <p>Require structural shoreline stabilization over the life of the development. (Exceptions allowed where stabilization needed to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result.) WAC 173-26-221(2)(c)(ii)(C).</p>	Not included.	<p>Inconsistent. The SMP does not include a geologically hazardous areas section. Regulations for critical areas in shoreline jurisdiction should include a new geologically hazardous areas section. Additionally, the County could consider adding some of these requirements to the shorelines stabilization section of the SMP.</p> <p>Note: The existing geological hazards section of the CAO does not include sufficient detail to be in compliance with the stated WAC sections. Revisions would be required to use the current CAO section for the SMP.</p>
<p>New stabilization structures for existing primary residential structures allowed only where no alternatives (including relocation or reconstruction of existing structures), are feasible, and less expensive than the proposed stabilization measure, and then only if no net</p>	Not explicitly stated.	<p>Inconsistent. The County should consider adding this language to the Shoreline Stabilization section of the SMP.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
loss of ecological functions will result. WAC 173-26-221(2)(c)(ii)(D).		
CRITICAL SALTWATER HABITATS WAC 173-26-221(2)(c)(iii)		
Prohibit new docks, bulkheads, bridges, fill, floats, jetties, utility crossings and other structures in or over critical saltwater habitats, except where: <ul style="list-style-type: none"> Public need is clearly demonstrated; Avoidance of impacts is not feasible or would result in unreasonable cost; The project include appropriate mitigation; and The project is consistent with resource protection and species recovery. Private, non-commercial docks for individual residential or community use allowed if it is infeasible to avoid impacts by alternative alignment or location and the project results in no net loss of ecological functions. WAC 173-26-221(2)(c)(iii)(C).	NA	This section is not applicable as the County has no critical saltwater habitats.
Where inventory of critical saltwater habitat has not been done, all over water and near-shore developments in marine and estuarine waters require habitat assessment of site and adjacent beach sections. WAC 173-26-221(2)(c)(iii)(C)	NA	
CRITICAL FRESHWATER HABITATS WAC 173-26-221(2)(c)(iv)		
Requirements that ensure new development within stream channel, channel migration zone, wetlands, floodplain, hyporheic zone, does not cause a net loss of ecological functions. WAC 173-26-221(2)(c)(iv)(C)(I) and WAC 173-26-221(2)(c)(iv)(B)(II).	Not stated.	Inconsistent. No specific mention of the requirement for no net loss of ecological function is found in the current SMP (or CAO).
Authorization of appropriate restoration projects is facilitated. WAC 173-26-221(2)(c)(iv)(C)(III).	Not explicitly stated.	Partially consistent. Regulations pertaining to restoration actions are addressed under several of the specific uses and modifications subsections in Section 4, but there is no separate restoration section or general authorization. The County should consider adding a statement authorizing restoration in the general regulations section and/or to a new use and modifications table that lists all uses and modifications discussed in the SMP and indicates which

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		are allowed or prohibited in which environment designation (as is suggested elsewhere in this checklist to meet other requirements).
Regulations protect hydrologic connections between water bodies, water courses, and associated wetlands. WAC 173-26-221(2)(c)(iv)(C)(IV).	Generally, Section 4 > General Regulations > “Environmental Impacts” and “Environmentally Sensitive Areas” section	Partially consistent. The intention of this requirement seems to be incorporated into the existing environmental protections sections of the SMP and in particular use and development regulations. However, this provision could be strengthened with a more specific and thorough Critical Areas section.
FLOOD HAZARD REDUCTION WAC 173-26-221(3)		
New development within the channel migration zone or floodway limited to uses and activities listed in WAC 173-26-221(3)(b) and (3)(c)(i).	Not explicitly stated	Inconsistent. The existing SMP has no section specific to flood hazard reduction. Existing CAO regulations for frequently flooded areas also do not include these WAC requirements. The County should consider adding a new flood protection section to the SMP which incorporates these requirements and cross references existing County flood code which may also be applicable.
<p>New structural flood hazard reduction measures allowed only:</p> <p>Where demonstrated to be necessary, and when non-structural methods are infeasible and mitigation is accomplished;</p> <p>Landward of associated wetlands and buffer areas except where no alternative exists as documented in a geotechnical analysis. WAC 173-26-221(3)(c)(ii) & (iii).</p>	Not explicitly stated	
New publicly funded dikes or levees required to dedicate and improve public access (see exceptions). WAC 173-26-221(3)(c)(iv).	Not explicitly stated	
<p>Removal of gravel for flood control allowed only if biological and geomorphological study demonstrates a long-term benefit to flood hazard reduction, no net loss of ecological functions, and extraction is part of a comprehensive flood management solution. WAC 173-26-221(3)(c)(v).</p>	Not explicitly stated	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
PUBLIC ACCESS WAC 173-26-221(4)		
<p>Applicability: Public access includes the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. WAC 173-26-221(4)(d)(i). For S of SWS the SMP should identify and evaluate all publicly owned shoreline parcels and their suitability for public access.</p>	Section 4 > General Regulations > Public Access	<p>Consistent. The existing SMP requires public access for all shoreline development and uses with certain exceptions. The exceptions noted are in accordance with the Guidelines. Overall, the public access regulations are in fact more stringent than the Guidelines require.</p>
<p>Policies and regulations protect and enhance both physical and visual access. WAC 173-26-221(4)(d)(i).</p>	Section 4 > General Regulations > Public Access Policy 2, 3, 4; Regulation 1 and 3	<p>Consistent.</p>
<p>Public entities are required to incorporate public access measures as part of each development project, unless access is incompatible with safety, security, or environmental protection. WAC 173-26-221(4)(d)(ii).</p>	Section 4 > General Regulations > Public Access Policy 1 and Regulation 1	<p>Partially Consistent. The SMP generally requires public access for <i>all</i> private and public shoreline development and uses, regardless of the project proponent, unless certain provisions apply which include concerns for safety, security or environmental protection. However, exceptions are also stated for if the cost of providing the access is unreasonably disproportionate to the total long-term cost of the development, and for certain residential projects. If these types of projects were proposed by a public entity and were exempted from the public access requirement, it would not be consistent with the WAC. The County should consider adding text that separately specifies the public entity public access requirement.</p>
<p>Provide standards for the dedication and improvement of public access in developments for water-enjoyment, water-related, and nonwater-dependent uses and for the subdivision of land into more than four parcels. In these cases, public access should be required [with certain exceptions].</p>	Section 4 > General Regulations > Public Access Policy 1 and Regulations 1, 6 and 7	<p>Consistent. The existing SMP requires public access for all shoreline development and uses with certain exceptions, as allowed by the WAC.</p>
<p>Maximum height limits, setbacks, and view corridors minimize impacts to existing views from public property or substantial numbers of residences. WAC 173-26-221(4)(d)(iv); RCW 90.58.320.</p>	Section 4 > General Regulations > Public Access Policy 2 and 3	<p>Partially consistent. The Public Access section specifies that uses and developments should not impact or detract from the public's visual access to the water and that views should be enhanced and preserved. However, as noted above, dimensional standards such as height limitations, setbacks etc. are not included for all uses and developments. The County should add text specifying</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		dimensional standards that apply to all projects and which take into consideration the minimization of impacts to existing views.
VEGETATION CONSERVATION (CLEARING AND GRADING) WAC 173-26-221(5)		
Vegetation standards implement the principles in WAC 173-26-221(5)(b). Methods to do this may include setback or buffer requirements, clearing and grading standards, regulatory incentives, environment designation standards, or other master program provisions. WAC 173-26-221(5)(c).	Section 4 > General Regulation > Environmental impacts and Environmentally Sensitive Area sections address some vegetation conservation regulations	Partially Consistent. The existing SMP does not have a specific Vegetation Conservation section. However, vegetation protections are incorporated into the Environmental Impacts and Environmental Sensitive areas chapters, including a requirement that surfaces cleared of vegetation, and not to be developed, must be replanted as soon as possible. The County should consider strengthening the clearing and grading standards and adding standards specific to tree retention in shoreline jurisdiction. Vegetation conservation is also addressed through the Natural Buffer Zone established in the Environment Designation section of the SMP. This 50 foot buffer is intended to consist of natural, undisturbed vegetation. The definition for “undisturbed” states that only minor vegetative modification is allowed that does not substantially alter visual character or adversely affect riparian structure and function. The County should consider adding more specific regulations detailing what is and is not allowed in the buffer zone.
Selective pruning of trees for safety and view protection is allowed and removal of noxious weeds is authorized. WAC 173-26-221(5)(c).	Not explicitly stated.	Inconsistent. Consider adding a statement to reflect this specific provision.
WATER QUALITY WAC 173-26-221(6)		
Provisions protect against adverse impacts to water quality and storm water quantity and ensure mutual consistency between SMP and other regulations addressing water quality. WAC 173-26-221(6).	Section 4 > General Regulations > Environmental Impacts includes some general discussion of water quality regulations	Inconsistent. To ensure mutual consistency between the SMP and other regulations, the County should consider requiring new development and re-development to manage short-term and long-term stormwater runoff to avoid and minimize potential adverse effects on shoreline ecological functions through compliance with the latest County-adopted edition of the Stormwater Management Manual. It may also be useful to add a specific Water Quality Section to the SMP for clarity.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
SHORELINE MODIFICATIONS		
<p>SMP: (a) allows structural shoreline modifications only where demonstrated to be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage or are necessary for mitigation or enhancement; (b) limits shoreline modifications in number and extent; (c) allows only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed; (d) gives preference to those types of shoreline modifications that have a lesser impact on ecological functions. Policies promote "soft" over "hard" shoreline modification measures (f) incorporates all feasible measures to protect ecological shoreline functions and ecosystem-wide processes as modifications occur; (g) requires mitigation sequencing. WAC 173-26-231(2); WAC 173-26-231(3)(a)(ii) and (iii);</p>	Not explicitly stated.	<p>Inconsistent. Local governments are encouraged to prepare master program provisions that distinguish between shoreline modifications and shoreline uses. The existing SMP does this by including modifications as a subset of the Shoreline Use Activities section (Section 4). Section 4 includes policies and regulations for seven categories of shoreline modifications: breakwaters, bulkheads, dredging, jetties and groins, landfilling, clearing and grading, and shoreline alteration. While Section 4 does currently have a General Policies and Regulations section which presumably applies to all use activities (including modifications) the section covers, the County should consider adding a general requirements section specific to the shoreline modifications subsection which incorporates specific requirements of the Guidelines that should apply to all modifications. These would include a regulation stating that structural shoreline modifications are allowed only where demonstrated to be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage or are necessary for mitigation or enhancement (WAC 173-26-231(2)). The Guidelines also require that all shoreline modifications avoid and reduce significant ecological impacts according to the mitigation sequence per WAC 173-26-201(2)(e). The SMP does not currently have mitigation sequencing provisions. These will need to be added and could be incorporated into the existing general regulations of Section 4 which currently includes an environmental impacts section.</p>
SHORELINE STABILIZATION WAC 173-26-231(3)(a)		
<p>Definition: structural and nonstructural methods to address erosion impacts to property and dwellings, businesses, or structures caused by natural processes, such as current, flood, tides, wind, or wave action. WAC 173-26-231(3)(a)(i).</p>	Not included	<p>Inconsistent. The existing SMP's Shoreline Alteration chapter of Section 4 describes circumstances under which shoreline alteration is permitted and for the design and type of protective measures allowed. The SMP has a separate "bulkheads" section. Together these sections appear intended to cover shoreline stabilization. The</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Definition of new stabilization measures include enlargement of existing structures. WAC 173-26-231(3)(a)(iii)(C), last bullet; WAC 173-26-231(3)(a)(iii)(B)(I), 5 th bullet).		County should consider combining these sections, changing the title to “shoreline stabilization” and adding a definition of shoreline stabilization that is consistent with WAC 173-26-231(3)(a)(i).
Standards setting forth circumstances under which shoreline alteration is permitted , and for the design and type of protective measures and devices. WAC 173-26-231(3)(a)(ii).	Section 4 > Shoreline Alteration Activities > Shoreline Alternation	Partially consistent. The SMP does include some provisions designed to protect against impacts from shoreline stabilization and provisions are consistent with the intent of WAC 173-26-231(3)(a)(ii), but do not provide the level of specificity required in WAC 173-26-231(3)(a)(iii). Specifically, the SMP should specify regulations for the replacement of existing stabilization structures and that all proposals for shoreline stabilization structures, both individually and cumulatively, must not result in a net loss of ecological functions, and must be the minimum size necessary. It should also be added that soft approaches shall be used unless demonstrated not to be sufficient to protect primary structures.
<p>New development (<i>including newly created parcels</i>) required to be designed and located to prevent the need for future shoreline stabilization, based upon geotechnical analysis.</p> <p>New development on steep slopes and bluffs required to be set back to prevent need for future shoreline stabilization during life of the project, based upon geotechnical analysis.</p> <p>New development that would require shoreline stabilization which causes significant impacts to adjacent or down-current properties and shoreline areas is prohibited. WAC 173-26-231(3)(a)(iii)(A).</p>	<p>Not explicitly stated</p> <p>Not explicitly stated</p> <p>Not explicitly stated</p>	Inconsistent. These statements should be added.
<p>New structural stabilization measures are not allowed except when necessity is demonstrated. Specific requirements for <i>how to demonstrate need</i> are established for:</p> <p>(I) existing primary structures;</p>	Section 4 > Shoreline Alteration Activities > Shoreline Alternation Regulation 7	Inconsistent. The SMP states certain purposes for which stabilization and protection works shall be permitted which are generally in line with these listed. However, specific requirements for demonstrating need are not discussed. Additional detail should be added to be

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
(II) new non-water-dependent development including single family residences; (III) water-dependent development; and (IV) ecological restoration/toxic clean-up remediation projects. WAC 173-26-231(3)(a)(iii)(B)		consistent with this WAC requirement.
Replacement of existing stabilization structures is based on demonstrated need. Waterward encroachment of replacement structure is allowed only for residences occupied prior to January 1, 1992, Or for soft shoreline stabilization measures that provide restoration of ecological functions. WAC 173-26-231(3)(a)(iii)(C).	Not explicitly stated.	Inconsistent. These provisions should be added.
Geotechnical reports prepared to demonstrate need include estimates of rate of erosion and urgency (damage within 3 years) and evaluate alternative solutions. WAC 173-26-231(3)(a)(iii)(D).	Not explicitly stated.	Inconsistent. These provisions should be added.
Shoreline stabilization structures are limited to the minimum size necessary. WAC 173-26-231(3)(a)(iii)(E).	Section 4 > Shoreline Alteration Activities > Shoreline Alternation Regulation 2	Partially consistent. The SMP seems to imply this is the intention, such as through Regulation 2. However, the wording “minimize size” is not found. The County should consider adding this language for clarity.
Public access required as part of publicly financed shoreline erosion control measures. WAC 173-26-231(3)(a)(iii)(E).	Not explicitly stated.	Partially consistent. The existing SMP requires public access for all shoreline development and uses with certain exceptions. However, no specific mention is given to public financing or shoreline erosion control measures. The County should consider clarifying this intention by adding a regulation to the shoreline stabilization and/or public access section.
Impacts to sediment transport required to be avoided or minimized. WAC 173-26-231(3)(a)(iii)(E).	Not explicitly stated.	Inconsistent. This provision should be added.
PIERS AND DOCKS WAC 173-26-231(3)(b)		
New piers and docks: Allowed only for water-dependent uses or public access Restricted to the minimum size necessary to serve a proposed water-dependent use. Permitted only when specific need is demonstrated (except for docks accessory to single-family	Section 4 > Development Activities > Piers and Docks: Not explicitly stated Regulation B.6	Partially Consistent. The existing Piers and Docks section specifies minimum application information, and requires minimization of size and adverse environmental impact. Regulation 6 states that “the length, width, number, and types of docks or piers shall be limited to that which is actually needed to fulfill its purpose”. However, several WAC requirements are not specifically addressed including restriction to water-dependent uses or public

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>residences).</p> <p>Note: Docks associated with single family residences are defined as water dependent uses provided they are designed and intended as a facility for access to watercraft. WAC 173-26-231(3)(b).</p>	Not explicitly stated	access, and the requirements that specific need be demonstrated. In general more specificity is needed in this section.
<p>When permitted, new residential development of more than two dwellings is required to provide joint use or community docks, rather than individual docks. WAC 173-26-231(3)(b)</p>	Not explicitly stated.	Inconsistent. While the current policies mention that priority should be given to the use of community piers and docks, no regulation specifically addresses the use of community docks.
<p>Design, construction & placement of piers, docks, mooring buoys, boat lifts, boat ramps, marine railways, and float plane facilities are required to avoid, minimize and mitigate for impacts to ecological processes and functions and be constructed of approved materials. WAC 173-26-231(3)(b).</p>	Section 4 > Development Activities > Piers and Docks > 5.a	Partially Consistent. Regulation 5.a states that piers and docks should be “sited and designed to minimize all possible adverse environment impacts, including potential impacts on littoral drift, sand movement, water circulation and quality, and fish and wildlife habitat”. However, no specific reference to approved materials or mitigation is provided. Additional language is needed to be consistent with the WAC.
FILL WAC 173-26-231(3)(c)		
<p>Definition of “fill” consistent with WAC 173-26-020(14).</p>	Not included.	Inconsistent. A definition of “fill” consistent with WAC 173-26-020(15) should be added to the glossary.
<p>Location, design, and construction of all fills protect ecological processes and functions, including channel migration. WAC 173-26-231(3)(c).</p>	Section 4 > Shoreline Modification Activities > Landfilling B.5 and 7 generally address protection of ecological processes, though channel migration is not specifically addressed.	Partially Consistent. Additional specificity should be added including reference to protection of channel mitigation.
<p>Fill waterward of the OHWM allowed only by shoreline conditional use permit, for:</p> <ul style="list-style-type: none"> Water-dependent use; Public access; Cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan; Disposal of dredged material in accordance with DNR Dredged Material Management Program; Expansion or alteration of transportation facilities of statewide significance currently located on the shoreline (if alternatives to fill are shown not 	Not included	Inconsistent. Fill is allowed only by a conditional use permit in all environment designations except Natural, where it is prohibited, and Urban/Industrial, where it is permitted. Specific language for fill waterward of the OHWM must be added.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
feasible); Mitigation action, environmental restoration, beach nourishment or enhancement project. WAC 173-26-231(3)(c).		
BREAKWATERS, JETTIES, AND WEIRS WAC 173-26-231(3)(d)		
Structures waterward of the ordinary high-water mark allowed only for water-dependent uses, public access, shoreline stabilization, or other specific public purpose. WAC 173-26-231(3)(d).	Section 4 > Shoreline Modification Activities > “Breakwaters”, and “Jetties and Groins” sections	Partially consistent. In the current SMP breakwaters are addressed in a separate section from jetties and groins. As the Guidelines include breakwaters, jetties and weirs under one category, it may be more concise to match this format with the SMP. While the SMP currently states limited instances that these structures may be permitted, additional specificity would help ensure compliance with the Guidelines. The current SMP states jetties and groins may be permitted for industrial activity which may not be in compliance with the WAC unless it is specifically a <i>water-dependent</i> industrial use.
Shoreline conditional use permit required for all structures except protection/restoration projects. WAC 173-26-231(3)(d).	Section 4 > Shoreline Modification Activities > “Breakwaters” Regulation 7, and “Jetties and Groins” Regulation 7	Consistent. Currently breakwaters, jetties and groins are only allowed by conditional use permit in all designations where they are not prohibited. The County may consider providing an exception to this and allowing a substantial development permit for protection/restoration projects only.
Protection of critical areas and appropriate mitigation required. WAC 173-26-231(3)(d).	Not explicitly stated.	Inconsistent. Language should be added to protect critical areas and require appropriate mitigation.
DUNES MANAGEMENT WAC 173-26-231(3)(e)		
Development setbacks from dunes prevent impacts to the natural, functional, ecological, and aesthetic qualities of the dunes. WAC 173-26-231(3)(e).	NA	No dunes are present in Klickitat County. Therefore, this section of the SMP checklist is not applicable to the County’s SMP.
Dune modifications allowed only when consistent with state and federal flood protection standards and result in no net loss of ecological processes and functions. WAC 173-26-231(3)(e).	NA	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Dune modification to protect views of the water shall be allowed only on properties subdivided and developed prior to the adoption of the master program and where the view is completely obstructed for residences or water-enjoyment uses and where it can be demonstrated that the dunes did not obstruct views at the time of original occupancy. WAC 173-26-231(3)(e).	NA	
DREDGING WAC 173-26-231(3)(f)		
Dredging and dredge material disposal avoids or minimizes significant ecological impacts. Impacts which cannot be avoided are mitigated. WAC 173-26-231(3)(f).	Section 4 > Shoreline Modification Activities > Dredging Policy A.2, Regulations B.1-5	Consistent.
New development siting and design avoids the need for new and maintenance dredging. WAC 173-26-231(3)(f).	Not explicitly stated.	Inconsistent. This statement should be added.
Dredging to establish, expand, relocate or reconfigure navigation channels allowed only where needed to accommodate existing navigational uses and then only when significant ecological impacts are minimized and when mitigation is provided. WAC 173-26-231(3)(f).	Not explicitly stated.	Inconsistent. This statement should be added.
Maintenance dredging of established navigation channels and basins restricted to maintaining previously dredged and/or existing authorized location, depth, and width. WAC 173-26-231(3)(f).	Not explicitly stated.	Inconsistent. This statement should be added.
Dredging for fill materials prohibited except for projects associated with MTCA or CERCLA habitat restoration, or any other significant restoration effort approved by a shoreline CUP. Placement of fill must be <i>waterward</i> of OHWM. WAC 173-26-231(3)(f).	Section 4 > Shoreline Modification Activities > Dredging Regulation 8	Partially consistent. The SMP states that dredging for the purpose of obtaining material for landfill is not permitted except for emergency shoreline stabilization and flood protection measures. The County should consider revising this regulation to include additional detail that would make it compliant with WAC 173-26-231(3)(f).
Uses of dredge material that benefits shoreline resources are addressed. If applicable, addressed through implementation of regional interagency dredge material management plans or watershed plan. WAC 173-26-231(3)(f).	Section 4 > Shoreline Modification Activities > Dredging Regulation 9	Consistent.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Disposal within river channel migration zones discouraged, and in limited instances when allowed, require CUP. (Note: not intended to address discharge of dredge material into the flowing current of the river or in deep water within the channel where it does not substantially affect the geo-hydrologic character of the channel migration zone). WAC 173-26-231(3)(f).</p>	<p>Not explicitly stated.</p>	<p>Inconsistent. This statement should be added.</p>
<p>SHORELINE HABITAT AND NATURAL SYSTEMS ENHANCEMENT WAC 173-26-231(3)(g)</p>		
<p>Provisions that foster habitat and natural system enhancement projects, provided the primary purpose is restoration of the natural character and functions of the shoreline, and only when consistent with implementation of the restoration plan developed pursuant to WAC 173-26-201(2)(f).</p>	<p>Not explicitly included.</p>	<p>Inconsistent. The current SMP does not have a section specific to shoreline enhancement or restoration, though regulations pertaining to restoration actions are addressed under several of the uses and modifications. The County should consider adding a shoreline restoration section which specifically details provisions that foster habitat and natural system enhancement projects in general.</p> <p>A Shoreline Restoration section could be added under the Shoreline Modifications subsection of Section 4.</p>
<p>Application For Relief option from expansion of SMA jurisdiction by shoreline restoration projects. RCW 90.58.580.</p>	<p>Not included.</p>	<p>Inconsistent. This provision should be added. It may be most appropriate in a new Shoreline Restoration section.</p>
<p>SPECIFIC SHORELINE USES</p>		
<p>AGRICULTURE WAC 173-26-241(3)(a)</p>		
<p>Use of agriculture related terms is consistent with the specific meanings provided in RCW 90.58.030 and .065.</p>	<p>Section 4 > Resource Based Activities > Agricultural Practices</p>	<p>Partially consistent. On-going agricultural activities on existing agricultural land are not subject to the SMP. Therefore, SMP provisions should not limit or require modification to ongoing agricultural activities. However, SMP provisions do apply to new or expanded agricultural activities, as well as expansion of such activities on land not meeting the definition of agricultural land and conversion of agricultural lands to non-agricultural uses. Additionally, some new agriculture-related activities which are subject to the SMP may still be exempt from a permit requirement, but the SMP standards still apply.</p> <p>The current SMP includes a description of exemptions</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		from the substantial development permit requirement for certain agriculture activities, however, the regulations themselves could be revised to clarify applicability. The introduction to the Agricultural Practices section describes applicability and exemptions and includes some definition of what agricultural practices involve. Specific definitions, consistent with the WAC, of all agricultural related terms should be added to the glossary for consistency. Such terms should include: agricultural activities, agricultural equipment and agricultural facilities, agricultural land, agricultural products, and agricultural uses.
<p>Provisions address new agricultural activities, conversion of agricultural lands to other uses, and other development not meeting the definition of agricultural activities.</p> <p>Provisions assure that development in support of agricultural uses is: (A) consistent with the environment designation; and (B) located and designed to assure no net loss of ecological functions and not have a significant adverse impact on other shoreline resources and values. WAC 173-26-241(3)(a)(ii) & (v).</p>	<p>Section 4 > Resource Based Activities > Agricultural Practices</p> <p>Not explicitly stated.</p>	<p>Partially consistent. On-going agricultural activities on existing agricultural land are not subject to the SMP. Therefore, SMP provisions should not limit or require modification to ongoing agricultural activities. However, SMP provisions do apply to new or expanded agricultural activities.</p> <p>Language that agriculture uses shall assure no net loss of ecological functions should be added.</p>
<p>Shoreline substantial development permit is required for all agricultural development not specifically exempted by the provisions of RCW 90.58.030(3)(e)(iv).</p>	<p>Section 4 > Resource Based Activities > Agricultural Practices Regulation B.17</p>	<p>Consistent.</p>
<p>Conversion of agricultural land to non-agricultural uses is consistent with the environment designation, and regulations applicable to the proposed use do not result in a net loss of ecological functions. WAC 173-26-241(3)(a)(vi).</p>	<p>Not explicitly stated.</p>	<p>Inconsistent. Specific discussion of conversion of agricultural land to non-agricultural uses was not found in the SMP. Clarification should be added that this activity is governed by the SMP. As mentioned elsewhere, discussion of no net loss of ecological functions for all new uses and developments also needs to be added.</p>
<p>AQUACULTURE WAC 173-26-241(3)(b)</p>		
<p>General Provisions</p>	<p>Section 4 > Resource Based Activities > Aquaculture</p>	<p>Partially consistent. In the current SMP aquaculture is addressed in Section 4 under the Resource Based Activities subsection. Regulations are generally in line with the Guidelines by requiring aquaculture</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		development to avoid conflict with navigational uses, minimize aesthetic impacts, and requiring that non water dependent components be located upland of the shorelines. The County should consider adding specific reference to prohibiting aquaculture in areas where it would result in a net loss of ecological functions. Impacts to ecological functions must be mitigated consistent with mitigation sequencing. Regulations should also state that aquaculture facilities must be designed and located so as not to spread disease to native aquatic life, or establish new nonnative species which cause significant ecological impacts (WAC 173-26-241(3)(b)(i)(C)).
<p>Definition of aquaculture consistent with WAC 173-26-020(6) and -241(3)(b)(i)(A).</p>	<p>Section 4 > Resource Based Activities > Aquaculture</p>	<p>Consistent. The definition of aquaculture presented in the introductory paragraph to the Aquaculture section is consistent with the WAC definitions. However, there is currently no definition of Aquaculture in the SMP glossary. A definition, consistent with the WAC definition, should be added to the glossary for consistency and ease of use.</p>
<p>Aquaculture is defined as dependent on the use of the water area and, when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area. WAC 173-26-241(3)(b)(i)(A).</p>	<p>Not included.</p>	<p>Inconsistent. This language should be added to the new aquaculture definition suggested above.</p>
<p>SMP recognizes that potential locations for aquaculture are restricted, technology associated with some forms of present-day aquaculture is still in its formative stages and experimental, and recognizes the need for some latitude in the development of this use as well as its potential impact on existing uses and natural systems. WAC 173-26-241(3)(b)(i)(B).</p>	<p>Section 4 > Resource Based Activities > Aquaculture, Introductory paragraph</p>	<p>Consistent.</p>
<p>General ecological siting considerations: Provisions require consideration of local ecological conditions and providing limits and conditions to assure appropriate compatible types of aquaculture for the local conditions as necessary to assure no net loss of ecological functions. WAC 173-26-241(3)(b)(i)(A).</p>	<p>Section 4 > Resource Based Activities > Aquaculture, A.4-6, B.9</p>	<p>Partially consistent. Existing policies and regulations seem to meet the intention of this requirement. However, specific language regarding no net loss of ecological functions should be added for full compliance.</p> <p>Additionally, aquaculture policies and regulations make</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Aquaculture is not permitted in areas where it would result in a net loss of ecological functions or adversely impact eelgrass and/or macroalgae. Impacts to ecological functions shall be mitigated consistent with the mitigation sequence. Aquacultural facilities should be designed and located so as not to spread disease to native aquatic life, or establish new nonnative species which cause significant ecological impacts. WAC 173-26-241(3)(b)(i)(C).</p>		<p>no mention of mitigation, nonnative species of spread of disease. These provisions should be added.</p>
<p>Aquaculture is not permitted in areas where it would significantly conflict with navigation and other water-dependent uses. WAC 173-26-241(3)(b)(i)(C).</p>	<p>Section 4 > Resource Based Activities > Aquaculture, B.3,4</p>	<p>Consistent.</p>
<p>Aquacultural facilities should not significantly impact the aesthetic qualities of the shoreline. WAC 173-26-241(3)(b)(i)(C).</p>	<p>Section 4 > Resource Based Activities > Aquaculture, A.3</p>	<p>Consistent.</p>
<p>Provisions must ensure proper management of upland uses to avoid degradation of water quality of existing shellfish areas. WAC 173-26-241(3)(b)(i)(D).</p> <p>Inventory and characterization must include information specific to siting in-water uses and development, including intertidal property ownership, aquaculture operations, shellfish beds, shellfish protection districts, and areas that meet health shellfish water quality certification requirements. WAC 173-26-201(3)(c)(xi).</p> <p>Review of data and information specific to shellfish areas must also be done as part of the inventory and characterization. WAC 173-26-201(3)(d)(vii).</p>	<p>NA</p>	<p><i>Klickitat County does not have any aquatic areas suitable for shellfish.</i></p>
<p>Provisions require reserve of shoreline space for shoreline preferred uses, specifically existing shellfish protection districts and critical habitats. WAC 173-26-211(5)(c)(ii)(G).</p>	<p>NA</p>	
<p>Subsistence, commercial and recreational shellfish beds are included in the definition of critical saltwater habitats. The inclusion of commercial aquaculture does not limit its regulation as a use. Reserving shoreline areas</p>	<p>NA</p>	

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
for protecting and restoring ecological functions should be done prior to reserving shoreline areas for uses. WAC 173-26-221(2)(c)(iii).		
Commercial geoduck aquaculture siting considerations	NA	
Commercial geoduck aquaculture should only be allowed where sediments, topography, land and water access support geoduck aquaculture operations without significant clearing or grading . WAC 173-26-241(b)(ii)	NA	
As determined by Attorney General Opinion 2007 No. 1, the planting, growing, and harvesting of farm-raised geoduck clams requires a substantial development permit if a specific product or practice causes substantial interference with normal public use of the surface waters, but not otherwise. WAC 173-26-241(b)(iii)	NA	
Conditional use permits are required for new commercial geoduck aquaculture only. Where the applicant proposes to convert existing nongeoduck aquaculture to geoduck aquaculture, the requirement for a conditional use permit is at the discretion of local government. Public notice must be provided to tribes and adjacent property owners. Limits and conditions to achieve no net loss must be used. WAC 173-26-241(b)(iv)(A) - (L).	NA	
BOATING FACILITIES WAC 173-26-241(3)(c)		
Definition: Boating facility standards do not apply to docks serving four or fewer SFRs. WAC 173-26-241(3)(c).	Section 4 > Development Activities > Marinas and Boating Facilities, A.3	Inconsistent. In the current SMP boating facilities are addressed along with “marinas” in Section 4 under the Development Activities subsection. The introductory paragraph defines marinas as having 10 or more moorage slips and “boating facilities” as having 9 or fewer moorage slips. There is no definition of boating facilities in the glossary and no other indication that standards would not apply to docks serving four of fewer single family residences. This definition should be added.
Boating facilities restricted to suitable locations . WAC 173-26-241(3)(c)(i).	Section 4 > Development Activities > Marinas and Boating Facilities, A.5, 7-8., B.3	Consistent.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
Provisions ensuring health, safety, and welfare requirements are met. WAC 173-26-241(3)(c)(ii)	Section 4 > Development Activities > Marinas and Boating Facilities, B.2	Consistent.
Provisions to avoid or mitigate aesthetic impacts . See WAC 173-26-241(3)(c)(iii).	Section 4 > Development Activities > Marinas and Boating Facilities, B.2	Consistent.
Public access required in new boating facilities. WAC 173-26-241(3)(c)(iv).	Section 4 > General Regulations > Public Access Policy 1 and Regulation 1	Consistent. The existing SMP requires public access for all shoreline development and uses (with certain exceptions).
Impacts of live-aboard vessels are limited. WAC 173-26-241(3)(c)(v).	Section 4 > Development Activities > Marinas and Boating Facilities, B.6	Consistent.
Provisions assuring no net loss of ecological functions as a result of development of boating facilities while providing public recreational opportunities. WAC 173-26-241(3)(c)(vi).	Section 4 > Development Activities > Marinas and Boating Facilities, A.1,6	Partially consistent. The SMP includes some language ensuring public recreational opportunities for boating facilities. However, there is no requirement for no net loss of ecological functions mentioned. As in other SMP sections, noted throughout this checklist, a no net loss provision should be added to ensure compliance with the WAC.
Navigation rights are protected. WAC 173-26-241(3)(c)(vii).	Not found.	Inconsistent. This language should be added.
Extended moorage on waters of the state without a lease or permission is restricted, and mitigation of impacts to navigation and access is required. WAC 173-26-241(3)(c)(viii).	Not found.	Inconsistent. This language should be added.
COMMERCIAL DEVELOPMENT WAC 173-26-241(3)(d)		
Preference given first to water-dependent uses, then to water-oriented commercial uses. WAC 173-26-241(3)(d).	Section 4 > Development Activities > Commercial Development	Consistent. In the current SMP commercial development is addressed in Section 4 under the Development Activities subsection. Existing regulations are generally in compliance with the current Guidelines. Regulations only permit commercial developments that are related to or dependent upon a shoreline location, with a few

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		exceptions. Non-water dependent uses over water are specifically prohibited. The County may consider revising the exceptions for when non-water-related uses may be allowed to include when they are a part of a mixed-use project or when navigation is severely limited (WAC 173-26-241(3)(d)).
<p>Water-enjoyment and water-related commercial uses required to provide public access and ecological restoration where feasible and avoid impacts to existing navigation, recreation, and public access. WAC 173-26-241(3)(d).</p>	<p>Section 4 > Development Activities > Commercial Development</p>	<p>Partially consistent. While the regulations currently state that all resorts and commercial recreational development must provide public access, the County should strengthen and expand this regulation to require all water-enjoyment and water-related commercial uses to provide public access and ecological restoration where feasible and to avoid impacts to existing navigation, recreation, and public access per WAC 173-26-241(3)(d).</p>
<p>New non-water-oriented commercial uses prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives. WAC 173-26-241(3)(d).</p>	<p>Section 4 > Development Activities > Commercial Development B.2</p>	<p>Consistent.</p>
<p>Non-water-dependent commercial uses over water prohibited except in existing structures, and where necessary to support water-dependent uses. WAC 173-26-241(3)(d).</p>	<p>Section 4 > Development Activities > Commercial Development B.3</p>	<p>Consistent. The SMP prohibits all non-water dependent uses over water.</p>
<p>FOREST PRACTICES WAC 173-26-241(3)(e)</p>		
<p>Forest practices not covered by the Forest Practices Act, especially Class IV-General forest practices involving conversions to non-forest use result in no net loss of ecological functions and avoid impacts to navigation, recreation and public access. WAC 173-26-241(3)(e).</p>	<p>Section 4 > Resource Based Activities > Forest Management Practices</p>	<p>Partially consistent. In the current SMP forest practices are addressed in Section 4 under the Resource Based Activities subsection. Regulations state that all forest management practices shall be done in compliance with the Forest Practices Act of 1974, WA Forest Practices Rules and Regulations and the current version of the Timer/Fish/Wildlife Agreement of 1986. This section should also include that forest practices not covered by the Forest Practices Act, especially Class IV-General forest practices involving conversions to non-forest use result in no net loss of ecological functions and avoid impacts to navigation, recreation and public access per WAC 173-26-</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		241(3)(e).
SMP limits removal of trees on shorelines of statewide significance (RCW 90.58.150). Exceptions to this standard require shorelines conditional use permit. WAC 173-26-241(3)(e).	Section 4 > Resource Based Activities > Forest Management Practices B.4, B.10.d	Partially consistent. The current regulations have several provisions which limit removal of trees on Shorelines of Statewide Significance, including prohibiting logging on Shorelines of Statewide Significance. The SMP currently states in which shoreline environments forest practices for Shorelines of State-Wide Significance are allowed, but does not include such determinations for other shorelines. A statement should be added indicating in which shoreline environments forest practices are allowed for non shorelines of statewide significance and when a conditional use permit is required.
INDUSTRY WAC 173-26-241(3)(f)		
Preference given first to water-dependent uses, then to water-oriented industrial uses. WAC 173-26-241(3)(f).	Section 4 > Development Activities > Ports and Water-Related Industry A.1, B.14	Consistent. The only section in the current SMP which addresses industry is the Ports and water-related industry subsection under the Development Activities portion of Section 4. The title of this subsection leads the reader to believe it only addresses water-related industry, though it is not clear if all non-water related industry is prohibited (see below). Preference is stated for water-dependent uses.
Location, design, and construction of industrial uses and redevelopment required to assure no net loss of ecological functions. WAC 173-26-241(3)(f).	Not stated.	Inconsistent. This language should be added.
Industrial uses and redevelopment encouraged to locate where environmental cleanup and restoration can be accomplished. WAC 173-26-241(3)(f).	Not stated.	Inconsistent. This language should be added.
Public access required unless such a requirement would interfere with operations or create hazards to life or property. WAC 173-26-241(3)(f).	Section 4 > General Regulations > Public Access Policy 1 and Regulation 1	Consistent. The existing SMP requires public access for all shoreline development and uses with exception for situation where such a requirement would cause safety concerns.
New non-water-oriented industrial uses prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives. WAC 173-26-	Not explicitly stated.	Potentially consistent. The only section in the current SMP which addresses industry is the Ports and water-related industry subsection. The title of this subsection leads the reader to believe it only addresses water-

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
241(3)(f).		related industry. The County should consider changing this to include reference to all industrial development. All non water-oriented industrial uses must be prohibited unless they are part of a mixed-use project, navigation is severely limited, and the use provides a significant public benefit with respect to SMA objectives (WAC 173-26-241(3)(f)). The County could also choose to prohibit all non water-related industry, but this should be specifically stated if that is the intent. Uses and activities not specifically prohibited or otherwise discussed in the SMP could be allowed by a Conditional Use permit.
IN-STREAM STRUCTURES WAC 173-26-241(3)(g)		
Definition: structure is waterward of the ordinary high water mark and either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. WAC 173-26-241(3)(g).	This language is not found in the current SMP.	Inconsistent. The current SMP does not have a section specific to in-stream structures, nor is a definition for in-stream structure included in the glossary. The County should add a definition for in-stream structure consistent with WAC 173-26-241(3)(g), and should consider adding a separate in-stream structures section.
In-stream structures protect and preserve ecosystem-wide processes, ecological functions, and cultural resources, including, fish and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas. WAC 173-26-241(3)(g).	This language is not found in the current SMP.	Inconsistent. This language should be added to the SMP. The County should consider a new section of the SMP specific to “in-stream structures”.
MINING WAC 173-26-241(3)(h)		
Policies and regulations for new mining projects: Require design and operation to avoid and mitigate for adverse impacts during the course of mining and reclamation; Achieve no net loss of ecological functions based on required final reclamation; Give preference to proposals that create, restore or enhance habitat for priority species are coordinated with state Surface Mining Reclamation Act requirements; Assure subsequent use of reclaimed sites is	Section 4 > Resource Based Activities > Mining	Partially consistent. In the current SMP, mining regulations are contained in the Resource Based Activities subsection of Section 4. Mining is prohibited in the Natural shoreline environment and is a conditional use in all other shoreline environments. While the mining regulations are extensive and include several provisions to protect shoreline and habitat function, the County should add several provisions to be in compliance with WAC 173-26-241(3)(h) including the following: <ul style="list-style-type: none">Require design and operation to avoid and mitigate for adverse impacts during the course of mining and reclamation;

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>consistent with environment designation and SMP standards. WAC 173-26-241(3)(h)(ii)(A) – (C).</p>		<ul style="list-style-type: none"> • Achieve no net loss of ecological functions based on required final reclamation; • Give preference to proposals that create, restore or enhance habitat for priority species • Assure subsequent use of reclaimed sites is consistent with environment designation and SMP standards.
<p>Mining waterward of OHWM is prohibited unless:</p> <p>(I) Removal of specified quantities of materials in specified locations will not adversely impact natural gravel transport;</p> <p>(II) The mining will not significantly impact priority species and the ecological functions upon which they depend; and</p> <p>(III) these determinations are integrated with relevant SEPA requirements. WAC 173-26-241(3)(h)(ii)(D).</p>	<p>Section 4 > Resource Based Activities > Mining B.3</p>	<p>Inconsistent. With regard to mining below the OHWM, the SMP only states that “all mining activities undertaken below the ordinary high water line must also comply with dredging policies and regulations” contained in the SMP. This should be revised to prohibit mining waterward of the OHWM with the noted exceptions.</p>
<p>Renewal, extension, or reauthorization of in-stream and gravel bar mining activities require review for compliance with these new guidelines requirements. WAC 173-26-241(3)(h)(ii)(D)(IV).</p>	<p>This language is not found.</p>	<p>Inconsistent. This language should be added.</p>
<p>Mining within the Channel Migration Zone requires a shoreline conditional use permit. WAC 173-26-241(3)(h)(ii)(E).</p>	<p>Section 4 > Resource Based Activities > Mining B.21</p>	<p>Consistent. All mining that is not prohibited requires a conditional use permit.</p>
<p>RECREATIONAL DEVELOPMENT WAC 173-26-241(3)(i)</p>		
<p>Definition includes commercial and public recreation developments. WAC 173-26-241(3)(i).</p>	<p>Section 4 > Development Activities > Recreation</p>	<p>Consistent. The SMP also states uses and activities associated with recreational developments which are identified as separate use activities in the SMP, such as Boating Facilities; Piers and Docks; Residential Development and Commercial Development, are subject to the regulations established for those uses in addition to the standards established for recreation.</p>
<p>Priority given to recreational development for access to and use of the water. WAC 173-26-241(3)(i).</p>	<p>Not explicitly stated.</p>	<p>Inconsistent. Language should be added to the SMP clarifying that recreational development is a priority use</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		of the shoreline.
<p>Location, design and operation of facilities are consistent with purpose of environment designations in which they are allowed. WAC 173-26-241(3)(i).</p>	Section 4 > Development Activities > Recreation B.11	<p>Partially Consistent. Consistency with the purpose of the applicable environment designation is not specifically stated although the use limitation stated in Regulation 11 specify the types of recreation appropriate for the natural environment. Additional detail could be added to address this requirement.</p>
<p>Recreational development achieves no net loss of ecological processes and functions. WAC 173-26-241(3)(i).</p>	Not included.	<p>Inconsistent. While there are several policies and regulations which function to protect ecological resources, specific reference to no net loss should be added to be consistent with the WAC requirement.</p>
<p>RESIDENTIAL DEVELOPMENT WAC 173-26-241(3)(j)</p>		
<p>Definition includes single-family residences, multifamily development, and the creation of new residential lots through land division. WAC 173-26-241(3)(j).</p>	<p>Section 4 > Development Activities > Residential Development And SMP Glossary</p>	<p>Partially consistent. A definition of residential development is provided at the beginning of the Residential Development subsection in Section 4. This definition does not include the creation of new residential lots through land division. A similar, though slightly different definition of residential development I included in the SMP glossary which includes “subdivisions and short subdivisions”. The definition in the glossary is consistent with the WAC. The language in Section 4 should be revised to be consistent with this definition. Note: In general, all definitions provided in the introductory texts of the activities described in Section 4 should be included in the glossary for consistency and checked for compliance with WAC definitions.</p>
<p>Single-family residences identified as a priority use only when developed in a manner consistent with control of pollution and prevention of damage to the natural environment. WAC 173-26-241(3)(j).</p>	Section 4 > Development Activities > Residential Development Policy A.1	<p>Partially consistent. Policy A.1 states that “residential development should be designed at a level of density, lot coverage, height of structure, and occupancy, compatible with the physical capabilities of a shoreline and water.” However, there is no regulation specifically enacting this policy. Additional language should be added to ensure compliance with this requirement.</p>
<p>No net loss of ecological functions assured with specific standards for setback of structures sufficient to avoid future stabilization, buffers, density, shoreline stabilization, and on-site sewage disposal. WAC 173-26-</p>	Section 4 > Development Activities > Residential Development Policy A.1, B.3	<p>Partially consistent. As noted above Policy A.1 refers to dimension standards designed to be compatible with physical capabilities of the shoreline. Additionally, regulation B.3 requires sewage disposal facilities be provide in accordance with health regulations.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
241(3)(j).		<p>Regulations also include a structure setback of 100 feet from the OHWM in all environment designations except Community and Urban/Industrial where a minimum 50 foot setback is required. These setbacks should be reevaluated to make sure they are appropriate for the existing conditions today and for the revised environment designation system (if any changes are made).</p> <p>As noted elsewhere in this checklist, the County should consider adding language specific to no net loss of ecological function. The County must also add provisions to ensure that new residential development avoids the need for future shoreline stabilization.</p>
<p>New over-water residences and floating homes prohibited. Appropriate accommodation for existing floating or over-water homes. WAC 173-26-241(3)(j).</p>	<p>Section 4 > Development Activities > Residential Development B.1</p>	<p>Inconsistent. The SMP includes a section on over-water residential uses, with provisions allowing over-water residences in certain cases. Under the new Guidelines all new over-water residences and floating homes must be prohibited. Therefore, Regulation B.1 should be reviewed and revised to be compliant with WAC 173-26-241(3)(j).</p>
<p>New multiunit residential development (including subdivision of land for more than four parcels) required to provide community and/or public access in conformance to local public access plans. WAC 173-26-241(3)(j).</p>	<p>Section 4 > General Regulations > Public Access Policy 1 and Regulation 1</p>	<p>Partially consistent. While there are no existing policies or regulations specific to multiunit residential development, or subdivision of land in the Residential Development subsection of the SMP, the Public Access subsection does generally require public access for all new development. However, there is an exception of residential development containing less than three dwelling units so a multiunit development with two units could be exempt. Additionally, it is not clear if subdivision of land would be considered a use or development for the purposes of the public access regulations. The County should add an additional provision to the Residential Development section which includes the specified language.</p>
<p>New (subdivided) lots required to be designed, configured and developed to:</p> <ul style="list-style-type: none"> (i) Prevent the loss of ecological functions at full build-out; (ii) Prevent the need for new shoreline stabilization or flood hazard reduction measures; and (iii) Be consistent with applicable SMP environment 	<p>Discussion of subdivision of lots is not currently included in the SMP.</p>	<p>Inconsistent. This language should be added to the SMP.</p>

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
designations and standards. WAC 173-26-241(3)(j)		
Floating Homes: Certain ones must be classified as a “conforming preferred use” per RCW 90.58.270(5).	Not currently included.	Optional. If the County has an existing floating homes they could consider cladding them as conforming preferred uses.
Nonconforming Residential Structures: SMPs may contain provisions allowing structures not meeting current standards to be considered “conforming” per RCW 90.58.620.	Not currently included.	Optional. The County could consider adding provisions which allow existing structures not meeting the current standards to be considered “conforming”.
TRANSPORTATION FACILITIES WAC 173-26-241(3)(k)		
Proposed transportation and parking facilities must be designed and located where they will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions, or adversely impact existing or planned water dependent uses. WAC 173-26-241(3)(k).	Section 4 > Development Activities > Roads and Railroad Design and Construction	<p>Inconsistent. In the current SMP transportation facilities are generally covered under the “Roads and Railroad Design and Construction” subsection of the Development Activities Chapter of Section 4. The County should consider renaming this subsection “Transportation Facilities” to be more inclusive of multiple types of transportation infrastructure (parking etc.) and to align with the current Guidelines more closely.</p> <p>Existing regulations do not specifically address parking in shoreline jurisdiction. Per WAC 173-26-241(3)(k), a provision should be added indicating that parking is allowed only as necessary to support an authorized shoreline use and which minimizes environmental and visual impacts of parking facilities.</p> <p>As with many sections noted throughout this checklist, the County should also add a provision that new transportation facilities must not result in a net loss of shoreline ecological functions, or adversely impact existing or planned water dependent uses.</p>
Circulation system plans include systems for pedestrian, bicycle, and public transportation where appropriate. WAC 173-26-241(3)(k).	Section 4 > Development Activities > Roads and Railroad Design and Construction Policy A.6, Regulation B.10	Consistent.
Parking allowed only as necessary to support an authorized shoreline use and which minimize environmental and visual impacts of parking facilities. WAC 173-26-241(3)(k).	Not included.	Inconsistent. Parking is addressed to some extent under some of the specific activity subsections such as Recreation and Commercial Development. Parking is not specifically addressed in the Transportation section. The County should add language to the transportation section

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
		specifying that parking is allowed only as necessary to support and authorized shoreline use. Other sections which mention parking should be reviewed for consistency with this provision.
UTILITIES WAC 173-26-241(3)(I)		
Design, location and maintenance of utilities required to assure no net loss of ecological functions. WAC 173-26-241(3)(I).	Section 4 > Development Activities > Utilities	Inconsistent. The existing utilities section under the Development Activities Chapter of Section 4 is predominantly compliant with the Guidelines overall. However, as with many sections noted above, the County should add a provision to specifically state that the design, location and maintenance of utilities is required to assure no net loss of ecological functions. For example, a description of how the proposal will result in no net loss of shoreline function could be added to the list of requirements for utility facility application under regulation B.3.
Utilities are required to be located in existing rights-of-ways whenever possible. WAC 173-26-241(3)(I).	Section 4 > Development Activities > Utilities A.5 and B.6	Consistent.
Utility production and processing facilities and transmission facilities required to be located outside of SMA jurisdiction , unless no other feasible option exists. WAC 173-26-241(3)(I).	Not explicitly stated.	Inconsistent. While the SMP has several provisions encouraging utilities to be placed in the least impactful location possible, it does not specifically say that they shall be located outside of SMA jurisdiction unless no other feasible option exists. This should be added to ensure compliance with the WAC.
Existing Utilities: Not allowed to justify more intense development. WAC 173-26-211(3)(c)	Not included.	Inconsistent. This language is not found in the SMP and should be added.
SMP ADMINISTRATIVE PROVISIONS		
This statement <i>“Unless specifically exempted by statute, all proposed uses and development occurring within shoreline jurisdiction must conform to chapter 90.58 RCW, the Shoreline Management Act and this master program whether or not a permit is required.”</i> must appear in the SMP. WAC 173-26-191(2)(a)(iii)(A).	Not explicitly stated.	Inconsistent. This language is not found in the SMP and should be added.
Administrative provisions ensure permit procedures and	Section 2, Public Access Element, Objective A	Partially consistent. A couple of the goals and objectives in Section 2 of the SMP mention protection of private

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
enforcement are conducted in a manner consistent with relevant constitutional limitations on regulation of private property. WAC 173-26-186(5) and WAC 191(2)(a)(iii)(A).	Section 2, Recreation Element, Goal statement	property rights but there are no provisions in the administrative procedures section that specifically mention this topic. The County should consider adding a provision to Section 5 which incorporates this language.
Annexation: SMP does not apply to annexed areas unless the requirements of WAC 173-26-150 and 160 are complied with.	NA	
Exemptions: Must implement exemption procedures in accordance with WAC 173-27-040(1).	Section 5 > subsection "Permit Exemptions" and "Developments Exempt from Substantial Development Permit Requirements" Regulation 1.	Consistent. "Developments Exempt from Substantial Development Permit Requirements" Regulation 1 lists the developments exempt from permit requirements in accordance with WAC 173-27-040(1).
Permit Exemption Letters: Must be prepared for projects requiring Federal Rivers & Harbors Act §10 permits and/or Federal Clean Water Act §404 permits. WAC 173-27-050.	Section 5 > subsection "Permit Exemptions"	Inconsistent. Currently the SMP requires a <i>statement</i> of exemption from the County prior to commencement of work on bulkheads for single-family residences (Bulkheads) and dikes or levees (Shoreline Alteration) meeting the definition for normal maintenance and repair, emergency construction and specified agricultural dikes. These activities are normally exempt from shoreline permit application requirements. A statement of exemption is also required prior to beginning development on shorelines of the state "if uncertainty exists regarding qualification for permit exemption". The County should add a requirement that, per WAC 173-27-050, permit exemption <i>letters</i> must also be obtained for any exempt project requiring Federal Rivers & Harbors Act Section 10 permits and/or Federal Clean Water Act Section 404 permits. The County may wish to differentiate between a statement and letter of exemption, or make them one in the same. If only one type of exemption documentation is offered, it should be called a letter of exemption to be consistent with the WAC requirement and the SMP language should be revised to be consistent with this intention.
Retroactive SMA/GMA Relationship: RCW <u>36.70A.480</u> governs the relationship between shoreline master programs and development regulations to protect critical	To be determined.	The current relationship between CAO regulations and the SMP is not clear. In general, critical area regulations are not currently included in the SMP, or are lacking required content. The County should consider how to

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
areas that are adopted under chapter <u>36.70A</u> RCW. <i>The legislature intends for this act to be remedial and curative in nature, and to apply retroactively to July 27, 2003.</i> See RCW 36.70A.480, Footnotes.		thoroughly include critical areas regulations in the SMP update. In order to comply with the WAC, the County should transfer authority of critical areas protection in shoreline jurisdiction to the SMP. This can be achieved via adoption by reference, incorporation of relevant sections in to the SMP, or creation of a new critical areas section in the SMP.
GMA Administrative Interpretation: GMA jurisdictions SMP must contain procedures for administrative interpretation of development regulations. RCW 36.70B.110(11) & <u>WAC 173-26-140</u> .	Not found.	Inconsistent. Specific language on procedures of administrative interpretation was not found. This language should be added.
Substantial Development Permits: Approved SDPs must comply with WAC 173-27-150.	Section 5 > subsection “Klickitat County Shoreline Master Program Summary” (Pg. 82).	Consistent. <i>Note: As noted elsewhere in this checklist, it is recommended that the SMP be reformatted to include numbering for all sections to increase ease of use and citing.</i>
Conditional Use Permit: Approved CUPs must comply with WAC 173-27-160.	Section 5 > subsection “Shoreline Conditional Use Permits”	Consistent.
SMPs must specify which <u>uses</u> and <u>developments</u> require a shoreline conditional use permit (CUP) .	Section 4	Consistent. The SMP specifies which uses and developments require a shoreline CUP and in which environment designations, at the end of each activity included in Section 4. As noted throughout this checklist it is recommended that for ease of use, these statements be consolidated into one use and modifications table where all uses and developments discussed in the SMP are summarized by environment designation, and the permit type required is indicated.
Variances: Approved VARs must comply with WAC 173-27-170.	Section 5 > subsection “Shoreline Variance Permits”	Consistent.
Permit Revisions: Must comply with the revision approval criteria of WAC 173-27-100.	Section 5 > subsection “Notice Requirement” > Revisions to Permits	Consistent.
Federal Projects: Must comply with WAC 173-27-060, with differing requirement in and out of the federal Coastal Zone Management Program.	Not found.	Inconsistent. Language regarding applicability to and requirements for federal projects was not found. This language should be added.

STATE RULE (WAC) REQUIREMENTS	LOCATION	COMMENTS
<p>Non-conforming uses and structures <u>not</u> covered by RCW 90.58.270(5), 90.58.620, and not addressed by the SMP must comply with WAC 173-27-080.</p>	<p>Section 5 > subsection “Nonconforming Development Standards (WAC 173-27-080)”</p>	<p>Consistent.</p>
<p>Mechanism for tracking, and periodically evaluating the cumulative effects of all project review actions in shoreline areas. WAC 173-26-191(2)(a)(iii)(D)</p>	<p>Not found.</p>	<p>Inconsistent. Discussion of a mechanism for tracking, and periodically evaluating the cumulative effects of all project review actions in shoreline areas was not found in the current SMP. This language should be added.</p>
<p>SMP definitions are consistent with all definitions in WAC 173-26-020, and other relevant WACs.</p>	<p>SMP Glossary</p>	<p>Partially consistent. All definitions provided in the glossary should be reviewed for consistency with the listed WAC definitions. Additionally, definitions provided in the text of the SMP, but not included in the glossary, should be added to the glossary for consistency. Some definitions were found to differ between the text of the SMP and the glossary and should be reconciled.</p>