PROPOSED UPDATED SHORLINE MASTER PROGRAM FOR SPOKANE COUNTY

ADOPTED BY THE SPOKANE COUNTY BOARD OF COMMISSIONERS MAY 12, 2009

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SECTION 1
TITLE, AUTHORITY, PURPOSE AND INTENT

1.1 Title

This chapter shall be known and may be cited as the "Shoreline Master Program" and may be referred to as the "Shoreline Management Program" or "Shoreline Program" and such terms shall have the same meaning as the term "Shoreline Master Program."

1.2 Authority

The goals, policies and regulations of the Shoreline Program are promulgated under the authority of and pursuant to the requirements of Chapter 90.58 RCW, the Shoreline Management Act of 1971, Shoreline Master Program Planning Guidelines WAC 173-26 and Shoreline Management Permit and Enforcement Procedures WAC 173-27.

1.3 Purpose and Intent

The purposes and intent of the Shoreline Program are as follows:

a) Provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses of the shorelines;

b) Ensure the development of the shorelines in a manner which, while allowing for the limited reduction of the rights of the public in the navigable waters, will promote and enhance the public interest;

c) Provide protection against adverse effects to the shorelines of the state and their vegetation and wildlife, and the waters of the State and their aquatic life, while protecting, generally, public rights of navigation and corollary rights incidental thereto;

d) Preserve, to the greatest extent possible, consistent with the overall best interest of the State and its people, the public's opportunity to enjoy the physical and aesthetic qualities of the shorelines of the State;

e) Preserve, protect and enhance the ecological functions of the shoreline to assure maintenance of water quality, fish and wildlife habitat;

f) Protect the public health, safety and welfare by preserving, protecting, restoring and managing shorelines through the regulation of development as specified in Chapter Section 5 of this Shoreline Program and by promoting restoration of degraded shorelines pursuant to Section 12 of the Shoreline Protection and Restoration Plan.

g) To minimize impacts of regulation on private property rights

1.4 Scope and Application

The Shoreline Master Program shall apply to any proposed development, use activity, any extension or enlargement of any existing building improvement or use of land in shorelines of the state, and to any division of land, any portion of which includes land in a shoreline area. No development shall be undertaken on shorelines of the State except those that are consistent with this Shoreline Master Program. Further, no substantial development shall be undertaken in the shorelines of the state without first obtaining a shoreline substantial development permit pursuant to the requirements of Section 6. Persons initiating use activities exempt from the substantial development permit procedures of this program are responsible to comply with this Shoreline Master Program pursuant to Section 6 the regulations specified in Section 6.4 pertaining to Exemptions.

These regulations shall apply to all applicable water bodies of Spokane County qualifying as "shorelines of the state," pursuant to the Shorelines Management Act (SMA), RCW 90.58.030(2)(c). The waters subject to this program were inventoried and classified upon the adoption of this program and remain within SMA jurisdiction unless removed from jurisdiction by specific action to amend this program. The shorelines subject to the SMA are specifically described in Section 10 of this Shoreline Master Program and illustrated on the Official Shoreline Designations Map maintained by the Department of Building and Planning.

1.4.1 Latah Creek Channel Meander Belt – Application of Shoreline Master Program

With the exception of the application of Section 5.2.6, the regulations of this Shoreline Master Program do not apply to the portion of the channel meander belts illustrated in Appendix III that extend outside shorelines of the state as defined in the Shorelines Management Act and shorelines of the state defined in Section 10 of this Shoreline Master Program.

1.5 Program Content

This Shoreline Master Program shall consist of all Sections herein summarized as follows:

a. The Shoreline Elements Goals and Policies set forth in Section 2 and embodied in the Comprehensive Plan in Chapter 10, Natural Environment, Sections NE.28, 29, 30, 31 and 34.

b. The Shoreline Management Environment Designations in described in Sections 3 and 10, to include shoreline designation management policies, designation criteria and detailed descriptions of shorelines of the state subject to the Shorelines Management Act. Sections 3 and 10 are embodied in the Comprehensive Plan in Chapter 10, Section NE 34. Appendix II of this Shoreline Program and Comprehensive Plan, Chapter 10 include detailed mapped illustrations of the Shoreline Designations.

c. The Shoreline Master Program Regulations set forth in Sections 4, 5, 6, 7, 8, and 11 including the Shorelines Designations Map illustrated in Appendix II.

d. The Official Shoreline Designation Map maintained in the Department of Building and Planning and appended to County Code_____ and embodied in the Comprehensive Plan in Chapter 10, Section NE 34.

e. The Shoreline Protection and Restoration Plan set forth in Section 12.

f. The Critical Areas Ordinance in Appendix I, provided that said ordinance applies only to shorelines of the state illustrated in Appendix II.

SECTION 2
GOALS AND POLICIES FOR SHORELINE ELEMENTS IN SPOKANE COUNTY

2.0 Elements - Goals and Policies

2.1 Element 1 – Economic Development

Goal 1:
Limit economic development in shoreline areas to those activities which depend on their location or use being on the shorelines of the state.

Policy 1. The location of economic development activities should be appropriate in relation to other land uses and the ecological functions of the shorelines.
Policy 2. Access improvements and utilities should be designed to protect and/or enhance the natural functioning conditions of the shoreline area.

2.2 Element 2 - Public Access

Goal 1:
Provide reasonable and adequate public access, both physical and visual, to the publicly owned shorelines of Spokane County while providing for the protection of the natural environment and private property rights.

Policy 1. Physical and visual access to water is an important public value and should be preserved and increased.
Policy 2. Access design and spacing of access points should be based on the ecological function of the shoreline features and should protect fragile shoreline elements.
Policy 3. Except for carefully designed access points such as boat launches, roads and motorized vehicles should be kept as far from shorelines as feasible.
Policy 4. Where access to the water's edge by motor vehicles is necessary, parking areas should be kept as far from the shorelines as feasible.
Policy 5. Access for public recreational use should be maintained and increased as needed in order to incorporate recognized lake, river and stream areas that either are currently being used or may be used for public recreation in the future.
Policy 6 Implementation of Goal 1 and Policies 1 through 5 shall be consistent with the goal and policies set for the in Section 2.10, Protection of Property Rights Element 10.

2.3 Element 3 - Circulation

Goal 1:
Provide a safe, convenient circulation system that will minimize disruption to the shoreline environment.

Policy 1. All circulation elements should be designed to minimize conflict between modes of travel, particularly between recreation and through traffic, and between auto, bicycle, and foot traffic.
Policy 2. Circulation elements should be adapted to the ecological functions of the shoreline area
Policy 3. Corridors for transportation and utilities should be combined when possible.
Policy 4. Motorized vehicle circulation systems should be located as far from the shoreline as physically feasible.
Policy 5. Vehicular circulation facilities should be on the upland side of development whenever physically feasible.
Policy 6. Bike paths, foot paths, and bridle paths should be encouraged while still protecting fragile shoreline elements.

2.4 Element 4 - Recreation

Goal 1:

Preserve, increase and diversify recreational opportunities on the shorelines of Spokane County.

Policy 1. Encourage appropriate public agencies to preserve shorelines for public use and to dedicate or transfer appropriate shoreline land for recreational uses.
Policy 2. Both passive and active recreation should be encouraged for appropriate shorelines.
Policy 3. Public and private recreational use~~s~~ should be consistent with maintaining the ecological functions of the shoreline resources to support such use.

2.5 Element 5 - Shoreline Use

Goal 1:
Assure that shoreline uses are either water-dependent or water-related, and are compatible with adjacent land uses.

Policy 1. Shoreline uses should consider the environmental impact of their location, distribution and design.
Policy 2. All existing and proposed developments should be provided with a full range of utility services adequate to serve the developments and protect against hazards to the public and the physical environment.
Policy 3. Adverse changes to the natural character of the shorelines and interference with the public's use of publicly owned water bodies and shoreline areas should be minimized or prevented.

2.6 Element 6 - Conservation

Goal 1:
Preserve natural shoreline resources including but not limited to scenic vistas, aesthetics, and areas vital for fisheries and wildlife habitat.

Policy 1. Unique and fragile shoreline resources should be preserved because they can not be replaced.
Policy 2. Natural and semi-natural open spaces should be preserved and enhanced.
Policy 3. Identify, conserve and enhance the unique and fragile qualities of shoreline resources and their associated wetlands.
Policy 3. Science based on the scientific method shall be used to identify, conserve and enhance the unique and fragile qualities of shoreline resources and their associated wetlands.
Policy 4. Aesthetics, scenic vistas and irreplaceable resources should be preserved.

2.7 Element 7 - Historical and Cultural

Goal 1:
Identify, protect, preserve, acquire, and restore shoreline resources that have cultural, historic, educational, or scientific values.

Policy 1. All actions within shoreline areas should identify, preserve, and restore buildings, sites or areas that have cultural, historical, educational or scientific significance in accordance with all current applicable local, state and federal regulations.
Policy 2. Public acquisition through purchase, gifts, bequests, or donations of buildings or sites having cultural, scientific, educational, or historical value should be encouraged

2.8 Element 8 - Shoreline Restoration and Protection

Goal 1:
Rehabilitate those shorelines where ecological functions have been degraded

Policy 1. Develop and implement a program to restore the ecological functions of degraded shorelines:
Policy 2. Developing and implementing a restoration program should be a collaborative effort among public and private entities and interested citizens.
Policy 3. Developing and implementing a restoration program should include, at a minimum, the following:

a. a shoreline rehabilitation strategy to include rehabilitation priorities and benchmarks, levels of restoration to be achieved, a post rehabilitation monitoring and maintenance program.
b. a citizen involvement program encouraging the participation of citizens willing and able to contribute to the rehabilitation of degraded shorelines.
c. a program promoting a collaborative partnership of private and public entities willing and able to contribute to the rehabilitation of shoreline resources.

Goal 2:
Ensure that no net loss of ecological functions will result from the development and use of the shorelines.

Policy 1. Permitted development, public and private, will not cause a net loss of shoreline ecological functions.

a. Develop regulations and mitigation standards in the shoreline master program to ensure implementation of the no net loss policy.

Policy 2. Emphasize prevention of degradation of the ecological functions of the shoreline and address, at a minimum, the following elements:

a. Preserve priority habitat. (see WAC-173-26-020 for definition of priority habitat.)
b. Use the full array of media options and academic venues to disseminate information regarding the proper care and use of shoreline resources and that fosters a stewardship approach to shoreline protection.
c. Encourage~~s~~ citizens, businesses and public agencies with shoreline resource stewardship interests to work together in collaborative partnerships to protect the ecological functions of the shorelines. Such strategies may include, but not be limited to, land banking, shoreline acquisition (e.g. conservation futures), conservation easements, transfer of development rights and clustering of development.
d. Identify the specific factors and mitigation measures to achieve a "no net loss of ecological functions" determination prior to issuance of development approvals. consistent with the requirements of WAC 173-26-201(e) pertaining to environmental impact mitigation.

Policy 3. Monitor exempt and permitted development and uses to assure compliance with the goals, policies and use activity regulations of the Shoreline Management Program.

Goal 3:
Limit development and shoreline modifications that would result in interference with Latah Creek, Pine Creek, Deadman Creek, Dragoon Creek, Rock Creek and the Little Spokane River, long term channel meandering process.

Policy 1. Prohibit residential, commercial and industrial development within the Latah Creek, Pine Creek, Deadman Creek, Dragoon Creek, Rock Creek and the Little Spokane River Channel Meander Belts illustrated on the Channel Meander Belt Maps in Appendix III and on Channel Meander Belt Maps on display in the Department.

Policy 2. Provide adequate buffering from the Channel Meander Belts to assure that such development is protected from adverse effects resulting from long term natural channel meandering processes.
Policy 3. Carefully evaluate shoreline improvements and protection measures for their potential adverse impacts on the natural long term channel meandering processes. The evaluation shall be accomplished by a professional fluvial geomorphologist or civil engineer with hydraulic experience during any permitting process required by Spokane County development regulations.

2.9 Element 9 - Special Flood Hazards

The Shorelines Management Act requires a Special Flood Hazards Element giving consideration to the statewide interest in the prevention and minimization of flood damages. Spokane County Comprehensive Plan Goals NE.28, NE.29, NE.30, NE.31 and associated Policies pertaining to "Frequently Flooded Areas" hereby serve as the Special Flood Hazards Element of the Spokane County Shoreline Master Program. Those goals and policies are as follows: (Note: nearly all of the wording in the goals and policies below are already in effect in Chapters 28 and 30 of the Comprehensive Plan. Chapters 28 and 30 will be modified to be consistent with the below wording)

Goal NE.28 Recognize the multiple values of special flood hazard areas and educate people as to those values.

Policy NE.28.1 Recognize that special flood hazard areas are a natural physical feature of a watershed. The function of a frequently flooded area is to convey and store runoff during periods of heavy rainfall and snowmelt when overtopping of the normal river, stream or drainage channel occurs and adjacent low-lying areas are flooded.

Goal NE.29 Identify special flood hazard areas and drainage ways, sink areas, runoff areas, floodways and meander belts that contribute to frequently flooded areas.

Policy NE.29.1 Standard hydrologic and hydraulic study methods shall be used to identify special flood hazard areas.

Goal NE.30 Protect and improve the natural dynamics of special flood hazard areas.

Policy NE.30.1 Special flood hazard areas, marshes, should be used as rangeland, forest, wildlife habitat, open space, recreation and other appropriate uses.

Policy NE.30.2 Minimize impacts of new development on existing flooded special flood hazard areas though design that accommodates flood events without property damage.

Policy NE.30.3 Maintain, protect or restore natural drainage systems to protect water and environmental quality.

Policy NE.30.4 The natural drainage network should be preserved and utilized for flood control and to maintain environmental quality.

Policy NE.30.5 New developments and land use activities should be designed to:

1. Protect the drainage functions of flood plains, natural drainageways, sink areas and other existing drainage facilities.
2. Preserve and incorporate natural features such as streams, ponds, significant drainageways and wetlands in a manner that maintains their natural functions.
3. Consider the site's topography as it relates to frequently flooded areas in the design and placement of physical improvements such as roads and structures.

4. Retain natural vegetation buffers adjacent to the high water mark of a perennial or intermittent stream or other special flood hazard areas.
5. Retain trees and native vegetation that contribute to controlling erosion on slopes adjacent to special flood hazard areas.
6. Restore and enhance vegetative buffers adjacent to the land use action with native vegetation**.**

Goal NE.31 Manage special flood hazard areas to enhance environmental quality and to minimize the risks to life and property.

Policy NE.31.1 Minimize impacts from flooding problems such as erosion, property damage, potential property devaluation and impaired ground and surface water quality.

Policy NE.31.2 Use bioengineering techniques, where possible, rather than hard engineering structures to stabilize the floodway if risk to life or property is threatened.

Policy NE.31.3 Guide development away from designated special flood hazard areas.

Policy NE.31.4 Permit and encourage land uses compatible with the preservation of natural vegetation within special flood hazard areas.

Policy NE.31.5 Development should not occur on lands identified as being within a special flood hazard area or as having a history of flooding, unless the developer provides mitigation measures acceptable to the appropriate regulatory agency.

2.10 Element 10 - Private Property Rights Element

Goal 10:
Recognize and protect property rights consistent with the public interest.

Policy 1. Encourage and support the preservation of landowners' use and peaceful enjoyment of private property adjacent to or nearby publicly owned shorelines and public facilities.
Policy 2. Implementation of elements within this program should respect private property rights consistent with constitutional and legal limitations on the regulation of private property.

2.11 Element 11 - Education

Goal 11:
Encourage appropriate public agencies, owner associations, businesses, property owners and other shoreland user groups to understand and promote good stewardship of the shorelines.

Policy 1. Promote establishment of owner associations within each shoreline designation.
Policy 2. Provide educational resources necessary to empower associations to promote good stewardship and shoreline development techniques which do not degrade ecological function.
Policy 3. Provide resources to educate property owners, shoreline user groups and the development community and other stakeholders regarding shoreline management regulations.

2.12 Shorelines of Statewide Significance - Goals

The Shoreline Management Act (SMA) designates certain shoreline areas as shorelines of statewide significance. The shorelines that are so designated are "natural rivers or segments thereof" that have a mean annual flow of two hundred (200) cubic feet per second (cfs) or more and the shorelands associated with those waters. Rivers or river segments possessing these levels of flow are specifically identified in Section 10 of this document.

The Legislature declared in the Shoreline Management Act that the interests of all of the people of the State shall be considered in the management of these shorelines. Accordingly, this Master Program gives preference to uses and development that meet the principles outlined below, listed in order of preference and illustrating associated goals:

1. Recognize and protect the statewide interest over local interest;
   Goal 1: Protect the primacy of the public interest in water bodies which belong to the public. On shorelines of statewide significance, protect the statewide, over local, interest.
2. Preserve the natural character of the shoreline;
   Goal 2: Prevent the degradation of the physical features of the shorelines and the quality of the water.
3. Result in long-term over short-term benefits;
   Goal 3: In assessing the effects of proposals, give priority to long-term over short-term costs, economic, and others, and benefits, including the costs of environmental degradation.
4. Protect the resources and ecology of the shoreline;
   Goal 4: Protect and enhance the natural physical features of shorelines and the ecological interrelationships of natural features.
5. Increase public access to publicly owned areas of the shoreline;
   Goal 5: Improve and increase public access, including visual access, to publicly owned water bodies and shoreline areas without damage to private property rights.
6. Increase recreational opportunities for the public on the shorelines;
   Goal 6: Encourage the development of public and private recreational facilities to satisfy the public demand for water oriented recreation.

These Goals are to be adhered to in all cases of permits for developments within Shorelines of Statewide Significance. In any case where there is an apparent conflict between the policies and use-regulations of this Program and the policies for Shorelines of Statewide Significance, the policies for Shorelines of Statewide Significance shall apply. Whenever the circumstances of a permit application are so varied as to cause the policies for Shorelines of Statewide Significance to be of no value in the determination to deny or grant a permit, reference will be made to Chapter 90.58.020 RCW and applicable guidelines published by the Department pursuant to Chapter 90.58 RCW in making such a determination.

SECTION 3
SHORELINES MANAGEMENT ENVIRONMENT DESIGNATIONS AND MANAGEMENT POLICIES

Note: This section shall be incorporated into Chapter 10, NE 34 of the Spokane County Comprehensive Plan

Introduction

In order to plan and effectively manage shoreline resources, a system has been used to categorize shoreline areas in the preparation of this Program. The system is designed to provide a uniform basis for applying policies and use regulations within distinctively different shoreline designations. To accomplish this, the management designation is based on the existing development pattern, the ecological function and limitations of the shoreline area to be considered for development, and the goals and aspirations of the local citizenry of Spokane County.

The shoreline designation system classifies shorelines into five distinct management environments, Natural, Rural Conservancy, High Intensity, Urban Conservancy, Shoreline Residential. These designations provide the framework for implementing shoreline policies and regulatory measures. The designations are illustrated on the Shorelines Designations Map which is a integral part of this Shoreline Master Program.

This system is designed to encourage uses in each designation which will enhance the character of that environment. At the same time, local government may place reasonable standards, restrictions, and prohibitions on development so that such development does not degrade the ecological function of the shoreline or destroy the character of the area.

The basic intent of this system is to utilize performance standards which regulate use-activities in accordance with goals and policies defined locally. Thus, the particular uses or types of developments placed in each area must be designed and located so that there are no detrimental effects to achieving the intent and purpose of the shorelines designation and the goals and policies of this Plan.

The High Quality areas as identified in the 2005 Spokane County Conservation District Stream Inventory and Assessment is an environmental overlay designation that overlays portions of shoreline designations and is intended to provide additional protection to those shoreline areas that include important natural, ecological and/or biological, recreational, cultural, or aesthetic value or functions. These areas may be located within any shoreline designation and require specialized management to preserve their public benefit. Refer to the Shorelines Designation Map for an illustration of the High Quality Areas. Consistent with the policies of the designation, Spokane County will plan for restoration of degraded shorelines within High Quality areas. Uses that will contribute to the preservation or enjoyment of such areas by the public are encouraged. No clearing, construction or other operations that would alter the existing character of the area are appropriate.

The management policies and characteristics of each of the designations are given below to provide a basis for determining shoreline management designations within Spokane County.

3.1 Designations

Shoreline designations are delineated on maps maintained in the Spokane County Department of Building and Planning and are hereby incorporated as a part of this Program. The official maps from which the permit system will be administered are on a county-wide set of GIS maps, approved by the Department of Ecology and adopted as WAC 173-18-040 (streams) and WAC 173-20-044 (lakes). The shoreline designations are intended to serve as broad management areas and are not to be administered as zoning districts. The shoreline management designations are as follows:

3.2 Natural Environment

3.2.1 Purpose

The Natural Environment is intended to protect those shoreline areas that are relatively free of human influence or include intact or partially degraded shoreline functions intolerant of intensive human use. This environment can also apply to High Quality shoreline areas requiring additional protection to prevent further degradation or to facilitate long term passive restoration. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Consistent with the policies of this designation, Spokane County will plan for restoration of degraded shorelines within this environment. The Natural environment is also distinguished by the presence of unique natural or cultural features which are valuable in their original or natural conditions and which are intolerant of intensive human uses or activities. Uses which will contribute to the preservation or enjoyment of such areas by the public are encouraged. No clearing, construction or other operations that would change the natural character of the area are appropriate.

3.2.2 Management Policies

1. To protect the ecological functions and natural character of the shoreline area the following new uses will not be permitted in the Natural Environment:
   - Commercial uses.
   - Industrial uses.
   - Nonwater-oriented recreation.
   - Roads, utility corridors, and parking areas that can be located outside of "natural" designated shorelines.
2. Single-family residential development may be allowed as a conditional use within the Natural Environment if the density and intensity of such use is limited as necessary to protect ecological functions and be consistent with the purpose of the environment designation.
3. Logging operations shall be prohibited.
4. Agricultural uses of a very low intensity may be consistent with the Natural Environment when such use is subject to appropriate limitations or conditions to assure that the use does not expand or alter practices in a manner inconsistent with the purpose of the designation.
5. Scientific, historical, cultural, educational research uses, and low-intensity water-oriented recreational access uses may be allowed provided that no net-loss of ecological functions on the area will result.
6. All uses and activities should preserve or restore natural resources including vegetation, wildlife habitat, or aquatic life and other sensitive resource features which are intolerant of human activity.
7. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration, provided that new privately owned docks and boat ramps serving individual privately owned lots or parcels should not be allowed.
8. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
9. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation and public access, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
10. Shoreline areas within this designation identified as being high quality or partially degraded as described in the SCCD Inventory and Assessment completed in 2005 and subsequent shoreline inventories and assessments should be provided additional protection as specified in the use activity regulations of this Master Program. High Quality areas are illustrated on the Shoreline Designation Map in Appendix II.
11. Uses that will contribute to the preservation or enjoyment of High Quality Areas by the public are encouraged.
12. No clearing, construction or other operations that would alter the existing character of a High Quality Area are appropriate.

3.2.3 Ecological Functions Maintenance Policies

1. New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions is prohibited.
2. The subdivision of property in a configuration that, to achieve its intended purpose, will require significant vegetation removal or shoreline modification that adversely impacts ecological functions is prohibited. That is, each new parcel must be able to support its intended development without significant ecological impacts to the shoreline ecological functions.
3. Areas with significant existing agricultural lands should not be included in the Natural Environment designation, except where the existing agricultural operations involve very low intensity uses where there is no significant impact on natural ecological functions, and where the intensity or impacts associated with such agricultural activities is unlikely to expand in a manner inconsistent with the purposes and policies of the Natural designation.

3.2.4 Designation Criteria

A Natural Environment designation should be assigned to shoreline areas if any of the following characteristics apply:

1. The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity.
2. The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest;
3. The shoreline is unable to support new development or uses without significant adverse impacts to ecological functions or risk to human safety.
4. Shoreline areas that include largely undisturbed portions of shoreline areas such as wetlands, estuaries, unstable bluffs and ecologically intact shoreline habitats.
5. The shoreline includes natural features which are culturally unique or interesting,
6. The shoreline has high quality features as specified in the 2005 SCCD Stream Inventory and Assessment and subsequent shoreline inventories and assessments requiring additional protection necessary to prevent further degradation or to facilitate long term restoration. In determining designations under this criterion, consideration shall be given to the following environmental features:
   a. The shorelines include existing irreplaceable recreational or aesthetic value or benefit
   b. The shorelines include sensitive wildlife or fisheries habitat described in the 2005 SCCD Stream Inventory and Assessment.

3.3 Rural Conservancy Environment

3.3.1 Purpose

The purpose of the Rural-Conservancy Environment is to protect ecological functions, conserve existing natural resources, maintain existing character and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural flood plain processes, and provide recreational opportunities. This environment could also apply to “high quality” shoreline areas requiring additional protection to prevent further degradation or to facilitate long term passive restoration. Examples of uses that are appropriate in a "rural conservancy" environment include low-impact outdoor recreation uses (such as public parks and trails), timber harvesting on a sustained-yield basis, agricultural uses, aquaculture, low-intensity residential development, livestock grazing, and other natural resource-based low-intensity uses. Nonpermanent kinds of structures and uses which will not reduce the quantity or quality of the physical and biological resources of the area are to be given priority in the Rural Conservancy Environment. The Rural Conservancy Environment is intended to prohibit intensive use of areas having physical hazards, severe biophysical limitations areas prone to flooding, and areas which cannot provide adequate water supply or sewage disposal.

3.3.2 Management Policies

1. Uses in the "rural conservancy" environment should be limited to those which sustain the shoreline area's physical and biological resources and uses of a nonpermanent nature that do not substantially degrade ecological functions or the rural or natural character of the shoreline area.
2. Except as otherwise noted, commercial and industrial uses should not be allowed.
3. Agriculture, commercial forestry, and aquaculture when consistent with provisions of WAC 173-26 may be allowed.
4. Low-intensity, water-oriented commercial and industrial uses may be permitted in the limited instances where those uses have located in the past or at unique sites in rural communities that possess shoreline conditions and services to support the development.
5. Water-dependent and water oriented recreation facilities that do not deplete the resource over time, such as boating facilities, angling, hunting, wildlife viewing trails, and swimming beaches, are preferred uses, provided significant adverse impacts to the shoreline are mitigated.
6. Mining is a unique use as a result of its inherent linkage to geology. Therefore, mining and related activities may be an appropriate use within the Rural-Conservancy Environment when conducted in a manner consistent with the environment policies and the provisions of WAC 173-26-241 (3)(h) and when located within Mineral Resource Lands designation criteria pursuant to Spokane County Comprehensive Plan and WAC 365-190-070.
7. Prevent natural and man-made disasters by discouraging development in areas which are flood-prone, slide-hazardous, steep slopes, poor soils, or not feasible to be served with water or sewage treatment.
8. Ensure recreational benefits to the public through conservation of wetlands, open spaces, and wildlife habitat.
9. Achieve sustained resource utilization by encouraging conservation practices.
10. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration, provided that new privately owned docks and boat ramps serving individual privately owned lots or parcels should not be allowed.
11. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
12. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation and public access, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
13. Shoreline areas within this designation identified as being high quality or partially degraded as described in the SCCD Inventory and Assessment completed in 2005 and subsequent shoreline inventories and assessments should be provided additional protection as specified in the use activity regulations of this Master Program. High Quality areas are illustrated on the Shoreline Designation Map in Appendix II.
14. Uses that will contribute to the preservation or enjoyment of high quality areas by the public are encouraged.
15. No clearing, construction or other operations that would alter the existing character of a High Quality Area are appropriate.

3.3.3 Ecological Functions Maintenance Policies

1. Developments and uses that would result in a net-loss of ecological function or permanently deplete the biological resources of the area should not be allowed.
2. Construction of new structural shoreline stabilization and flood control works should only be allowed where there is a documented need to protect an existing structure or ecological functions and mitigation is applied, consistent with WAC 173-26-231. New development should be designed and located to preclude the need for such work.
3. Residential development standards shall ensure no net loss of shoreline ecological functions and should preserve the existing character of the shoreline consistent with the purpose of the environment. As a general matter, meeting this provision will require density, lot coverage, vegetation conservation and other provisions.

4. Scientific studies support density or lot coverage limitation standards that assure that development will be limited to a maximum of ten percent total impervious surface area within the lot or parcel and will maintain the existing hydrologic character of the shoreline. However, an alternative standard developed based on scientific information that meets the provisions of this chapter and accomplishes the purpose of the environment designation may be used. Master programs may allow greater lot coverage to allow development of lots legally created prior to the adoption of a master program prepared under these guidelines. In these instances, master programs shall include measures to assure protection of ecological functions to the extent feasible such as requiring that lot coverage is minimized and vegetation is conserved.
5. New shoreline stabilization, flood control measures, vegetation removal, and other shoreline modifications should be designed and managed consistent with these guidelines to ensure that natural shoreline functions are protected. Such shoreline modification should be consistent with planning provisions for restoration of shoreline ecological functions.

3.3.4 Designation Criteria

Assign a Rural Conservancy designation to shoreline areas outside incorporated municipalities and outside urban growth areas if any of the following characteristics apply:

1. The shoreline is currently supporting lesser-intensity resource-based uses, such as agriculture, forestry, or recreational uses, or is designated agricultural or forest lands pursuant to the Spokane County Comprehensive Plan.
2. The shoreline is currently accommodating residential uses outside urban growth areas and incorporated cities or towns;
3. The shoreline is supporting human uses but subject to environmental limitations, such as properties that include or are adjacent to steep banks, feeder bluffs, flood plains or other flood-prone areas, or unstable soils.
4. The shoreline is of high recreational value or has unique historic or cultural resources
5. The shoreline has low-intensity water-dependent uses.
6. The shoreline possesses extensive recreational potential, forest or range resources, or areas with physical limitations which make them unsuitable for development, including areas subject to periodic flooding, flood plains, slide hazard areas, steep slopes, or poor soils.
7. The shoreline area is presently used for recreational and low-density residential uses and areas of existing or potential productive agricultural activity.
8. The shoreline has high quality features as identified in the 2005 SCCD Inventory and Assessment and subsequent shoreline inventories and assessments requiring additional protection necessary to prevent further degradation or to facilitate long term restoration. In determining designations under this criterion, consideration shall be given to the following environmental features:
    a. The shorelines include existing irreplaceable recreational or aesthetic value or benefit
    b. The shorelines include sensitive wildlife or fisheries habitat described in the 2005 SCCD Stream Inventory and Assessment and subsequent shoreline inventories and assessments.

3.3.5 Other Designation Considerations

Areas designated in a local comprehensive plan as "rural areas of more intense development," as provided for in the Spokane County Comprehensive Plan may be designated an alternate shoreline environment, provided it is consistent with the objectives of the Growth Management Act and this chapter. "Master planned resorts" as described in RCW 36.70A.360 may be designated an alternate shoreline environment, provided the applicable master program provisions do not allow significant ecological impacts.

Lands that may otherwise qualify for designation as Rural Conservancy and which are designated as "mineral resource lands" pursuant to Spokane County Comprehensive Plan and WAC 365-190-070 may be assigned a designation within the "Rural Conservancy" environment that allows mining and associated uses in addition to other uses consistent with the rural conservancy environment.

3.4 High-Intensity Environment

3.4.1 Purpose

The purpose of the High-Intensity Environment is to provide for high-intensity water-oriented commercial, residential, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded. Those uses which are water-dependent and can provide visual and/or safe access to the waterfront are to be given priority for shoreline locations.

3.4.2 Management Policies

1. In regulating uses in the High-Intensity environment, first priority should be given to water-dependent uses. Second priority should be given to water-related and water-enjoyment uses. Nonwater-oriented uses should not be allowed except as part of mixed use developments. Nonwater-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline. Such specific situations should be identified in shoreline use analysis or special area planning, as described in WAC 173-26-2001 (3)(d).
2. If an analysis of water-dependent use needs as described in WAC 173-26-201 (3)(d)(ii) demonstrates the needs of existing and envisioned water-dependent uses for the planning period are met, then provisions allowing for a mix of water-dependent and nonwater-dependent uses may be established. If those shoreline areas also provide ecological functions, apply standards to assure no net loss of those functions.
3. Full utilization of existing urban areas should be achieved before further expansion of intensive development is allowed. Reasonable long-range projections of regional economic need should guide the amount of shoreline designated High-Intensity. However, consideration should be given to the potential for displacement of nonwater-oriented uses with water-oriented uses when analyzing full utilization of urban waterfronts and before considering expansion of such areas.
4. Aesthetic objectives should be implemented by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers.
5. Policies and regulations shall provide for public physical and visual access to water and provide for intensive, water-oriented recreational use of the shoreline as provided for in WAC 173-26-221(4)(d).
6. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration provided that new privately owned docks and boat ramps serving individual privately owned lots or parcels should not be allowed.
7. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
8. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation and public access, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
9. Shoreline areas within this designation identified as being high quality or partially degraded as described in the SCCD Inventory and Assessment completed in 2005 and subsequent shoreline inventories and assessments should be provided additional protection as specified in the use activity regulations of this Master Program. High Quality areas are illustrated on the Shoreline Designation Map in Appendix II.
10. Uses that will contribute to the preservation or enjoyment of High Quality Areas by the public are encouraged.
11. No clearing, construction or other operations that would alter the existing character of a High Quality Area are appropriate.

3.4.3 Ecological Functions Maintenance Policies

1. Policies and regulations shall assure no net loss of shoreline ecological functions as a result of new development. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply with any relevant state and federal law.

3.4.4 Designation Criteria

Assign a "high-intensity" environment designation to shoreline areas within incorporated municipalities, urban growth areas (UGAs), and industrial or commercial "rural areas of more intense development, and if they currently support high-intensity uses related to commerce, residential, transportation or navigation; or are suitable and planned for high-intensity water-oriented uses in the Comprehensive Plan.

3.5 Urban Conservancy Environment

3.5.1 Purpose

The purpose of the Urban Conservancy Environment is to protect and restore ecological functions of open space, flood plain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

3.5.2 Management Policies

1. Uses that preserve the natural character of the area or promote preservation of open space, flood plain or sensitive lands either directly or over the long term should be the primary allowed uses.
2. Public access and public recreation objectives should be implemented whenever feasible and significant ecological impacts can be mitigated.
3. Water-oriented uses should be given priority over nonwater-oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses should be given highest priority.
4. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration, provided that new privately owned docks and boat ramps serving individual privately owned lots or parcels should not be allowed.
5. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
6. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation and public access, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
7. Shoreline areas within this designation identified as being high quality or partially degraded as described in the SCCD Inventory and Assessment completed in 2005 and subsequent shoreline inventories and assessments should be provided additional protection as specified in the use activity regulations of this Master Program. High Quality areas are illustrated on the Shoreline Designation Map in Appendix II.
8. Uses that will contribute to the preservation or enjoyment of High Quality Areas by the public are encouraged.
9. No clearing, construction or other operations that would alter the existing character of a High Quality Area are appropriate.

3.5.3 Ecological Functions Maintenance Policies

1. Uses that result in restoration of ecological functions should be allowed if the use is otherwise compatible with the purpose of the environment and the setting.
2. Standards should be established for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications within the Urban Conservancy designation. These standards shall ensure that new development does not result in a net loss of shoreline ecological functions or further degrade other shoreline values.

3.5.4 Designation Criteria

Assign an Urban Conservancy Environment designation to shoreline areas that are not generally suitable for water-dependent uses and that lie in incorporated municipalities, urban growth areas, or commercial or industrial rural areas of more intense development if any of the following characteristics apply:

1. They are suitable for water-related or water-enjoyment uses;
2. They are open space, flood plain or other sensitive areas that should not be more intensively developed.
3. They have potential for ecological restoration;
4. They retain important ecological functions, even though partially developed; or
5. They have the potential for development that is compatible with ecological restoration.

3.6 Shoreline Residential Environment

3.6.1 Purpose

The purpose of the Shoreline Residential Environment is to accommodate residential development and appurtenant structures that are consistent with this chapter. An additional purpose is to provide appropriate public access and recreational uses.

3.6.2 Management Policies

1. Standards for density or minimum frontage width, setbacks, lot coverage, buffers, shoreline stabilization, vegetation conservation, critical area protection, and water quality shall be set to assure no net loss of shoreline ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.
2. Multifamily and multilot residential and recreational developments should provide joint use of recreational facilities.
3. Access, utilities, and public services should be available and adequate to serve existing needs and/or planned future development.
4. Commercial development should be limited to water-oriented uses and shall be consistent with the Comprehensive Plan.
5. Allow new over-water structures only for water-dependent uses, public access, or ecological restoration, provided that new privately owned docks and boat ramps serving individual privately owned lots or parcels should not be allowed.
6. The size of new over-water structures should be limited to the minimum necessary to support the structure's intended use.
7. All developments and uses on navigable waters or their beds should be located and designed to minimize interference with surface navigation and public access, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.
8. Existing public access should be maintained consistent with the Property Rights Element of this plan.
9. Shoreline areas within this designation identified as being high quality or partially degraded as described in the SCCD Inventory and Assessment completed in 2005 and subsequent shoreline inventories and assessments should be provided additional protection as specified in the use activity regulations of this Master Program. High Quality areas are illustrated on the Shoreline Designation Map in Appendix II.
10. Uses that will contribute to the preservation or enjoyment of High Quality Areas by the public are encouraged.
11. No clearing, construction or other operations that would alter the existing character of a High Quality Area are appropriate.

3.6.3 Designation Criteria

Assign a Shoreline Residential Environment designation to shoreline areas inside urban growth areas, as defined in the Comprehensive Plan, rural areas of more intense development, or master planned resorts, as described in the Comprehensive Plan if they are predominantly single-family or multifamily residential development or are planned and platted for residential development.

3.6.4 Designation Criteria Applicable to all Environments

The following criteria will also be given consideration when determining shoreline designations:

1. The Comprehensive Plan Land Use designation underlying and adjacent to the shoreline.
2. Existing land use
3. Current shoreline designation
4. Relevant information within shoreline assessment documents prepared by the Spokane County Conservation District (2005 Stream Assessment), URS Corporation (2002 Lakeshore Assessment), and Landau Associates 2005 Lake and Stream Report.

SECTION 4
SHORELINE PROTECTION AND RESTORATION

4.1 Purpose

The Shoreline Protection and Restoration Plan implements the Goals and Policies Section 2, Element 8 of the Shoreline Master Program. This element considers a regulatory process as one of several tools to utilize to encourage shoreline protection and restoration. The intent of the regulations in this section is to foster protection and enhancement of shoreline ecological functions. The specific measures herein are intended to enhance, rehabilitate or reestablish physical, chemical, or biological shoreline characteristics. Restoration does not suggest returning the shoreline area to its aboriginal, or pre-European settlement conditions but is intended to merely maintain or reestablish a reasonably sustainable level of shoreline ecological function.

4.1.1 Application

The requirements of this section shall apply to all shoreline use activities requiring approval by the Department pursuant to Spokane County development regulations. Use activities proposed in shoreline areas that result in a net-loss of ecological function of the shoreline shall be prohibited. All shoreline use activities requiring approval from the Department pursuant to Spokane County development regulations or projects initiated by Spokane County shall be evaluated for impacts on shoreline ecological functions. A loss in ecological function may occur in conjunction with the development of a use activity site if the project proponent agrees to restore degraded shoreline areas on the project site or in the immediate vicinity of the site, not to exceed 1,000 feet from the applicant's property. The restoration must equal or exceed the anticipated loss in ecological function resulting from the applicant's proposal. The Director may allow off-site mitigation exceeding 1,000 feet from the applicant's property if the following conditions apply;

a. Spokane County has adopted a shoreline restoration program identifying and prioritizing the restoration of certain degraded shorelines and the applicant proposes a specific strategy to restore a shoreline prioritized for restoration as specified in the restoration program referenced in item "a" above.
b. The applicant demonstrates that the restoration strategy referenced in item "b" above is a more effective alternative strategy compared to on-site restoration/mitigation based on an analysis by a qualified ecologist accepted by the Director of the Department of Building and Planning.
c. The shoreline functional values at the site of the proposed restoration are significantly greater than the anticipated loses of shoreline ecological functions on the shoreline site proposed for development.

4.1.2 Shoreline Ecological Function Assessment

Upon receipt of a request for shoreline development approval by the Department pursuant to Spokane County development regulations the Director shall determine if the proposal may result in a net-loss of shoreline ecological function. When a shoreline use activity is proposed or an existing use activity is substantially modified which may result in a net-loss of ecological function the applicant shall provide a shoreline ecological function assessment report prepared by a qualified ecologist. The report shall address the shoreline portion of the subject property affected by the proposed use activity. The assessment report shall include the following elements:

a. a description of the existing ecological characteristics of the site to include but not be limited to soil characteristics, type and extent of vegetation, slope, wildlife habitat and such other characteristics deemed appropriate by the Director based on unique features of the site.
b. an assessment of the functioning condition of the shoreline prior to disturbance of the shoreline by the proposal.
c. an assessment of the specific impacts of the proposal on the shoreline's ecological functioning condition.
d. a specific strategy to restore shoreline ecological functions lost as a result of the proposal to include the scientific basis of the recommended strategy. The strategy shall identify a restoration timetable. The strategy may address but not be limited to establishment of buffers,

site specific building envelopes, vegetation removal, vegetation enhancement, water access, location and installation of utilities, use activity management and operation, restoration of preexisting degraded shorelines, enhancement of existing shoreline buffers, construction timing and sequencing, post development management and operations.

e. a site plan which fully illustrates the proposed shoreline function enhancements and shall be drawn to scale and precisely show all site and off-site alterations and enhancements.

The Director may 1) request evaluation of the report by state and local public resource agencies having expertise in shoreline ecology; 2) modify the restoration strategy and site design as deemed appropriate based on assessment report findings and resource agency comment to prevent a net-loss of shoreline ecological function; 3) require the applicant retain a qualified ecologist to certify that all shoreline protection and enhancement measures have been properly accomplished.

The Director may retain outside expertise to evaluate an applicant's technical analysis and shall assess the applicant for the cost of said expertise and such assessment shall be remitted prior to release of the applicable development approval. The evaluation shall address application materials and any proposed impact mitigation strategy.

4.1.3 Authority to Condition

For the purpose of assuring no net-loss in ecological functions, the Director may condition any approval issued by the Department to assure that the accepted no net-loss strategy of the use activity is effectively implemented. Conditions imposed shall be based on information in the shoreline ecological function assessment report, comment from public resource agencies having environment expertise, on information in the SEPA evaluation, or on an analysis in any relevant document which is based on the scientific method**.** Conditions may address but not be limited to the following:

- establishment of buffers
- site specific building envelopes
- vegetation removal and/or vegetation enhancement
- water access
- location and installation of utilities
- restoration of pre-existing degraded shorelines if suggested in the shoreline function assessment report
- enhancement of existing shoreline buffers
- construction timing and sequencing
- post development management and operations
- scheduling of shoreline protection and enhancement measures

The Director may condition project approval with the requirement that the applicant submit photos and other documentation demonstrating that conditions of approval have been met. Such condition may include a timetable for submission of such information and may require documentation from a qualified ecologist retained by the applicant.

4.1.4 Monitoring/Compliance

The Department may periodically visit the project site and inspect it to assure that the conditions of approval are being met and shall make notations in the project record regarding inspection date and project compliance status. If conditions are not met the Department shall pursue remedial action consistent with Section 8 of this regulation.

4.1.5 On-site Inspection Required

Following issuance of a shoreline development approval the Department shall inspect the shoreline project site to determine that all site alterations and improvements are consistent with the project conditions of approval. The Director may require more than one site inspection if deemed necessary to assure full compliance of project approval requirements. Determinations of non-compliance are subject to the enforcement actions authorized in Section 8 of this regulation entitled "Administration and Enforcement."

4.2 High Quality Areas

4.2.1 High Quality Areas Defined

Refer to the Shoreline Designations Map for an illustration of the High Quality Areas.

4.2.2 High Quality Areas Additional Requirements

The development and operation of the use activity in a High Quality Area shall not degrade any of the environmental characteristics which are the basis of the High Quality Area classification as set forth in the Spokane County Conservation District 2005 Stream Inventory and Assessment. Use activities in High Quality Areas shall comply with the provisions in Section 6.5 applicable to High Quality Areas.

SECTION 5
USE ACTIVITY REGULATIONS

5.1 Authority, Purpose, Application

5. 1.1 Authority

The regulations are adopted under the authority of and pursuant to the requirements of Chapter 90.58 RCW, the Shoreline Management Act of 1971.

5. 1.2 Purpose

The purpose of these regulations is to:

a) Provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses of the shorelines.

b) Ensure the development of the shorelines in a manner which, while allowing for the limited reduction of the rights of the public in shoreline areas, will promote and enhance the public interests.

c) Provide protection against adverse effects to the public health and welfare while protecting, generally, public rights of navigation.

d) Preserve, to the greatest extent feasible, consistent with the overall best interest of the State and its people, the public's opportunity to enjoy the physical and aesthetic qualities of the shorelines of the State.

e) Preserve and protect the ecological functions of the shoreline to assure maintenance of water quality, fish and wildlife habitat.

f) Maintain and enhance the aesthetic characteristics and values of the shoreline.

g) Recognize and protect property rights consistent with the public interest.

f) Implement the Goals and Policies of the Shoreline Master Program and the Comprehensive Plan

5.1.3 Application

These regulations shall apply to any proposed development use activity, any extension or enlargement of any existing building improvement or use of land in shorelines of the state, and to any division of land, any portion of which includes land in a shoreline area. No development shall be undertaken on shorelines of the State except those that are consistent with this regulation. Further, no substantial development shall be undertaken on the shorelines of the County without first obtaining a shoreline substantial development permit pursuant to Section 6 of this regulation. Additionally, persons initiating a use activity exempt from the substantial development permit procedures of this program are responsible to comply with these regulations. Refer to Sections 8.6 and 8.7 pertaining to the application of other development regulations within shoreline areas.

5.2 General Use Activity Regulations

The following are the general regulations applicable to use activities locating in any shoreline designation.

5.2.1 Use Activity Standards

1. Motor vehicle parking lots in shoreline areas shall not be permitted. Individual automobile parking, incidental to allowed camping and picnic sites, is allowed provided that such parking areas are consistent with these regulations and the goals and policies of the Comprehensive Plan.
2. All development, particularly recreation and public access, shall be designed to protect property rights and privacy of owners or inhabitants of adjacent properties.
3. Animal feedlots are prohibited in the shoreline area.

4. All use activities allowed within shoreline waters or their beds shall be located and designed to minimize interference with surface navigation and navigation rights consistent with the Spokane County Boating Safety Code and applicable state regulations applicable to navigation.
5. All use activities allowed within shoreline waters or their beds shall be located and designed to minimize interference with public access and visual impact to public views.
6. Non water related industry is prohibited in all shoreline environment designations.
7. New over-water structures are allowed only for water-dependent uses, public access or for restoring shoreline ecological functions. New over-water structures shall be limited to the minimum necessary to support the structure's intended use, provided that a use activity regulation in Section 5.3 specifically provides for an exception to this provision.
8. The alteration of a shoreline to create additional shoreline area is prohibited.
9. All new uses and activities or redevelopment of existing uses shall not reduce existing public access.
10. Boathouses are prohibited. Use of over water improvements and floating structures as a residence is prohibited**.**
11. Public entities shall incorporate public access measures as part of each development project unless access is incompatible with safety, security, or environmental protection.
12. Wherever possible new use activities or expansion of existing use activities should provide for opportunities for the public's enjoyment of the shorelines consistent with policies protecting private property rights as specified in Chapter 10, Section NE 24 of the Comprehensive Plan.

5.2.2 Structures and Site Development

1. Except for permitted marinas, docks, and bridges, no over-water structure shall be erected in shoreline areas unless it is consistent with all applicable requirements in this regulation and the goals and policies of the Comprehensive Plan.
2. No structure in the shoreline area shall exceed 35 feet in height above the average elevation, except where additional height is specifically authorized by the specific use regulations in Section 5.3, provided that this provision does not apply to electrical transmission and distribution support structures.
3. No structure shall be erected within 50 feet of the ordinary high water mark, except for bridge approaches and bridges, marinas, docks, boat launches or buildings related to water dependent recreation developments or other uses proven to be otherwise necessary in the public interest and specifically authorized as exceptions by the use regulations in Section 5.3, provided that a new privately owned boat launching ramp or improvement serving an individual lot or parcel is prohibited.
4. All areas cleared of vegetation not covered by structures or impervious surfacing shall be replanted with vegetation that maintains the ecological function of the shoreline.
5. Slash and debris and other waste products resulting from a use activity or land clearing activity shall be burned and/or removed from the shoreline area immediately following cessation of said activity. Said debris and waste products shall not enter into the water and interfere with the regeneration of forest vegetation. All burning shall comply with Spokane County Air Pollution Control Agency requirements. This provision does not prohibit the chipping and lopping of woody material and distribute it evenly over the shoreline area, provided it does not result in a net loss of shoreline ecological function.
6. All breakwaters, jetties and weirs are conditional uses provided that this provision does not apply to shoreline protection or restoration projects.
7. Construction of a privately owned boat launching ramp or improvement serving an individual lot or parcel
   is prohibited in all shoreline designations.

5.2.3 Waste Disposal

1. All discharges of effluent or drainage from use activities in shoreline areas shall meet the requirements of federal, state, and local health laws and regulations pertaining to water quality and pollution-control and the wastewater treatment requirements specified in Section 5.3.9 of this regulation.

2. No solid or liquid wastes shall be stored, transferred or disposed of in any shoreline area except in accordance with Chapter 80.95 RCW (Solid Waste Management Act) and Regulations WAC 173-301-100 (Minimum Functional Standards for Solid Waste Handling) to and including WAC 173-301-626, and also in accordance with the Spokane County Solid Waste Management Plan and Spokane Regional Health District Regulations and consistent with the goals and policies of the Comprehensive Plan, provided that in no situation shall an on-site wastewater drainfield be closer than 100 feet from the ordinary high water mark as required in Section 5.3.9.

5.2.4 Historic or Archeological Impacts

1. All shoreline permits shall require the permit applicant to notify the Spokane Historic Preservation Office and the Department whenever any archaeological, historical artifacts or cultural resources are uncovered during any grading or excavation and further shall require all work on the project site immediately cease. Work shall resume once the permit holder and the Spokane Historic Preservation Office agree in writing on a site development strategy that the archaeological or historic artifact, or cultural resource.

5.2.5 Shoreline Ecology and Aesthetics

1. The aesthetic quality of the shoreline area shall be considered to be a public resource, including both views of the water and from the water. Every consideration shall be given to protection and enhancement of such views in the planning, construction, maintenance and management of any use activity.
2. Areas cleared of vegetation but not covered by structures or improvements following development of a use activity shall be restored with vegetation which maintains the shoreline ecological function.
3. Uses and activities that result in a net-loss of ecological function of the shoreline are prohibited. A net-loss in ecological function may occur on a use activity site if the project proponent agrees to restore documented degraded shoreline areas in the immediate vicinity of the applicants property not to exceed 1,000 feet from the applicant's parcel and said restoration exceeds the documented loss in ecological function, provided that this option does not apply to High Quality Areas. Development of no net-loss strategies is subject to compliance with Section 4 of this regulation.
4. All uses, activities or other encroachments on shoreline associated wetlands shall comply with the wetland and riparian protection provisions of the Spokane County Critical Areas Ordinance. Refer to Section 8.4 for additional guidelines regarding the relationship of these regulations to the requirements of the Critical Areas Ordinance.
5. Measures shall be taken to mitigate adverse effects to the scenic quality of the shoreline area and to protect historical, cultural, or educational features on or in close proximity to the site.
6. A 50-foot or greater buffer strip of natural vegetation shall be maintained along the waterfront to prevent erosion and protect water quality and fish habitat**,** provided that the following exceptions to this requirement are permitted:
    a. vegetation may be removed to allow for uses permitted by Section 5.2.2(3)
    b. a use activity provision in Section 5.3 specifically allows for an exception to this requirement
    c. pathways or other methods of access may be provided to the water or to access an allowed dock
    d. access to watercraft launches available for use by the general public
    e. removal of noxious weeds which does not result in a net-loss of shoreline ecological function or cause degradation of water quality
    f.. public parks and associated beaches
    g. vegetation management necessary to maintain electrical transmission and distribution lines.
    h. Selective pruning of trees and shrubs to maintain limited views and safety of structures and persons.

Encroachments allowed by the above exceptions shall be the minimum necessary to reasonably provide for the excepted use and further the excepted encroachment shall not result in a net loss of shoreline ecological function. Additional buffer requirements apply to the Latah Creek Channel Meander Belt as specified in Section 5.2.7.

7. Tillage and application of fertilizers and chemical pesticides within 50 feet of the ordinary high water mark is prohibited.
8. All shoreline use activities shall be developed and managed consistent with Washington State and Federal water quality standards.
9. Provision for fire protection buffers shall not compromise the 50-foot buffer strip of vegetation required in Section 5.2.5(6). Site planning for structure development should include provision for fire protection buffers
   set back from the 50-foot vegetation buffer required in Section 5.2.5(7)

5.2.6 Latah Channel Meander Belt Protection

The regulations of this section apply to the Channel Meander Belts illustrated on the Channel Meander Belt map in Appendix III of this Shoreline Master Program.

1. Development of residential, commercial or industrial structures within the Latah Creek Channel Meander Belt is prohibited. The Latah Creek Channel Meander Belt is illustrated in Appendix III of this Master Program.
2. New shoreline protection measures shall be consistent with the Latah Creek Comprehensive Flood Hazard Management Plan and shall comply with item 6 requirements below.
3. Maintenance or enhancement of existing shoreline protection improvements shall be consistent with the Latah Creek Comprehensive Flood Hazard Management Plan and shall comply with item 6 requirements below.
4. New residential, commercial and industrial structures shall be set back a minimum of 50 feet from the Latah Creek Channel Meander Belt.
5. The natural vegetation within the channel meander belt shall be maintained to prevent erosion, protect water quality and fish habitat and to provide for creek stabilization during flooding events provided that the following exceptions to this requirement are permitted:
   a. removal and replanting of vegetation intended to implement a plan to protect or enhance shoreline ecological functions and processes
   b. a use activity provision in Section 5.3 specifically allows for an exception to this requirement
   c. pathways providing access to the water or to access an allowed dock
   d. expansion of existing bridges

   Encroachments allowed by the above exceptions shall be the minimum necessary to reasonably provide for the excepted use and further the excepted encroachment shall not result in a net loss of shoreline ecological function.
6. All improvements including emergency improvements locating within a channel meander belt or within 50 feet of the channel meander belt shall be reviewed by a professional fluvial geomorphologist or civil engineer with hydraulic experience. The review shall include a detailed assessment of the site's channel meander belt width and potential for erosion or flooding and shall include a determination regarding the improvement's potential to result in interference with Latah Creek's Channel Meander Belt's long term natural meandering processes.

   The Director may apply conditions to the approval of the improvement based on the findings of the professional review and are for the purpose of assuring that the improvement will not interfere with the channel meander belt's natural meandering processes. The Director may deny the proposal if the review demonstrates that the improvement may cause Latah Creek to meander outside of its Channel Meander Belt, potentially accelerate the incidence of Creek meandering above and beyond natural processes or potentially cause a significant long term threat to upstream or downstream properties.

5.3 Specific Use Activity Regulations

The following are the specific regulations applicable to use activities locating in the five shoreline designations.
Refer to Table 5A on pages 15 and 16 for a summary of the uses that are allowed or prohibited in each of the shoreline designations.

5.3.1 Agriculture

1. All Shoreline Environment Designations
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2.
2. The Natural, Rural-Conservancy, High Intensity, Urban Conservancy Environments
    a. Low intensity agricultural activities shall be permitted provided that agricultural operations do not ~~have~~ degrade the ecological function of the shoreline.
    b. Intensive Agriculture activities are prohibited.
    c. A buffer area of not less than 50 feet from the ordinary high water mark of permanent vegetation shall be maintained to protect against shoreline erosion and to reduce the amount of silt, soil, nutrients, and pollutants entering the water from agricultural runoff, provided that fencing is allowed intended to prevent livestock from entering shoreline waters. This provision does not apply to shorelines in existing agricultural use due to the requirements of RCW 90.58.065, RCW 36.70A.560 and RCW 36.70A.5601. This provision does apply to shorelines which are converted to agricultural uses following the effective date of this regulation.
3. Shoreline Residential Environment
    a. Agriculture activities are prohibited

5.3.2 Aquaculture

1. All Environment Designations
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
2. The Natural High Intensity and Shoreline Residential Environments, Urban Conservancy
    a. Aquaculture is prohibited.
3. The Rural-Conservancy Environment
    a. Aquaculture is permitted subject to the following conditions:
        i There is no substantial interference with navigation.
        ii There is no substantial adverse effect on water quality.
        iii There is no adverse effect on the water rights of other property owners.
        iv The visual quality of the shoreline area or the water is not significantly affected.

5.3.3 Forest Management Practices and Land Clearing Activity

1. All Environment Designations
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
    b. Persons conducting forest management in shoreline areas shall comply with the Forest Practices Act RCW 76.09. A forest practices permit shall be issued prior to commencement of timber harvesting activities.
    c. Timber harvesting within 50 feet of the ordinary high water mark is prohibited, provided that timber affected by fire, windstorm, infestation, or other calamity or is deemed a hazard to the public may be selectively removed. To selectively remove timber affected by fire, windstorm, infestation, calamity, or because it is a public hazard, documentation by a qualified ecologist or professional forester that selective timber removal is the least intrusive remedy shall be approved by the Director by prior to harvesting. Timber harvesting for the purpose of maintaining electrical transmission and distribution lines within 50 feet of the ordinary high water mark is permitted as provided in Section 5.2.6(6)(g).
    d. Removal of trees to clear an area not less than 50 feet from the ordinary highwater mark is allowed for home construction, provided this provision applies only to the building

footprint, driveway and reasonable fire suppression buffer. Cleared areas not covered by structures or improvements shall at a minimum be restored to their original vegetative condition.

2. The Natural Environment
   a. Timber harvesting activities are prohibited except for the removal of timber to restore or enhance the ecological function of the shoreline. To selectively remove timber affected by fire, windstorm, infestation, or other calamity pursuant to documentation that removal is the best remedy by a qualified ecologist or professional forester that selective timber removal is the least intrusive remedy and consistent with the Forest Practices Act RCW 76.09.
   b. Limited land clearing may be allowed if such activities are recommended in a shoreline protection and restoration plan completed by a qualified ecologist and approved by the Director. The land clearing shall not result in a net loss of ecological function
3. The Rural-Conservancy, High Intensity, Urban Conservancy, Shoreline Residential Environments
   a. Limited land clearing may be allowed if such activities are recommended in a shoreline protection and restoration plan completed by a qualified ecologist and approved by the Director. The land clearing shall not result in a net loss of ecological function
   b. Only 20 percent of the merchantable timber between 50 feet and 100 feet of the ordinary high water mark, randomly distributed, and only 40 percent of the merchantable timber between 100 feet and 200 feet of the ordinary high water mark, randomly distributed, may be harvested in any ten-year period. Trees may be removed to clear an area between 100 feet and 200 feet landward of the ordinary highwater mark for home construction, provided this provision applies only to the building footprint, driveway and a fire suppression buffer.
   c. When harvesting timber or clearing land the following conditions shall be met:
      i The area shall be returned to productive use and reforestation measures shall be applied where practicable consistent with the State Forest Practices Act, RCW 76.09.
      iii Road construction supporting timber management practices shall be in compliance with Section 12 pertaining to road construction.
      iv Water quality and fish and wildlife habitat shall be protected**.**
      v Slash and debris and other waste products resulting from timber harvesting or land clearance shall be burned and/or removed from the shoreline area immediately following cessation of said activities. The debris and waste products shall not enter into the water or interfere with the regeneration of forest vegetation

5.3.4 Commercial

1. All Environmental Designations
   a. All uses activities shall comply with all applicable General Regulations in Section 5.2.
   b. Public access is required for new or expanding commercial use activities unless such a requirement would interfere with operations or create hazards to life or property.
2. The Natural Environment
   b. Commercial development is prohibited.
3. The Rural-Conservancy Environment.
   a. Low intensity water dependent or-water oriented uses such as boating facilities, angling, hunting, wildlife viewing trails, parks and swimming beaches may be permitted in the Rural-Conservancy Environment when the following conditions are met:
      i Only that portion of the commercial activity which requires direct access to water may be located within 50 feet of the ordinary high water mark.
      ii No building shall exceed two stories or 35 feet in height, whichever is less.
      iii Adequate public access to or along the publicly-owned waterfront shall be provided.
      iv adequate services are available to support the use activity.

b. Non-water related commercial use activities are prohibited.

4. The High Intensity, Urban Conservancy Environments
    a. Only water-dependent commercial development may be located within 50 feet of the ordinary high water mark. Water-related commercial development is permitted, provided a 50-foot setback from the ordinary high water mark is maintained as required by general regulation 5.2.2(4)
    b. Non-water related commercial use activities are prohibited.
    c. Commercial developments shall not prevent or impair existing public access to and along publicly owned waterfront.
5. Shoreline Residential Environment
    a.. Only water dependent commercial uses are allowed.

5.3.5 Marinas

1. All Environment Designations
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
2. The Natural Environment
    a. Marinas are prohibited.
3. Rural-Conservancy, High Intensity and Urban Conservancy and Shoreline Residential Environments
    a. Marinas shall be permitted when the applicant demonstrates to the satisfaction of the reviewing authority that:
        i All applicable Federal, State and/or local regulations shall be met.
        ii The location is compatible with the Spokane County Comprehensive Plan
        iii The marina does not constitute an unreasonable interference with navigation.
        iv Provisions are made for protection against fuel and oil spills and for prompt clean-up operations in the event of a spill.
        v Upon completion of construction, the site soils, vegetation, and other disturbed natural features in any undeveloped cleared area are restored to its original vegetative condition, and the visual appearance of the marina appears compatible with the character of the area to the extent possible.

5.3.6 Mining

1. All Shoreline Environments
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2.
    b. Except for excavation for scientific or archaeological purposes, mining is prohibited in High Quality areas or areas of archaeological, historical, cultural, or educational significance.
    c. Mining is prohibited waterward of the ordinary high water mark, provided that mining is allowed for the sole purpose of enhancing shoreline ecological function.
2. The Natural and Shoreline Residential Environments
    a. Mining is prohibited.
3. Rural-Conservancy and High Intensity, Urban Conservancy Environments
    a. Mining of sand, gravel, soil, or minerals is permitted landward of the ordinary high water mark only as a conditional use, provided the following conditions are met:
        i The provisions of the Surface Mining Act, Chapter 78.44 RCW and WAC 334-18 shall be met for any surface mining, including that which affects less than 3 acres or produces less than 10,000 tons in any 12 month period. Where surface mining is not subject to the RCW 78.44 permit process the shorelines substantial development permit process shall be utilized to require compliance to surface mining provisions of RCW 78.44
        ii Surface drainage and wastes resulting from mining operations shall not be discharged into streams or water bodies without treatment to remove suspended solids and organic matter consistent with applicable local, state and federal pollution control and water quality regulations.
        iii Cleaning, sorting, separation, and storage operations shall not be conducted within 100 feet of the ordinary highwater mark.

5.3.7 Signs

1. All Environment Designations
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
    b. All signs must comply with the sign provisions of the Spokane County Zoning Code.
    c. On-premises business identification signs are permitted and shall be designed to blend in with the natural environment and shall be affixed to the portion of the business structure facing away from the water, and shall not exceed 20 square feet.
    d. Signs erected by government agencies required to provide direction, protect the public health, safety, and general welfare are permitted and shall not exceed 20 square feet in area and shall be designed to minimize the visual impact to the shoreline area, except as provided by item 5.3.7(1)(f).
    e. Signs shall not obstruct views of the shoreline from the surface of water, except as in item g below.
    f. Only signs required for navigation or as directional signs to inform boaters of services, such as fuel and moorage, and type of business, and government agency signs allowed by item e above shall be visible from the shoreline area or the surface of the water.
    g. Except for navigational aids, no light source of any sign shall be visible from the surface of the water.
    h. Signs shall not extend beyond the face of a building or above its roofline.
    i. Signs shall not move or rotate or have lights which blink or flash on and off intermittently.
2. The High Intensity Environment
    a. Existing or permitted commercial or industrial businesses may be permitted to have on-premises identification signs which are consistent with the Spokane County Zoning Code. Signs shall face away from the water and shall be designed to have minimal impact on the visual quality of the shoreline.

5.3.8 Residential

1. All Environment Designations
    a. All uses shall comply with all applicable General Regulations in Section 5.2.
    b. Individual or multi-family on-site wastewater treatment systems serving allowed uses in conformance with the Spokane County Shoreline Master Program, shall be subject to regulations administered by the Spokane Regional Health District. Large On-site Sewage Systems (LOSS) shall be subject to regulations administered by the Washington State Departments of Ecology, or Department of Health as required by rule adopted under RCW 70.118B.020. Such sewage treatment systems shall be located to prevent or minimize entry of nutrients, including phosphorus and nitrogen, or other pollutants, into ground and surface water within jurisdiction of the SCSMP.
    c. All individual and community on-site wastewater treatment systems, also called sewage treatment systems, including septic tanks and drainfields or alternative systems approved and inspected by the Spokane Regional Health District, the Washington State Department of Ecology, or Department of Health, shall be located landward of designated riparian and shoreland vegetative buffers within jurisdiction of the SCSMP.
    d. All sewage system components shall be located a minimum of 100 feet from the ordinary high water mark. In limited instances when residential structures are permitted within 100 feet of the ordinary high water mark, tightlines from structures or septic tanks may be located within 100 feet from the ordinary high water mark.
    e. Whenever feasible while meeting Spokane Regional Health District or Washington State Health Department standards, all components of on-site sewage treatment systems, including subsurface soil absorption systems, shall be located landward of the residential structures they serve.
2. The Natural and Rural-Conservancy Environments
    a. A new residential lot created pursuant to the Spokane County Subdivision Ordinance may be permitted provided that the portion of each lot created thereby within the shoreline area shall be dedicated to its existing state or to passive, non-commercial recreational purposes consistent with the other applicable regulations and policies of the environment. The design of lots in subdivisions, short subdivisions and building

lots created by Certificates of Exemptions shall illustrate that a viable building envelope exists on each residential lot located outside the shoreline area and take into consideration setbacks for yards, required buffers for shoreline areas and other applicable Spokane County development regulations. Applicants for subdivisions and short plats shall dedicate all or a portion of the site within the shoreline area for passive recreation use for the benefit of the lot owners.

b. Residences are permitted in the shoreline area on parcels created by a Certificated of Exemption issued pursuant to the Spokane County Subdivision Ordinance prior to the effective date of this regulation.

c. No more than 10 percent of the portion of the property within a shoreline area shall be occupied by impervious improvements provided that a larger area of impervious surfacing is allowed if the applicant demonstrates that the hydrological character of the shoreline will not be adversely impacted. Lots legally created prior to adoption of this Shoreline Master Program are allowed impervious surfacing not exceeding the lot coverage requirements of the Spokane County Zoning Code, providing that shoreline ecological functions are not degraded.

3. High Intensity, Rural Conservancy, Urban Conservancy and Shoreline Residential Environments

a. Residences are permitted, provided that access, utilities, and public services are available and adequate to serve the development.

b. Residential density shall be based on Spokane Regional Health District wastewater treatment and water supply regulations, Spokane County Zoning Code and subdivision regulations, Critical Area Ordinance and consistency with the Comprehensive Plan.

c. Buildings constructed in areas of 20 percent or greater slope, or slide-prone areas, shall conform to the requirements for geologically hazardous areas of the Critical Areas Ordinance.

5.3.9 Utilities

1. All Environment Designations

a. All uses and activities shall comply with all applicable General Regulations in Section 5.2

b. Ground percolation areas or drainage swales are prohibited within 50 feet of the ordinary high water mark.

c. Community wastewater treatment facilities shall not be located within 200 feet of the ordinary high-water mark.

d. A transmission line may traverse a shoreline only when no reasonable alternative is available. A route shall be selected for each transmission line so that, where it must traverse a shoreline, it shall not be necessary to cut a clear corridor through a wooded area.

e. Terminal facilities, that is, facilities which constitute the final termination or destination of a transmission line, shall not be located in any shoreline.

f.. Transmission lines shall cross streams either by being constructed on public roadway bridges designed for, or capable of, accommodating the inclusion of such pipelines, or by being constructed below the stream bed. Bridges may not be constructed across shorelines or shorelands solely for the purpose of supporting utility pipelines.

g. An advance emergency plan for the cleanup of leaks and spills shall be submitted with the permit application for a petroleum or an ore slurry transmission pipeline crossing.

h. All utility crossings for gas, petroleum or ore slurries shall require shoreline conditional use permits (CUP)

i. New transmission lines shall use preexisting utility easements, if feasible.

j. Individual on-site wastewater treatment systems serving allowed uses in conformance with the Spokane County Shoreline Master Program, shall be subject to regulations administered by the Spokane Regional Health District. Large On-site Sewage Systems (LOSS) shall be subject to regulations administered by the Washington State Departments of Ecology, or Department of Health as required by rule adopted under RCW 70.118B.020. Such sewage treatment systems shall be located to prevent or

minimize entry of nutrients, including phosphorus and nitrogen, or other pollutants, into ground and surface water within jurisdiction of the SCSMP.

k. All individual and community on-site wastewater treatment systems, also called sewage treatment systems, including septic tanks and drainfields or alternative systems approved and inspected by the Spokane Regional Health District, the Washington State Department of Ecology, or Department of Health, shall be located landward of designated riparian and shoreland vegetative buffers within jurisdiction of the SCSMP.

l. All sewage system components shall be located a minimum of 100 feet from the ordinary high water mark. In limited instances when structures are permitted within 100 feet of the ordinary high water mark, tightlines from structures or septic tanks may be located within 100 feet from the ordinary high water mark.

m. Whenever feasible while meeting Spokane Regional Health District or Washington State Health Department standards, all components of on-site sewage treatment systems, including subsurface soil absorption systems, shall be located landward of the structures they serve.

2. The Natural Environment

a. Utilities may be permitted (1) which serve allowed use activities located in the Natural Environment (2) which route through the Natural Environment within existing rights-of-way and easements, and (3) which cross streams on public roadway bridges designed for, or capable of accommodating, the inclusion of such utilities. In all cases, routes shall be selected so that it shall not be necessary to cut clear corridors through wooded areas.

b. Electric and communication cables shall be installed underground. Electric transmission and communication cable stream crossings shall be installed underground if feasible but may be permitted overhead through the Shoreline Conditional Use permit process. Overhead electric transmission lines traversing shorelines shall have their conductors marked with daytime obstruction markers wherever the spans exceed 200 feet or comply with Federal Aviation Requirements , whichever is more restrictive.

c. Wastewater collection facilities may be permitted in the Natural Environment for conveyance of wastewater to treatment and disposal facilities located outside the Natural Environment. Except for outfall lines, wastewater collection lines are not allowed waterward of the ordinary highwater mark.

3. Rural-Conservancy, High Intensity, Urban Conservancy and Shoreline Residential Environments

a.. Overhead electric transmission lines shall be constructed underground if feasible. Overhead electric transmission lines traversing "Shorelines of State-wide Significance" shall have their conductors marked with daytime obstruction markers wherever the spans through the Shoreline Area exceed 200 feet or comply with Federal Aviation Requirements, whichever is more restrictive.

b. Other utilities may be permitted to serve allowed activities located within a Shoreline Environment, or to route through a shoreline area to cross a stream, or to route through a shoreline area within public and private rights-of-way and easements. In all cases, routes shall be selected so that it shall not be necessary to cut clear corridors through wooded areas.

c. In all cases electric and communication cables, except electric transmission lines, shall be installed underground, except where they cross streams they may be constructed on public roadway bridges designed for, or capable of, accommodating such utilities in electrical conduits.

d. Facilities for the disposal of treated wastewater may be permitted in the High Intensity and Urban Conservancy Environments, provided they are designed, constructed, owned, operated and maintained pursuant to a waste water discharge permit issued by the State Department of Ecology, provided evidence accompanies the application for a shoreline permit to demonstrate that compelling reasons exist for selection of the specific site, and provided the site and/or facilities conform to the following:

i. Any flow to surface waters shall be limited to treated wastewater conveyed to discharge through an outfall under a permit issued by the State Department of

Ecology;

ii. Treatment facilities shall not exceed the structure height maximum specified in the Spokane County Zoning Code.

e. It is the responsibility of the applicant for any permit involving a treatment or a disposal facility to submit evidence that the applicable requirements in this Section are met.

f. Whenever treated wastewater, storm-water drainage, or other liquids are permitted by the Washington State Department of Ecology to be discharged into a stream or lake, the outfall shall be placed below the water surface and diffused in the stream or lake bottom consistent with Washington State sewage disposal and water quality requirements.

g. It is the responsibility of the applicant for a permit involving a treatment or a disposal facility to submit evidence that the applicable requirements in this Section are met.

h. Facilities for the disposal of treated wastewater are prohibited in the Shoreline Residential Environment, provided that this provision does not apply to individual waste water treatment systems serving on-site dwellings and meeting the requirements of Subsection 5.3.8(1)(b, c, d and e).

5.3.10 Water-Related Industries

1. All Environmental Designations
   a. All uses and activities shall comply with all applicable General Regulations in Section 5.2.
   b. Public access is required for new or expanding industrial activities unless such a requirement would interfere with industrial operations or create hazards to life and property.
2. The Natural, Rural-Conservancy, Urban Conservancy and Shoreline Residential Environments
   a. New industrial uses are prohibited.
3. High Intensity Environment
   a. Water related and water dependent industries are permitted subject to the following conditions:
      i Only water-dependent industrial uses which can justify a need for direct access to water may be permitted to erect buildings or other structures within 50 feet of the ordinary high-water mark; all other industrial development shall be set back a minimum of 50 feet from the ordinary high water mark and shall retain a 50-foot vegetation buffer as required by Section 5.2.5.6.
      ii Except where it may be unsafe or a health hazard, existing established pedestrian access to and along the waterfront shall not be obstructed.
      iii The public's right to visual access to and from the water shall be preserved by:
   b. Water treatment or wastewater treatment facilities shall not be located within 200 feet of the ordinary high-water mark as required by Section 5.3.9(1)(c) of this regulation.

5.3.11 Solid Waste Disposal

1. All Environment Designations
   a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
   b. Solid waste shall not be disposed of in any shoreline area.
   c. All solid waste collection, transfer, or other related facilities and activities are prohibited, provide that this prohibition does not apply to on-site collection containers serving an allowed use activity on the same site.

5.3.12 Roads, Railroads and Bridges

1. All Environmental Designations
   a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
   b. Roads shall be constructed to Spokane County Road Standards. Private driveways shall be located on stable soils and constructed in such a manner as to cause no erosion into waterways and damage to the shoreline and shall comply with the Department’s private driveway standards.

c. Roads shall be maintained in a manner which prevents degradation of shoreline ecological functions.

d. Landfills and end abutments for bridges shall be placed so that the flow of floodwaters shall not be restricted as determined by the Spokane County Engineer. The design of landfills and end abutments for bridges over streams shall prevent the accumulation of debris upstream of the bridge.

e. Except where such traffic is prohibited, bridges shall be designed to accommodate pedestrian and bicycle traffic. Where use of the bridge is less than 50 vehicles per day, the roadbed itself shall constitute such accommodation. Other roads shall provide a space not less than three feet in width for the dedicated use of pedestrians, bicycles and animals.

f. Roads for access to allowed use activities are permitted.

2. The Natural and Shoreline Residential Environments
   a. New private roads and bridges which serve primarily uses outside of the shoreline area, are prohibited.
   b. Railroads are prohibited.
   c. Construction of public road and bridge enhancements, replacements of existing public roadways and bridges, and modifications including widening to meet current design standards is permitted.
3. The Rural-Conservancy Area
   a. Railroads are prohibited, and the expansion of existing railroads is prohibited.
   b. New private roads, which serve primarily uses outside of the shoreline area, are prohibited except:
      i. For access to allowed use activities
      ii Where routing of a roadway through the Shoreline Area is demonstrated to have a more desirable overall environmental impact than would result from a routing outside the Shoreline Area in nearby adjacent land.
   c. Construction of public road and bridge enhancements, replacements of existing public roadways and bridges, and modifications including widening to meet current design standards is permitted.
   d. Private bridges may be permitted where necessary for access to isolated private property. Where permitted, such private bridges shall conform to the following requirements:
      i Structural supports shall not be placed in a stream unless those supports conform to Spokane County Standards for Road and Sewer Construction.
      ii Width of the bridge area for vehicles shall not exceed 24 feet, provided that additional width may be required due to the application of County. Standards for Road and Sewer Construction.
      iii Every bridge shall have an appearance which is harmonious with the shoreline area environment.
4. High Intensity and Urban Conservancy Environments
   a. New roads and railroads may be permitted.
   b. Bridge crossings of streams and lakes and related approach roads, and the widening of existing roads from two to more than two lanes, may be permitted where they are consistent with adopted State Road plans and the County Comprehensive Plan.
   c. Private bridges may be permitted where necessary for access to isolated private property and shall conform to Spokane County Road Standards.

5.3.13 Archeological Areas and Historic Sites

1. All Shoreline Areas
   a. Where significant archaeological, cultural, or historical sites, buildings, artifacts, or other phenomena are identified, development which destroys the scientific or educational uses of such sites is prohibited.
   b. All uses and activities shall comply with all applicable General Regulations in Section 5.2
   c. Where significant archaeological, cultural or historical sites or buildings, or artifacts are affected by a proposed use activity, the use activity shall be limited to the minimum

extent necessary to preserve the scientific and educational value and purpose of the site.

5.3.14 Recreation

1. All Shoreline Environments
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
    b. The use of waterfront areas for recreation shall be limited to recreational activities dependent on or enhanced by the shoreline environment; such as but not limited to fishing, boating, rafting, swimming, hunting, hiking , tent camping.
    d. Access to and along the waterfront shall be provided for pedestrians and bicycles where appropriate consistent with respect for property rights.
    f. Owners or operators of permitted uses and activities allowed by this regulation may provide reasonable pedestrian access to streams and lakes through the 50-foot vegetation buffer required by Section 5.2.2 (7) provided that the disturbance of the shoreline is the minimum necessary to accommodate the access and provided that the access does not cause a net-loss of shoreline ecological function. Prior to constructing the access a qualified ecologist shall certify to the Director that the access will not result in a net-loss of shoreline ecological function.
2. Natural Environment
    a. Recreation uses are limited to low intensity water-oriented uses such as fishing, boating, rafting, swimming, recreational trails, swimming, tent camping.
    b. Recreation uses not related to the water are prohibited.

5.3.15 Fill

1. All Environments
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
    b. Fill is permitted in all environment designations if it is primarily intended to restore or enhance shoreline ecological functions
2. The Natural Environment
    a. Except for fill associated with restoration of shoreline ecological functions or permitted bridges and roads, fill is prohibited.
3. Rural-Conservancy and High Intensity Environments.
    a. Fill may be permitted where justified by an overriding public interest, such as for beach improvements, development or enhancement of public recreational areas, or similar publicly-oriented activities and where the following conditions are met:
        i. Fill shall not result in a net-loss of shoreline ecological function.
        ii Fill not covered by structures shall be stabilized by planting vegetation and other means to protect aquatic life and prevent erosion.
        iii Fill shall be designed, constructed, and maintained so as to minimize total surface water reduction, restriction of navigation, or impediments to water flow and circulation.
    b. Fill shall not extend waterward of the ordinary high-water mark.
    c. In the Urban Growth Area as set forth in the Comprehensive Plan, fill may be permitted for water-related or water-dependent uses and for public and private access to the waterfront or to watercraft, where justified by an overriding public interest, such as for beach improvements, development or enhancement of public recreational areas, or similar publicly-oriented activities and where the following conditions are met:
        i The fill shall not result in a net-loss of shoreline ecological function.
        ii Fill not covered by structures shall be stabilized by planting vegetation and other means to protect aquatic life and prevent erosion.
        iii Fill shall be designed, constructed, and maintained so as to minimize total surface water reduction, restriction of navigation, or impediments to water flow and circulation.
    f.. Fill may be permitted for allowed residential construction.
    g. Fill to restore or enhance shoreline ecological functions is permitted.

5.3.16 Dredging

1. All Environmental Designations
    a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
    b. Dredging is permitted in all environment designations if it is intended to restore or enhance shoreline ecological functions.
    c. Maintenance dredging of established navigation channels and basins are restricted to previously dredged and/or existing authorized location, depth and width.
2. The Natural Environment
    a. Dredging for any purpose, except to preserve, maintain, or restore the shoreline ecological function, is prohibited.
    b. The dumping disposal of dredge spoils in the shoreline area is prohibited, provided that disposal of dredge spoils is permitted if it is intended to restore or enhance the shoreline ecological functions.
3. Rural-Conservancy, High Intensity, Urban Conservancy and Residential Environments.
    a. Dredging for the purpose of securing fill or construction materials is prohibited.
    b. Dredging for purposes of improved navigation, recreation, or improved water flow, or other primarily public purposes, may be permitted if the following conditions are met:
        i Spoils shall not be disposed of in shoreline areas unless it is intended to restore or enhance shoreline ecological function.
        ii Neither land nor over-water activities will degrade water quality or aquatic life or its habitat.
        iii All dredging equipment shall be removed from the shoreline area immediately after dredging is completed.

5.3.17 Docks and Buoys

1. All Environment Designations
    a. All uses and activities shall be in compliance with the General Regulations in Section 5.2
    b. A floating buoy may be used for moorage to minimize the impact in the shoreline area if it meets a minimum of one of the following criteria:
        i. the buoy will be utilized by a owner of land adjacent to the ordinary high water mark.
        ii the buoy is intended for public recreation purposes.
        iii the buoy is intended for navigation safety
        iv the buoy is in compliance with Spokane County Boating Safety Regulations.
        v the buoy complies with all applicable Washington State requirements.
    c. the buoy's location, design and anchoring system will not adversely affect safety or significantly affect navigation.
    d. construction of a dock serving a parcel not fronting on the shoreline is prohibited, provided that this provision is not applicable to marinas and community docks.
    e. boathouses and storage structures are prohibited on new docks. Expansion of existing boathouses and storage structures on existing docks is prohibited.
    f. Construction of docks serving individual lots within a short subdivision or subdivision granted final approval after the effective date of this regulation is prohibited provided a dock may be constructed consistent with Section 5.3.17(3)(f).
2. Natural Environment
    a. Except for those docks exempted from the substantial development permit requirements specified in Section 6 of this regulation, docks are prohibited.
3. Rural-Conservancy Environment
    a. Docks exempted from the substantial development permit requirements specified in Section 6 of this regulation are permitted.
    b. Docks intended for general public use are permitted.
    c. Approval of permits and exemptions for docks shall be subject to the approval of Federal and State agencies as they relate to navigation, effects on wildlife habitat and water quality.
    d. Docks may be permitted if the following conditions are met.
        i The length, width, number, and types of the docks shall be limited to that which is

actually needed to fulfill its purposes.
ii Interference with navigation shall be minimized.
iii Water quality and aquatic life and habitat shall be protected.
iv The natural and visual quality of the shoreline area shall be protected or enhanced.
v Existing public access to the waterfront area shall be maintained or improved
vi Permit approvals shall be conditioned to comply with appropriate Federal and State regulation pertaining to navigation, fish habitat and water quality

e. Each commercial, water dependent recreation development may be permitted a maximum of one dock.
f. New residential lots created through a land division process set forth in the Spokane County Subdivision shall be limited to the construction of one community dock intended to serve all lots within the division of land. This provision applies only to divisions of land occurring after the effective date of this regulation.

4. High Intensity Areas, Urban Conservative, Shoreline Residential
a. Docks for recreational purposes may be permitted subject to approval of Federal and State agencies as they relate to navigation and effects on fish habitat.
b. Docks may be permitted if the following conditions are met.
i Joint use of docks shall be encouraged.
ii The length, width, number, and types of the docks shall be limited to that which is actually needed to fulfill its purposes.
iii Interference with navigation shall be minimized.
vi Water quality and aquatic life and habitat shall be protected.
v The natural and visual quality of the shoreline area shall be protected or enhanced.
vi Existing public access to the waterfront area is maintained or improved
c. Permit approvals shall be conditioned to comply with applicable Federal and State regulations pertaining to navigation and protection of fish and wildlife habitat and water quality.

5.3.18 Shoreline Protection

1. All Environment Designations
a. All uses and activities shall comply with all applicable General Regulations in Section 5.2
b. Enlargement of existing bulkheads is prohibited. Normal maintenance and repair of existing bulkheads is permitted.
c. Structural shoreline modifications are allowed 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 shoreline ecological function mitigation or enhancement. All allowed shoreline protection measures shall be based on a bio-engineered bank stabilization strategy approved by the Washington State Department of Fish and Wildlife consistent with Washington State Integrated Streambank Protection Guidelines.
d. Wherever feasible, natural vegetation systems for bank stabilization shall be used in place of protective structures.
e. Shoreline protection structures may be permitted only when:
i Natural vegetation systems are not feasible or sufficient;
ii They are in the public's interest; and
iii Replacement of existing shoreline protection structures is based on a demonstrated need. Waterward encroachment of replacement structures are only allowed for residences occupied prior to January 1, 1992, or for soft shoreline stabilization measures that provide restoration or ecological function.
f. Shoreline protection plans shall incorporate, wherever feasible, pathways and other recreational uses of shoreline areas.
g. Shoreline protection measures shall maintain, restore or enhance the natural and visual quality of the area.
h. Diking for flood protection shall be set back landward of the ordinary high water mark

i. Shore protection measures shall maintain the natural character of the stream, shall avoid increasing erosion of adjacent stream banks, shall avoid creating or tending toward a need for stream channelization and shall maintain shoreline ecological function. All shore protection structures shall be consistent with the Washington Department of Fish and Wildlife Integrated Streambank Protection Guidelines and Stream Habitat Restoration Guidelines.

k. Permit approval shall be subject to the approval of appropriate Federal and State agencies responsible for navigation and maintenance of wildlife habitat and water quality

l. New shoreline stabilization and flood control works or structures shall only be allowed where there is a documented need to protect an existing structure or to maintain or enhance shoreline ecological functions.

m. New development shall be located and designed to preclude the need for shoreline protection measures.

n. Shoreline protection measures shall be designed to be appropriate to the type of shoreline and environmental conditions prevalent at the project site and shall be limited in size and scope to the minimum necessary to serve its primary functions.

o. Public access to the shoreline shall be required as a part of publicly financed shoreline protection measure unless access is incompatible with safety, security or environmental protection.

p. Shoreline protection measures for existing primary residential structures are allowed only where no alternatives (including relocation or reconstruction of existing structures) are feasible and less expensive than the proposed stabilization measure, and only if no net-loss of shoreline ecological function will result.

q. Prior to development of a shoreline protection improvement the proponent shall provide a geotechnical report to the Director demonstrating need, estimating rate of erosion, and evaluating urgency and alternative solutions. The report shall be prepared by a professional geotechnical or an engineering firm licensed in the State of Washington.

5.4 Summary of Allowed and Prohibited Use Activities

The following table summarizes the use activities that are allowed, prohibited or allowed with limitations by Section 5 in each of the shoreline designations.

Table 5A
ALLOWABLE USE ACTIVITIES WITHIN SHORELINE DESIGNATIONS

Uses Activities (Applicable SMP Section Cited in Parenthesis)	Natural Designation	Rural Conservancy Designation	Urban Conservancy Designation	Shoreline Residential Designation	High Intensity Designation
Agriculture Intensive (Section 5.3.1)	X	X	X	X	X
Agriculture Low Intensive (Section 5.3.1)	A	A	A	A	A
Aquaculture (Section 5.3.2)	X	L	X	X	X
Commercial (Section 5.3.4)*	X	L[1]	L[1]	L[1]	L[1]
Forest Management Practices (Section 5.3.3)	X	VL[3]	VL[3]	VL[3]	VL[3]
Dredging (Section 5.3.16)	VL	VL	VL	VL	VL
Fill (Section 5.3.15)	VL	VL	VL	VL	VL
Industries (Section 5.3.10)	X	X	X	X	L[1]
Marinas (Section 5.3.5)	X	L	L	L	L
Mining (Section 5.3.6)	X	CU[2]	CU[2]	X	CU[2]
Recreation (Section5.3.14)	L[1]	L[1]	L[1]	L[1]	L[1]
Residential (Section 5.3.8)	VL[4]	VL[4]	L[5]	L[5]	L[5]

Roads, Railroads and Bridges (Section 5.3.12)	L	L	L	L	L
Solid Waste Disposal (5.3.11)	X	X	X	X	X

TABLE KEY:

A = Allowed Use Activity
L = Uses are allowed provided they comply with the specific provisions of this chapter.
VL = Use Activity is allowed on a very limited basis – Refer to applicable SMP Section
X = Prohibited Use Activity
CU = Requires a Conditional Use Approval from the Spokane County Hearing Examiner and DOE

NOTES:

[1] Only water related uses allowed
[2] Must be located landward of the OHWM*
[3] Prohibited within 50 feet of OHWM and limited 50-200 feet
[4] New lots and parcels must have housing sites a minimum of 200 feet from the ordinary high water mark. Allowed housing types and density are subject to the requirements of Spokane County Zoning Code.
[5] Allowed housing types and density are subject to the requirements of the Spokane County Zoning Code.

* OHWM means the **Ordinary High Water Mark** on all lakes and streams which is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by Spokane County or the Department of Ecology: provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the line of mean high water.

ATTENTION: Other uses and activities not listed may be allowed by the Director subject to the purpose and intent of this chapter pursuant to Section 8.1.4. Use activities within a stream shoreline area or on or near a shoreline associated wetland are subject to the requirements of Critical Areas Ordinance, Chapter 11.20 Spokane County Code and as specified in Appendix I of this Shoreline Master Program. Be advised that other Spokane County and Washington State development regulations apply to shoreline developments, some of which may be more restrictive than the regulations specified in this Section. Where two or more regulations apply to a shoreline development proposal the most restrictive regulations prevail. Shoreline landowners are advised to consult with Department of Building and Planning staff to determine all regulations applicable to their developments.

5.5 Summary of Primary Development Standards

The following table summarizes the primary development standards specified in Section 5 of this Shoreline Master Program applicable in each of the shoreline designations and is intended to increase public awareness of their application to shoreline areas. For more specific information regarding the standards below refer to the detailed development standards in Section 5. **For information regarding standards not listed in Table 5B refer to Sections 5.2 and 5.3**.

Table 5B DEVELOPMENT STANDARDS WITHIN SHORELINE DESIGNATIONS					
KEY: R = Required X = Prohibited AR = allowed with restrictions					
Development Standard	**Natural**	**Rural Conservancy**	**Urban Conservancy**	**Shoreline Residential**	**High Intensity**
Development within 50 feet of OHWM*	X	X	X	X	X
Removal of vegetation within 50 feet of OHWM*	X	X	X	X	X
Creation of new shorelines	X	X	X	X	X
Boathouses	X	X	X	X	X
Structure Height Limited to 35 feet	R	R	R	R	R
On-site sewage treatment shall be a minimum of 100 feet from the OHWM*	R	R	R	R	R
Maintain Scenic Quality of Shorelines	R	R	R	R	R
All development shall maintain ecological function of shoreline	R	R	R	R	R
Application of fertilizers/pesticides within 50 feet of OHWM*	X	X	X	X	X
Density and minimum parcel size is specified by the Spokane County Zoning Code	R	R	R	R	R
Timber harvesting within 50 feet of OHWM*	X	X	X	X	X
Timber harvesting 50 to 200 feet of OHWM*	AR	AR	AR	AR	AR
On premise business signs	AR	AR	AR	AR	AR
Private boat ramp serving an individual lot or parcel	X	X	X	X	X
New dock serving an individual lot	AR	AR	AR	AR	AR
Buoys	AR	AR	AR	AR	AR
Fill	AR	AR	AR	AR	AR
Shoreline protection improvements	AR	AR	AR	AR	AR
New development protect property rights	R	R	R	R	R
New development protect navigation rights	R	R	R	R	R
Development not reduce existing public access	R	R	R	R	R
Development exempted from the shoreline substantial development permit process	**Exempted development shall comply with the policies and standards of the Shoreline Master Program**				

*OHWM means the **Ordinary High Water Mark** on all lakes and streams which is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by Spokane County or the Department of Ecology: provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the line of mean high water.

NOTICE OTHER DEVELOPMENT REGULATIONS MAY APPLY:
Please be advised that other Spokane County development regulations apply to shoreline developments, some of which may be more restrictive than the regulations specified in this Section. Where two or more

regulations apply to a shoreline development proposal the most restrictive regulations shall prevail. Shoreline landowners are advised to consult with Department of Building and Planning staff to determine all regulations applicable to their shoreline developments.

SECTION 6
SUBSTANTIAL DEVELOPMENT PERMITS, EXEMPTIONS, HIGH QUALITY AREAS

6.0 Shoreline Substantial Development Review

6.1 Application

No substantial development shall be undertaken on the shorelines of the state without first obtaining a shoreline substantial development (SSD) permit as prescribed below.

6.2 Purpose and Intent

The purpose of the Shoreline Substantial Development permit is to ensure that substantial development within the shoreline area is accomplished in a manner that protects the shoreline ecology consistent with the Comprehensive Plan, the Shorelines Management Act and this Shoreline Master Program. This Section establishes criteria for determining the process and conditions under which a SSD permit may be acted upon by the Director. An SSD permit is subject to the specific review procedure herein and the conditions which may be imposed to assure compliance with all applicable regulations in the Shoreline Master Program. A request for a SSD permit use may be denied if the Director finds the SSD is inconsistent with the Shoreline Master Program, the Comprehensive Plan or the Shorelines Management Act.

6.3 Shoreline Substantial Development (SSD) Permit

6.3.1 SSD Permit Application

An application for a SSD permit may be filed by the owner(s) of the subject property or the owner's designated representative. The application shall contain all information required by WAC 173-27-180 and such additional relevant information as required by the Department. A SSD permit application shall be submitted to the Department on such forms as prescribed by the Department and subject to such application fees as may be set by the Board. The application shall be processed pursuant to the requirements for a Type I application as specified in Spokane County Code Title 13, Application Review Procedures for Project Permits. A Type I permit application does not require a public hearing. However, a public hearing is required if a person appeals the Director's decision to approve or deny a SSD permit as specified in Section 6.3.4.

The Director may retain outside expertise to evaluate an applicant's technical analysis and shall assess the applicant for the cost of said expertise and such assessment shall be remitted prior to release of the applicable development approval. The evaluation shall address application materials and any proposed impact mitigation strategy.

6.3.2 SSD Permit Determination

The Director may approve an application for a SSD permit if all the following criteria are met.

a. The proposed use activity is consistent with the general standards and specific use activity standards specified in Section 5 of the Shoreline Master Program.
b. The proposed use activity is consistent with the Goals and Policies of the Comprehensive Plan, the requirements in WAC-173-27, and the Shorelines Management Act of 1971, RCW 90.58.
c. The proposed use activity is consistant with all applicable Spokane County development regulations to include but not be limited to the Critical Areas Ordinance, Spokane Environmental Ordinance, Stormwater Management Guidelines, Zoning Code, Subdivision Ordinance.
d. If timber removal is proposed, the SSD shall be consistent with the Forest Practices Act, RCW 76.09.
e. Use activities locating on Shorelines of Statewide Significance shall be consistent with the preferred use policies in Chapter 10, Section NE.34 of the Comprehensive Plan.

In arriving at a decision on the SSD permit application, the Director shall consider the permit conditions to be imposed as authorized in subsection 6.3.3 below. If the Director finds that the permit application is consistent with the criteria set forth herein it shall be approved. The decision shall be issued in writing and shall include findings, conclusions and any conditions authorized pursant to this regulation. The issuance of the decision shall comply with all requirements of WAC 173-27-190.

6.3.3 Authority to Condition

In approving a SSD permit, the Director may apply reasonable conditions. Conditions may address but not be limited to the following:

- establishment of buffers
- site specific building envelopes
- vegetation removal
- vegetation enhancement
- water access
- location and installation of utilities
- mitigation of a net-loss of ecological function
- enhancement of existing shoreline buffers
- construction timing and sequencing
- post development management and operations
- scheduling of shoreline protection and enhancement measures
- control of points of vehicular ingress and egress.
- other reasonable conditions, or safeguards that will uphold the purpose and intent of this regulation and assure consistency with the Comprehensive Plan, the State Shoreline Management Act RCW 90.58.

When a use activity is proposed which may result in a net-loss of ecological function the Director shall require the applicant mitigate the impacts of the proposal consistent with the provisions of Section 4 of this regulation pertaining to shoreline protection and restoration.

This provision is applicable to the Director's consideration of measures which mitigate adverse effects to the scenic quality of the shoreline area and to protect historical, cultural, or educational features on or in close proximity to the site. The Director may require any or a combination of the following actions listed in descending order of preference:

1. Avoid the impact altogether by redesign and relocation of the project;
2. Limit the degree or magnitude of the proposal, its methods of development, use of alternative materials, application of alternative color schemes and technologies;
3. Rectifying the impacts by restoring the affected shoreline;
4. Reduce or eliminate the impact over time by conservation and maintenance operations during the life of the action;
5. Compensate for the impacts by replacing, enhancing, or providing substitute resources or alternative materials; or
6. Monitor the impacts and take appropriate corrective measures.

6.3.4 Appeal of Director's Action

The Director's decision to approve or deny an SSD permit or other shoreline related development action including a decision regarding exempt use activities may be appealed to the Hearing Examiner pursuant to Spokane County Application Review Procedures, Spokane County Code, Chapter 13.900. The appeal must be filed with the Department within the time frame consistent with the procedures in Title 13 of the Spokane County Code. The appeal shall be on forms provided by the Department and is subject to appeal fees adopted by the Board. The appeal shall be considered by the Spokane County Hearing Examiner at a public hearing. The Hearing Examiner shall consider the information in the appeal and in the permit application and evaluate the appeal for consistency with the Shoreline Master Program, the Comprehensive Plan, and the Shoreline

Management Act, RCW 90.58. The Hearing Examiner shall act on the appeal consistent with Spokane County Hearing Examiner Ordinance. Notification of the appeal shall be provided consistent with Spokane County Application Review Procedures, Spokane County Code, Chapter 13.

6.3.5 Record Title Notice

The Director may require a title notice be recorded in the Spokane County Auditor's Office which contains the following language "The property is subject to restrictions which were placed on the property to protect the shoreline area from degradation. The property owner and his/her successors and assigns are subject to certain restrictions. The restrictions are available for review in Department of Building and Planning file _____ In the case of short plats and plats the wording shall be placed on the final short plat or plat prior to recording in lieu of filing a title notice. This provision does not apply to parcels owned by a government entity.

6.3.6 Time Requirements For Shoreline Permits

1. Duration of Permits: The Department may issue SSD permits with termination dates of up to five years.
2. Time Limit for Substantial Progress: Substantial progress toward completion of the project shall occur within two (2) years after approval of the SDD permit.
3. Extension for Substantial Progress. The Department may at its discretion, with prior notice to parties of record and the Department of Ecology, extend the two-year time period for the substantial progress for a reasonable time up to one year based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.
4. Five-Year Permit Authorization: If construction has not been completed within five (5) years of approval by the Department, the Department will review the SSD permit and, upon showing of good cause, either extend the SSD permit for one year, or terminate the permit. Prior to the Department authorizing any permit extensions, it shall notify parties of record and the Department of Ecology. Only a total of one (1) extension is permitted.

6.3.7 Revision of Permits.

When an applicant desires to revise a SSD permit, the applicant shall submit detailed plans and text describing the proposed changes. If the Director determines that the revisions proposed are within the scope and intent of the original SSD permit, consistent with WAC 173-27, the Director may approve the revision. "Within the scope and intent of the original Permit" means all of the following apply:

1. No additional over-water construction is involved, except that a dock may be increased by 5 percent (5%) in area;
2. Ground area coverage and height is not increased more than ten percent (10%);
3. Additional structures do not exceed a total of two hundred fifty (250) square feet;
4. The revision does not authorize development to exceed height, setback, lot coverage, or any other requirement of these regulations except as authorized under a variance granted as the original permit or part thereof;
5. Additional landscaping is consistent with conditions (if any) attached to the original permit;
6. The use authorized pursuant to the original permit is not changed;
7. No substantial adverse environmental impact will be caused by the project revision.
8. There will be no net-loss of shoreline ecological function.

If the proposed revision does not meet the criteria above, an application for a new SSD permit must be submitted. If the revision involves a Conditional Use or Variance which was conditioned by the Department of Ecology, the revision also must be reviewed and approved by the Department of Ecology consistent with WAC 173-27. The Departments decision on a revision to a SSD permit may be appealed within twenty-one (21) days of such decision, in accordance with WAC 173-27-190.

6.4 Exemptions

6.4.1 Exempt Use Activities Comply with SMP

Exemptions specified in Section 6.4.2 shall be construed narrowly. Only those use activities and related improvements which meet the precise terms of one or more of the exemptions listed below in Section 6.4.2 are granted exemption from the substantial development permit process. An exemption from the substantial development permit process is not an exemption from compliance with the Shorelines Management Act, the standards of this regulation, the Comprehensive Plan or other applicable Spokane County development regulations.

To be authorized, an exemption must be consistent with the policies and provisions of this regulation and consistent with the Comprehensive Plan. In consideration of exemptions the burden of proof that a use activity is exempt is upon the applicant. If any part of a proposal is not eligible for exemption, then a substantial development permit is required for the entire project provided that the proposal is not prohibited by this Shoreline Master Program.

6.4.2 List of Exemptions

The following use activities shall not require a substantial development permit:

1. Any development of which the total cost or fair market value, whichever is higher, does not exceed the amount specified in WAC 173-27-040, if such development does not materially interfere with the normal public use of the water or shorelines of the state.
2. Normal maintenance or repair of existing structures or improvements, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition or use. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment. This exemption includes the normal operation and maintenance of utilities and roads;
3. Construction of a bioengineered shoreline protection improvement intended to protect a single-family residence. A "normal protective" improvement includes those bioengineered structural and nonstructural improvements installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. Beach nourishment and bioengineered erosion control projects may be considered a normal shoreline protection improvement when any structural elements are consistent with the above requirements and when the project has been approved by the Department of Fish and Wildlife.
4. Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter as determined by the Director. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the Director to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, shall be requested and approved pursuant to the Shoreline Management Act and this regulation, provided the improvement is not prohibited by this regulation. All emergency construction shall be consistent with the policies of the Shorelines Management Act and this regulation. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency;

5. Construction and practices normal or necessary for farming, irrigation, and ranching activities, to include agricultural service roads, utilities, and fencing on shorelands, construction of a barn or similar agricultural structure, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels: Provided, that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities.
6. Construction or modification by a public agency of navigational aids such as channel markers and anchor buoys;
7. Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof.
8. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owners, lessee, or contract purchaser of a single-family and multiple-family residences. This exemption applies to a dock that is intended as a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances. This exception applies to docks with a fair market value that does not exceed the cost specified in WAC 173-27-040.
9. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands. This exemption does not apply to boat canals.
10. Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on June 4, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system;
11. Any project with a certification from the governor pursuant to Chapter 80.50 RCW;
12. Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this regulation, if:
    a. The activity does not interfere with the normal public use of the surface waters
    b. The activity will have no significant adverse impact on the environment including but not limited to fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;
    c. The activity does not involve the installation of any structure, and upon completion of the activity the vegetation, land configuration of the site, and shoreline ecological functions are restored to conditions existing before the activity;
    d. A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions
13. The process of removing or controlling aquatic noxious weeds, as defined in RCW 17.26.020, through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the Department of Agriculture or the Department of Ecology jointly with other state agencies under Chapter 43.21C RCW;
14. Watershed restoration projects as specified in WAC 173-27-040(2)(o).
15. A public or private project, the primary purpose of which is to improve fish or wildlife habitat or fish passage, when all of the following apply:
    a. The project has been approved in writing by the Department of Fish and Wildlife as necessary for the improvement of the habitat or passage and appropriately designed and sited to accomplish the intended purpose;
    b. The project has received hydraulic project approval by the department of fish and wildlife pursuant to Chapter 75.20 RCW; and
    c. The Director has determined in writing that the project is consistent with the local shoreline master program.

16. All other uses and activities exempted by Washington Administrative Code, WAC 173-27-040.

6.4.3 Exemption Review Procedure and Action

The Department shall review all requests for approval of exempted use activity which are submitted to the Department pursuant to Spokane County development regulations. The Director may require a detailed site development plan to include but not be limited to a written description of site development, specific location of all site improvements and other site alterations whether concurrent with development or to occur within 3 years subsequent to initial development. The Department shall review the proposal for consistency with all the criteria specified in Section 6.3.2 applicable to Shoreline Substantial Development Permits.

The Director may retain outside expertise to evaluate the applicant's technical analysis and shall assess the applicant for the cost of said expertise and such assessment shall be remitted by the applicant prior to release of the applicable development approval. The evaluation shall address application materials and any proposed impact mitigation strategy.

The Director shall act on the exemption shall occur in conjunction with the Department's action on a development approval request pursuant to another applicable Spokane County development regulations administered by the Department. The Director shall approve the exemption by so noting in writing that the exemption is consistent with this regulation and that such written notation shall be included in the development file maintained in the Department. The written approval shall note all conditions authorized by this regulation applicable to the exemption.

When a use activity is proposed which may result in a net-loss of ecological function the Director shall require the applicant mitigate the impacts of the proposal consistent with the provisions of Section 4 of this regulation pertaining to shoreline protection and restoration.

6.4.4 Application of Reasonable Conditions

The Director may attach reasonable conditions to the approval of exempted use activities as necessary to assure consistency with this regulation and the Comprehensive Plan. Conditions may address but not be limited to the following:

- establishment of buffers
- site specific building envelopes
- vegetation removal and vegetation enhancement
- water access
- location and installation of utilities
- mitigation of a net-loss of shoreline ecological function
- enhancement of existing shoreline buffers
- construction timing and sequencing
- post development management and operations
- scheduling of shoreline protection and enhancement measures
- control vehicular ingress and egress points.
- other reasonable conditions, or safeguards that will uphold the purpose and intent of this regulation and assure consistency with the Comprehensive Plan and the State Shoreline Management Act.

When an exempt use activity is proposed or an existing exempt use activity is substantially modified which may result in a net-loss of ecological function the use activity shall comply with the provisions of Section 4 of this regulation pertaining to shoreline protection and restoration. The Director's decision on an exemption may be appealed in the same manner as prescribed for a substantial development permit action in Section 6.3.4 of this regulation.

This provision is applicable to the Director's consideration of measures which mitigate impacts to the scenic quality of the shoreline area and to protect historical, cultural, or educational features on

or in close proximity to the site. The Director may require any or a combination of the following actions listed in descending order of preference:

1. Avoid the impact altogether by redesign and relocation of the project;
2. Limit the degree or magnitude of the proposal, its methods of development, use of alternative materials, application of alternative color schemes and technologies;
3. Rectifying the impacts by restoring the affected shoreline;
4. Reduce or eliminate the impact over time by conservation and maintenance operations during the life of the action;
5. Compensate for the impacts by replacing, enhancing, or providing substitute resources or alternative materials; or
6. Monitor the impacts and take appropriate corrective measures.

6.4.5 Exempt Activities Which Are Subject to Federal Review

Some exempt use activities conducted on shorelines of the state also require review and approval by federal agencies. Department of Ecology is designated as the coordinating agency for the state with regard to permits issued by the U.S. Army Corps of Engineers. The following is intended to facilitate ecology's coordination of Spokane County actions, with regard to exempt development, with federal permit review.

1. The Department shall prepare a letter of exemption, addressed to the applicant and the department, whenever a development is determined by a local government to be exempt from the substantial development permit requirements and the development is subject to one or more of the following federal permit requirements:
   a. A U.S. Army Corps of Engineers section 10 permit under the Rivers and Harbors Act of 1899; (The provisions of section 10 of the Rivers and Harbors Act generally apply to any project occurring on or over navigable waters. Specific applicability information should be obtained from the Corps of Engineers.) or
   b. A section 404 permit under the Federal Water Pollution Control Act of 1972. (The provisions of section 404 of the Federal Water Pollution Control Act generally apply to any project which may involve discharge of dredge or fill material to any water or wetland area. Specific applicability information should be obtained from the Corps of Engineers.)
   c. The letter shall indicate the specific exemption provision from WAC 173-27-040 that is being applied to the development and provide a summary of the local government's analysis of the consistency of the project with the master program and the act.

6.5 High Quality Areas

The development and operation of a use activity, whether a substantial development or exemption, locating in a High Quality Area illustrated on the Shoreline Designation Map (refer to Appendix II), shall not degrade any of the environmental characteristics which are the basis of the High Quality Area classification as set forth in the Spokane County Conservation District 2005 Stream Inventory and Assessment. When a use activity is proposed on a property which is within a High Quality Area a shoreline ecological assessment report is required of the applicant and it shall be prepared by a qualified ecologist. The report shall include the following elements:

i. a description of the existing ecological characteristics of the site to include but not be limited to the soil characteristics, the type and extent of vegetation, slope, wildlife habitat and such other site characteristics deemed appropriate by the Director.
ii. identification of the environmental characteristics which are the basis of the High Quality Area classification as specified in the 2005 SCCD Inventory and Assessment Study
iii an assessment of the specific impacts of the proposal on the environmental characteristics which are the basis of the High Quality Area classification as specified in the 2005 SCCD Inventory and Assessment.
iv illustration of a specific strategy to assure no degradation of the environmental characteristics which are the basis of the High Quality Area classification. The strategy may address but not be limited to establishment of buffers, site specific building envelopes, vegetation removal,

vegetation enhancement, water access limitations, location and installation of utilities, use activity management and operation, restoration of preexisting degraded shorelines, enhancement of existing shoreline buffers, construction timing and sequencing, post development management and operations.

The Director shall 1) request evaluation of the report by state and local public resource agencies having expertise in shoreline ecology; 2) modify the restoration strategy and site design as deemed appropriate based on the shoreline function assessment report findings and resource agency comment; 3) require the applicant retain a qualified ecologist to certify that all shoreline protection and enhancement measures have been properly accomplished. The Director may retain outside expertise to evaluate the applicant's technical analysis and shall assess the applicant for the cost of said expertise and such assessment shall be remitted prior to release of the applicable development approval. The evaluation shall address application materials and any proposed impact mitigation strategy.

The Director may waive the requirement for a High Quality Area report should a use activity clearly not disturb or adversely effect any of the environmental characteristics which are the basis for the high quality area designation, providing the Director provides a written finding of such decision. The Director may attach reasonable conditions to the approval of use activities as necessary to assure consistency with this regulation and the Comprehensive Plan. The conditions may address but not be limited to the conditions set forth in Section 6.3.3. The Director may impose any other reasonable conditions, or safeguards that will uphold the purpose and intent of this regulation and assure consistency with the Comprehensive Plan, RCW 90.58, the State Shoreline Management Act and WAC 173-27, Shoreline Management Permit and Enforcement Procedures and the purpose and intent of the High Quality Area overlay designation.

The provisions of this Section do not apply to normal maintenance of public road and bridge facilities to include rebuilding and realignment of such facilities.

6.6 Record Title Notice

A title notice shall be recorded in the County Auditor's Office which contains the following language "The property is subject to restrictions which were placed on the property to protect High Quality Areas from degradation. The property owner and his/her successors and assigns are subject to certain restrictions. The restrictions are available for review in Department of Building and Planning file _____ In the case of short plats and plats the wording shall be placed on the final short plat or plat prior to recording in lieu of filing a title notice. This provision does not apply to property owned by a government entity.

6.7 Vesting

The decision to approve a Shorelines Substantial Development (SSD Permit) shall become final only after the appeal period has expired. If the decision to approve an SSD permit is timely appealed pursuant to the terms of this section, then the approval shall become effective only after the completion of the appeal process, including any appeal to a higher tribunal or court, and the expiration of the appeal period for any further appeal, provided that an appeal has not resulted in the approval of the permit being reversed.

6.8 Approval Conditions – Basis

Project approval conditions authorized by Section 6 shall be based on one or a combination of the following considerations:

- Shoreline Master Program Goals and Policies
- Implementation of Shoreline Master Program regulations
- Requirements of RCW 90.58, the Shorelines Management Act and the provisions of WAC 173-27, the Shorelines Management Administrative Code
- Evaluation of project application technical information
- Technical analysis accomplished by Spokane County

6.9 On-site Inspection Required

Following issuance of a shoreline development approval the Department shall inspect the shoreline project site to determine that all site alterations and improvements are consistent with the project conditions of approval. The Director may require more than one site inspection if deemed necessary to assure full compliance of project approval requirements. Determinations of non-compliance are subject to the enforcement actions authorized in Section 8 of this regulation entitled "Administration and Enforcement."

SECTION 7
VARIANCES AND CONDITIONAL USES

7.1 Variance

7.1.1 Purpose and Intent

In some cases, strict application of the provisions of these regulations may cause practical difficulties regarding the use of a property on a shoreline. This Section provides a procedure for a person to request a variance from certain standards in Section 5.

7.1.2 Scope

A Variance approval is strictly limited to granting relief from specific bulk, dimensional or performance standards set forth in this regulation where there are extraordinary circumstances relating to the physical character or configuration of property such that the strict implementation of the this regulation will impose unnecessary hardships on the applicant or cause the proposal to be inconsistent with the Shorelines Management Act, RCW 90.58.020 and this Shoreline Master Program. Any standard in Section 5 which specifies a prohibition is not subject to this variance process and therefore can not be varied from.

7.1.3 Application

An application for a Variance shall be filed with the Department on such forms as required by the Department subject to an application fee as established by the Board. A Variance is subject to the requirements for a Type II project permit application as set forth in Title 13 (Application Review Procedures) Spokane County Code. A Type II permit requires a public hearing before the Hearing Examiner. The applicant shall provide information demonstrating that the variance request is consistent with the criteria in Section 7.1.4.

7.1.4 Variance Criteria

The Hearing Examiner may approve an application for a Variance if all the following criteria are met.

1. The applicant must demonstrate that extraordinary circumstances exist and the public interest shall suffer no substantial detrimental effect by approval of the variance.
2. Strict application of the performance standards set forth in this regulation precludes, or significantly interferes with, reasonable use of the property.
3. If based on a hardship, such hardship shall be specifically related to the property and be the result of unique conditions such as but not limited to lot shape, size, or natural features and precludes reasonable use of the property.
4. The design of the project shall be compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and this regulation.
5. The approval of the variance shall not cause adverse impacts to the shoreline environment.
6. The variance shall not constitute a grant of special privilege not enjoyed by the other properties in the area.
7. The variance requested shall be the minimum necessary to afford relief.
8. The public rights of navigation and use of the shorelines will not be adversely affected.
9. In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example if variances were granted to other developments and/or use activities in the area where similar circumstances exist the total impact of the variances shall also remain consistent with the goals and policies of the Comprehensive Plan and shall not cause substantial adverse effects to the shoreline environment.
10. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and environmental designation in which the property is situated.
11. The proposal is consistent with the variance criteria specified in WAC 173-27-170.

12. The granting of the variance shall be consistent with the general intent and purpose of the Comprehensive Plan, the purpose and intent of these regulations and the Shorelines Management Act, RCW 90.58.
13. Other considerations:

The approval of a variance should not:

a. Be based upon the precedent established by illegal or nonconforming circumstances.

b. Establish a precedent that will adversely affect the environmental designation concept for the land in the area or the County as a whole.

c. Be based upon a lack of reasonable economic return or a claim that the existing structure is too small.

e. Permit the establishment of a use otherwise prohibited in the environmental designation in which the property is located.

f. Be based on unique circumstances or hardship caused by the actions of the applicant or subject landowner**.**

7.1.5 Conditions Authorized

The Hearing Examiner may attach conditions to the variance necessary to carry out the intent and purpose of these regulations, the Comprehensive Plan and Shoreline Management Act, RCW 90.58, to ensure that the variance will be compatible with other permitted uses in the area, and will not be materially detrimental to the public health, safety or welfare. Conditions may address but not be limited to the following:

- establishment of buffers
- sitespecific building envelopes
- vegetation removal
- vegetation enhancement
- water access
- location and installation of utilities
- restoration of preexisting on-site degraded shorelines
- enhancement of existing shoreline buffers
- construction timing and sequencing
- post development management and operations
- scheduling of shoreline protection and enhancement measures
- Any other reasonable restrictions, conditions, or safeguards that will uphold the purpose and intent of the environment designation in which the proposal is located and the Comprehensive Plan

Approval of the variance does not preclude the applicant from complying with all other applicable requirements of this regulation.

7.1.6 Department of Ecology Review

Following receipt of the written approval of a variance by the Hearing Examiner the Department shall forward the variance application and the Hearing Examiner decision to the Department of Ecology for review pursuant to WAC 173-27-190. Development permits shall not be issued by the Department until Department of Ecology approves the variance. The Department may issue development permits following the Department of Ecology's affirmative action on the variance. The Department shall provide timely notification of the Department of Ecology's action on the variance to the applicant and interested persons requesting notification.

7.2 Conditional Uses

7.2.1 Purpose and Intent

The purpose of a conditional use permit is to provide a process which allows flexibility in the application of use regulations in a manner consistent with the Comprehensive Plan and the Shorelines Management Act, RCW 90.58.020. The intent of a Conditional Use permit is to establish criteria for determining the conditions under which a conditional use(s) may be permitted.

A conditional use is subject to specific review during which conditions may be imposed to assure compatibility of the use with other uses in the area and consistency with the goals and policies of the Shoreline Master Program.

7.2.2 Application

An application for a conditional use shall be filed with the Department on such forms as required by the Department and subject to an application fee as established by the Board. Conditional Use permits applications are subject to the requirements for a Type II project permit application as set forth in Title 13 (Application Review Procedures) of Spokane County Code. A Type II permit requires a public hearing before the Hearing Examiner.

7.2.4 Review criteria for Conditional Use Permits (WAC 173-27-160)

Uses which are classified as Conditional Uses may be authorized by the Hearing Examiner, provided that the applicant demonstrates all of the following:

1. The proposed use is consistent with the Shorelines Management Act RCW 90.58.020, the Comprehensive Plan and the Shoreline Master Program.
2. The proposed use will not interfere with the normal public use of shorelines.
3. The proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan.
4. The proposed use will not cause significant adverse effects to the shoreline to include no net-loss of shoreline ecological function.
5. The public interest suffers no substantial detrimental effect.
6. In the granting of all Conditional Use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the vicinity of the proposal.
7. Uses which are specifically prohibited by the master program may not be authorized pursuant to the Conditional Use permit process.
8. The special standards set forth for the Conditional Use in the underlying environment designation are met.
9. Design of the site is compatible with the surroundings and the purpose and intent of these regulations and the Comprehensive Plan.

7.2.5 Conditions Authorized

The Hearing Examiner may attach conditions to the Conditional Use necessary to carry out the intent and purpose of these regulations, the Comprehensive Plan and Shoreline Management Act, RCW 90.58, to ensure that the Conditional Use will be compatible with other permitted uses in the area, and will not be materially detrimental to the public health, safety or welfare. Conditions may address but not be limited to the following:

- control of use
- provision for front, side, or rear setbacks greater than the minimum standards of the zone in which the property is located as specified in the Spokane County Zoning Code
- special landscaping, screening, fencing, signing, off-street parking
- requirements for street dedications and/or roadway and drainage improvements necessary as a result of the proposed use
- control of points of vehicular ingress and egress
- control of noise, vibration, odor, glare, and other environmental contaminants
- control of operating hours
- duration or time limitations for certain activities
- establishment of buffers
- site specific building envelopes
- vegetation removal and vegetation enhancement
- water access
- location and installation of utilities
- mitigation of a net-loss of shoreline ecological function
- enhancement of existing shoreline buffers, construction timing and sequencing

- post development management and operations
- scheduling of shoreline protection and enhancement measures
- any other reasonable restrictions, conditions, or safeguards that will provide consistency with the Comprehensive Plan, this regulation and the Shorelines Management Act

When a use activity is proposed which may result in a net-loss of ecological function the Hearing Examiner shall apply conditions which require the applicant mitigate the impacts of the proposal consistent with the provisions of Section 4 of this regulation pertaining to shoreline protection and restoration.

7.2.6 Denial and Revocation of a Conditional Use Permit

A request for a Conditional Use may be denied if the use is not compatible with other permitted uses in the area or will be materially detrimental to the shoreline. A Conditional Use Permit may be subject to periodic review to determine compliance with permit conditions. A Conditional Use Permit may be suspended or revoked if, after a public hearing with notice as provided for a Type II project permit under Title 13, Spokane County Code, the Hearing Examiner finds that a grantee or their successors in interest failed to comply with conditions or restrictions included in the Conditional Use Permit.

7.2.7 Department of Ecology Review

Following receipt of the written approval of a Conditional Use by the Hearing Examiner the Department shall forward the Conditional Use application and the Hearing Examiner's decision to the Department of Ecology for review pursuant to WAC 173-27-190. Development permits shall not be issued by the Department until 21 days from the date of filing with the Department of Ecology or until Department of Ecology proceedings initiated within 21 days from the date of such filing have been terminated except as provided in RCW 90.58.140.5(a) and (b). The Department may issue development permits following the Department of Ecology's affirmative action on the variance. The Department shall provide timely notification of the Department of Ecology's action on the Conditional Use to the applicant and interested persons requesting notification.

SECTION 8
ADMINISTRATION AND ENFORCEMENT

8.1 Administrative Determinations

8.1.1 Purpose and Intent

The purpose of this section is to provide procedures for issuing administrative determinations and interpretations of this regulation by the Department.

8.1.2 Applicability

Administrative determinations and interpretations subject to the requirements of this section are as follows:

1. Department Director's decisions regarding a shoreline use activity action pursuant to this regulation
2. Interpretations of the provisions of these regulations

8.1.3 Procedures

Administrative Determination or Interpretation

1. Any person may request a written administrative determination or interpretation as to the applicability, meaning or intent of this regulation. Such request shall be submitted in writing and shall clearly identify the determination or interpretation that is a subject of the request. The Department should respond in writing to the request within 30 days.
2. If the administrative determination or interpretation of this regulation relate to a site specific use activity, notification shall be provided by first class mail to adjacent property owners. If the administrative determination or regulation interpretation is not related to a site-specific use activity, then a notice of decision is not required. If notification is issued, it shall include statements explaining the action taken and specify that the decision may be appealed to the Hearing Examiner.

Any appeal of an administrative determination or regulation interpretation must be filed with the Department within the limited time limit consistent with the procedures required in Title 13 of the Spokane County Code. The appeal shall be on such forms as prescribed by the Department and the appellant shall remit an appeal fee approved by the Board.

8.1.4 Interpretation of Permitted Use Activities

It is recognized that all possible use activities and variations of use activities that might arise cannot reasonably be listed or categorized in Section 5 of this regulation. Any use activity not specifically mentioned in Section 5 or about which there is any question shall be administratively classified by comparison with other uses identified in the Section 5. If the proposed use activity resembles identified use activities in terms of intensity and character, and is consistent with the purpose of this regulation and the individual shoreline designation in which it is located it shall be considered as a permitted/nonpermitted use within one or more shoreline designation subject to the development standards for the use activity it most nearly resembles.

The proponent of a use activity not classified in this regulation and not similar to any permitted use activity specified in Section 5 of this regulation may apply for a conditional use permit as provided for in Washington Administrative Code WAC 173-27-030(4) and WAC 173-27-190. The conditional use application submission and review procedures are subject to the requirements of Section 7.2 of this regulation.

As an alternative, the proponent of a use activity not resembling other identified permitted use activities specified in Section 5, may apply for an amendment to the Spokane County Shoreline Master Program pursuant to Section 13 of this regulation, entitled Shoreline Master Program Amendment Procedures.

8.2 Enforcement and Penalties

8.2.1 Purpose and Intent

It is the intent of this Section to provide authority for, and the procedures to be used in, enforcing the provisions of this regulation to the end of furthering the purposes and objectives thereof.

8.2.2 Enforcement

1. It shall be the duty of the Director, except as otherwise provided herein, to interpret and enforce the provisions of this regulation and conditions of approval imposed by the Director regarding any use activity permit or approval issued by the Department or approved by the Hearing Examiner.
2. The procedures set forth herein this are not exclusive. These procedures shall not in any manner limit or restrict the County from remedying violations or abating violations in any manner authorized by law.

8.2.3 Violation, Misdemeanor/Civil Violation

1. Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of, any of the provisions of this regulation or conditions of approval imposed by actions of the Director or Hearing Examiner shall be guilty of a misdemeanor and shall be punished by imprisonment in the Spokane County Correction facility for a maximum term fixed by the court of not more than 90 days, or by a fine in an amount fixed by the court of not more than $2,000, or by both such imprisonment and fine. Each day that a violation is permitted to exist shall constitute a separate offense.
2. As an alternative to the above, as determined by the Director, any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of, any of the provisions of this regulation or conditions of approval imposed by actions of the Director or Hearing Body shall be deemed to have committed a civil violation subject to the monetary penalties set forth in section 8.2.8. Each day that a violation is permitted to exist shall constitute a separate civil violation.

8.2.4 Civil Investigation Procedures

1. The Director may initiate an investigation of a violation of this regulation in response to a signed written complaint, field observations by a public agency employee in the course of his/her official duties, or other reliable information.
2. The following procedures shall apply to an investigation of a violation of this regulation:
    a. A physical inspection of the property and/or circumstances identified in the complaint or referral shall be conducted. The physical inspection must comply with legal right of entry requirements, as established by state and constitutional law.
    b. The Director shall determine, based on information derived from sources such as field observations, the statements of witnesses, relevant documents and applicable County codes, whether a violation has occurred.
    c. When a violation has been confirmed, a Notice of Investigation shall be mailed to the property owner of record and/or those person(s) who are creating or contributing to the violation. The notice shall contain those items specified in Section 8.2.5.

8.2.5 Notice of Investigation - Determination of a Civil Violation

A Notice of Investigation represents a determination by the Director that a civil violation has been committed. The Notice of Investigation shall include the following:

1. A statement that the Notice of Investigation represents a determination by the Director that the person named in the notice has committed a civil violation.
2. A statement of the options provided in this chapter for responding to the Notice of Investigation and the procedures necessary to exercise these options.
    a. A statement that the person must respond to the Notice of Investigation and show proof of compliance as provided for in this chapter within 14 days.

b. A statement that failure to respond to a Notice of Investigation and show proof of compliance may result in a civil violation.
c. A statement that a civil violation is a non-criminal offense and a violation thereof is not subject to imprisonment.
d. A statement of the specific civil violation for which the Notice of Investigation is being issued.
e. A statement of the monetary penalty established for the civil violation.
f. A directive to remedy the violation within a specific timeframe

8.2.6 Violation Remedy Procedures

1. The person(s) to whom a Notice of Investigation is sent, as set forth in Section 8.2.5, shall have 14 days to respond or show proof of compliance. Proof of compliance includes, but is not limited to, entry into a Voluntary Compliance Agreement under Section 8.2.7.
2. If proof of compliance is not received within the 14 day period as specified in Section 8.2.6(1), the Director may issue a Notice of Violation and assess monetary penalties based on the schedule contained in Section 8.2.9.
3. A copy of the Notice of Violation shall be served upon the person to whom it is directed, either personally or in the manner provided for personal service of notices or complaints in District Court, or by mailing a copy of the Notice of Violation by certified mail, postage prepaid, return receipt requested, to such person at the person's last known address. Proof of personal service shall be made at the time of service by a written declaration under penalty of perjury executed by the person affecting service, declaring time, date and manner by which service was made.
4. The Director for good cause shown may extend the date for correction in the Notice of Violation, provided that such an extension shall not affect or extend the time within which an administrative appeal must be commenced.
5. A copy of all Notices of Violation may be sent to other agencies if the violation may also be a violation of other agencies' regulations.
6. The Director may withdraw or modify a Notice of Violation issued under this chapter if the original Notice of Violation was issued in error. Such withdrawal or modification shall identify the reasons and underlying facts.
7. The payment of monetary penalty does not relieve a person of the responsibility for correcting a violation.

8.2.7 Voluntary Compliance Agreement

Whenever the Director determines that a violation of this regulation has occurred or is occurring, the Director shall make reasonable efforts to secure voluntary compliance from the person responsible for the violation. A Voluntary Compliance Agreement may be entered into any time after a Notice of Investigation has been sent to the violator.
The agreement shall include as a minimum the following:

a. The name and address of the person responsible for correction of the code violation.
b. The address or other identification of the location of the violation.
c. A description of the violation and a reference to the codes, ordinances, and regulations that have been violated.
d. A detailed description of the necessary corrective action to be taken and the date or time by which compliance must be completed.
e. If the violation resulted in a net-loss of shoreline ecological function the agreement shall include a strategy approved by the director to reverse the degradation and enhance the ecological functioning to the condition existing prior to the violation and shall include a commitment to fully implement the strategy by a date acceptable to the Director.
e. The amount of monetary penalties that will be imposed if the Voluntary Compliance Agreement is not satisfied.
f. An acknowledgement that if the Director determines that the terms of the Voluntary Compliance Agreement have not been met, it may impose any remedy, retroactive to the date the agreement was signed, as authorized by this chapter.
g. The signature of the violator and a statement that the violator will implement the voluntary agreement.

8.2.8 Collection of Civil Violation Monetary Penalty

1. The Director, on behalf of Spokane County, is authorized to collect the monetary penalties by any and all appropriate legal means including, but not limited to, commencing appropriate legal proceedings in the Spokane County District Court Small Claims Department. No further action in an open meeting by the Board is necessary to authorize initiation of any legal action.
2. The monetary penalty is due and payable on the later of:
   a. Fourteen days after the service of the Notice of Violation; or
   b. Fourteen days after the service of the Notice of Decision on any appeals.
3. The assessment or payment of monetary penalties does not relieve a person of the responsibility for code compliance of his or her duty to correct the violation, nor does it prevent the assessment of additional monetary penalties so long as the violation continues to exist.

8.2.9 Monetary Penalties

1. Monetary penalties shall be assessed for each violation identified in a Notice of Violation pursuant to the following schedule:

Violation	$400
Additional penalties may be added in the following amounts for violations where there is:	
Cumulative Monetary Penalties	+$50 per day violation exists
Public health risk	+$100 to $500
Environmental damage	+$100 to $500
Damage to property	+$100 to $500

2. The Director may suspend monetary penalties if the person responsible for correcting the code violation has entered into a Voluntary Compliance Agreement. Penalties shall begin to accrue again pursuant to the terms of the Voluntary Compliance Agreement if any necessary permits applied for are denied, canceled or not pursued, or if corrective action identified in the Voluntary Compliance Agreement is not timely completed pursuant to the Compliance Agreement.

3. Person(s) responsible for correcting a violation(s) have a duty to notify the Enforcement Authority of any actions taken to achieve compliance with this regulation. For purposes of assessing monetary penalties, a violation shall be considered ongoing until the person responsible for compliance has come into compliance with this regulation.

8.2.10 Department of Ecology

Enforcement actions pursuant to this regulation does not preclude the Department of Ecology from pursuing any enforcement actions pursuant to the provisions of WAC 173-27. Pursuant to WAC 173-27 the Department of Ecology may join and assist the Department in its enforcement actions pursuant to this regulation. The Department may join and assist the Department of Ecology in its enforcement actions pursuant to WAC 173-27.

8.3 Post Approval Inspections

Following approval of a SSD permit, variance, conditional use or an exempted activity the Director shall initiate such site inspections deemed appropriate to monitor construction and management of the use activity to assure conditions of approval authorized by this regulation and applied by the Director are fully met. The Department shall conduct a minimum of one on-site inspection prior to issuance of a final certificate of occupancy (CO) or prior to approval to operate or conduct the activity in such situations where a final CO is not required. The Director may deny occupancy or initiation of the use of activity if all applicable conditions of approval are not met.

8.4 Application of the Critical Area Ordinance Regulations within the Shorelines of the State

For references purposes refer to an illustration of the shorelines of the state in Appendix I and the Critical Areas Ordinance in Appendix II. The purpose of this section is to clarify the application of critical areas regulations within shorelines of the state that result in environmental protection equal to or more protective than the Spokane County Critical Areas Ordinance as follows:

A. The provisions of the Spokane County Critical Areas Ordinance do not extend Shoreline Jurisdiction beyond the geographical limits specified in the Shoreline Master Program as specified in Section 10 and illustrated in Appendix II. When a critical area as described in the Critical Areas Ordinance, other than an associated wetland, overlaps into the shorelines of the state or is partly within and partly outside of the shorelines the buffer and/or setback from the portion of the critical area that is outside of the shoreline jurisdiction is subject to the Critical Areas Ordinance, but not these Shoreline Regulations. If there are any conflicts between these Shoreline Regulations and the Critical Areas Ordinance within shorelines of the state, the most restrictive regulations shall apply. The critical areas are specified in the following sections of the Spokane County Critical Areas Ordinance:

1. Section 11.20.050 Wetlands
2. Section 11.20.060 Fish and Wildlife Habitat and Species Conservation Areas
3. Section 11.20.070 Geologically Hazardous Areas
4. Section 11.20. 075 Critical Aquifer Recharge Areas
5. Section 11.20.090 Appendix O-Critical Areas Maps

B. The Spokane County Critical Areas Ordinance is herein incorporated into the Shoreline Master Program (Refer to Appendix I) with the following exceptions:

1. If provisions of the Critical Areas Ordinance and other parts of the SMP conflict, the provisions most protective of the shoreline ecological resources shall apply, as determined by the Department;

C. The provisions of the Spokane County Critical Areas Ordinance shall apply to any use, modification or development within the Shoreline Jurisdiction whether or not a shoreline permit or exemption approval is required. Unless otherwise stated, no development shall be constructed, located, extended, modified, converted, or altered without full compliance with the Critical Areas Ordinance and the provisions of this Shorelines Master Program.

D. For development within critical areas within shoreline jurisdiction, the following shall apply:

1. Any use, modification, or development within critical areas shall result in a no net loss of ecological functions.
2. Any use, modification, or development shall include the requirements for mitigation sequencing as specified in Sections 6.3 and 6.4 of this Shoreline Master Program.
3. Any use, modification, or development within two or more critical area types shall be required to adhere to the standards that are the most protective of the ecological unction of the subject shoreline or critical area.
4. The granting of a reasonable use exception pursuant to Critical Areas Ordinance Section 11.20.040 shall not compromise the effectiveness of any provision in Section 5 of this Shoreline Master Program.

8.5 Shoreline Master Program and Relationship to Other Regulations

A. Any use, modification, and development in the shoreline jurisdiction shall meet the use and development requirements of the shoreline environment and district in which it is located, the underlying zone, and any other zoning overlay in which it is located. In the case of irreconcilable conflicts between the regulations of the shoreline jurisdiction and the underlying zone classification, the most restrictive regulation shall apply.

B. In addition to these regulations, other Washington State statutes that may be applicable to shoreline development or use include, but are not limited to:

1. Flood Control Zone Act, RCW 86.16;
2. Forest Practices Act, RCW 76.09;
3. Fish and Wildlife, RCW 77;
4. Water Pollution Control Act, RCW 90.48;
5. Land Subdivision Act, RCW 58.17;
6. Surface Mining Act, RCW 78.44;
7. Washington Clean Air Act, RCW 70.94;
8. State Environmental Policy Act (SEPA), RCW 43.21C;
9. Camping Resorts Act, RCW 19.105;
10. Water Resources Act of 1971, RCW 90.54;
11. Growth Management Act, RCW 36.70A;
12. State Hydraulic Code, RCW 77.55;
13. Spokane County Zoning Code, Chapter 14.7000

C. Federal statutes that may be applicable to shoreline development or use include, but are not limited to:

1. Rivers and Harbors Act of 1899;
2. Fish and Wildlife Coordination Act of 1958;
3. National Environmental Policy Act of 1969, (NEPA);
4. Coastal Zone Management Act of 1972, as amended;
5. Federal Water Pollution Control Act, as amended;
6. Flood Insurance Act of 1968, as amended;
7. Clean Air Act, as amended;
8. Endangered Species Act (ESA)

D. Compliance with the provisions of these shoreline regulations does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required. The applicant is responsible for complying with these requirements, apart from the process established in these shoreline regulations.

8.6 Severability

If any provision of this regulation shall be held to be invalid, illegal, unenforceable or in conflict with other laws by a court of competent jurisdiction, the validity, legality and enforceability of the remaining provisions of this regulation shall not in any way be affected or impaired thereby.

SECTION 9
PROGRAM REVIEW AND PERIODIC UPDATE

9.1 Shoreline Management Program Periodic Review and Revision

The Shoreline Management Program of Spokane County shall be considered a continuing program subject to periodic review and revision. Such review and revision shall involve open citizen participation as required by the Shoreline Management Act and the Growth Management Act.

9.2 Program Monitoring - Review of Permits and Annual Reports

At the end of 2011 and at the end of every other year thereafter the Department shall prepare a report of shoreline development permits, conditional permits including the exempt use activity approvals and the locations and effects of each, by type and classifications. This statistical and geographical summary shall be accompanied by comments on the effect of development with regard with the Shoreline Management Act. The report will include recommendations to improve policies and procedures which will improve the success of shoreline protection and restoration strategies. The evaluation will consider consultant monitoring reports, on-site analysis of selected sites and review of administration techniques and strategies to implement this plan. Examples of the site characteristics that will be reviewed include habitat complexity, canopy coverage, water temperature, habitat diversity, properly functioning condition, shoreline stability, vegetation species and extent of coverage. Said report shall be submitted to the Board of County Commissioners and a copy thereof shall be provided to the Spokane County Planning Commission.

9.3 Program Revision and Amendments

The Department and Spokane County Planning Commission will review the Shoreline Master Program in its entirety for the purpose of updating it. The update process shall be consistant with the Comprehensive Plan periodic update requirements of the Growth Management Act RCW 36.70A.

SECTION 10
DESCRIPTIONS OF SHORELINES OF THE STATE

10.1 Application - Shoreline Areas

The Shoreline Management Act, Chapter 90.58 RCW, applies to all streams with a mean annual flow greater than 20 cubic feet per second and lakes, impoundments, and reservoirs larger than 20 acres. It applies to land extending landward 200 feet from the ordinary highwater mark on these waters and to all land underlying these waters. It also applies to the associated marshes, bogs, swamps, floodways, river deltas, and flood plains associated with said streams. The shorelines below are illustrated on maps in Appendix II. The following waters subject to this program were inventoried and classified upon the adoption of this program and remain as jurisdiction unless removed from jurisdiction by specific action to amend this program.

10.2 Shorelines of Statewide Significance

Shorelines of Statewide Significance are as follows:

Streams with a mean annual flow of 200 cubic feet per second as follows:

1. Hangman Creek (Latah Creek)	From the Whitman County -Spokane County Creek line (Sec 32, T21N, R45E) downstream to mouth on Spokane River (Sec 14, T25N, R42E). .
2. Little Spokane River downstream	From the Pend Oreille County line (Sec 3, T29N, R44E) (excluding all federal lands) to the mouth at the Spokane River and Stevens County line (Sec 32, T27N, R42E).
3. Spokane River including all impoundments resulting from the various damns thereon	From the Washington-Idaho border (Sec 6, T25N, R46E) downstream to the Spokane County-Stevens County boundary, along said line to the Lincoln County line and Excluding all federal lands Spokane-Stevens County line, along said County line to the Lincoln County and excluding all federal lands

The Spokane River includes the Spokane Dam impoundment including Upper Falls impoundment, Nine Mile impoundment and Lake Spokane impoundment. from the Washington-Idaho Border to the Spokane County-Lincoln County Boundary. This designation includes all dam impoundments and associated wetlands.

The SMA designates certain lake shorelines as shorelines of statewide significance. The shorelines that are so designated are lakes having 1,000 acres or more of surface water area. The following Spokane County lake exceeds 1,000 acres:

Newman Lake

10.3 Shorelines of the State

Shorelines of the State are as follows:

1. Deadman Creek	From the north section line of Sec 4, T26N, R44E) downstream to mouth at Spokane River (Sec 33, T27N,

	R43E).
2. Dragoon Creek	From the north section line of Sec. 9 T28N, R42E downstream to mouth at the Little Spokane River (Sec 4, T27N, R43E).
3. Little Spokane River (West Branch)	From the Pend Oreille County line (Sec 35, T29N, R43E) downstream through Eloika Lake to mouth at Little Spokane River (Sec 26, same township).
4. Pine Creek	From Whitman County line (Sec 34, T21N, R43E) downstream back to Whitman County line (Sec 31, same township).
5. Rock Creek	From the confluence of Rock Creek and Rose Creek (Sec 34, T23N, R45E) downstream to mouth at Latah Creek (Sec 11, T23N, R43E).
6. Fishtrap Lake	
7. Downs Lake	
8. Unnamed Lake	T21N, R40E, Sec 7B/C
9. Williams Lake	
10. Feustal Lake	
11. Badger Lake12. Unnamed Lake	T21N, R41E, Sec 30-P
13. Bonnie Lake	
14. Unnamed Lake	T22N, R40E, Sec 6F/L
15. Alkali Lake	
16. Hog Lake	
17. Mason Lake	
18. Amber Lake	
19. Unnamed Lake	T22N, R41E, Sec 16L/P & nw1/4 of Sec. 21
20. Unnamed Lake	T22N, R41 E, Sec 27J
21. Unnamed Lake	T22N, R41E, Sec 32-KQ
22. Chapman Lake23	
23. Unnamed Lake	T22N, R41E, Sec 36-P/Q
23. Unnamed Lake	T22N, R41E Sec 36-P/Q
24. Philleo Lake	
25. Fish Lake	
26. Unnamed Lake	T23N, R42E, Sec 14, NW
27. Intermittent Lake	T23N, R42E, Sec 22-N
28. Intermittent Lake	T23N, R42E, Sec 27-C
29. Intermittent Lake	T23N, R42E, Sec 35-G/H
30. West Medical Lake	
31. Hedlin Lake	T24N, R40E, Sec 21-J/R
32. Lonelyville Lake	
33. SiIver Lake	
34. Medical Lake	
35. Otter Lake	
36. Ring Lake	
37. Granite Lake	
38. Willow Lake	
39. Meadow Lake	
40. Clear Lake	
41. Queen Lucas Lake	
42. Shelley Lake	
43. Liberty Lake	

44. Horseshoe Lake
45. Woods Lake
46. Knight Lake
47. Bear Lake
48. Dragoon Lake
49. Eloika Lake
50. RefIection Lake
51. Coulee Creek — From the confluence of Coulee Creek and Deep Creek downstream to its mouth at the Spokane River
52. Intermittent Lake at T23N, R41E, Section 21-J.
53. Intermittent Lake at T23N, R41E, Section 22-N.
54. Intermittent Lake at T23N, R42E Section 35 G/H, Section 36-west 1/2
55. Davis Lake: T26N, R40E Section 2-SW ½, and Section 11-NW1/4

Turnbull Wildlife Refuge Lakes

56. Reeves Lake at T22N, R41E, Section 1-H.
57. Campbell Lake at T22N, R41E, Section 3-D/E
58. Turnbull Slough – East Segment at T22N, R41E, Section 2-K.
59. Ballinger Lake at T22N, R41E, Section 9-NE ¼ .
60. Turnbull Slough – West Segment at T22N, R41E, Section 9-R.
61. Hale Lake # 2 at T22N, R41E, Section 11, SW ¼ .
62. McDowell Lake at T22N, R41E, Section 12-L.
63. Isaacson Lake – West Segment T22N, R41E, Section 13-W ½.
64. Intermittent Lake at T22N, R41E, Section 16-H/J.
65. Unnamed Lake at T22N, R42E, Section 5-N.
66. Stubblefield Lake at T22N, R42E, Section 16-E ½. 7 mi. SE from Cheney.
67. Unnamed Lake at T22N, R42E, Section 18-H.
68. Unnamed Lake at T23N, R41E, Section 25-C.
69. Lasher Lake at T23N, R41E, Section 34-N/P.
70. Cossalman Lake at T23N, R41E, Section 35-N/P.
71. West Tritt Lake at T23N, R41E, Section 35-R.
72. Intermittent Lake at T23N, R41E Section 27-C.
73. Keppler Lake at T23N, R42E Section 32.

10.3 Shoreline Maps

Shorelines of the state are illustrated on maps on file in the Spokane County Department of Building and Planning and replicated on the map in Appendix II of this Shoreline Master Program. The official maps from which the permit system will be administered are a county-wide coverage set of GIS maps maintained in the Department of Building and Planning and said maps replicate the jurisdiction of the Shoreline Management Act, RCW 90.58, as specifically described in and adopted as WAC 173-18-040 (lakes) and WAC 173-20-044 (streams). Said maps are also on file in the Department of Ecology.

SECTION 11
DEFINITIONS

11.1 General

1. For the purpose of this regulation, certain words and terms are defined herein. The word "shall" is always mandatory. The word "may" is permissive, subject to the judgment of the Director.

2. Words not defined herein shall be construed as defined in Webster's New Collegiate Dictionary.

3. The present tense includes the future, and the future the present.

11.2 Definitions

Agricultural uses – means uses and practices including, but not limited to producing, breeding, or increasing agricultural animal and vegetation products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities. The terms agricultural activities and agricultural practices have the same meaning as agricultural uses.

Applicant – a person who files a request for an approval from the Department for a use activity located in the shorelines of the state pursuant to Spokane County development regulations. This definition also applies to the term “applicant for a permit.”

Aquaculture – Aquaculture is the culture or farming of food fish, shellfish, or other aquatic plants or animals.

Aquatic life – shall mean all living organisms, whether flora or fauna, in or on water.

Archaeological areas and historical sites – Sites containing material evidence of past human life, such as structures and tools and /or cultural sites with past significant historical events. These sites are a nonrenewable resources and provide a critical educational link with the past.

Billboard – refer to the definition of signs.

Board or Board of County Commissioners – means the Board of County Commissioners of Spokane County.

Boating Facilities – shall mean marinas, covered moorages, boathouses, boat launches, mooring buoys, docks, and floats. Docks serving 4 or fewer single family residences are excluded from this term.

Buffer – a designated area adjacent to the ordinary high water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area. The term “buffer area” has the same meaning as “buffer.” (staff definition)

Bulkheads – Bulkheads are retaining wall structures erected to stabilize land at the water's edge and prevent erosion. Revetments means the same as bulkheads.

Certificate of Exemption – a document issued by the Department pursuant to the Spokane County Subdivision Ordinance which formally exempts a division of land from the platting requirements of the State Subdivision Act, RCW 58.17 and Spokane County Subdivision Ordinance.

Commercial Use – any activity carried out for pecuniary gain or loss and includes all facilities and improvements necessary to support the use. The term "commercial development" and this definition have the same meaning.

Community dock – a single dock which serves three or more parcels subject to the jurisdiction of the Shorelines Management Act, the use of such dock is on a lease or partnership basis. This term includes a dock intended to facilitate the general public's access to the water.

Community wastewater treatment facility – a facility providing wastewater treatment service to 3 or more land uses and operated and managed consistent with State Health regulations.

Comprehensive Plan – the Comprehensive Plan of Spokane County, as amended, adopted by the Board of County Commissioners.

Conditional Use – a use listed among those in any given environment designation and permitted to locate only after a public hearing and a decision by the Spokane County Hearing Examiner to grant a conditional use permit imposing such performance standards as will make the use compatible with shoreline ecological functions and other allowed shoreline uses in the same vicinity and environment designation. It is also a use which is not classified in the Shoreline Management Program.

Department – the Spokane County Department of Building and Planning or such other Department as designated by the Board of Commissioners to administer this regulation.

Development – any construction, expansion, installation of a structure, or use; any change in use of a structure or alteration or use of the shoreline that requires an approval from the Department pursuant to Spokane County development regulations.

Director – the Director of the Department of Building and Planning or his/her designee or such other Spokane County agency as designated by the Board of Commissioners to administer this regulation.

Distribution Lines – include overhead wires and their supporting structures for the long-distance transmission of electric energy below 60,000 volts, and gravity or pressurized pipelines for the transmission of water, petroleum products, natural gas within or between residential, commercial and industrial areas within a specific locality. This term also includes communication and transmission cables.

Dock – a structure built over, or floating upon, the water used as a landing and moorage place for water transport or for recreational purposes.

Dredging – the removal of sediment, earth, or gravel from the bottom of a body of water, either for the deepening of navigational channels, to mine the sediment materials, to restore water bodies or for flood control.

Ecological functions" or "shoreline functions" – means the work performed or role played by the physical, chemical, biological processes and ecosystem-wide processes that contribute to the maintenance of the viability of aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

Ecologically intact shorelines – ecologically intact shorelines means those shoreline areas that retain the majority of their natural shoreline functions, as evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, ecologically intact shorelines are free of structural shoreline modifications, structures, and intensive human uses. In forested areas, they generally include native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water bodies. Recognizing that there is a continuum of ecological conditions ranging from near natural conditions to totally degraded and contaminated sites, this term is intended to delineate those shoreline areas that provide valuable functions for the larger aquatic and terrestrial environments which could be lost or significantly reduced by human development. Ecologically intact status of a shoreline is determined on a case-by-case basis.

Feed Lot – a confined area or structure used for feeding, breeding or holding livestock for eventual sale or slaughter and in which animal waste may accumulate faster than it can naturally dissipate without causing pollution or creating a potential for a health hazard, particularly with regard to surface and ground water,. This term does not include barns, pens or other structures used in a dairy operation or structures on farms holding livestock primarily during winter periods. (this definition is from the zoning code and modified to afford more protection to the shoreline ecosystem).

Fill – means the addition of soil, sand, rock, gravel, sediment, or other material to a shoreline area in a manner that raises the elevation of the land or creates dry land from water areas or shoreline associated wetlands, or raises the elevation of streambeds or lakebeds.

Forest management practices – those methods and techniques used to protect, produce, and harvest timber.

High Quality Areas – those shoreline areas having high quality environmental features identified in the 2005 Spokane County Conservation District (SCCD) Stream Inventory and Assessment and subsequent shoreline inventories and assessments. A copy of said Stream Inventory and Assessment is archived in the Department and in the Office of the Spokane County Conservation District. High Quality Areas are specifically illustrated on the Shoreline Designations Map in Appendix II of this regulation. These areas require additional protection measures to prevent degradation or to facilitate long term restoration. High Quality environmental features include but are not necessarily limited to unique habitat types. The habitat types may have significant value to wildlife and may include one or a combination of the following environmental characteristics:

- Comparatively high fish or wildlife density;
- Comparatively high fish or wildlife species diversity;
- Sensitive fish spawning habitat;
- Significant wildlife habitat as determined by Washington Department of Fish and Wildlife and Spokane County Conservation District
- Important fish or wildlife seasonal range;
- Important fish or wildlife movement corridor;
- Significant rearing and foraging habitat;
- High vulnerability to habitat alteration;
- Unique or dependent species

Individual wastewater treatment system – a facility which treats wastewater generated by one or two single family dwellings or by a duplex dwelling. The facility includes all improvements necessary to collect, distribute, treat and dispose of wastewater consistent with the requirements of the Spokane Regional Health District. This term does not include stormwater or stormwater treatment improvements.

Latah Creek Channel Meander Belt – that area adjacent to Latah Creek which is subject to inundation from the creek waters due to the occurrence of long term natural creek channel meandering processes. The channel meander belts are illustrated on the Channel Meander Belt Maps in Appendix III and on duplicate maps maintained in the Department of Building and

Planning. This definition also applies to the term "Meander Belt." The Latah Creek Channel Meander Belt is illustrated in Appendix III and extends in places beyond 200 feet from Latah Creek's ordinary highwater mark (OHWM).

Marinas – facilities which accommodate a variety of activities such as but not limited to moorage, sales, launching, renting, and storage of pleasure craft and may include backup parking, fuel, food, refreshments, and other incidental services which contribute to the recreational use of water bodies.

Mining – the extraction and removal of sand, gravel, minerals or other naturally occurring material from the earth for economic use.

No net-loss of ecological function – the aggregate impact of an improvement, disturbance or encroachment of a shoreline which does not result in an overall loss of ecological function. Any shoreline degradation is concurrently offset by an enhancement of ecological function on the same site or on property within 1000' of the site which equals or exceeds the scope and ecological value (or function) of the degraded resource.

Non-Water Related Industry – see the definition for "water related"

Ordinary high water mark – on all lakes, streams is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by Spokane County or the Department of Ecology: PROVIDED, That in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining fresh water shall be the line of mean high water.

Permit application – a request for an approval from the Department to undertake a specific use activity located in the shorelines of the state pursuant to Spokane County development regulations.

Permit – a document which specifies that the Department has granted approval pursuant to Spokane County development regulations to undertake a specific use activity at a specific location in the shoreline area.

Person – a corporation, company, association, society, firm, partnership or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof and including any agency of the federal government.

Pipeline – gravity or pressurized pipeline utility which conveys or collects gas, liquids, wastewater, stormwater and commodities for long distances to and from processing facilities and end-users.

Qualified Ecologist – a person who has obtained an undergraduate and graduate degree in one of the environmental sciences such as but not limited to biology, zoology, botany, wildlife management or bio-engineering from an accredited college or university and has a minimum of two years of field experience evaluating the impacts of human encroachments on riparian fish and wildlife habitats and on riparian vegetation species. Six years of field experience is acceptable in lieu of a graduate degree. Qualified Ecologist and Qualified Shoreline Ecologist have the same meaning.

Recreation – a person's pursuit of play, amusement, or relaxation in either passive or active forms. This term includes but is not limited to public parks, public open spaces and trails. Work activities for any purpose are excluded from this definition.

Residential – any building for residential purposes, including single-family, multifamily, cluster

development or planned unit development, and any subdivision of the land for sale or lease (as defined in the Spokane County Subdivision Ordinance.

Restoration – the revegetation of a shoreline site cleared of vegetation and not covered by structures or occupied by other improvements following completion of a project. Restoration shall consist of the planting of plants and/or trees recommended by a qualified shoreline ecologist during the permitting process. The restoration may include such other shoreline stabilization measures deemed appropriate by the qualified shoreline ecologist. The restoration shall be compatible with the character of the shoreline area to the extent possible and shall at a minimum fully restore any loss of shoreline ecological function resulting from the project.

Revegetation – refer to definition of restoration.

Shall – means a mandate; the action must be done.

Shoreline enhancement – any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.

Shorelines or shorelines of the state – means all of the water areas of the state, including reservoirs, and their associated shorelands, together with the lands underlying them; except (i) shorelines of statewide significance; (ii) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (iii) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes. The shoreline extends landward 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark and includes floodways and contiguous floodplain areas landward 200 feet from such floodways and all associated wetlands. This meaning applies to the terms “shoreline areas” and “shoreline jurisdiction” and “shoreland areas” and “shorelands.” The shorelines of the state are specifically described in Section 10.3 of this regulation and illustrated on maps in Appendix II of this regulation.

Shorelines of Statewide Significance – means those shorelines described in RCW 90.58.030(2)(e) and specifically described in Section 10.2 of this regulation and illustrated in Appendix II of this regulation.

Shoreline Master Program - means the comprehensive Shoreline Management Master Plan for the shorelines of the state to include Shoreline Element Goals, Policies, and map incorporated in Section NE. 34 of the Comprehensive Plan, the Shoreline Management Ordinance, and the Shoreline Protection Plan developed in accordance with the requirements of the Shoreline Management Act, RCW 90.58 and implementing Washington Administrative Code, WAC 173-26. The terms Master Program or Shoreline Management Program, Shoreline Master Program and Shoreline Program have the same meaning.

Shoreline Protection – Means structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action. The terms “shoreline protection measure” and this term have the same meaning. Substantial enlargement of an existing shoreline protection improvement is regarded as a new shoreline protection measure.

Single-family residence - a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. Normal appurtenances include a garage, deck, driveway, utilities, fence,; installation of a individual wastewater treatment system and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland (from WAC 173-27-040)

Signs – are public displays intended to provide information, direction, or advertising.

Solid Waste - means all putrescible and nonputrescible solid and semisolid material, including, but not limited to, garbage, refuse, bulky wastes, inert waste, agricultural solid waste, sewage sludge, and demolition and construction wastes.

Special flood hazard area – the area within and adjacent to the channel of a river subject to a 100 year flood event as illustrated on the Federal Emergency Management Administration (FEMA) Floodplain Insurance Rate Maps (FIRM) in the Spokane County Floodplain Management regulations, Spokane County Code Ordinance 03-800.

Structure - any object constructed or erected which requires location on or in the ground or is attached to something having a location on the ground or water (including towers, smokestacks, overhead transmission lines, etc.) but not including fences, retaining walls, signs or walls used as fences less than 6 feet in height.

Substantial development - shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shoreline of the state.

Substantially degrade - means to cause significant adverse impact on shoreline ecological functions.

Subdivision and short plat – means divisions of land approved by Spokane County pursant to the Spokane County Subdivision Ordinance and the Washington State Subdivision Statute, RCW 58.17. The term plat shall have the same meaning as "subdivision"

Transmission lines - include (1) overhead wires and their supporting structures for the long-distance transmission of electric energy at or above 60,000 volts, and (2) gravity or pressurized pipelines for the long-distance transmission of water, petroleum products, natural gas, and other commodities such as ores in the form of slurries. This term includes communication and transmission cables.

2005 SCCD Inventory and Assessment – A Spokane County Conservation District (SCCD) document completed in 2005 which inventories and assesses the environmental characteristics of the stream of Spokane County subject to the Shorelines Management Act, RCW 90.58. This document is located in the Department and in the office of the SCCD and is available to the public for review.

Unique and fragile – a very rare or one-of-kind feature which can be easily damaged or once degraded is very difficult or impossible to restore.

Utilities - Utilities produce or convey electric energy, communications, natural gas, water, wastewater, petroleum products, and other commodities. Utilities are needed for almost any kind of development which is allowed in a shoreline area.

Use activity – the use of the shoreline for a specific purpose which may or may not involve construction or installation of improvements.

Variance – the means by which an adjustment may be made in the application of the specific regulations herein to a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the vicinity in the same environmental designation. The adjustment allowed by a variance approval remedies the difference in privileges; provided, however, that a variance granted shall not authorize a use of an otherwise prohibited use activity in the environment designation in which the property is located. The variance process shall not be a means to vary the allowed use activity of a shoreline.

Water-dependent: a use activity is dependent on water by reason of the intrinsic nature of its operations. The following list includes examples of water-dependent use activities such as, but not limited to, bridges, marinas, dams for domestic/industrial water supply, flood control, and/or hydroelectric production; water diversion structures and facilities for water supply, irrigation and/or fisheries enhancement; flood water and drainage pumping plants and facilities; hydroelectric generating facilities and appurtenant structures; structural and nonstructural flood damage reduction facilities, and stream bank stabilization structures and practices.

Water-related – a use or activity which is not intrinsically dependent on a waterfront location but has a strong relationship with water and facilitates the public's use and enjoyment of the shoreline area. Such use or activities include but limited to facilities that provide water sports equipment and services, a restaurant providing water views, recreation vehicle parks, public parks. The term "water oriented" has the same meaning as "water related" All water dependent use activities are intrinsically water related.

Water quality - means the physical characteristics of water within shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in this chapter, the term "water quantity" refers only to development and uses regulated under this regulation and affecting water quantity, such as impermeable surfaces and storm water handling practices.

Water related industry - Water-related industries are those requiring water transportation or those which seek the advantage of water transportation as an alternative to other modes, and those which use or recycle large quantities of water.

Wetlands - means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. For the purpose of the Shoreline Master Program wetlands subject to the provisions of the program are adjacent to a shoreline of the state or lie within 200 feet of the ordinary high water mark and have a distinct hydraulic continuity with a shoreline of the state.

SECTION 12
SHORELINE PROTECTION AND RESTORATION PLAN

Introduction

This restoration plan has been prepared in accordance with the Washington State Department of Ecology shoreline management guidelines. The guidelines direct local government review and updates of shoreline master programs. A significant feature of the guidelines is the requirement that local governments include within their shoreline master program, a "real and meaningful" strategy to address restoration of shorelines. WAC 173-26-186(8). The state guidelines emphasize that any development must achieve no net loss of ecological functions. The guidelines require a goal of using restoration to improve the overall condition of habitat and resources and makes "planning for and fostering restoration" an obligation of local government.

WAC 173-26-2012(f) states further that "…master programs provisions should be designed to achieve overall improvements in shoreline ecological functions over time when compared to the status upon adoption of the mater program." The Guidelines require Spokane County to identify and assemble the most current, accurate, and complete scientific and technical information available regarding shoreline ecosystems. This required information is available in reports prepared by URS Corporation, Spokane County Conservation District and Landau Associates, referenced in this plan and available for review in the Department of Building and Planning.

The goals, policies and implementation strategies included in this plan are intended to protect shoreline ecological functions and promote restoration of impaired shoreline ecological functions necessary to sustain the shorelines' ecological integrity. The goals, policies and implementation strategies specified in this Plan are based on the requirements of WAC 173-26 and the technical and scientific information referenced in this plan. This plan is intended to encourage the protection of shoreline areas from significant degradation resulting from development or other human activity. The shoreline protection strategy set forth in Element 4 is intended to prevent shoreline degradation and assure no net-loss of ecological functions.

This restoration chapter is designed to meet the requirements for restoration planning outlined in the Ecology guidelines, in which restoration planning is an integrated component of shoreline master programs that include inventorying shoreline conditions and regulation of shoreline development. The restoration plan builds off of the Spokane County Shoreline inventories and assessments and the Characterization Report which provide a comprehensive inventory and analysis of shoreline conditions in Spokane County, including rating specific functions and process of each shoreline segment.

12.1 Element 1 - Overall Goals and Policies

The Shoreline Management Guidelines, WAC 173-26, require that Spokane County include in its shoreline master program an element which addresses shoreline protection and restoration. To satisfy this requirement, the Shoreline Master Program must include goals and policies which promote the protection of shoreline ecological functions and promote restoration of impaired shoreline ecological functions. The concept of ecological functions recognizes that any ecological system is composed of a wide variety of interacting physical, chemical and biological components that are interdependent in varying degrees and collectively produce the landscape and habitats that support and maintain the shorelines ecological functions. The purpose of this section is to set forth goals, policies and implementation measures which serve to improve the overall condition of habitats and resources within Spokane County's shorelines as illustrated in Appendix D. The overall shoreline protection and restoration goals and policies are as follows:

12.1.1 Goal 1

RESTORE THOSE SHORELINES WHERE ECOLOGICAL FUNCTIONS HAVE BEEN DEGRADED

Policy 1- Develop and implement a program to restore the ecological functions of degraded shorelines.

Policy 2- Developing and implementing of a restoration program should be a collaborative effort among public and private entities and interested citizens.

Policy 3- Developing and implementing a restoration program should include, at a minimum, the following:

a. a shoreline rehabilitation strategy to include rehabilitation priorities and benchmarks, levels of restoration to be achieved and a post rehabilitation monitoring and maintenance program.

b. a citizen involvement program encouraging the participation of citizens willing and able to contribute to the rehabilitation of degraded shorelines.

c. a program promoting a collaborative partnership of private and public entities willing and able to contribute to the rehabilitation of shoreline resources.

d. The restoration strategy will emphasize actions and programs addressing riparian habitat fragmentation, which is identified as the major reason for shoreline degradation.

12.1.2 Goal 2

ENSURE THAT NO NET LOSS OF ECOLOGICAL FUNCTIONS WILL RESULT FROM THE DEVELOPMENT AND USE OF THE SHORELINES

Policy 1- Permitted development, public and private, will not cause a net-loss of shoreline ecological functions.

a. Develop regulations and mitigation standards in the shoreline master program to ensure implementation of the no net-loss policy.

b. Commit to rigorous enforcement of the no net-loss regulations through permit conditions and post permit project monitoring.

Policy 2- Emphasize~~s~~ prevention of degradation of the ecological functions of the shoreline and address, at a minimum, the following elements:

a. Preserve priority habitat. (see WAC-173-26 p. 8 for wording defining priority habitat.)

b. Use the full array of media options and academic venues to disseminate information regarding the proper care and use of shoreline resources and that fosters a stewardship approach to shoreline protection.

c. Encourage~~s~~ citizens, businesses and public agencies with shoreline resource stewardship interests to work together in collaborative partnerships to protect the ecological functions of the shorelines. Such strategies may include, but not be limited to, land banking, shoreline acquisition (e.g. conservation futures), conservation easements, transfer of development rights and clustering of development.

d. Identification of the specific factors and mitigation measures to be addressed to achieve a "no net-loss of ecological function" determination prior to issuance of development approvals consistent with the requirements of WAC 173-26-201(e) pertaining to environmental impact mitigation.

Policy 3- Monitor exempt and permitted development and uses to assure compliance with the goals, policies and use activity regulations of the SMP. (development and uses not requiring a shorelines management substantial development permit as specified in WAC 173-27)

12.1.3 Goal 3

ENCOURAGE APPROPRIATE PUBLIC AGENCIES, OWNER ASSOCIATIONS, BUSINESSES, PROPERTY OWNERS AND OTHER SHORELAND USER GROUPS TO UNDERSTAND AND PROMOTE GOOD STEWARDSHIP OF THE SHORELANDS.

Policy 1- Promote establishment of landowner associations within each shoreline designation.

Policy 2- Provide educational resources necessary to empower associations to promote good stewardship and construction practices.

Policy 3- Provide resources to educate property owners, shoreland user groups and the development community regarding shoreline management regulations.

Policy 4- Encourage shoreland users to take advantage of the numerous public incentive programs which encourage the conservation, enhancement and protection of shoreline resources.

12.2 Element 2 - Interagency Cooperation and Coordination

12.2.1 Purpose

Numerous public and private agencies have some management or oversight responsibilities regarding the protection of shoreline areas. The responsibilities include the protection or restoration of the shoreline ecological conditions, maintaining shoreline aesthetics, enhancing public access and enjoyment, maintaining recreation values and maintaining wildlife habitat. The list below may not be all inclusive as there is such a variety of public and private agencies involved directly or indirectly in shoreline protection and restoration. The agencies having interests in shoreline protection and restoration are as follows:

Spokane County Conservation District
Inland Northwest Land Trust
WSU Cooperative Extension Service of Spokane County
Silver Lake Property Owners Association
Inland Paper Company/Centennial Land Company
Newman Lake Property Owners Association
Newman Lake Flood Control Zone District
Washington State Lake Protection Association
Washington State Department of Fish and Wildlife
Liberty Lake Sewer and Water District
Washington State Department of Parks and Recreation
Washington State Department of Ecology
Natural Resource Conservation Service
Spokane County
City of Spokane
City of Spokane Valley
Avista Utilities
Northwest Power and Conservation Council
Upper Columbia Association of Indian Tribes

Washington State Department of Natural Resources
United States Environmental Protection Agency
US Fish and Wildlife Service
Eastern Washington University
Spokane Community Colleges

A description of each entity's shoreline related programs which provide shoreline protection and restoration efforts in the state of Washington are referenced in Appendix A. There are likely other entities which promote shoreline protection and restoration activities. These entities will be added to Appendix A as they are identified. The primary purpose of some of the listed programs may not be shoreline protection or restoration. However, each program engages directly or indirectly in shoreline protection and restoration.

To facilitate dissemination of shoreline protection and restoration programs to the public, the following activities should occur:

1) Agencies should include information on their websites about their shoreline protection and restoration efforts and guidelines and should include a contact person and phone number. The information should be readily accessible and would operate essentially as a "Shoreline Resource Guide." The website should be designed to be as user-friendly as reasonably possible and the currency of the material should be adequately maintained.
2) Spokane County will post on its website a listing of all agencies listed in Appendix A. This site will include a summary of their shoreline restoration and protection efforts together with the agencies website link. Spokane County will serve as a clearinghouse of shoreline protection and restoration information.
3) The shoreline resource guide suggested in item 2 will be distributed to all agencies and all private entities having an interest in maintaining shorelines ecological values.
4) Encourage public agencies to alert their clients about the existence of other shoreline protection and restoration programs sponsored by public and private agencies.

12.2.2 Promote Collaborative Partnerships

Spokane County should encourage collaborative partnerships among agencies which have shoreline protection and restoration programs similar in purpose. The collaboration will encourage the sharing of technical information and improve the quality of information available to program clients, enabling the individual programs to be more effective. To the extent possible, the collaborations should also minimize or eliminate program policies and requirements which are at cross-purposes with programs administered by other agencies.

Since many rivers in Spokane County flow from or into neighboring jurisdictions Spokane County should foster collaborative relationships with those jurisdictions in order to more effectively protect shoreline resources. Shoreline and upland activities in neighboring jurisdictions can profoundly affect shoreline ecological values.

12.2.3 Repositories of Shoreline Protection and Restoration Print Materials

Resource management agencies listed in Appendix A are encouraged to maintain a listing of reference materials related to shoreline protection and restoration which were generated by the agency. The list should be posted on the agency's website and should include a very brief summary of the contents of each listing. Instructions should be provided directing how a person may acquire the material. The materials should be available in print form as well as available on the internet. Each agency should post on its website any shoreline protection and restoration outreach efforts and upcoming seminars and conferences. Websites should add links to other agency websites which have programs addressing shoreline protection and restoration.

12.3 Element 3 – Public Education

12.3.1 Purpose

Education and public participation will increase the public's awareness of the value, function and importance of protecting and restoring shorelines. This section is intended to encourage landowners to protect, maintain, and rehabilitate shoreline ecosystems. This Element will be implemented in partnership with public and private agencies having shoreline stewardship responsibilities identified in Appendix A (Inventory of Shoreline Protection and Restoration Programs). Following adoption of this plan, the Department of Building and Planning will develop a detailed strategy which will promote partnerships that implement the goals below.

12.3.2 Educational Goals

1. Increase awareness that shoreline (lakes, stream, rivers) landowners have special stewardship responsibilities and promote their involvement in protection and restoration efforts.
2. Increase awareness of shoreline protection that results in behavior change to maintain or re-establish shoreline ecological conditions.
3. Improve information availability, material distribution, and technical assistance through appropriate County and local resource agencies.
4. Establish a monitoring system to document the program's effectiveness.
   Promote education about shoreline values, benefits, and functions.
6. Distribute information on existing regulations and current shoreline conditions.
7. Distribute shoreline materials to school districts, classes, and teachers.

A combination of education seminars, displays, booth exhibits, slide shows, power point presentations, trade shows and professional meetings will be used to generate public interest and to disseminate shoreline protection and restoration technical information. The education activities will be designed to inform and educate residents about the sensitivity of shoreline ecosystems areas and shoreline values but they are intended to change the behavior of shoreline area residents. Theses activities are intended to promote a sense of pride in maintaining and protecting shorelines.

In pursuit of the educational goals the Spokane County Conservation District will partner with other agencies with shoreline stewardship responsibilities. To the maximum extent possible, the education activities will enable shoreland owners to interact and coordinate with personnel from other agencies including: 1) Natural Resources Conservation Service; 2) the Washington Department of Ecology; 3) the Washington Department of Natural Resources; 4(the WSU Cooperative Extension; 5) Spokane County; and 6) other state and local agencies.

The largest obstacle to increasing awareness and education may be the fact that landowners don't believe that their current practice is damaging. They often believe that the creek or stream vegetation has always been as they currently see it today (and it may have for the last 50-100 years). This makes it difficult to see another perspective or the need to change the current practice. A one-on-one approach in these rural areas may be more effective. However, sharing perspectives and the existing potential for the site may prove successful in some areas. Landowners are inexperienced with managing natural resources and initiating effective conservation practices, especially regarding the installation or maintenance of riparian corridors and buffers. Workshops and presentations will be conducted in a group format to find individuals interested in riparian projects. Emphasis shall be placed on protecting existing riparian corridors and plant communities and disseminating information about the availability of supporting resources.

Youth education about resource conservation bases numerous barriers. These barriers include lack of materials compatible with EARL and WASL requirements, age appropriate material for the spectrum of students, organization and coordination of classroom time during the school year, the costs associated with implementation of programs, and the perception that youth are being taught environmental education under governmental pressure.

New shoreline owners are often unaware or do not understand existing regulations. They usually do not understand the current condition of the shoreline and how an intact shoreline ecosystem benefits the area. They may further believe that a shorelines management program, with its various restrictions, is inconvenient and not an asset to the property. New shoreline owners should be informed about the shoreline issues and regulations prior to land purchase. Shoreline materials should be distributed to realtors to pass on to people who are considering purchasing shoreline property (i.e. property subject to the jurisdiction of the Shorelines Management Act).

12.3.3 Educational Opportunities

Many of the educational opportunities are annual events. The events are generally well attended and appeal to a broad range of interests. The following is a list of events attended or sponsored by a variety of agencies and entities where educational opportunities may exist.

Water Festivals
Conservation and Natural Resource Events
Conservation Forum and Farm Models
Regional Envirothons
Country Living Shows
Sixth Grade Conservation Days
Fairs
Annual Meetings
Expositions
Workshops and seminars in partnership with other agencies
Workshops and seminars in partnership with related water quality improvement grants and project
Interstate Fairs
Home and Garden shows
WSU Extension Service programs and seminars

The following is a list of agency efforts to distribute information to the public regarding techniques and methods to protect and restore shoreline ecological values:

WSU Cooperative Extension Service (WSUCES) of Spokane County Realtor Education Program provides information to realtors to clients regarding protection and conservation of shoreline areas and encourages them to pass it on to their clients. Participating realtors will earn conservation education (CE) credit.

Master Gardner Training Program (WSUCES program) includes a block of information pertaining to conserving and protecting shoreline vegetation and if replanting is necessary what are the most appropriate plantings (referred to as ‘natural landscaping’) that will survive and protect and conserve shoreline functions.

Washington Water Program (WSUCES program)
The Cooperative Extension service also has a program under its service umbrella entitled “Washington’s Water.” Its website includes much information regarding streamside plantings which protect the shoreline ecology. The focal point for Washington State University's statewide water resource programs. The Washington's Water web site is http://wawater.wsu.edu/ presented by the Water Resources Leadership Team, charged with the mission to provide statewide leadership, support, and coordination for the water resource educational efforts of WSU Extension. The Water Resources Leadership Team’s continuing goal will be to provide statewide leadership and support for the many water resources related programs occurring across the State. Below are 2 examples of streamside protection and enhancement information available on the website.

The Newman Lake Property Owners Association (NLPOA) – A longstanding (formed in the 1950s) non-profit organization of volunteer citizens promoting preservation and enhancement of the Newman Lake Watershed through education and community involvement.

Liberty Lake Sewer and Water District
Through administration of its stormwater management program the District informs shoreland owners of techniques to protect the shoreline ecology as implementation of such techniques also maintains water quality.

Washington State Department of Ecology (DOE)
DOE also provides on its website a variety of educational material pertaining to shoreline vegetation which is intended to protect and/or restore the shoreline ecology. The information addresses bank protection, native vegetation protection and enhancement, noxious weed abatement. An excellent resource listed on the DOE website is a publication entitled "Riparian Restoration: A collection of Landowner's Perspectives."

The site also identifies some grant programs which would support group efforts to protect or enhance the shoreline ecology. The funding programs are focused on individual ecological issues as opposed to a comprehensive multi problem approach. Currently Ecology is offering funding to local governments for high-priority water quality projects from the Centennial Clean Water Fund. The projects are intended to fund implementation of riparian protection and enhancement strategies recommended in Watershed Management Plans.

Polluted Runoff in Washington State - Education about Polluted Runoff
The challenging part about nonpoint education is that intelligent, well-meaning people unwittingly pollute. This pollution is often, through practices associated with pet ownership, gardening and landscaping.. Recent efforts to improve the effectiveness of environmental education have resulted in greater emphasis on measurable results, less emphasis on the written word, and more attempts to reach people on an interpersonal basis, rather than using old techniques of publications and mass media campaigns. Educators are beginning to understand that raising awareness is a good first step to changing behavior, but it doesn't motivate people to adopt new habits. EPA Region 10's Clearinghouse of Environmental Education and Information website provides information on environmental education and information materials in the Pacific Northwest. The National Project for Excellence in Environmental Education helps establish guidelines for development of "balanced, scientifically accurate, and comprehensive environmental education programs".

Plant Materials Program (Natural Resource Conservation Service Program)
The purpose of the program is to provide native plants that can help solve natural resource problems. Beneficial uses for which plant material may be developed include biomass production, carbon sequestration, erosion reduction, wetland restoration, water quality improvement, streambank and riparian area protection, coastal dune stabilization, and other special conservation treatment needs. Scientists at the Plant Materials Centers seek out plants that show promise for meeting an identified conservation need and test their performance. After species are proven, they are released to the private sector for commercial production. The work at the 26 centers is carried our cooperatively with state and Federal agencies, commercial businesses, and seed and nursery associations.

Table 1: Shoreline Education Opportunities

Activity	Format	Target Audience	Purpose
Public Meetings	Classroom layout, slide shows with question/answer.	Landowners, producers, interest groups	Provide results and general information to local interest group.
Seminars, Workshops, Annual Events	Classroom layout with posters, presentations. Slideshows with question/answer session	Landowners, producers, local interest groups, local governments, schools K-12, youth and adults	Information, Education, Awareness

Activity	Format	Target Audience	Purpose
Displays and Exhibits	Posters with flyers, generally not staffed full time	General information to adults and children (message tailored for each)	Information, Education, Awareness
PSA	Radio Spots, TV Spots	Landowners, producers, interest groups	Inform audience of meetings and assistance
Trade Shows	Booth or display specific to a user group	Specific groups with information related to their activities	Provide project information and awareness
Field trips	Bus or vans	City/county governments, specific user groups, schools	On the ground examples of shoreline values and functions
Brochures/Fact Sheet	Trifold, single page fact sheet	Landowners, producers, interest groups	Provide results and general information to local interest group.
Newsletters and Newspaper Articles	N/A	Landowners, producers, interest groups	Information, education, Awareness, upcoming meetings
Pledge Program	N/A	Landowners, producers, interest groups, businesses	Information, Education, Awareness, Motivation
Streamside Welcome Package	Folder, brochure materials	Title companies, new streamside landowners	Information, Education, Awareness

12.4 Element 4 - Shoreline Protection and Restoration

12.4.1 Shoreline Restoration - Purpose

This Element serves as a tool for prioritizing and focusing protection and restoration measures into specific shoreline areas. This Element is also intended to meet the requirements for restoration planning outlined in the Department of Ecology WAC 173-26-186(8)(c) guidelines, in which restoration planning is an integrated component of the Shoreline Master Program that include inventoring shoreline conditions and regulation of shoreline development. This plan builds off of the Spokane County Conservation District Stream Inventory and Assessment 2005, the URS Lakeshore Inventory and Assessment 2002, and the Landau Associates Shoreline Characterization Report 2005 which provide a comprehensive inventory and analysis of shoreline conditions in Spokane County, including rating specific ecological function and processes of each shoreline segment. The Landau Associates Report recommends lake and stream shorelines which have restoration opportunities. All three above referenced documents are maintained in the Department of Building and Planning and may be made available to the public on CDs, upon request. The Landau Associates Report (Appendix B of this Plan) is also posted on the Department's website at http://www.spokanecounty.org/bp The Ecosystem-Wide Processes Charts in Appendix B (which is the Landau Associates Report) summarize the baseline condition of ecological processes and functions on the shorelines of the state within Spokane County.

Appendix B identifies restoration and maintenance actions for each lake and stream shoreline segment. The report is a general reference available for use by qualified ecologist when preparing site-specific shoreline restoration and maintenance strategies. In the development of detailed site-specific restoration strategies the ecologists shall also assess, at a minimum, site conditions including 1) general topography; 2) condition of the vegetative components; 3) assessment of native

plant assemblages on or adjacent to the project site; 4) specific soil conditions; 5) hydrological processes present; and 6) description of wildlife habitat. In the preparation of detailed site-specific restoration strategies the SCCD and URS inventories and assessments cited above should be referenced.

In accordance with the state shoreline planning guidelines, it is valuable to establish general restoration strategies and benchmarks. Controlling environmental factors (such as hydrology, sediment type, etc.) provide the foundation for habitat structures (i.e., species and their abundance), and the structure supports habitat functions (i.e., production, food support, rearing, etc.). That is, restoration of habitat functions may be ineffective if habitat structures and controlling factors are not also restored. There is no universally accepted method for setting priorities for restoration or for determining what strategies are best applied to each site. Restoration of controlling factors is the key to successful and long-term shoreline restoration. Therefore, overall priority should be given to restoration of natural processes that are needed to support ecosystem and habitat functions. Restoration priority will also be based on access, funding, extent of benefit and willingness of involved landowners to participate.

12.4.2 What is Restoration?

The term restoration has a number of definitions, all of which share similar ideas. They often refer to the return of an area to a previous condition by improving the biological structure and function. Examples of definitions of restoration put forth by various authors and agencies include bringing back a former, normal, or unimpaired state; a return to a previously existing natural condition; reestablishing vegetation; and returning a damaged ecosystem to its pre-disturbed state. The Ecology shoreline master program guidelines state that:

"Restore," "Restoration," or "ecological restoration" means the reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including but not limited to re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

12.4.3 Lake Shorelines

After completion of the lake shoreline assessments, the URS analysis team developed criteria for grouping the lakes into three categories based on the individual shoreline characterization. Each lake was categorized based on the capability and potential for 1) restoration, 2) maintenance, or 3) preservation based on the individual shoreline assessments outlined in Section 4. The analysis team based its shoreline categorization on the following criteria:

- Individual shoreline proper functioning condition (PFC) ratings
- Ownership
- Land use capability
- Function and value of habitat
- Non-point source pollution potential
- Potential ecological need for restoration
- Ecological sensitivity to development

This categorization scheme provides Spokane County Division of Building and Planning the means to evaluate site specific projects over the short term through the permitting process in any of the lake areas. Additional analysis qualified ecologists will be necessary to develop the restoration or mitigation plan for each individual shoreline.

12.4.4 Shorelines Categorized for Preservation

Lakes that are categorized under the preservation category are lakes with little or no development with most of the existing ecological systems intact. The lakes in the preservation category are classified as such due to their lack of development. A preservation priority indicates a greater potential to preserve those ecological values and maintain entire lake and riparian areas in a natural

state. This can be accomplished through a combination of activities to include but not be limited to site-specific shoreline planning, regulatory incentives, use of incentive focused resource protection/restoration programs identified in Element 5 and Appendix A. Additionally, implementation of the public education program envisioned in Element 3 is essential to impressed upon shoreline owners and the public the significance of their shoreline stewardship responsibilities. Individual shorelines which provide the greatest opportunity for preservation are based on the URS Lake Inventory and Assessment and the Landau Associates Report. Lake shorelines in this category include:

Horseshoe Lake, Woods Lake, Bonnie Lake, Knight Lake, Mason Lake, Lonelyview-Hedin Lake, Hog Canyon Lake, Philleo Lake, Dragoon Lake (dry nearly all year), Feustal Lake, Queen Lucas Lake, Willow Lake, Lakes 8, 12, 14, 19, 20, 21, 23, 26, 27, 28

12.4.5 Shorelines Categorized for Maintenance

Lakes that are categorized for maintenance are under light to moderate development pressure or are impacted by nearby land uses and have many of their ecological systems intact. The lake shorelines categorized for maintenance are based on the criteria listed in section 4.3 which will affect the ecological balance and the stability of those systems. A shoreline categorized for maintenance indicates a greater need to protect, in a more natural state, the remaining functioning habitat. Without this protection the shorelines proper functioning condition will trend downward slowly over time. Shoreline maintenance can be accomplished through a combination of activities to include but not be limited to site-specific shoreline planning/mitigation, regulatory activities, use of incentive focused resource protection/restoration programs identified in Element 5 and Appendix A. Additionally, implementation of the public education program as envisioned in Element 3 is essential to impressed upon shoreline owners the significance of their shoreline stewardship responsibilities. Regulatory activities will be in conjunction with the County development approval processes. Lake shorelines categorized for on-going maintenance are as follows:

Eloika Lake, Downs Lake, Amber Lake, Granite Lake, Bear Lake, Meadow Lake, Reflection Lake, Badger Lake, Alkali Lake, Chapman Lake, Fish Trap Lake, Otter Lake, Ring Lake.

12.4.6 Lake Shorelines Categorized for Restoration

Lake shorelines that are categorized for restoration are areas with development pressure and/or with limited ecological systems still intact. Individual shorelines for these lakes provide the greatest opportunity based on the individual shoreline assessments in the URS Lake Inventory and Assessment and the analysis in the Landau Associates Report. Lakes in the restoration category were categorized as such based on the potential for recovering more of an ecological balance in areas with development pressure. Without restoration activities the functional downward trend will accelerate. Shoreline maintenance can be accomplished through a combination of activities to include but not be limited to site-specific shoreline planning and mitigation, incentive based regulatory activities, use of incentive focused resource protection/restoration programs identified in Element 5 and Appendix A. Additionally, implementation of the public education program as envisioned in Element 3 is essential to impressed upon shoreline owners the significance of their shoreline stewardship responsibilities. Regulatory activities will be in conjunction with the County development approval processes. Table 1 in Appendix C to this plan specifies the shoreline segments that are categorized for restoration, the strategies necessary to restore their ecological functions and restoration timelines. The affected lakes are as follows:

Clear Lake, Newman Lake, Williams Lake, Liberty Lake, Silver Lake, Fish Lake, Shelly Lake, Medical Lake.

12.4.7 Stream Shorelines

The Spokane County Conservation District (SCCD) completed a comprehensive Stream Inventory and Assessment in 2005 The SCCD inventory includes a comprehensive thorough review of all the existing data for the streams/rivers that are regulated by local Shoreline Management Programs

(approximately 191.4 river miles). The Inventory and Assessment is also based on data collected by SCCD staff who conducted an enhanced physical function Proper Functioning Condition (PFC) assessment of each stream reach. The SCCD assessment addresses segments of the following systems: Spokane River (including Lake Spokane), Little Spokane River, West Branch of the Little Spokane River, Deadman Creek, Dragoon Creek, Hangman (Latah) Creek, Rock Creek, and Pine Creek. The SCCD Report also provides additional information for use in analyses of stream processes, wildlife use, and the current and potential future land use impacts. Functional-at-risk (FAR) reaches were usually a direct result of significant past or current land use influences. Residential and urban development, shoreline modifications, livestock grazing, degraded riparian ecological communities, road encroachments, agricultural production, and moderate to severe stream bank erosion were often typical in these reaches. Hangman Creek was by far the most critical system in Spokane County. Sixty three percent (63%) of its shorelines rated as FAR. Rock Creek, a major tributary of Hangman Creek, had 36 percent of its shorelines rated as FAR. The trends associated with FAR reaches were upward and downward, dependent upon the site conditions and the level of river current influence.

Nonfunctional (NF) conditions were not common throughout the watersheds in Spokane County. These reaches exhibited severe hydrological problems such as lateral and vertical instability. Significant erosion and inadequate or absent riparian plant communities were characteristic. Hangman Creek was the only system identified with a NF rating (one reach). However, there were reaches in Hangman Creek and others that were listed at the lower end of FAR that could eventually result in a NF condition rating in the future. The SCCD inventory and assessment rated restoration potential of the individual stream reaches as good, fair, or poor. Streams rated as good and fair were included as having potential for restoration.

Additional analysis by the SCCD Report verifies that only five percent of the riparian-wetland habitats (48 river miles) are rated in good condition, 47 percent (89.8 river miles) in fair condition, and 28 percent (53.6 river miles) are characterized as poor condition. The Spokane River, the largest system in Spokane County, has only 24 percent (14.4 river miles) of its plant communities rated in good ecological condition. The Little Spokane River has more river miles in good ecological condition than any other system in Spokane County (10.5 river miles or 27 percent). Rock Creek, a tributary to Hangman Creek, has the highest percentage of its system rated as good ecological condition (63 percent or 9.8 river miles). The majority of the reaches in Spokane County are rated in Fair condition. These reaches are often either slightly disturbed from human influences or are naturally limited in their potential. Table 1 illustrates these streams ecological conditions.

TABLE 1
Ecological conditions of Spokane County SMP streams/river reaches

	Ecological Condition					
	Good		**Fair**		**Poor**	
Stream/River	**RM(1)**	**Percent(2)**	**RM**	**Percent**	**RM**	**Percent**
Spokane River(3)	14.4	24	32.2	55	12.4	21
Little Spokane River	10.5	27	19	48	9.7	25
West Branch Little Spokane River	1.6	41	1.8	46	0.5	13
Dragoon Creek	1.8	15	9.5	75	1.3	10
Deadman Creek	0	0	7.0	100	0	0
Hangman (Latah) Creek	9.9	20	17.5	35	22.9	45
Rock Creek	9.8	63	2.8	18	3.0	19
Pine Creek	0	0	0	0	3.8	100
Total	**48**	**25**	**89.8**	**47**	**53.6**	**28**

Notes:
(1) River miles; all miles are approximate measurements
(2) Percent values are based on individual streams
(3) Lake Spokane is considered part of the Spokane River

One hundred percent of Deadman Creek is rated in fair ecological condition. A significant portion of Dragoon Creek (75 percent or 9.5 river miles) and over half of the Spokane River (54 percent or 32.2 river miles) are also listed in fair condition. A significant fraction of Spokane County shorelines are rated in poor ecological condition (28 percent or 53.6 river miles). Hangman Creek and the Spokane River comprise the majority of these reaches (66 percent or 35.3 river miles). These areas usually exhibit accelerated erosion, poor land use management, highly modified shorelines (bulkheads and lawns), or altered natural conditions (impoundment).

Hangman Creek exhibits the worst ecological conditions in Spokane County. Approximately 45 percent (22.9 river miles) of its shorelines are characterized as poor condition. Historic and current agriculture, livestock grazing, and urban/road encroachment are responsible for a majority of the modifications, loss of floodplain continuity, and general absence of riparian vegetation. The Little Spokane River and the Spokane River also contain large continuous reaches of poor condition ratings, while all of Pine Creek is listed in poor (poor-fair) condition.

Based on the ecological conditions and potential for restoration identified in the Landau Associates Report, the stream reaches in Table 2 in Appendix C are designated for restoration. Without restoration activities the functional downward trend will accelerate. Table 2 specifies the shoreline segments that are categorized for restoration, the general strategies necessary to restore their ecological functions and restoration timelines. Table 2 also generalizes impacts resulting from shoreline disturbances and outlines the benefits to be realized from restoration activity.

12.4.8 Shoreline Restoration Implementation

Shoreline restoration will be realized through a combination of activities to include but not be limited to site-specific shoreline planning and mitigation, incentive based regulatory activities, use of incentive focused resource protection/restoration programs identified in Element 5 and Appendix A. Additionally, implementation of the public education program as envisioned in Element 3 is essential to impressed upon shoreline owners the significance of their shoreline stewardship responsibilities.

The shoreline restoration actions suggested in Tables 1 and 2 in Appendix C will be accomplished primarily as a result of volunteer efforts of individuals, landowners, volunteer organizations and, in some cases, public and private agencies. Preparation of restoration strategies should consider the information in the three technical reports cited in this Element. The strategies should also consider the education tools in Element 3 and the technical assistance resources cited in Element 5 and Appendix A. A qualified ecologist or team of experts in shoreline/riparian ecology shall be retained to assist in developing effective shoreline restoration plans and such plans shall at a minimum include a site specific restoration element, implementation element, performance assessment process, adaptive management techniques and provision for dissemination of plan implementation results.

With projected budget and staff limitations, Spokane County does not anticipate leading many restoration projects or programs. However, the County's Shoreline Management Program represents an important vehicle for facilitating and encouraging restoration projects and programs that could be led by a combination of public and private entities and having shoreline resource management interests. It is also expected that the list of restoration opportunities listed in Tables 1 and 2 in Appendix C may change over time, that new projects may be identified and existing opportunities may become less relevant as restoration occurs and as other environmental conditions, or our knowledge of them, change.

12.4.9 Restoration Project Evaluation

When a shoreline restoration project is proposed by any entity within Spokane County the project shall be evaluated to ensure that the project's objectives are consistent with this Restoration Plan. When evaluating potential restoration projects, priority should be give to projects most meeting the following criteria:

- Restoration meets the goals and policies pertaining shoreline protection and restoration.
- Restoration avoids residual impacts to other shoreline functions or processes.
- Projects address a known degraded condition.
- Conditions that are progressively worsening are of greater priority.
- Restoration has a high benefit to cost ratio.
- Restoration is feasible, such as being located on and accessed by public property or private property that is cooperatively available for restoration.
- Restoration measures shall not adversely impact upstream or downstream properties.
- There is public support for the project.
- The project is supported by and consistent with other restoration plans, such as those for Water Resources Inventory Areas 54, 55, 56 and 57.

The five components of a restoration project plan shall at a minimum include the following: specific site plan, implementation, performance assessment strategy, adaptive management techniques, and dissemination of results. The Department of Building and Planning will develop a project "score card" as a tool to evaluate projects consistent with these criteria. In developing the score card, the Department will consult with other entities having expertise and experience in shoreline or riparian restoration and protection.

12.4.10 Shoreline Protection Implementation

This section addresses protection and maintenance of shorelines of the state not listed for restoration in Tables 1 and 2 in Appendix C. Section 4.3 outlines the lake and stream shorelines categorized for preservation and maintenance. Protection of shoreline areas helps to maintain the high quality of life that is enjoyed by the residents of Spokane County. Shoreline areas play valuable roles in water storage, stormwater disposal, flood prevention, water quality preservation, habitat for fish and wildlife as well as providing recreational opportunities. Protection of shorelines makes economic sense, since the alternative is expensive and time consuming regenerating the lost ecological values.

The underlying approach to shoreline protection is to rely on the regulatory measures and processes specified in Element 6 and the public education strategy outlined in Element 3. The education strategy's primary goal is to promote a sense of shoreline stewardship to the public by focusing education effort toward private conservation organizations, businesses related to shoreline development, individual landowners and the general public.

Primary regulatory tools which will be utilized to protect shorelines are the use activity regulations in Sections 4 and 5 of the revised Shoreline Management Program Protection and the Critical Areas Ordinance. These regulations will promote maintenance of critical natural shoreline functions and values and avoid a net-loss of ecological functions. These regulations require shoreline developments to be designed and operated in manner which prevents a net-loss of shoreline ecological function. Other primary tools referenced in Element 6 of this plan include the Spokane County Zoning Code and the Comprehensive Plan. Both documents allow for very low density of development of shoreline areas located outside of the Urban Growth Area (UGA). The bulk of the shoreline areas in Spokane County are located outside of the UGA. The bulk of the shorelines within the UGA subject to this revised Shoreline Management Plan are in public ownership and are not planned for development. For a description of other regulatory and non-regulatory tools which will be utilized to implement the shoreline protection and restoration goals and policies specified in Element 1, refer to Element 6 of this plan.

To assure effective implementation of the this Element, the Department of Building and Planning will display a map in the permit office showing the shoreline designations and denoting the river and lake shoreline reaches as specified in Appendix B, the Landau Associates Report. The reaches will symbolically display the protection/restoration actions appropriate to each reach as specified in this element and in the Landau Associates Report.

Implementation of the public education strategy outlined in Element 3 is another primary tool that will be relied upon to protection shorelines. This element is essentially a "preventative medicine" approach. Element 3 promotes a public education outreach program with the purpose of informing persons interested in or using shoreline areas to avoid actions which adversely impact shoreline ecological function. It is intended to instill a sense of shoreline stewardship responsibility. If this approach is successful it will prevent degradation of shoreline areas and thereby avoid expensive shoreline restoration and/or irreversible/permanent damage to shoreline ecology.

12.4.11 Development Opportunities

The Department of Building and Planning will work with shoreline development proponents (during permit review or implementation of capital facility plans) to achieve shoreline protection and restoration as one of several elements to an overall environmental impact mitigation strategy. One mitigation strategy may include off-site shoreline restoration in lieu of on-site mitigation. The Department of Building and Planning will develop a list of shoreline restoration/mitigation opportunities based on a detailed review of the shorelines listed in Tables 1 and 2 in Appendix C.. The restoration opportunities specified in Tables 1 and 2 will effectively serve as a master list of candidate restoration projects.

The use of the restoration opportunity list would apply when a proposed shoreline development degrades shoreline's ecological functions, triggering the no net-loss of ecological function requirements of Sections 4 and 5 of the revised Shoreline Management Program. In certain cases, on-site mitigation opportunities may be extremely limited due to building site constraints, limited potential ecological gains, or other site-specific factors. In these instances, the jurisdiction shoreline manager will identify off-site restoration/mitigation opportunities for a shoreline developer from the list of restoration opportunities. During project review, the shoreline manager would identify an appropriate off-site restoration/mitigation opportunity that is proportional to the shoreline impact on ecological function resulting from the shoreline development project. The detailed mitigation strategy will then be developed and implemented by the project proponent consistent with the requirements of Section 4 of the revised Shoreline Management Program.

In order to assure effective implementation of the this Element, the Department of Building and Planning will display a map in the permit office showing the shoreline designations and denoting the river and lake shoreline reaches as specified in Tables 1 and 2 in Appendix C. The reaches will symbolically display the generalized protection/restoration actions appropriate to each stream reach and lake shoreline. A shoreline restoration opportunity list referred to in the above paragraph will also be maintained in the Department for shoreline project proponents and the general public to review.

12.4.12 Mitigation Banking

Another tool available to protect and restore shoreline areas is the development and implementation of a shoreline mitigation banking program. Such a program would provide for a shoreline project proponent with the option to deposit funds in a mitigation bank under the custody of Spokane County. The funds would equal or exceed the costs of restoring lost ecological function resulting from the proponent's shoreline development. Spokane County would have the discretion to combine the funds with other funds in the mitigation bank and restore shoreline segments listed in Table 1 and 2 in Appendix C. The funds will be expended within a specific time period not to exceed 2 years. If possible, the restored shoreline segment should be as near as possible to the project site and should realize substantial benefits as outlined in Table 1 or 2 in Appendix C, whichever table lists the shoreline segments. The project proponent shall be responsible for retaining the expertise to evaluate the costs of the loss in shoreline ecological function resulting from the project and the full costs of restoring the shoreline segment selected by Spokane County. In addition, the project proponent shall add an additional 30% to the estimated cost to cover Spokane County's expenses to be incurred retaining and monitoring the entity which provides the shoreline restoration services. This requirement relates to the expenses which are exclusive of the actual costs of shoreline restoration labor and materials. All mitigation banking funds will be remitted to Spokane County prior to issuance of development approvals.

12.4.13 Shoreline Restoration Strategies

The shoreline restoration strategies specified in Tables 2 and 3 and outlined below are intended to provide generalized prescriptions for areas with compromised ecological functions and values. These prescriptions, however, require site specific assessments by qualified ecologist to collect detailed information relating to native plant assemblages, topography, and other site attributes. Once these assessments are conducted by a qualified wetland/riparian specialist, a detailed site restoration plan will be developed. Often site restoration plans require a combination of professional services including, but not limited to, geotechnical, civil engineering, landscape architecture, and wetland/riparian specialists. The restoration strategies addressed in Tables 2 and 3 are generalized as follows:

12.4.14 Passive Bioengineering

This restoration strategy is most appropriate for areas of moderate site disturbance and relatively intact habitat conditions. This strategy includes:

- Planting of native vegetation that mimics the adjacent plant communities. Communities should include shrubs, trees, and herbaceous components.
- Minimal grading or sloping to replicate natural topography.
- Drip irrigation to increase survivability of introduced vegetation.
- Monitoring and evaluation of plant survivability, including noxious weed removal, and replacement of dead vegetation.
- Livestock exclusion (through fencing and alternative stock watering systems) or livestock rotation to eliminate or minimize compaction of soil and impacts to native vegetation.
- Toe-slope armoring including native vegetation plantings.
- Slope stabilization including placement of bio-fabric, straw bale, erosion fencing, and straw waddles.

12.4.15 Hard Bioengineering

This restoration strategy is most appropriate for areas that have been moderately to severely modified or impacted. Often these areas require drastic changes to the local topography, drainage, and function and values. This strategy includes:

- Slope modifications using heavy equipment including backhoes, trackhoes, bulldozers, etc.
- Toe-slope armoring including large boulder placement, rip-rap, large woody debris placement, rock and wood barbs, and rootwad placement.
- Slope stabilization including trenched willow waddles, gabions, and large rock or wood debris placement.
- Excavation of site to properly mimic natural conditions found pre-disturbance.

12.4.16 Native Plant Enhancement

This restoration strategy is most appropriate for areas that have been minimally disturbed and require less intervention to reestablish natural functions and values. This strategy includes:

- Planting of vegetation communities that closely mimic conditions found at intact sites adjacent to the area. Communities should include shrubs, trees, and herbaceous components.
- Use available hydrology necessary for the reestablishment of vegetation where drip irrigation is not necessary.
- Placement of small quantities of plant material in areas that have fairly intact habitat conditions to improve function and value.
- Placement of tree and shrub habitat components that are focused in providing habitat connectivity or canopy cover for fish and wildlife values.

12.4.17 Native Grass Strip Buffers

This restoration strategy is most appropriate for areas that require stabilization, filtration, and storage functions near adjacent water bodies. This strategy should be applied in areas adjacent to impervious surfaces, roadways, or other areas where native vegetation placement is not possible. This strategy includes:

- Planting of native grasses that are prevalent in the surrounding areas.
- Minor scarification of planting area to facilitate adequate germination, water storage, and rooting.
- Adequate mulching to protect grass seed and to provide moisture for an extended period of time.
- Monitoring and evaluation to include periodic watering, removal of noxious or invasive plants, and replacement of seed in areas of low grass reestablishment.

12.4.18 Buffer Requirements

This maintenance strategy implements buffer requirements, based on Best Available Science, to exclude encroachment into the established buffer area. This strategy maintains current ecological function and values. Encroachment into defined buffer areas requires mitigation under the Spokane County Critical Areas Ordinance.

12.4.19 Hydrology enhancement/alteration

This strategy provides re-establishment of natural hydrology to include:

- Culvert replacement removal.
- Dike removal or maintenance.
- Artificial drainage removal (tiling, ditching, etc.)
- Floodplain reconnection
- Barrier removal

12.5 Element 5 - Shoreline Restoration Incentives

The restoration plan must be coordinated with other components of a master program. As required by the Shoreline Master Program Guidelines (WAC 173-26), restoration planning has a particular purpose that exists separate from development regulations. The Guidelines focus restoration requirements on the use of master program "policies," as opposed to "development regulations." Under the guidelines, local governments will not require individual permittees to restore past damage to shorelines as a condition of permit approval for new development, although the permittee must fully mitigate for any new impacts. Restoration planning should describe the coordination of existing environmental restoration plans and programs, and emphasize economic incentives, participation in public agency resource management programs, use of private funding sources and implementation of the Education Element (Element 3) of this plan.

The regulatory tools listed in Element 6 are not intended to require restoration of shorelines which were degraded prior to the adoption of the updated shoreline master program. They can, however, be used to provide the opportunity for future restoration. Shoreline Management Guidelines (WAC 173-26) specifies that effective restoration strategies hinge on a public education strategy and the use of incentives which encourage shoreland owners to restore degraded shorelands. If the public is educated regarding degraded shorelines and their implications to shoreline ecological condition as recommended in Element 3, the public and specifically shoreland owners, will be motivated to be much better stewards in the protection and restoration of shoreline ecological systems**.** The following is a list of existing efforts which encourage shoreland owners to restore degraded shorelines. Refer to Appendix A for more information regarding these programs and for web links to resource agency sites for more program details.

Spokane County Conservation District (SCCD) Buffer Cost-Share Program
This program includes different cost share rates on riparian replanting and other best management practices components (off-creek watering, fencing, plants). This SCCD program offers cost-share on such practices as stream-side fencing, off-creek watering facilities, buffer plantings, grass only, irrigation weed control (2 yr maintenance). Buffers may vary, but most are narrow strips of land, planted with permanent vegetation, either grass, shrubs, and/or trees.

Backyard Conservation Program (SCCD Program)
A specific program providing revegetation advice that will help transform a yard into a natural haven for birds, blooms, and beauty. The program demonstrates how conservation practices that are used on agricultural land across the country to conserve and improve natural resources can be adapted for use on the land around a land owners home.

Water, Wetlands, Ponds Program (SCCD Program)
This program provides information to the public on water rights, water testing and maintaining local watersheds. This program assists landowners in the protection of wetlands and the design and implementation of artificial ponds.

Stewardship Incentive Program (SCCD Program)
This program provides financial assistance to support conservation efforts of farmers, ranchers or small acreage owners. Through partnerships with state and federal agencies, the SCCD can provide access to assistance for conservation practices such as irrigation and water management, erosion and flood control, animal waste management, and habitat restoration.

Sediment Reduction Program (SCCD Program)
SCCD assists agricultural producers to development and implement management practices to reduce sediment in our streams and rivers. Eligible practices include grassed waterways, buffer plantings and sediment basin Best Management Practices. The program can be combined with others such as CRP, EQUIP to ensure that the agricultural operation works economically and environmentally. Form more information contact SCCD at 509-535-7274.

Watershed Conservation/Habitat Restoration Program (NRCS and SCCD Program)
This program is funded by the Natural Resource Conservation Service pursuant to the Federal Wetland Reserve Program and administered by Spokane County Conservation District. The District uses the funding to acquire trees and shrubs and plant them in shoreline areas with the intent of rehabilitating the shoreline/riparian ecosystem.

Inland Northwest Land Trust (INLT)
INLT identifies high ecological value land and negotiates long term conservations easements or outright land purchases. Some of these easements and purchases include shorelands.

Forestry Riparian Easement Program (DNR Small Forest Landowner Office)
The purpose of the easement program is to protect the qualifying timber and its associated riparian functions. Unlike a typical easement involving property or a road, a forestry riparian easement covers only qualifying timber (those trees which a landowner cannot harvest under the DNR Forest Practices rules) leased to the state by a small forest landowner.

The Newman Lake Property Owners Association (NLPOA)
NLPOA is a longstanding non-profit organization of volunteer citizens promoting preservation and enhancement of the Newman Lake Watershed through education and community involvement. A sub-committee of the NLPOA whose primary concern is promoting land use practices that maintain natural ecosystem functions in the watershed and aid in improving Lake Water quality.

Newman Lake Flood Control Zone District (NLFCZD)
The NLFCZD funds Newman Lake watershed protection activities. The District works with landowners and advises them on watershed protection measures.

Washington Department of Fish and Wildlife (WDFW)
The WDFW has both regulatory and non-regulatory programs that seek to protect, enhance, and restore shoreline areas. Below are some of the many non-regulatory programs that WDFW supports:

Backyard Wildlife Sanctuary Program(WDFW)
This program is managed by the WDFW Wildlife Program and designed to help landowners help wildlife around their home by enhancing native habitat. Some properties are adjacent to streams and lakes.

Landowner Incentive Program (LIP) (WDFW)
The LIP is a competitive grant process to provide financial assistance to private landowners for the protection, enhancement, or restoration of habitat to benefit "species at risk" on privately owned lands. Species at risk is defined for LIP as any fish or wildlife species that is federally or state listed as threatened or endangered, is proposed or is a candidate for listing as threatened or endangered, as well as any other animal species determined to be at risk by WDFW. This program applies to landowners with frontage on streams and lakes.

Watershed Stewardship Program (WDFW)
A primary role of the Watershed Stewardship Team (WST) biologists is to coordinate the agency's multiple resources in local planning and recovery efforts for salmonids, particularly those of Lead Entities and Regional Recovery Planning Boards.

Water Quality/Centennial Clean Water Program(Washington State Department of Ecology)
This program funds the Shoreline Inventory and Assessment Project referred to in Element 4 of this Plan. The program also includes a Total Maximum Discharge Limits (TMDLS) assessment of the Spokane River. This program established maximum pollution discharge rates for a variety of chemical pollutants which are intended to improve the water quality and ecosystem of the Spokane River.

Environmental Quality Incentives Program (Natural Resource Conservation Service [NCRS] Program)
The Environmental Quality Incentives Program provides technical, educational, and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands. The program provides assistance to farmers and ranchers in complying with Federal, State, and Tribal environmental laws, and achieves its ends through the implementation of a conservation plan which includes structural, vegetative, and land management practices on eligible land.

Wetlands Reserve Program Plant Materials Program (NRCS Program)
The purpose of the program is to provide native plants that can help solve natural resource problems. Beneficial uses for which plant material may be developed include wetland restoration, water quality improvement, streambank and riparian area protection and other special conservation treatment needs.

Wildlife Habitat Incentives Program (NRCS Program)
The Wildlife Habitat Incentives Program provides financial incentives to develop habitat for fish and wildlife on private lands. Participants agree to implement a wildlife habitat development plan and USDA agrees to provide cost-share assistance for the initial implementation of wildlife habitat development practices.

Watershed Program (NRCS Program)
The Small Watershed Program works through local government sponsors and helps participants solve natural resource and related economic problems on a watershed basis. Projects address watershed protection, erosion and sediment control, water quality protection, fish and wildlife habitat enhancement, wetlands creation and restoration, Both technical and financial assistance are available.

Landowner Incentive Program (LIP)(US Fish and Wildlife Service)
The purpose of this program is to provide grants to support on-the-ground projects that enhance, protect, or restore habitats that benefit "species-at-risk" on privately owned lands. Private landowners, individually or as a group, can submit project proposals.

Emergency Watershed Program (EWP) - Floodplain Easement Option
The Emergency Watershed Program (EWP) provides for NRCS purchase of floodplain easements as an emergency measure. Floodplain easements restore, protect, maintain, and enhance the functions of the floodplain; conserve natural values including fish and wildlife habitat, water quality, flood water retention, ground water recharge. NRCS may purchase EWP easements on any floodplain lands that have a history of repeated flooding (i.e., flooded at least two times during the past 10 years). A landowner voluntarily offers to sell to the NRCS a permanent conservation easement that provides the NRCS with the full authority to restore and enhance the floodplain's functions and values. NRCS may pay up to 100% of the restoration costs. For more information go to http://policy.nrcs.usda.gov/scripts/lpsiis.dll/M/M_440_514.htm or http://www.nrcs.usda.gov/programs/wrp/

North American Wetlands Conservation Act Grants Program (NAWCA) (US Fish and Wildlife Service)
The purpose of this program is to provide funding to support the long-term protection of wetlands and associated uplands habitats needed by waterfowl and other migratory birds in North America. Projects must support long-term wetlands acquisition, restoration, and/or enhancement. Organizations and individuals who have developed partnerships to carry out wetlands conservation projects may participate.

Partners for Fish and Wildlife (PFW) (US Fish and Wildlife Service)
The purpose of this program is to support voluntary restoration of wetlands and other fish and wildlife habitats on private land through public-private partnerships. Projects are designed to restore native habitat to as near a natural state as possible.

Private Stewardship Program (PSP) (US Fish and Wildlife Service)
The purpose of this program is to provide grants and other assistance on a competitive basis to individuals and groups for voluntary conservation efforts to benefit federally listed, proposed, or candidate species, or other at-risk species on private lands. Private landowners and groups and organizations that partner with landowners may participate in this program.

Spokane County Open Space Taxation Program
Spokane County participates in the open space tax program pursuant to Chapter 84.43 RCW. This program provides the benefits to owners that keep their property undeveloped or in certain less intensive uses. The County will develop a “public benefit rating system” that can be used as a strategic shoreline protection tool by assigning relative benefit to open space properties based on the link between natural resource features on the property and their ecological function within the jurisdiction of the Shorelines Management Program. Property owners whose land is subject to the Shoreline Management Program may wish to investigate whether or not they are eligible for a reduction in their property taxes.

The Conservation Futures Program (Spokane County)
This program provides a means for counties to acquire lands and habitats important to the preservation of wildlife or lands having significant recreational, social, scenic, or esthetic values.

Revenue for the program is generated through property taxes. The tax cost for a homeowner is $6.00 per year for a $100,000 home raising about $920,000 each year in funds. The county has also leveraged the taxpayers money to get grants to restore wetland habitat on parcels previously farmed. The administration of this program is by volunteers, and existing parks staff and 100% of the funds are used to purchase desirable sites. The site characteristics are evaluated to determine those properties that contain the highest ability to preserve habitat areas, they are reviewed for such features as quality of wildlife habitat, water access, threat of development and loss, and need within an area and connection to existing habitats. The Program has acquired and will continue to acquire shoreline properties.

Cluster Development Near Shorelines

Landowners and developers seeking to develop land outside of the Urban Growth Area are encouraged to consider use of Spokane County's clustering provisions in the Spokane County Zoning Code which allow for small lots and in some cases higher densities if residential development can be clustered on the site away offering greater protection for shoreline areas. Information regarding clustering can be found in Sections 14.618.220 and 14.820 of the Zoning Code which is available on the Department's website at http://www.spokanecounty.org/bp and prompt "documents and ordinances" or call the Department at 509-477-7200.

Again, please refer to Appendix A for more information regarding these programs or for an e-link for more details. Additionally, Appendix A includes descriptions of other shoreland related resource conservation programs.

12.6 Element 6 - Implementation

This Element sets forth the primary regulatory tools available to effectively implement the shoreline **protection** goals and policies. The tools listed below are not necessarily the only tools available. As other tools are recognized, and their use is proven, they will be added to the list below. This element is intended to implement the goals and policies pertaining to shoreline protection. Goals and policies related to shoreline **restoration** will be implemented on a volunteer basis through implementation of Elements 3, 4 and 5 of this Plan. The tools listed below, by themselves, will not necessarily fully implement the shoreline protection goals and policies in Element 1. The tools must be administered in concert with the implementation of Elements 2 through 5 of this Plan in order to effectively protect Spokane County's shorelines. Implementation tools are as follows:

12.6.2 Shoreline Management Regulations

Spokane County's Shoreline Management regulations will be amended to require that proponents of new substantial development and some exempt improvements which disturbs the shoreline environment prepare a report demonstrating that there will be no net-loss of ecological function. The report is to be prepared by a person who is recognized as a Spokane County Qualified Biologist.. The term "no net-loss" infers that a portion of the shoreline may be degraded while another portion of the shoreline may be reasonably restored or enhanced in some scientifically credible manner, off-setting any degradation. Areas to be restored or enhanced should be in reasonably close proximity to the disturbed shoreline. The revised shoreline regulations implementing this Element will define the term "close proximity." The Director of the Department of Building and Planning may allow off-site mitigation exceeding 1,000 feet from the applicant's property under the following conditions:

a. Spokane County has adopted a shoreline restoration program identifying and prioritizing the restoration of certain degraded shorelines.
b. the applicant proposes a specific strategy to restore a shoreline prioritized for restoration as specified in the restoration program referenced in item "a" above.
c. the applicant demonstrates that the restoration strategy referenced in item "b" above is a more effective alternative strategy compared to on-site restoration/mitigation based on an analysis by a qualified ecologist accepted by the Director of the Department of Building and Planning.

d. the shoreline functional values at the site of the proposed restoration are significantly greater than the anticipated lose of shoreline ecological functions.

12.6.3 Critical Areas Ordinance

This ordinance as it currently exists protects lake and river shoreline areas through enforcement of required no disturbance buffers. Also, the ordinance discourages excessive road building and all-terrain vehicle usage near shorelines. Priority wildlife habitat areas are also given recognition by the ordinance and any disturbance of these areas may require a habitat management plan approved by the Washington State Department of Fish and Wildlife. This ordinance should be amended to resolve any conflicts or disparities between it and the updated Shorelines Management Plan so that these protection tools work harmoniously together. Lakeshore buffers should be imposed to afford the same level of protection provided to river shorelines.

12.6.4 SEPA Ordinance

The Spokane County Environmental Ordinance provides authority to require non-exempt shoreline development to mitigate adverse impacts to the shoreline environment resulting from development. Mitigation techniques should include no net-loss development strategies.

12.6.5 Comprehensive Plan

Incorporation of Shoreline Protection and Restoration Goals and Policies in the Comprehensive Plan will provide sound policies basis upon which to amend land development ordinances and provide shoreline protection measures. Protection of the shorelines is passively accomplished by the current Comprehensive Plan due the large percentage of the shoreline areas that are classified for very low density development.

12.6.6 Zoning Code

Amend the Zoning Code to reference shoreline protection measures in the SMP so that notice to the public is enhanced regarding compliance responsibilities. Spokane County has the option of incorporating the Shoreline Management Program regulations into the Zoning Code or combining them with the Critical Areas Ordinance. This assures zoning regulations will mesh with shoreline management regulations providing for more effective and consistent administration.

12.6.7 Subdivision Ordinance

The subdivision ordinance will assure that shoreline areas subject to the Spokane County Shoreline Management Program within plats, short plats and binding site plans will be managed consistent with the goals and policies of this plan.

12.6.8 Class IV Forest Management/Conversion and Permit Administration

Spokane County is responsible to administer the Class IV forest practices permit for the Department of Natural Resources pursuant to the Forest Practices Act. Class IV permits primarily relate to conversions of forest land to non-forestry uses. The revised SMP regulations should address Class IV permits and require that activity allowed by these permits comply with all requirements of the SMP. In its review of Class IV permits Spokane County should inform landowners harvesting timber and converting land to non- forestry uses of their responsibility to comply with shoreline protection requirements of the SMP.

12.6.9 Joint Aquatic Resources Permit Application Process

The Joint Aquatic Resources Permit Application (JARPA) is a generic application form for all federal, state, and local permits governing activities in aquatic and wetland environments. The JARPA review process is used by federal, state and local resource management and planning agencies as a means to collaborate on the review of shoreline and water related developments. Spokane County uses JARPA as its application for review of developments proposed in jurisdiction of the Shorelines Management Act. Use of JARPA is intended to help permit applicants by cutting red tape, since only one application is required instead of a separate application for each type of federal, state, or local permit. Use of JARPA is also designed to help assure that applicants are

informed of all applicable state and local development regulations. This process will also serve as a tool to implement shoreline protection policies and regulations, for both substantial developments and activities which are exempt from the substantial development permit.

12.6.10 Violation Remediation

Spokane County will monitor development of the shorelines following the granting of development approval to assure that approved no net-loss strategies are properly applied. Spokane County will vigorously pursue remedial action. Should development and operations occur which conflict with the approved no net-loss development strategy. Exempt and illegal development which degrades the shoreline ecological function will also be subject to the no net-loss policy of this plan and timely remedial actions which restores the ecological function of the degraded shoreline. Property owners violating the use regulations and no net-loss policy of this plan will be required to initiate timely remedial actions which restores the ecological function of the degraded shoreline.

12.6.11 Watershed Management Program

The current watershed planning effort was initiated in 1998 when funding was provided by the Washington State Department of Ecology under RCW 90.82. Spokane County is the Lead Agency and one of the initiating governments in completing these watershed planning efforts for the Little Spokane River, Latah River Watersheds and Spokane River watersheds (WRIAs 54, 55, 56 and 57 respectively). Components of watershed planning include a required water quantity element and optional water quality, habitat, and instream flow elements and an optional component of analyzing instream flow. All 3 WRIA plans include sections addressing the issue of 'habitat and land use' which include shoreline protection and restoration policies and action statements and providing that such activity is essential to maintaining environmental integrity intended to result in improving water quality. The primary purpose of the planning program is to maintain, conserve and protect water quantity and quality for use and support of human activity but also to protect and enhance wildlife. The draft programs recommend a public education program regarding conservation of watershed resources including associated riparian areas.
(http://www.spokanecounty.org/wqmp/projects/ASP/WhosIn.asp)

12.6.12 Latah Creek Comprehensive Flood Hazard Management Plan

This Spokane County Plan proposes that land use and development regulations be used as tools to conserve and protect the Latah Creek Channel Meander Belt which is illustrated on Channel Maps in Appendix A of the Plan. The Latah Creek Channel Meander Belt is an area adjacent to or near Latah Creek which is subject to inundation from the creek waters due to the occurrence of long term natural creek channel meandering processes. The plan specifies that development be extremely limited in the Meander Belt including emergency shore protection/stabilization improvements. The plan encourages that improvements locating within the Meander Belt be reviewed by a professional fluvial geomorphologist or civil engineer with hydraulic experience. The review should include a detailed assessment of the site's meander width and potential for erosion or flooding and also include a determination regarding the improvement's potential to result in interference with Latah Creek's long term natural meandering processes. Improvements which interfere with Latah Creek's long term natural meandering processes should not be allowed.

12.6. 13 Protection and Restoration Monitoring

Spokane County will maintain a list of consultants who are qualified and available to evaluate shoreline development and recommend strategies that achieve no net-loss of ecological function. The consultants will be utilized to monitor no net-loss mitigation strategies and assure that they are properly implemented. Retained consultants will be required to monitor implementation of those strategies to assure they are effectively applied and report their findings to Spokane County.

Every 3 years Spokane County will engage in a county-wide evaluation of the protection strategies and compile a report analyzing their success or lack of success. The report will include recommendations to improve policies and procedures which will improve the success of shoreline protection and restoration strategies. The evaluation will consider consultant monitoring reports,

on-site analysis of selected sites and review of administration techniques and strategies to implement this plan. Examples of the site characteristics that will be reviewed include habitat complexity, canopy coverage, water temperature, habitat diversity, properly functioning condition, shoreline stability, vegetation species and extent of coverage.

Consistent with WAC 173-26-186, the strategy for achieving the restoration potential on private properties is to encourage development applicants to include activities that restore shoreline functions in the immediate vicinity as components of redevelopments, to the extent allowed by constitutional and other legal limits. The timing and extent of restoration on private properties is a function of timing and other decisions made by the private sector.

The SMP regulations that may be relied upon to promote restoration of shoreline functions are summarized above in this Element. Restoration is an action, or actions that reestablish or upgrade ecological shoreline functions through measures that rehabilitate or reestablish physical, chemical, or biological site characteristics. Examples include revegetation, removal of intrusive shoreline structures, and removal or treatment of toxic sediments. Restoration does not imply returning the shoreline area to aboriginal, or pre- European settlement conditions. The SMP regulations may include requirements which provide for:

- restoration of the shoreline where nonwater-dependent uses are proposed;
- reviewing mitigation measures to ensure that opportunities to recover ecological all functions are not precluded;
- requiring that unnecessary impervious surfaces be removed and buffers be provided which enhance or restore properties which are being redeveloped
- provisions for mitigation to occur during or shortly after project construction through through adaptive management and post development monitoring of the status of mitigation

12.6.14 Capital Facilities Planning and Implementation

The Growth Management Act, RCW 36.70A requires participating jurisdictions to develop a capital facilities plan and incorporate it into the Comprehensive Plan. The plan is intended to address the location and growth of various public services for a 6 year period. Spokane County has complied with this GMA requirement by including a capital facilities element in the Comprehensive Plan. Additionally, GMA requires annual updates of the plan. The plan addresses sewage disposal and water supply systems, stormwater facilities, schools, libraries, fire protection, solid waste disposal and essential public facilities. The plan updates should address impacts on shorelines and incorporate goals and policies which require that capital facility location and development avoid shoreline degradation and reduction of public access to the shoreline. The updated plan should specify that agencies developing or enhancing capital facilities comply with the requirements of the Shoreline Management Program.

In order to increase awareness of potential restoration opportunities, Spokane County will provide the information in this plan, to include the appendices, to property owners owning shoreline properties that have been identified as presenting restoration opportunities. It will also be included in pre-application materials provided to potential applicants for shoreline related permits and persons requesting exemptions.

APPENDIX A OF SECTION 12

Inventory of Shoreline Protection and Restoration Efforts Sponsored by Federal, State, Local and Private Organizations

CONTENT SUMMARY

Watershed Stewardship Program – Sub-basin Planning

10. Liberty Lake Sewer and Water District

11. Washington State Department of Parks and Recreation (WSP&R)

12. Washington State Department of Ecology (DOE)
    Polluted Runoff in Washington State - Education about Polluted Runoff
    Aquatic Weeds Financial Assistance Information for Washington State
    Water Quality/Centennial Clean Water Program

13. Natural Resource Conservation Service (NRCS)
    Environmental Quality Incentives Program (EQIP)
    Wetlands Reserve Program (WRP)
    Wildlife Habitat Incentives Program (WHIP)
    Conservation Technical Assistance (CTA)
    Plant Materials Program
    Soil Survey Program
    Watershed Program (PL-566)
    Conservation Innovation Grants (CIG)
    Conservation Reserve Program
    Emergency Watershed Program (EWP) - Floodplain Easement Option
    Other Federal Conservation Incentive Programs

14. Spokane County
    Critical Areas Ordinance Administration Program
    Stormwater Management Guidelines
    Joint Aquatic Resources Permit Application Review Process (JARPA)
    Watershed Management Program
    Spokane County Parks and Recreation Department

15. Avista Company

16. Northwest Power and Conservation Council (NPCC)

17. United States Environmental Protection Agency
    Brownfields Program

18. US Fish and Wildlife Service
    Landowner Incentive Program
    North American Wetlands Conservation Act Grants
    Partners for Fish and Wildlife
    Private Stewardship Program

19. Other State Funding Programs Supporting Shoreline Restoration
    Bibliography

AGENCIES AND PROGRAMS

1. Spokane County Conservation District (SCCD)
(http://www.sccd.org/)

SCCD Buffer Cost Share Program
This program includes different cost share rates on riparian replanting and other best management practices components (off-creek watering, fencing, plants). The program will be financially renewed for 2005 by July. The Spokane County Conservation District and watershed residents in Spokane County are turning to their fields, stream banks, and shorelines in an effort to protect Spokane's most precious resource …Water. This SCCD program offers cost-share on such practices as stream-side fencing, off-creek watering facilities, buffer plantings, grass only, irrigation weed control (2 yr maintenance). Buffers may vary, but most are narrow strips of land, approximately 35 feet or more, planted to permanent vegetation, either grass, shrubs, and/or trees. Buffers are located within crop fields, at the edge of crop fields, or in other locations where they can protect natural landscape elements, such as streams and lakes, or manmade structures, such as buildings and roads, from the adverse effects of weather and such human activities as agriculture and timber harvest. Buffers help farmers, ranchers, and private landowners protect their land and be good neighbors. Buffers can yield highly desirable environmental benefits to you and your neighbors.

- Reduction of sediment and attached nutrients. Buffers minimize the need for dredging and clean outs!
- Windbreaks and wildlife enhancement. Buffers can also reduce noise and odors.
- Great alternative for low yielding areas or turn arounds.
- Act as a living filter to keep surface and groundwater clean. Protecting water quality is important to fish and other recreational users.

Participation in this buffers program can improve the value farms, ranches, or private property. For farmers and ranchers, buffers can be established in areas that are not highly productive, difficult to access, or just too wet on an annual basis. By putting a buffer between the crop and stream bank, you don't invest in seed, fertilizer, and chemicals on the lower yielding land. In most cases, buffers turn out to be more profitable than cropping field edges and wet areas.

The Conservation Futures Program
The Conservation Futures Program is the only replacement method available for protecting natural lands and habitats. The Conservation Futures Legislation was adopted by the State of Washington in 1971. It provides a means for counties to acquire lands and habitats important to the preservation of wildlife or lands having significant recreational, social, scenic, or esthetic values. Spokane County entered this program in 1994 and was able to purchase 4 properties totaling 507.5 acres at a cost of $1.67 million. The tax cost for a homeowner is $6.00 per year for a $100,000 home (about the cost of two lattes) raising about $920,000 each year in funds. The county has also been able to leverage the taxpayers money to get grants, last year, the county in a cooperative venture with Ducks Unlimited got a $975,000 grant to restore wetland habitat on parcels previously farmed. The administration of this program is by volunteers, and existing parks staff, therefore 100% of the funds are used to purchase desirable sites. The acquisition of conservation lands strives for those properties that provide the most public benefit. The site characteristics are evaluated to determine those properties that contain the highest ability to preserve habitat areas, they are reviewed for such features as quality of wildlife habitat, water access, threat of development and loss, and need within an area, connection to existing habitat(s), separation of uses, willing seller (most properties are for sale, or nominated by property owners themselves), public support for the site, recreation potential and public access to the property. The Program has acquired and will continue to acquire shoreline properties.

Continuous CRP/County Buffer Program
Completed 20 buffer projects - 41,900 feet of stream bank was planted using nearly 60,000 trees and shrubs 250 feet of fence was installed to keep livestock out of waterway Two irrigation

systems were installed; 1,400 feet of irrigation pipe, and one off-creek water system - Two public meetings held; one TV interview with local landowner; numerous newspaper articles printed Three continuous CRP projects were completed - 6,100 feet of stream bank was planted, using 5,000 plants , 350 feet of fence was installed and 3 off-creek water systems were installed.

“Backyard Conservation" Program
A specific program providing revegetation advice that will help you transform a yard into a natural haven for birds, blooms, and beauty. The program shows how conservation practices that are used on agricultural land across the country to conserve and improve natural resources can be adapted for use on the land around your home. Growing Native Trees, Plants and Wild Flowers is becoming a beneficial and enjoyable way to conserve natural resources and have a stunning yard at the same time. Backyard Wildlife Habitat - The birds and the bees in the flowers and the trees can create a backyard full of wildlife delight! Wildlife is an integral part of our areas natural eco-system and providing a place for wild things in our backyards provides benefits for both them and ourselves. Many yards in the program have water frontage.

Water, Wetlands, Ponds Program
Water, is one of our most important natural resources! Information on water rights, water testing and maintaining local water sheds. This program assists landowners to protect wetlands and build ponds.

Stewardship Incentive Program (SIP)
If you are a Farmer, Rancher or Small Acreage Owner the SCCD may have a financial assistance program to provide additional support to your conservation efforts. Through partnerships with state and federal agencies, the SCCD can provide you access to assistance for conservation practices such as irrigation and water management, erosion and flood control, animal waste management, and habitat restoration.

Watershed Conservation/Habitat Restoration Program
Examples of Program Accomplishments
47,500 trees and shrubs were planted on 95 acres using WRP* riparian funds(see NRCS section of this report below for description of the WRP program).
2,000 trees and shrubs were planted on 4 acres using WRP upland funds.
21,320 trees and shrubs were planted on 43 acres using CRP riparian funds.
4,050 trees and shrubs were planted on 8.1 acres using CRP upland funds.
17,270 feet of stream bank and 1,446 acres benefited from these projects
*WRP is the Wetland Reserve Program supported by NRCS grants.

Watershed Conservation/Habitat Restoration Program (cont.)
Examples of Program Accomplishments for 2003:

Little Spokane Watershed
10 projects were completed in this watershed 16,700 plants were installed on 20,000 feet of stream bank 600 feet of fence was installed 4 off-creek watering systems were installed Completed Riparian Buffer Assessment Completed macroinvertebrate study Completed Nitrate study 30 stream flow measurements performed 44,000 stream gage height data points collected from five stream discharge stations 1,800 daily stream flows calculated.

Hangman Creek Watershed
13 projects were completed in this watershed 47,000 plants were installed on 28,000 feet of stream bank 1,400 feet of irrigation pipe was installed Conducted 20 watershed meetings and made 10 public presentations Completed basin hydrologic study Completed historic vegetation study - Developed water quality booklet for distribution to local land users.

Shoreline Inventory and Assessment Project
SCCD is under contract with the Department of Ecology to inventory stream riparian areas and assess the status of their ecological condition. The project includes funding to develop and implement a public awareness and education program to get the message out to the public,

especially those who develop and use the shorelines, to inform them of inappropriate behaviors and practices that degrade the shoreline ecology and instruct them on appropriate actions that prevent degradation.

Sediment Reduction Program
SCCD assists agricultural producers to development and implement management practices to reduce sediment in our streams and rivers. Eligible practices include grassed waterways, buffer plantings and sediment basin Best Management Practices. The program can be combined with others such as CRP, EQUIP to ensure that the agricultural operation works economically and environmentally. Form more information contact SCCD at 509-535-7274.

2. Inland Northwest Land Trust (INLT)
(http://www.inlandnwlandtrust.org/)

In 1991, local conservation-minded citizens of the Spokane area recognized that the natural landscape and working farms and forests of our community were changing dramatically as residential and commercial growth soared. INLT is a local non-profit, non-political organization with 350 members. Through easements, acquisitions, and by working with other conservation partners INLT has preserved over 5,100 acres of wetlands, shorelines, farmlands, and forests in eastern Washington and northern Idaho for present and future generations.

In 1998, INLT launched an innovative effort to identify critical wildlife corridors in the region and to begin educating the public and key landowners about land-saving options. Threads of Hope is INLT's conservation strategy in Spokane County. Threads of Hope was designed to help focus our land protection efforts in regions that are ecologically valuable and in threat of being developed. These regions are the vital links, the greenways and wildlife corridors winding across Spokane County. With the help of scientists, planners, and neighbors the land trust mapped these linkages tying together larger protected areas, such as Turnbull National Wildlife Refuge, Mount Spokane State Park, and Riverside State Park. Now that we have identified these parcels and landowners, the land trust is teaming up with neighborhood groups in each of the 'threads', to promote land saving action. These Threads Partners are critical to our outreach strategy because they contribute local knowledge about which parcels make their region most unique. This "Threads of Hope" project includes three corridors spanning Spokane county and six partner groups.

Examples of this Program are as follows:
The Little Spokane River Corridor:
This Thread of Hope connects the Mt Spokane reserves with the Riverside State Park and Spokane River regions. The Little Spokane itself and its tributaries have outstanding wild and scenic attributes. The Friends of the Little Spokane and Riverside State Park Preservation Association are partners in identifying key lands and promoting private land conservation.
The Marshall Creek Watershed:
This Thread of Hope links the wetlands and range of Turnbull National Wildlife Refuge with the Latah Creek floodplain, which ties the Palouse country in to the Spokane River just downstream of downtown Spokane. The Marshall Community Coalition is helping with the communication efforts of numerous landowners.

Call INW Asha Renberg or Chris de Forest

3. WSU Cooperative Extension Service of Spokane County
(http://spokane-county.wsu.edu/)

Realtor Education Program provides information to realtors to clients regarding protection and conservation of shoreline areas and encourages them to pass it on to their clients.
Master Gardner Training Program includes a block of information pertaining to conserving and protecting shoreline vegetation and if replanting is necessary what are the most appropriate

plantings (referred to as 'natural landscaping') that will survive and protect and conserve shoreline functions.

Presentations: The service has a powerpoint presentation regarding lakeside and streamside protective landscaping which protects shorelines and maintains water quality.

Brochures: The Service provides brochures advising how to live on the shorelines without substantial degradation. The brochures advise on restoration techniques, weed management, and natural landscaping and the information addresses riparian areas in general.

Website Information: The Service website (http://spokane-county.wsu.edu/) includes considerable information on the above subjects. The website specifies that speakers, demonstrations and portable displays are available to disseminate information to the public.

Washington Water Program
The Cooperative Extension service also has a program under its service umbrella entitled "Washington's Water." Its website is which includes much information regarding streamside plantings which protect the shoreline ecology. The focal point for Washington State University's statewide water resource programs. The Washington's Water web site is http://wawater.wsu.edu/ presented by the Water Resources Leadership Team, charged with the mission to provide statewide leadership, support, and coordination for the water resource educational efforts of WSU Extension. The Water Resources Leadership Team's continuing goal will be to provide statewide leadership and support for the many water resources related programs occurring across the State. Below are 2 examples of streamside protection and enhancement information available on the website.

"Plant it Right:
Restoring Our Streams"
To Order: VT0113
Success of streamside
planting projects is directly
tied to proper planting techniques and subsequent maintenance.
17 minute video:

"Plant it Right:
Restoration Planting Techniques"
Education Bulletin attached to this report

Contact Persons at Spokane County Extension Service are Toni Fitzgerald and Diane Roberts

4. Washington Department of Natural Resources
(http://www.dnr.wa.gov/base/dnrhome.html)

DNR has conservancy programs with shoreline protection and restoration elements described as follows:

Compensatory Mitigation on State-owned Aquatic Lands
In early 2004, DNR formalized its standard practice for authorizing compensatory mitigation activities on state-owned aquatic lands. DNR may authorize the use of state-owned aquatic lands for compensatory mitigation activities that offset impacts from projects that are either located on state-owned aquatic lands or from projects that are not located on DNR-managed lands. Consistent with WAC 332-30-107, local shoreline master planning and DNR supplemental planning are the agency's preferred means of identifying and mitigating adverse impacts to state-owned aquatic lands. The proponent of the mitigation activity must secure a use authorization that protects the site for the length of time determined by the local, state, and/or federal entities requiring the mitigation. DNR supports on-site and in-kind mitigation where possible and ecologically preferable, but will

allow off-site and out-of-kind mitigation and the use of mitigation banks if the proponent can illustrate that such alternative compensatory mitigation strategies would be more effective.

State-Owned Aquatic Lands Program - Aquatic Resources Mission
Washington's Department of Natural Resources is steward of the state's aquatic lands and their resources. Aquatic lands are managed for current and future citizens of the state to sustain long-term ecosystem and economic viability; and to ensure access to the aquatic lands and the benefits derived from them. Washington's aquatic lands are rich in natural resources. The lands offer habitat for water dependent species: clams, oysters, geoducks, eelgrass, kelp and other plants that fish and other aquatic wildlife depend on. Aquatic lands also have great commercial, recreational, and aesthetic value. The Legislature recognized state aquatic lands as "a finite natural resource of great value and irreplaceable public heritage." State law 79.9 0.450. DNR is steward of about 2.4 million acres of state-owned aquatic lands - bedlands of Puget Sound, navigable rivers, lakes, and other waters. It includes much of the tidelands - land covered and exposed by the tide - and shores of lakes and other fresh waters. DNR's stewardship is in the public's behalf. The primary goal is not to produce income for a specific trust or program, but to benefit all the people of Washington, forever.

For a century Washington's waters have supported commerce, industry, recreation, and navigation. Piers, docks, and marinas have been built on aquatic lands. These activities affect the waters, the land beneath them, and the health of plant and animal communities that live in them. Because water moves throughout the landscape, it connects the uplands to aquatic lands and aquatic lands to each other. As a result, activities at one site, whether on land or water, can affect other areas. Therefore, decisions about specific sites need to take into account connections to the larger aquatic ecosystem. Often, these different interests conflict and DNR is faced with tough decisions. As trustee and steward, DNR must juggle and mesh together all these separate activities to protect and enhance the resources, and to protect the public's long-term interests. DNR is responsible for past, present, and future decisions and activities affecting state aquatic resources. To best accomplish this, DNR is building partnerships with agencies, businesses, citizen groups, and the tribes to forge new solutions to old problems.

According to Revised Code of Washington 79.90.455, the DNR must manage state-owned aquatic lands in a manner that provides a balance of public benefits. Those public benefits are varied and include encouraging public access, fostering water-dependent use, ensuring environmental protection, utilizing renewable resources, and generating revenue (when consistent with the other public benefits). However, some projects located on state-owned aquatic lands adversely impact, and potentially threaten, the state's natural resources. As such, the DNR should undertake other actions to improve aquatic resources.

While authorizing activities on state-owned aquatic lands and implementing its mandate to "ensure environmental protection," DNR will seek to improve the function and condition of state-owned aquatic lands through non-mitigation-related preservation, restoration, enhancement, and creation activities (i.e., conservation activities). In addition to using a conservation lease or license, these activities can be accomplished in areas that have been designated as DNR aquatic reserves or on lands that have been "withdrawn" from leasing by an order from the Commissioner of Public Lands. While these mechanisms provide similar opportunities for conservation, the process for requesting the use of state-owned aquatic lands for conservation, and the relationship between DNR and the proponent differ depending on if it is a conservation lease or license, an aquatic reserve, or a withdrawn area. The specific differences are outlined below.

Forestry Riparian Easement Program (Small Forest Landowner Office**)**
Unlike a typical easement involving property or a road, a forestry riparian easement covers only qualifying timber (those trees which a landowner cannot harvest under the new rules) leased to the state by a small forest landowner. *No right of public access or use is created by the easement.* The purpose of the easement is to protect the qualifying timber and its associated riparian function. Riparian function includes: stabilizing the stream bank, trapping sediment, shading the water, and

providing leaf litter and large woody debris These functions are dependent upon forest management practices that maintain existing riparian forests. Trees covered by the easement may not be cut or removed for 50 years. Landowners will receive a minimum of 50 percent of the fair market stumpage value for the qualifying timber. The landowner can choose to have the value of his or her timber assessed either on the date the Forest Practices Application is submitted or the date when harvesting begins. There may be some exceptions where more than 50 percent compensation will be offered. Please contact your local Small Forest Landowner Forester for more information on when this may apply. No right of public access is conveyed by the easement. However, DNR staff will occasionally visit the site to insure that the terms of the easement are being met. Easements will remain in effect for 50 years from the date the easement is signed. After 50 years, the current landowner resumes his or her right to the qualifying timber. A program participant may not withdraw from the easement program once an easement has been established. The Forestry Riparian Easement Program has been developed to provide long-term protection of fish and wildlife habitat and water quality.

Easement participants still own the land and timber although they have "leased" their right to harvest the qualifying timber for 50 years. The easement is intended to protect the riparian functions associated with the qualifying timber, while still preserving other landowner uses. Landowners still have access to the easement site for all uses compatible with terms of that easement. Incompatible land uses may include: cutting any qualifying timber, road building, and waste dumping. More than 20 contiguous acres. Landowners who own 20 or less contiguous acres do not qualify for the easement program since less restrictive Forest Practices Rules apply to these smaller parcels. If you own less than 20 acres of forestland, there are other incentive programs available from the DNR. Please contact your region DNR Stewardship Forester for more information.

The following areas require the protection of forested buffers and therefore will qualify for the easement program: streams, rivers, ponds, lakes, wetlands, seeps, springs, and unstable slopes adjacent to riparian areas. Compensation is only available for qualifying timber that is part of a commercially reasonable harvest unit and covered by a current Forest Practices Application. A harvest unit is considered "commercially reasonable" if its total harvest value equals or exceeds $1000 and the value of the harvestable timber equals or exceeds the value of the qualifying timber. However, if you are denied a Forest Practices Application because the majority of your harvest unit is encumbered by buffers, you may still be eligible for the easement program.

Following passage of the Salmon Recovery Act of 1999, the state has begun to enforce new forested buffer widths for eastern and western Washington. Required buffer widths vary depending on the site class of the land, the management harvest option, the bankfull width of the stream and whether the stream is fish-bearing. For fish-bearing streams in Spokane County, buffer widths range from 50 to 130 feet. The Forest Practices Forester or the consulting forester assisting you with your harvest will help you determine which trees must be left. Qualifying trees are those trees which must be left within the core, inner and outer zones of the riparian buffer. Non-fish bearing streams also have harvesting restrictions and therefore will have timber that may qualify for the easement program. Please consult the forest practices rules or with your local forest practices forester to determine buffer widths on non-fish bearing streams.

Eastern Washington Riparian Management Zones

Forest Management Practices WAC 222-30 provides in section 022 an Eastern Washington riparian management zone program specifying stream buffer zones intended to protect riparian functions. The DNR implements the buffering requirements through the agency’s Forest Practices Permitting system. The intent of the riparian buffers is to protect and restore the shoreline and near shoreline functional conditions. Additionally, the Spokane County Critical Areas Ordinance assists to implement WAC 222-30-022 buffer requirements. Refer to the below section pertaining to Spokane County.

Conservation Leasing Program
Applies to state owned lands deemed to have high conservation value. Land is leased to outside groups to protect and restore the shoreline ecosystem. This program is very new and only 3 areas have been selected for leasing, all of which are in the Puget Sound Area. Hardley anyone is aware of the program because DNR is still developing policies and implementation strategies. As an example 2 sites have been leased to the Nature Conservancy for stewardship activities. The program apples to streams and lakes.

To initiate a conservation lease or license, the project proponent must apply for the use of state-owned aquatic lands. In doing so, the proponent must clearly identify the use of the land and associated management activities and desired goals. Land managers must apply all relevant use authorization guidance in determining the appropriateness of the conservation activity, similar to the process for proposed commercial uses. The lease or license establishes a landlord-tenant relationship and transfers some management authority of the property from DNR to the project proponent for the term of the authorization.

Aquatic Reserves Program
To designate a site as an aquatic reserve, proponents will need to demonstrate, through a public application process, that the area meets the criteria set forth in the reserve program (WAC 332-30-151). Activities within a reserve must support the purpose of the reserve and will often equate to conservation activities. Aquatic reserves are designated for a 90-year term. Public review of aquatic reserves and associated management plans occurs through the State Environmental Protection Act (SEPA) process. The overall management of a reserve is DNR's responsibility unless other arrangements have been made with an external group or agency. The reserve proponent does not have legal obligations to participate in the management of the state-owned aquatic lands within the designated aquatic reserve.

This program is relatively new and there are 3 aquatic reserves, all in the Puget Sound Area. This program has the same purpose as the Conservation Leasing Program except DNR performs the stewardship responsibilities. DNR in its stewardship role is proactive regarding protection and conservation of shoreline ecosystem values. Areas selected are deemed to be especially sensitive to impacts.

Aquatic Lands Restoration Program
DNR selects DNR owned aquatic lands that are degraded and in partnership with private organizations and other public agencies. This program has not yet begun due to lack of funding.

Regulatory Actions
There are two other types of activities that occur on state-owned aquatic lands that involve restoration, enhancement, creation, and preservation – those resulting from compensatory mitigation and those relating to Natural Resource Damage Assessments (NRDA). These activities occur under a regulatory framework and should not be authorized under a conservation lease or license. DNR addresses these specific uses under separate policies. Similarly, conservation activities accomplished under a use authorization should not be applied to gain compensatory mitigation or natural resource damage credits. DNR will continue to work with regulatory entities in order to communicate the differences between the programs and reduce the potential for inappropriate application of conservation activities.

Washington Natural Heritage Program (WNHP)
The WNHP collects data about existing native ecosystems and species to provide an objective, scientific basis from which to determine protection needs. The program also develops and recommends strategies for protection of the native ecosystems and species most threatened in Washington. This information is used by landowners, state and federal government agencies, consulting firms, planning departments, and conservation groups to support the state's environmental and economic health. Go to http://www.dnr.wa.gov/nhp/about.html
http://www.dnr.wa.gov/nhp/about.html

5. Silver Lake Property Owners Association

The association members clean up the shoreline every spring and the aquatic area near the shoreline. The effort concentrates on public access areas. The association should not need to secure any permits to do this kind of work. This effort is made necessary because the shorelines are such a mess after one year of neglect.

6. Inland Paper Company/Centennial Land Company

The companies own considerable lands fronting on the Spokane River. Several years ago the Centennial Land Company donated considerable frontage to the Washington State Parks & Recreation. The frontage is located along the Spokane River running eastward from Millwood to the Idaho/Wash. State Line. The purpose for the donation was not to enable public access but that WSPR would be a better steward of the shoreland in terms of shoreline protection.
Regarding the considerable shorelands the Company owns, the Company would like to initiate an on-going program of purging noxious weeds and replace with native vegetation and restore shorelands to reduce or eliminate ongoing erosion. The Company endorses the idea of having a streamlined, inexpensive and timely permitting process so that the Company could timely pursue removal of noxious weeds and replace them with native vegetation.

7. Newman Lake Property Owners Association

Newman Lake area has three organizations that work to protect shorelines on Newman Lake and along streams in its watershed. These 3 organizations are as follows:

The Newman Lake Property Owners Association (NLPOA) – A longstanding (formed in the 1950s) non-profit organization of volunteer citizens promoting preservation and enhancement of the Newman Lake Watershed through education and community involvement.

The Newman Lake Watershed Committee – A sub-committee of the NLPOA whose primary concern is promoting land use practices that maintain natural ecosystem functions in the watershed and aid in improving Lake Water quality.

Newman Lake Flood Control Zone District (NLFCZD) – Formed under provisions of the Revised Code of Washington State, the NLFCZD has taxing authority to perform water quality and flood control functions. It is administered by the Spokane County Engineer and its annual budget is approved by the Spokane County Commissioners.

These 3 groups work together to achieve common goals for the Newman Lake Watershed.
Some of these goals include the following:

Newman Lake Flood Control Zone District (NLFCZD)(cont.)

1. Shoreline Conservation – This group works with the Inland Northwest Land Trust and the Spokane County Conservation Futures Program to preserve shorelines, e.g. the Bassett property on the Peninsula (INLT) and Turtle Rock acreage presently being added to the Conservation Futures Program. The group also has future plans for more shoreline property nominations.

2. Logging – The groups review all DNR logging applications to ensure that Newman Lake DNR prescriptions and all other DNR Best Management Practices are used to protect streams and prevent erosion during logging operations.

3. Development – The groups also review development permits, SEPA evaluations, etc. on all lakeshore projects and comment when necessary and follow through with appropriate agencies. Comments address shoreline ecology protection issues.

4. Education – NLPOA and NLFCZD publish a newsletter that is mailed semi-annually to 1400 properties. NLPOA Lake Book was published in the early 1990s to serve as a guidebook for new residents in the watershed and is distributed when homes are bought and sold. Informational meetings are also held to disseminate new knowledge to residents. NLPOA also coordinates with the East Valley School District middle schools to help train student for watershed monitoring and water quality education. NLPOA further cooperates with Washington State Lake Protection Association (WALPA) and local lake organizations to enhance shoreline protection efforts. For more information on WALPA refer to the next organization reviewed in this report.

5. Clean-Up Efforts – NLPOA holds an Annual Clean-Up Day every April to remove trash and to clean roads and problem dump areas. The group also has an Adopt-An-Access Program in conjunction with the Washington DFW to keep the public access launch area and shoreline clean. Volunteers coordinate both these efforts.

6. Watershed Monitoring – NLPOA has ongoing watershed monitoring along incoming streams and in the lake for our 20,000 acre watershed utilizing Dr. Barry Moore and graduate students from WSU, volunteer residents, and EV students.

7. Land Use – Continuing land use studies are used to compare changes and trends. Studies were completed in 1991, 1997, and 2004. Some of the factors compared were population (year-round and seasonal, acres logged, miles of road (both logging and development), an erosion inventory of streams and roads, and development permits that categorize conversions from agricultural or timber to residential property. In 2004 digital photos recorded all of the lakeshore on Newman Lake.

8. Funding – Newman Lake Flood Control Zone District has approximately a $200,000 annual budget collected from property owners in Newman Lake to fund all the watershed activities. Much work is also done on an in-kind volunteer basis. The budget includes aerator and alum treatments to the lake, water quality improvements, flood control maintenance, (e.g. dike repair and gate outlet structure repair) and milfoil control. NLFCZD currently has a 5-year DOE grant to update watershed studies and expand monitoring

8. The Washington State Lake Protection Association
(www.NALMS.org/walpa/)

The Washington State Lake Protection Association (WALPA) is a non-profit organization formed in 1986 by a group of volunteers concerned for the future of lakes in this state. WALPA has grown to over 400 members that include lakeside residents, lake associations, recreationists, scientists, educators, legislators, and local and state agencies. WALPA is a chapter of the North American Lake Management Society (NALMS), an international organization. NALMS' mission is "to forge partnerships among citizens, scientists and professionals to foster the management and protection of lakes and reservoirs for today and tomorrow."

WALPA's Mission

To promote and foster the formation of lake associations
To educate and inform about all aspects of lake/watershed ecosystem management
To encourage, assist, and support the development of lake/watershed protection, restoration, utilization, and management
To foster communications and working relations among all lake/watershed stakeholders.

WALPA's Activities and Accomplishments

Communication

- Publishing a quarterly newsletter
- Hosting annual conferences and workshops

- Conducted a lake user survey
- Conducted a statewide outreach program that solicited public input for a comprehensive lake and watershed management program for Washington State
- Representing lakes before local, state and federal governments
- Providing access to the North American Lake Management Society

Education

- Developed a slide show about lake management
- Sponsored aquatic plant workshops
- Published The Washington Lake Book: A Handbook for Lake Users
- Produced the Directory of Products, Services and Members
- Providing technical support at lake association meetings

Policy and Legislation

- Support for reestablishing the lake category of Ecology's Centennial Clean Water Fund
- Support for reestablishing Ecology's statewide lake monitoring program
- Provided critical input on the development and passing of the Lake Health Bill
- Instrumental in passing legislation for Ecology's Freshwater Aquatic Weed Financial Assistance Program
- Instrumental in passing legislation for the Detergent Phosphorus Ban

(800) 607-5498 ext 116 (Rob Zisette at Herrera Environmental Consultants)
Website address: http://wawater.wsu.edu/

9. Washington Department of Fish and Wildlife (WDFW)
(http://wdfw.wa.gov/)

The Washington Department of Fish and Wildlife has both regulatory and non-regulatory programs that seek to protect, enhance, and restore shoreline areas. Below are listed some of the many programs that WDFW leads or is involved with and included is a brief description of these programs. More information is available on our website at http://www.wdfw.wa.gov

Hydraulic Project Approval Program (HPA): The HPA is a regulatory program that requires permits for work in or near waters of the State. The goal of the program, through both terms and conditions of the permit, and through mitigation and restoration, is to achieve no net-loss of aquatic and shoreline habitat. Biologists work with the applicants to minimize impacts from their project, mitigate impacts, and to provide guidance for restoration and improvement of shoreline areas.

Priority Habitats and Species Program (PHS): The WDFW PHS program has listed riparian areas as a priority habitat and has produced a document entitled "Management Recommendations for Washington's Priority Habitats: Riparian". This document can be used by government entities and by landowners in planning for appropriate use and development near riparian habitat areas.

Backyard Wildlife Sanctuary Program: This program is managed by the WDFW Wildlife Program and designed to help landowners help wildlife around their home by enhancing native habitat. Some backyards and frontyards front on streams and lakes.

Landowner Incentive Program (LIP): The LIP is a competitive grant process to provide financial assistance to private landowners for the protection, enhancement, or restoration of habitat to benefit "species at risk" on privately owned lands. Species at risk is defined for LIP) as any fish or wildlife species that is federally or state listed as threatened or endangered, is proposed or is a candidate for listing as threatened or endangered, as well as any other animal species determined to be at risk by WDFW. This program applies to landowners with frontage on streams and lakes.

Watershed Stewardship Program: A primary role of a Watershed Stewardship Team (WST) biologist is to coordinate the agency's multiple resources in local planning and recovery efforts for salmonids, particularly those of Lead Entities and Regional Recovery Planning Boards, so that

these local efforts have the greatest likelihood of being successful. WST biologists communicate WDFW policy and advice on the local strategy, plan development, and project identification/implementation. Another important role of a WST biologist is to serve as a conduit for science and technical assistance, which may include stream and riparian restoration proposals.

Subbasin Planning
The Northwest Power and Conservation Council's (NPCC) 2000 Fish and Wildlife Program establishes a basinwide vision for fish and wildlife along with biological objectives and action strategies that are consistent with its vision. WDFW implements this program for Spokane County with funding provided from the Council's program. Refer to the NPCC section below regarding other shoreline related programs sponsored by the NPCC.

10. Liberty Lake Sewer and Water District

The District is responsible to maintain the water quality of Liberty Lake. Its primary tool for accomplishing this responsibility is through provision of sanitary sewer service to homes on or near the lake. Stormwater management around the lake is the other primary tool the District utilizes to maintain water quality. Any development of land on or near the lake must comply with the District's stormwater management requirements which are quite strict compared to the requirements of neighboring jurisdictions including Spokane County. The district observes the lake shoreline almost on a daily basis and reports shoreline alterations that adversely affect the lake to local and state agencies for remedial enforcement action. The District states that this reporting and its reputation for reporting such activity contribute to maintenance of the shoreline ecology and lake water quality. Through administration of its stormwater management program the District informs shoreland owners of techniques to protect the shoreline ecology as implementation of such techniques also maintains water quality.

11. Washington State Department of Parks and Recreation (WSP&R)
(http://www.parks.wa.gov/)

WAP&P owns and manages extensive acreage fronting on the Spokane River running from the Nine Mile Area to the Washington/Idaho border. The area between the City Limits of Spokane and Nine Mile is mostly within Riverside State Park. Within the park there exists some private land holdings and residential leases. WSP&R addresses shoreline protection and restoration issues on a case-by-case basis, then tries to acquire funding for the project. State Parks also coordinates with other agencies and has used the ALEA grant process to assist in funding when appropriate. WSP&R has a stewardship program manger that assists park managers in the rehabilitation of shoreline areas that need it. Riverside has a classification and management plan (CAMP) that recognizes the need to rehabilitate some areas of the park due to overuse or natural occurrences. This management plan encourages studies and protection measures to maintain the integrity of the shoreline resource. WSP&R also uses WAC's (Washington administration codes) that enable WSP&R to impose legal restrictions on areas that need special attention or are fragile. WSP&R provides interpretive stations and brochures explaining the approved uses/restoration efforts/etc. WSP&R issues press releases, and educates the public with Ranger contacts and citations if needed. The WSP&R efforts above apply to shoreline property within Riverside Park and shoreline property owned by WSP&R within Spokane County but outside of Riverside State Park.

12. Washington State Department of Ecology (DOE)
(http://www.ecy.wa.gov/)

DOE shorelines management and watershed management planning requirements require shoreline buffers be established which are tailored to the ecological sensitivity of specific shoreline environments and also based on the riparian assessments by Spokane County (URS Lake Shoreline Inventory and Basement) and Spokane County Conservation District (streams and rivers). Such buffers would exclude most development and shoreline alterations which degrade the ecology. Indeed, the draft watershed plans for WRIAs # 54, 55 and 57 (Lower Spokane River, Little

Spokane River and Latah Creek watersheds respectively) recommend Riparian buffers to protect streamside habitat and water quality. The draft plans also recommend Spokane County Conservation Futures Program be used to establish greenbelts and conservation corridors.

DOE also provides on its website a variety of educational material pertaining to shoreline vegetation advise intended to protect and/or restore the shoreline ecology. The information addresses bank protection, native vegetation protection and enhancement, noxious weed abatement. The site also identifies some grant programs which would support group efforts to protect or enhance the shoreline ecology. The funding programs seemed to be focused on individual ecological issues as opposed to a comprehensive multi problem approach. However, this year, Ecology is offering approximately $11 million to local governments for high-priority water quality projects from the Centennial Clean Water Fund. The projects are intended to fund implementation of riparian protection and enhancement strategies recommended in Watershed Management Plans.

Below are listed a select few of the shoreline protection/enhancement resources available to the public:

Polluted Runoff in Washington State - Education about Polluted Runoff
The challenging part about nonpoint education is that intelligent, well-meaning people unwittingly pollute runoff, in their everyday lives, through practices associated with pet ownership, gardening and landscaping for example. Recent efforts to improve the effectiveness of environmental education have resulted in greater emphasis on measurable results, less emphasis on the written word, and more attempts to reach people on an interpersonal basis, rather than using old techniques of publications and mass media campaigns. Educators are beginning to understand that raising awareness is a good first step to changing behavior, but it doesn't motivate people to adopt new habits. EPA Region 10's Clearinghouse of Environmental Education and Information website provides information on environmental education and information materials in the Pacific Northwest. The National Project for Excellence in Environmental Education helps establish guidelines for development of "balanced, scientifically accurate, and comprehensive environmental education programs".

Aquatic Weeds Financial Assistance Information for Washington State
The introduction of non-native aquatic plants and excessive plant nutrients have created many aquatic plant problems for lakes and streams in Washington. Invasive, non-native aquatic plants are a serious threat to the health of lakes, rivers, and streams throughout the state. Excessive weed growth impairs fish and wildlife habitat and restricts recreational activities. Traditionally, residents and property owners have borne the high costs of controlling these plants. In 1991, the legislature established the Freshwater Aquatic Weeds Account to provide financial and technical support to tackle the problem on a statewide level. This Account provides funding for technical assistance, public education and grants to help control aquatic weeds. Revenue for the Account comes from a $3 increase in annual license fees for boat trailers.

Grant projects must address prevention and/or control of freshwater, invasive, non-native aquatic plants. The types of activities funded include: Planning, education, monitoring, implementation, pilot/demonstration projects, surveillance and mapping projects. Cities, counties, state agencies, tribes, and special purpose districts (does not include lake management districts) are eligible to receive grants. Lakes groups and other private organizations must work in conjunction with their local governments to receive funding for projects. Local sponsors are required to provide 25 percent of the eligible project costs as a match to state funds. However, in-kind services can be used for up to one-half of the local share. Grants of up to 87.5 percent of the eligible project costs can be provided for "early infestation" projects and for pilot projects.

In water bodies with well-established populations of non-native, invasive aquatic plants, the development of an integrated aquatic plant management plan is required before grants can be awarded for implementation (control projects). However, grants are available for the development of integrated aquatic plant management plans. Funds awarded for projects to control aquatic weed

growth can be used only for water bodies that have public boat launching facilities. Water bodies designated fly fishing only by the Department of Fish and Wildlife are also eligible for Aquatic Weeds financial assistance. Funds are limited to $30,000 (state share) for planning grants and $75,000 (state share) for other projects. Each public body is limited to $75,000 per annual grant cycle and $75,000 for "early infestation". Early infestation projects are limited to $50,000 per project. Projects dealing with the prevention or management of freshwater invasive submersed plants like Eurasian watermilfoil or Brazilian elodea receive funding priority over projects dealing with nuisance native plants. Projects that implement an approved integrated aquatic plant management plan receive the highest priority. Other factors considered when evaluating projects include the environmental and economic impacts of the problem plants on the ecosystem, the degree that the project will benefit the public, the likelihood of the problem plant to spread to other water bodies, the long-term interest and commitment to the project by the water body residents, and state wide significance of the project.

Water Quality/Centennial Clean Water Program
This program funds the Shoreline Inventory and Assessment Project described in the section of this inventory addressing the programs of the Spokane County Conservation District. The program also includes the TMDLS (Total Maximum Discharge Limits) assessment of the Spokane River. This program will set forth maximum pollution discharge rates for a variety of chemical pollutants which are intended to improve the water quality and ecosystem of the Spokane River. Once the discharge rates are determined they will be incorporated in the National Pollution Discharge Elimination System (NPDES) permits issued to dischargers of chemicals into the river.

13. Natural Resource Conservation Service (NRCS)
(website: http://www.wa.nrcs.usda.gov/programs/index.html)

Below are listed the NRCS programs which address in some manner shoreline protection and restoration:

Environmental Quality Incentives Program (EQIP)
The Environmental Quality Incentives Program provides technical, educational, and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands. The program provides assistance to farmers and ranchers in complying with Federal, State, and tribal environmental laws, and achieves its ends through the implementation of a conservation plan which includes structural, vegetative, and land management practices on eligible land.

Wetlands Reserve Program (WRP)
The Wetlands Reserve Program is a voluntary program to restore wetlands. Participating landowners can establish conservation easements of either permanent or 30-year duration, or can enter into restoration cost-share agreements where no easement is involved. In exchange for establishing a permanent easement, the landowner receives payment up to the agricultural value of the land and 100 percent of the restoration costs for restoring the wetlands The 30-year easement payment is 75 percent of what would be provided for a permanent easement on the same site and 75 percent of the restoration cost. The voluntary agreements are for a minimum 10-year duration and provide for 75 percent of the cost of restoring the involved wetlands. Easements and restoration cost-share agreements establish wetland protection and restoration as the primary land use for the duration of the easement or agreement. In all instances, landowners continue to control access to their land.

Wildlife Habitat Incentives Program (WHIP)
The Wildlife Habitat Incentives Program provides financial incentives to develop habitat for fish and wildlife on private lands. Participants agree to implement a wildlife habitat development plan and USDA agrees to provide cost-share assistance for the initial implementation of wildlife habitat development practices. USDA and program participants enter into a cost-share agreement for

wildlife habitat development. This agreement generally lasts a minimum of 10 years from the date that the contract is signed.

Conservation Technical Assistance (CTA)
NRCS provides assistance to land-users, communities, units of State and local government, and other Federal agencies in planning and implementing conservation systems. The purpose of the conservation systems is to reduce erosion, improve soil and water quality, improve and conserve wetlands, enhance fish and wildlife habitat, improve air quality, improve pasture and range condition, reduce upstream flooding and improve woodlands.

Plant Materials Program
The purpose of the program is to provide native plants that can help solve natural resource problems. Beneficial uses for which plant material may be developed include biomass production, carbon sequestration, erosion reduction, wetland restoration, water quality improvement, streambank and riparian area protection, coastal dune stabilization, and other special conservation treatment needs. Scientists at the Plant Materials Centers seek out plants that show promise for meeting an identified conservation need and test their performance. After species are proven, they are released to the private sector for commercial production. The work at the 26 centers is carried our cooperatively with state and Federal agencies, commercial businesses, and seed and nursery associations.

Soil Survey Program
Soil surveys provide a scientific inventory of soil resources that includes maps showing the locations and extent of soils, data about the physical and chemical properties of those soils, and information derived from that data about potentialities and problems of use on each kind of soil in detail to meet the needs of farmers, agricultural technicians, community planners, engineers, and scientists applying the findings of research and experience to specific land areas. Soil surveys provide information needed to maintain usable soil. They also provide information needed to protect water, wetlands, and wildlife habitats. Soil surveys are the basis for predicting the behavior of a soil under various uses, its potential erosion hazard, potential for ground water contamination, and suitability for cultivated crops, trees, and grasses. Soil surveys are important to planners, engineers, zoning commissions, tax commissioners, homeowners, developers, and land-dependent processes such as agriculture. The NRCS Soil Survey Division, through its World Soil Resources Staff, helps gather and interpret soil information for global use.

NRCS provides the soil surveys for privately owned U.S. lands and, through its National Soil Survey Center, provides scientific expertise to enable us to develop and maintain a uniform system for mapping and assessing soil resources. This allows information from different locations to be shared, regardless of which agency collects it. NRCS provides most of the training in soil survey to Federal agencies and assists other Federal agencies with their soil inventories. NRCS is also responsible for developing the standards and mechanisms for providing digital soil information for the national spatial data infrastructure required by Executive Order 12906.

Watershed Program (WRIAs 55, 56, 57)
The Watershed Planning Program works through local government sponsors and helps participants solve natural resource and related economic problems on a watershed basis.

Spokane County Water Resources Inventory Areas (WRIAs) 55, 56 and 57 are subject to the program and encompass broad land areas that cross various governmental jurisdictions. The Watershed Management Act created a mechanism to focus water-related planning on a local, watershed basis by forming the planning units for each WRIA, composed of various interests and governments. The WRIA planning effort includes a wide range of water resource interests and representatives of state, county, and tribal governments whose policies and resources may be affected by the WRIAs plans. The purpose of the plans is to recommend policies and actions which protect water quality and foster water quantity management i.e. protection and restoration of instream flows. The WRIA plans also encourage the protection and enhancement of fish and

wildlife habitat and promote erosion and sediment control. The final plans for WRIA 55 and 57 have been adopted and are available in the Water Resources Planning Office in the Spokane County Department of Public Works.

Conservation Innovation Grants (CIG)
This is a voluntary program to stimulate the development and adoption of innovative conservation approaches and technologies to address some of the Nation's most pressing natural resource concerns. It leverages federal investment in environmental enhancement and protection, in conjunction with agricultural production. Projects need to be at a watershed or larger scale. This program provides direct funding and technical assistance. Go to www.nrcs.usda.gov/programs/cig/

Conservation Reserve Program (CRP)
The purpose of this program is to reduce soil erosion, reduce sedimentation in streams and lakes, improve water quality, establish wildlife habitat, restore floodplains, and enhance forest and wetland resources. Agricultural producers with cropland or marginal pastureland may participate in this program. Farmers convert highly erodible cropland or other environmentally sensitive acreage to vegetative cover, to improve the quality of water, control soil erosion, and enhance wildlife habitat. Farmers receive an annual rental payment for the term of the 10-15 year contract. Cost sharing, up to 50%, is provided to establish approved conservation practices. The program is funded through the Commodity Credit Corporation (CCC) and administered by the Farm Service Agency, with the Natural Resources Conservation Service (NRCS) providing technical assistance. Go to www.fsa.usda.gov/dafp/cepd/crp.htm Also, refer to the "Continuous CRP/County Buffer Program" mentioned in Section 1 above as it is an adjunct program to the Conservation Reserve Program.

Emergency Watershed Program (EWP) - Floodplain Easement Option
The Emergency Watershed Program (EWP) provides for NRCS purchase of floodplain easements as an emergency measure. Floodplain easements restore, protect, maintain, and enhance the functions of the floodplain; conserve natural values including fish and wildlife habitat, water quality, flood water retention, ground water recharge, and open space; reduce long-term federal disaster assistance; and safeguard lives and property from floods, drought, and the products of erosion. NRCS may purchase EWP easements on any floodplain lands that have been impaired within the last 12 months or that have a history of repeated flooding (i.e., flooded at least two times during the past 10 years).

NRCS actively restores the natural features and characteristics of the floodplain through re-creating the topographic diversity, increasing the duration of inundation and saturation, and providing for the re-establishment of native vegetation. Landowners retain several rights to the property, including quiet enjoyment, the right to control public access, and the right to undeveloped recreational use such as hunting and fishing. At any time, a landowner may obtain authorization from NRCS to engage in other activities, provided that NRCS determines it will further the protection and enhancement of the easement's floodplain functions and values. These compatible uses may include managed timber harvest, periodic haying, or grazing. For more information go to http://policy.nrcs.usda.gov/scripts/lpsiis.dll/M/M_440_514.htm or http://www.nrcs.usda.gov/programs/wrp/

Other Federal Conservation Incentive Programs
The federal government offers a number of different incentive programs to encourage private landowners to participate in conservation activities on their property. Private lands are a critical component of conserving biodiversity across and wildlife habitat. Incentives can make habitat conservation economically feasible and also can serve as a reward for good stewardship. Incentive programs for habitat conservation on private lands fall into one or more of these categories: property tax benefits, income tax credits, regulatory streamlining, direct funding, and technical assistance. For more information go to http://www.biodiversitypartners.org/incentives/programfed.shtml

14. Spokane County
(http://www.spokanecounty.org/bp/)

Critical Areas Ordinance Administration Program
Spokane County Critical Areas Ordinance Section 11.20.060 requires riparian buffers where development and alterations are limited to assure that near water areas remain suitable as habitats for 'priority species' as determined by the Department of Fish and Wildlife. The CAO also specifies wetland protection measures to include buffer requirements for various types of wetlands. Section11.20.080 of the CAO specifies incentives for landowners to comply with the priority habitat conservation and wetland protection measures of the ordinance. The incentives address property tax relief, federal income tax advantages, on-site density transfer options, transfer of development rights.

Stormwater Management Guidelines
Spokane County adopted a Stormwater Management Guidelines with provisions which require erosion and sediment control measures of all construction projects to prevent runoff of soils onto other properties or into water bodies. The Guidelines are intended to keep water and sedimentation on site as much as possible and to filtrate the water as much as possible before it enters groundwater or surface water bodies. The guidelines require covering of devegetated ground and revegetation to maintain soil stability. These measures assist in shoreline protection for developments occurring near shorelines.

Joint Aquatic Resources Permit Application Review Process (JARPA)
This is a intergovernmental review process including but not limited to Spokane County, Department of Natural Resources, Department of Ecology, Department of Fish and Wildlife, Corps of Engineers. The purpose of this interagency cooperation is to coordinate review of any permit applications to alter any water body including associated shorelands and wetlands. The review process includes consideration of allowing the least possible disturbance of these areas and that ecological impacts are minimized or non-existent. The review process has been successful at protecting the shoreline ecology.

Watershed Management Program
The current watershed planning effort was initiated in 1998 when funding was provided by the Washington State Department of Ecology under RCW 90.82. Spokane County is the Lead Agency and one of the initiating governments in completing these watershed planning efforts for the Little Spokane River, Latah River Watersheds and Spokane River watersheds (WRIAs 55, 56 and 57 respectively). Components of watershed planning include a required water quantity element and optional water quality, habitat, and instream flow elements and an optional component of analyzing instream flow. In October 1, 2001, application was made to Ecology for additional funds to study instream flows.

Members of the Watershed Planning Units include broad representation of interests within the basins and hold monthly meetings that are open to the public. Preliminary drafts of a Watershed Management Plan have been prepared and are now available for public review. In all 3 drafts have sections addressing the issue of 'habitat and land use' which include shoreline protection and restoration policies and action statements and providing that such activity is essential to maintaining environmental integrity intended to result in improving water quality. The primary purpose of the planning program is to maintain, conserve and protect water quantity and quality for use and support of human activity but also to protect and enhance wildlife. The draft programs recommend a public education program regarding conservation of watershed resources including associated riparian areas. (http://www.spokanecounty.org/wqmp/projects/ASP/WhosIn.asp)

Spokane County Parks and Recreation Department
Spokane County Parks and Recreation Department owns and manages considerable acreage fronting on several lakes and streams in the County. Shoreline restoration and protection is initiated essentially on an emergency basis. Virtually, no long term preventative/protection activity

is occurring. Usually, restoration activity is initiated when the elements have caused shoreline destabilization or in situations where it is immanent that destabilization will occur. The lack of funding prevents the Department from initiating a long term prevention oriented shoreline protection program.

Spokane County Open Space Taxation Program
Spokane County participates in the State Open Space Taxation Program pursuant to the Open Space Taxation Act, Chapter 84.43 RCW. This program provides the benefits to owners that keep their property undeveloped or in certain less intensive uses. The County will develop a "public benefit rating system" that can be used as a strategic shoreline protection tool by assigning relative benefit to open space properties based on the link between natural resource features on the property and their ecological function within the jurisdiction of the Shorelines Management Program. The Act states that it is in the best interest of the State to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the State and its citizens. Property owners whose land is subject to the Shoreline Management Program may wish to investigate whether or not they are eligible for a reduction in their property taxes. Additional information on Spokane County Open Space Taxation Program is available on the County's website at http://www.spokanecounty.org/bp or by calling the Spokane County Assessor's Office at 509-477-3696.

Cluster Development Near Shorelines
Developers seeking to develop land outside of the Urban Growth Area are encouraged to consider use of Spokane County's clustering provisions in the Spokane County Zoning Code which allow for small lots and in some cases higher densities if residential development can be clustered on the site away offering greater protection for shoreline areas. Information regarding clustering can be found in Sections 14.618.220 and 14.820 of the Zoning Code which is available on the Department's website at http://www.spokanecounty.org/bp and prompt" documents and ordinance,."or call the Department at 509-477-7200.

15. Avista Company

General
Avista is the sole provider of electricity to the City of Spokane. The company also provides power along with Inland Power and Light in the remainder of Spokane County. The first priority regarding power line and gas line stream crossings is to use existing bridges. The company also prefers to locate power lines overhead as opposed to in-stream (below riverbed) breaching. Regarding power line support towers and poles the company attempts to locate them well away from shoreline areas to protect the stream buffer integrity. Generally, the Company tries hard to not disturb shoreline environments. Avista also has a policy of strongly encouraging co-location when Avista and other utility providers desire to make crossings near its facilities. The company protects and restores shoreline areas to the extent that such activity insures long term integrity of the utility crossing.

Dam Relicensing
Avista owns and operates several dams on the Spokane River effecting Spokane County waters. These dams are due for relicensing since current licenses expire in 2007. Avista is submitting relicense applications to the Federal Energy Regulatory Commission (FERC). The relicense applications propose a Spokane River Fish Protection, Mitigation and Enhancement Program which would be implemented following FERC approval of the license renewals. The program proposes enhanced fisheries management to offset any adverse affects to fish life as a result of the operations of the dams. Avista proposes to manage its ownerships adjacent to the Spokane River to protect and enhance fish and wildlife habitat values. The management activities will include wetland creation and enhancement, erosion control and remediation or other shoreline/riparian habitat protection measures, tree and shrub plantings, tree thinning and weed management. Also, proposes

to stock the river with rainbow trout to enhance the river's fisheries and improve angling opportunities.

16. Northwest Power and Conservation Council (NPCC)
(http://www.nwcouncil.org/fw/subbasinplanning/admin/level2/intermtn/plan/)

The NPCC has developed a Spokane Riverbasin Management Plan which, in part, encourages the management of shoreline habitat to restore, maintain and enhance numerous species of fisheries habitat. The plan proposes strategies to protect and enhance the ecological function of the shoreline environments. The plan also addresses maintaining and enhancing in-stream flows and water quality. Below is text within the plan which sets forth the plan's vision for the future of the riverbasin.

The outlet of Coeur d'Alene Lake forms the headwaters of the Spokane River, which flows westerly to its confluence with the Columbia River (Lake Roosevelt). The major river in the Subbasin is the Spokane River, which runs 111 miles from the outlet of Coeur d'Alene Lake to its confluence with the Columbia River. The major tributaries of the Spokane River listed from upstream to downstream include Hangman Creek (also known as Latah Creek), Little Spokane River, and Chamokane Creek (also known as Tshimikain Creek). The Spokane Subbasin vision is:

> "We envision the Spokane Subbasin as having functionally intact habitats that support viable native fish and wildlife populations that meet the social, cultural, recreational, and economic needs of the Subbasin."

In addition to the vision statement the following guiding principles apply to the riverbasin:

1. The Spokane Subbasin plan will be consistent with the Northwest Power Act, Northwest Power and Conservation Council's Fish and Wildlife Program, and Technical Guidance for Subbasin Planning, while complementing existing plans, policies and planning efforts.

2. Fish and wildlife species and habitat should be managed in perpetuity based on scientific, ecological and biological principles, not political interests or boundaries.

3. We have a responsibility to future generations.

4. Public education and outreach is essential for successful plan development and implementation.

5. The Spokane Subbasin plan will consider community and cultural issues.

6. The Spokane Subbasin plan will consider the economic and cultural wellbeing of the area along with fish and wildlife.

The plan sets forth specific strategies to accomplish the above vision.

17. United States Environmental Protection Agency
http://www.epa.gov/owow/nps/funding.html

Brownfields Program provides direct funding for brownfields assessment, cleanup, revolving loans, and environmental job training. To facilitate the leveraging of public resources, EPA's Brownfields Program collaborates with other EPA programs, other federal partners, and state agencies to identify and make available resources that can be used for brownfields activities. In addition to direct brownfields funding, EPA also provides technical information on brownfields financing matters. EPA Brownfields Grants Programs include Assessment Grants, Revolving Loan Fund Grants, Cleanup Grants, Grants for Targeted Brownfields Assessments.

18. US Fish and Wildlife Service

Landowner Incentive Program (LIP)
The purpose of this program is to support on-the-ground projects that enhance, protect, or restore habitats that benefit "species-at-risk" on privately owned lands. Private landowners, individually or as a group, can submit project proposals. Groups (e.g. land conservancies or trusts, watershed councils, community organizations, or conservation organizations) working with private landowners or on trust lands are also eligible. In their proposal, these groups need to identify landowners who have confirmed their intent to participate. This program is a competitive grant program that establishes partnerships between federal and state governments and private landowners. States review landowner applications and submit a package of proposals to for federal funding. The state provides technical and financial assistance to private landowners. Landowners or partners provide a 25% non-federal match or in-kind contribution. This program is funded by the US Fish and Wildlife Service (US FWS) and administered by state wildlife agencies. Go to fa.r9.fws.gov/lip/lip.html for more information.

North American Wetlands Conservation Act Grants Program (NAWCA)
The purpose of this program is to support the long-term protection of wetlands and associated uplands habitats needed by waterfowl and other migratory birds in North America. Projects must support long-term wetlands acquisition, restoration, and/or enhancement. Organizations and individuals who have developed partnerships to carry out wetlands conservation projects may participate. A standard grant proposal is a 4-year plan of action supported by a NAWCA grant and partner funds to conserve wetlands and wetlands-dependent fish and wildlife through acquisition (including easements and land title donations), restoration and/or enhancement, with a grant request between $51,000 and $1,000,000. Small grants (up to $50,000) are administered separately. Partners must provide at least a 1:1 non-federal match to the grant. Match is eligible up to 2 years prior to the year the proposal is submitted and through the project period. Go to http://birdhabitat.fws.gov/NAWCA/act.htm

Partners for Fish and Wildlife (PFW)
The purpose of this program is to support voluntary restoration of wetlands and other fish and wildlife habitats on private land through public-private partnerships. Projects are designed to restore native habitat to as near a natural state as possible. Private landowners may participate in this program. Landowners must provide a 1:1 non federal match (including in-kind). Landowners agree to retain the restoration projects for at least 10 years, and otherwise retain full control of their land. High priority projects address one of more of these criteria: benefit migratory birds, migratory fish, or threatened and endangered species; high priority areas identified by state fish and wildlife agencies and other partners; are located near National Wildlife Refuges; reduce habitat fragmentation. Go to partners.fws.gov/index.htm

Private Stewardship Program (PSP)
The purpose of this program is to provide grants and other assistance on a competitive basis to individuals and groups for voluntary conservation efforts to benefit federally listed, proposed, or candidate species, or other at-risk species on private lands. Private landowners and groups and organizations that partner with landowners may participate in this program. Lands owned or leased by organizations may be eligible if the conservation actions go beyond measures and plans already in place or otherwise required. A proposal needs to describe the conservation efforts to be undertaken, provide a plan for how and by whom the work will be implemented, describe the land where the work will be done, and explain the benefits for the targeted at-risk species. A 10% non-federal match (cash or in-kind) is required. Go to http://endangered.fws.gov/grants/private%5Fstewardship/

19. Miscellaneous Programs

Other State Funding Programs Supporting Shoreline Restoration
Real Estate Transfer Tax – go to website of Washington State Department of Revenue
Washington Wildlife and Recreation Program – go to website

20. Bibliography

Baldwin, K., M. Mangold. and E. Snouwaert. Riparian Restoration: A collection of Landowner's Perspectives (September 2004) Department of Ecology, Publication Number: 04-10-068.

Persons interested are urged to peruse the websites listed above for references and/or links to publications that provide technical information regarding effective shoreline protection and restoration techniques.

APPENDIX B OF SECTION 12

A Summary of Shoreline Ecological Functions and Ecosystem Wide Processes

Prepared for
Spokane County Department of Building and Planning
By Landau Associates

Note: the Complete Landau Associates Report is available in the Spokane County Department of Building and Planning

July 6, 2005
Prepared for
Spokane County Department of Building and Planning
Spokane, WA

Spokane County Shorelines Master Program Update Spokane County, Washington

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1.0 INTRODUCTION AND BACKGROUND

This document presents a summary analysis of the ecological functions of lake and stream shorelines, and characterizations of shoreline use patterns and emerging trends, within Spokane County. The evaluation is part of the required approach for local jurisdictions to meet revised Shoreline Management Act (SMA) guidelines.

The SMA was originally established by the Washington State Legislature in 1971. The passage of the SMA provided a state and local partnership that outlines minimum guidance standards for adoption by local governments for shoreline use. Additionally, it requires local governments to develop and administer Shoreline Management Programs (SMP's) to regulate shoreline development. The SMA applies to marine waters, lakes greater than 20 acres, and rivers and streams with average flows greater than 20 cubic feet per second (cfs). The act covers land 200 feet from the edge of these waters and beyond if associated wetlands extend outward of the 200 feet.

A recent legislative revision to the SMA requires an update of all SMP's statewide. Two key objectives of the revised SMA are a no net loss of shoreline ecological functions and restoration of shorelines over time. In order to meet the objectives of the new SMA guidelines, shoreline ecological processes and functions must be characterized.

1.1 GEOLOGIC SETTING AND PROCESSES

To help characterize shoreline ecological function, it is important to have a general understanding of the geologic conditions and the hydrogeologic processes that contribute to the overall ecological health of a shoreline. These processes govern the presence and movement of water within the shoreline, and are an important factor in assessing potential impacts that can occur when changes in development or land use occur.

Spokane County is located on the eastern edge of the Palouse Subprovince, a relatively stable and undeformed region within the larger Columbia River Plateau physiographic province that lies between the Cascade and Rocky Mountain ranges. Subsurface geology in the county is dominated by the presence of shallow Miocene (13 to 16 million years ago) basalt of the Columbia River basalt group overlying Precambrian basement rock, which was intruded by late Mesozoic era (65 million years ago) coarse grained igneous rocks. The basalt flows cover most of the south and west portions of the county and reach well into north central Spokane County and as far east as the Spokane Valley. The older pre-Miocene basement rocks are prominent as the highest topographical landforms in the area, such as Mount Spokane and Mica Peak, and the hills north and east of Long Lake. The uppermost basalt bedrock,

referred to as the Wanapum formation, is typically seen as outcrops in valley hillsides and ridges, and as the exposed surfaces visible in the plains of west and south Spokane County.

Approximately 12,000 to 22,000 years ago, as many as 40 individual outburst floods released from the giant ice-dammed Lake Missoula in western Montana, inundated and scoured large swaths of Spokane County during the repeated advances and retreats of Pleistocene ice sheets. In the east, central, and parts of north Spokane County, the floods scoured out deep valleys within the bedrock surface and unloaded deposits of cobbles, gravel and sands, which are present in the Spokane valley and Hillyard areas and make up the Spokane Rathdrum Prairie Aquifer (Molenaar, 1988). The floodwaters also scoured out shallow depressions in the basalt bedrock surface in west and southwest Spokane County, an area commonly referred to as the channeled scablands. A portion of north Spokane County near Eloika Lake was also impacted by Pleistocene glaciation, which left behind deposits of dense glacial till soils.

The majority of the lakes in Spokane County lie within scoured depressions in the bedrock surface. These lakes are common throughout the western portion of the county, and are often characterized by their shallow depth, limited size, and the presence of shallow basalt bedrock. The lakes are typically perched on top of the bedrock surface, and are formed when precipitation and runoff from surrounding hillsides fill these low-lying depressions. The lakes are often connected by small creeks and streams, and in some cases, may also be recharged by shallow groundwater that is present in weathered zones near the bedrock surface.

Some lakes located in eastern Spokane County are surrounded by deposits of flood gravels, but are still likely controlled by the presence of shallow bedrock. Lakes in northern Spokane County may be perched on top of glacial till. These lakes often have well-defined surface water inputs, but, like the lakes in other portion of the County, still receive recharge from runoff from surrounding hillsides. Some interaction with groundwater may also be occurring depending on the type of soil or the depth to bedrock beneath the lake.

The rivers and streams in Spokane County typically flow across a wide range of geographic and geologic conditions, accepting runoff from surrounding hillsides and drainages while also interacting with the local groundwater system along its course. The Spokane River, which flows from its source at Lake Coeur D'Alene west to Long Lake, interacts with the surrounding sand and gravel deposits that form the Spokane Rathdrum Prairie Aquifer, alternately gaining and losing water as it flows. Other streams have similar interactions on a more limited basis, which will vary along the different reaches depending on the local geologic and topographic conditions encountered. With the exception of Pine Creek in south Spokane County, all streams and creeks covered in this report drain to the Spokane River.

1.0 ECOLOGICAL PROCESSES ASSESSMENT

Summary matrices that characterize individual shorelines have been prepared for each individual lake and stream water body in Spokane County that meets the SMA criteria. Available reports, notably the *Shoreline Inventory and Assessment for Spokane County Lakes* (URS 2002), and the *PFC Reach Summaries* (SCCD 2004) were used to summarize the existing shoreline conditions; the matrices' reach designations are defined by these documents. Additionally, information from aerial photos, topographical and geological maps, and county soil survey data were also included in the matrices and evaluated to further support the characterization. The matrix tables have been prepared to meet three goals: 1) Identify the ecosystem-wide processes and ecological functions based on the Shoreline Master Program Guidelines criteria; 2) Assess the ecosystem-wide processes to determine their relationship to ecological function within Spokane County, and identify which ecological functions are healthy, which have been significantly altered or adversely impacted, and which functions may have previously existed and are now missing; and 3) Identify the specific measures necessary to protect and/or restore the ecological functions and ecosystem-wide processes.

Specific elements have been included in each matrix that help define the ecological function of each applicable shoreline. These elements are outlined below.

1.1 OVERVIEW

When available, specific physical data of the water body has been summarized. This information includes size, depth, amount (length) of total shoreline, inlets and outlets, location with a drainage basin, and general land use within the drainage area.

2.1.1 ECOLOGICAL PROCESSES SUMMARY

This section summarizes key functional processes identified for the entire water body. This may include, but is not limited to, support of critical wetland communities and their beneficial values, wildlife use of the area and important overall habitat provided by the various shorelines, or identification of the overall functioning condition and/or degradation of the existing shorelines.

2.1.2 REACH DESIGNATION

Each existing shoreline designation has been assigned an alphabetic value which correlates with the shoreline location on the water body figures.

2.1.3 EXISTING ENVIRONMENTAL DESIGNATION

The existing designation of each shoreline is listed in this column. The existing Spokane County designations include Urban, Rural, Conservancy, Pastoral, and Natural.

2.1.4 PROPER FUNCTIONING CONDITION (PFC) DETERMINATION

PFC methodology, for both lentic and lotic systems, were used in this assessment to determine the functioning condition of the riparian-wetland areas along the various lake and stream shorelines. Identifying shorelines where riparian areas are not properly functioning, and those at risk of losing function, is a first step in prioritizing areas for restoration analysis and protection or sensitivity to development impacts (URS 2003). Each reach designation was given a PFC determination of either (a), (b), or (c) for lentic systems or (d), (e), or (f) for lotic systems. These determinations were based on available information of the riparian communities along the shorelines and their ability to meet the following conditions:

LENTIC SYSTEMS

(a) **Proper Functioning Condition** – Lentic riparian-wetland areas are functioning properly when adequate vegetation, landform, or debris is present to: dissipate energies associated with wind action, wave action, and overland flow from adjacent sites, thereby reducing erosion and improving water quality; filter sediment and aid floodplain development; improve flood-water retention and ground-water recharge; develop root masses that stabilize islands and shoreline features against cutting action; restrict water percoloation; develop diverse ponding characteristics to provide the habitat and the water depth, duration, and temperature necessary for fish production, water-bird breeding, and other uses; and supports greater biodiversity.

(b) **Functional-at-Risk** – Riparian-wetland areas that are in functional condition, but an existing soil, water, or vegetation attribute makes them susceptible to degradation.

(c) **Nonfunctional** – Riparian-wetland areas that clearly are not providing adequate vegetation, landform, or large woody debris to dissipate energies associated with flow events, and thus are not reducing erosion, improving water quality, etc.

LOTIC SYSTEMS

(d) **Properly Functioning Condition-** When adequate vegetation, landform, or large woody debris is present to: dissipate stream energy associated with high waterflow, thereby reducing erosion and improving water quality; filter sediments, captures bedload, and aids in floodplain development; improve flood-water retention and ground-water recharge; develop root masses that stabilize streambanks against cutting action; develop diverse ponding and channel characteristics to provide the habitat and the water depth, duration, and temperature necessary for fish production, waterfowl breeding, and other uses; and supports greater biodiversity.

(e) **Functional-at-Risk** – Riparian-wetland areas that are in functional condition, but an existing soil, water, or vegetation attribute makes them susceptible to degradation.

(f) **Nonfunctional** – Riparian-wetland areas that clearly are not providing adequate vegetation, landform, or large woody debris to dissipate energies associated with flow events, and thus are not reducing erosion, improving water quality, etc.

2.1.5 CHARACTERIZATION OF PROCESSES WITHIN THE REACH

Each shoreline has been summarized for six general ecological topics in this section: vegetation, soils, water movement, wildlife, fish, and water quality. These topics provide an overall summary of the ecological functions of each shoreline and identify which functions are healthy, which have been significantly altered or adversely impacted, and which functions may have previously existed and are now missing.

2.1.6 RESTORATION MAINTENANCE STRATEGIES

The following restoration maintenance strategies are intended to provide generalized prescriptions for areas with compromised ecological functions and values; each summary matrix references one or more of these strategies. These prescriptions, however, require site assessments to collect specific information relating to native plant assemblages, topography, and other site attributes. Once these assessments are conducted by a qualified wetland/riparian specialist, a detailed site restoration plan should be developed. Often site restoration plans require a combination of professional services including, but not limited to, geotechnical, civil engineering, landscape architecture, and wetland/riparian specialists.

2.1.6.1 Passive Bioengineering

This restoration strategy is most appropriate for areas of moderate site disturbance and relatively intact habitat conditions. This strategy includes:

- Planting of native vegetation that mimics the adjacent plant communities. Communities should include shrubs, trees, and herbaceous components.
- Minimal grading or sloping to replicate natural topography.
- Drip irrigation to increase survivability of introduced vegetation.
- Monitoring and evaluation of plant survivability, including noxious weed removal, and replacement of dead vegetation.
- Livestock exclusion (through fencing and alternative stock watering systems) or livestock rotation to eliminate or minimize compaction of soil and impacts to native vegetation.
- Toe-slope armoring including native vegetation plantings.
- Slope stabilization including placement of bio-fabric, straw bale, erosion fencing, and straw waddles.

2.1.6.2 Hard Bioengineering

This restoration strategy is most appropriate for areas that have been moderately to severely modified or impacted. Often these areas require drastic changes to the local topography, drainage, and function and values. This strategy includes:

- Slope modifications using heavy equipment including backhoes, trackhoes, bulldozers, etc.
- Toe-slope armoring including large boulder placement, rip-rap, large woody debris placement, rock and wood barbs, and rootwad placement.
- Slope stabilization including trenched willow waddles, gabions, and large rock or wood debris placement.
- Excavation of site to properly mimic natural conditions found pre-disturbance.

2.1.6.3 Native Plant Enhancement

This restoration strategy is most appropriate for areas that have been minimally disturbed and require less intervention to reestablish natural functions and values. This strategy includes:

- Planting of vegetation communities that closely mimic conditions found at intact sites adjacent to the area. Communities should include shrubs, trees, and herbaceous components.
- Use available hydrology necessary for the reestablishment of vegetation where drip irrigation is not necessary.
- Placement of small quantities of plant material in areas that have fairly intact habitat conditions to improve function and value.
- Placement of tree and shrub habitat components that are focused in providing habitat connectivity or canopy cover for fish and wildlife values.

2.1.6.4 Native Grass Strip Buffers

This restoration strategy is most appropriate for areas that require stabilization, filtration, and storage functions near adjacent waterbodies. This strategy should be applied in areas adjacent to impervious surfaces, roadways, or other areas where native vegetation placement is not possible. This strategy includes:

- Planting of native grasses that are prevalent in the surrounding areas.
- Minor scarification of planting area to facilitate adequate germination, water storage, and rooting.
- Adequate mulching to protect grass seed and to provide moisture for an extended period of time.
- Monitoring and evaluation to include periodic watering, removal of noxious or invasive plants, and replacement of seed in areas of low grass reestablishment.

2.1.6.5 Buffer Requirements

This maintenance strategy implements buffer requirements, based on Best Available Science, to exclude encroachment into the established buffer area. This strategy maintains current ecological function and values. Encroachment into defined buffer areas requires mitigation under the Spokane County Critical Areas Ordinance.

2.1.6.6 Hydrology enhancement/alteration

This strategy provides re-establishment of natural hydrology to include:

- Culvert replacement removal.
- Dike removal or maintenance.
- Artificial drainage removal (tiling, ditching, etc.)
- Floodplain reconnection
- Barrier removal

3.0 CHARACTERIZATION OF CURRENT SHORELINE USE PATTERNS AND EMERGING TRENDS

3.1 OVERVIEW

In order to assure, at a minimum, that no net losses of ecological functions are sustained over time, it is necessary to characterize current shoreline use pattern and emerging trends. These current and emerging trends, along with information pertaining to the characterization of ecological function, cumulative impacts, and values and restoration planning, will be utilized toward developing future recommended environmental designation and shoreline protection measures. Guidance for the development of this information was provided through language outlined in WAC 173-26-201.

3.2 DATA COLLECTION

Existing information was collected in order to generally characterize current shoreline use patterns and emerging trends. Information collected included communication with Spokane County personnel (November 2004, personal communications with Jim Millgard, Kathy Sanders, and Tammie Williams), plus various maps and logs, listed in the reference section at the end of this report.

3.3 ANALYSIS

The analysis of information is summarized in four sections related to shoreline development trends:

- Shoreline development/ use patterns;
- Shoreline exemptions;
- Land-use designations and current parcel status (vacant, single family dwelling, agricultural and forestry use);
- Reasonable use exceptions and/or buffer adjustments per the Spokane County Critical Areas Ordinance.

3.3.1 SHORELINE DEVELOPMENT/USE PATTERNS

A period of fifteen years was examined to determine shoreline use patterns on lakes and rivers considered under the Shoreline Management Act. Within this period of time the following generalizations were documented:

- Very minimal development has occurred on vacant shore land. The activity of new home construction on vacant property has been on infill property (lots) in plats approved prior to 1974. Of particular interest, vacant lots on the east side of Silver Lake are being developed with homes. This development is most likely occurring within the 200' shoreline jurisdiction area.

- Generally, the vacant land remaining around Spokane County Lakes (within 200' of the ordinary high water mark) cannot be developed with homes or other uses due to terrain impediments (bluffs, rocky conditions, inaccessibility); critical areas ordinances restrictions (geo-hazards and wetlands); public ownership and private reserves; management for tree, crop, or livestock production; or plat restrictions.

- Generally, the land remaining adjacent to the Spokane County Rivers cannot be developed with homes or other developments due to the critical areas ordinances (riparian and wetland buffer restrictions); floodplain restrictions; public ownership and private reserves; areas managed for tree, crop, or livestock production; or plat restrictions.

- The few new homes built on vacant property outside of the plats are constructed on large parcels of land (10 acres or greater) and are on the portions of the parcel outside of the 200' shoreline jurisdiction.

- Most development consists of improvements of existing developed property.

- Nearly all of the improvements relate to existing single family residences. The activity either substantially improves upon an existing residence or demolishes the existing residence in order to build a new residence. Other related development includes docks, revetment maintenance, bank stabilization, and access improvements to the water.

- Commercial development that has occurred has been limited to re-development of property with a history of commercial use.

- Since 1990, a few single family dwellings have been constructed within Spokane County floodplain areas. However, none of these were constructed within the 200' shoreline jurisdiction area. Most of the floodplain development has consisted of bridge abutment maintenance involving Spokane County road projects. The remaining projects involved three private bridge river crossings. Outside of these few developments, there has been virtually no development in floodplain areas in the past fifteen years.

- An analysis of past development and current conditions, as provided in the Spokane County Lake Shoreline Assessment (URS 2002), was conducted. Using baseline information provided by this assessment, a list of lakes and their respective designation (restoration, retention, and preservation) was summarized. This analysis highlighted development trends and will aid in prioritizing future protection and restoration strategies. The designations were based on the following criteria: 1) individual shoreline PFC ratings and shoreline conditions; 2) ownership; 3) land use capability and trends; 4) extent of percentage of development or habitat loss, and the function and value of habitat still in its natural state.

- The analysis concluded with twenty two lakes that are undeveloped and identified as high priority for preservation, thirteen lakes that are moderately developed and identified for priority of retaining ecological functions and values, and nine lakes that are significantly developed and are identified for their restoration potential. The majority of shorelines in the restoration

category are easily accessible, are in close proximity to urban areas, and generally are larger in size. The retention and preservation categories are generally smaller in size and are inaccessible and remote.

- A PFC summary of the river and stream systems (SCCD 2005) indicated that fifty eight reaches and one hundred thirty seven river miles qualify as Properly Functioning Condition, twenty nine reaches and fifty one river miles as Functional-at Risk Condition, and one reach and three river miles as Non-Functioning Condition. This represents that seventy-one percent of the river/stream systems assessed are properly functioning, twenty seven percent are functional-at-risk, and two percent of the rivers/streams assessed are non-functioning. Specifically, the Spokane River is summarized as 95% properly functioning and 5% functioning-at-risk; the Little Spokane River as 77% properly functioning and 23% functioning-at-risk; W.Branch Little Spokane River as 74% properly functioning and 26% functioning-at-risk; Dragoon Creek as 90% properly functioning and 10% functioning-at-risk; Deadman Creek as 100% properly functioning; Latah Creek as 30% properly functioning, 63% functioning-at-risk, and 7% non-functioning; Rock Creek as 64% properly functioning and 36% functioning-at-risk; and Pine Creek as 100% properly functioning. This summary will focus measures aimed at protecting, restoring, and enhancing ecological function and value.

3.3.2 SHORELINE EXEMPTION ANALYSIS

This analysis was based on information gathered from Joint Aquatic Resource Permit Applications and Buffer Adjustment and Reasonable Use Exception logs. The records cover the period of time between 1986 and 2004. Information was available for eleven lake waterbodies, and five river systems.

Lake Spokane - Fifty eight exemptions were issued. Twenty-nine exemptions were issued for docks; seven exemptions issues for dock maintenance or enhancement; six for retaining walls or bulkhead construction or maintenance; four for road and bridge repairs; and the remaining balance for resort building repair, irrigation repair and construction, and utility line construction or maintenance.

Liberty Lake - Fifty one exemptions were issued. Of those exemptions, seventeen were for docks; fourteen for mooring buoys; six for dock maintenance or enhancement; four for retaining wall or bulkhead maintenance; and the remaining balance for dredging, a community dock, observation platform, beach maintenance, stormwater swales, and numerous speed limit buoys.

Newman Lake - Forty seven exemptions were issued. Of those exemptions, ten were for dock repair or replacement; nine for new docks; five for dredging; five for retaining wall or bulkhead maintenance or replacements; five for utility repair; two for bank repair; and the remaining balance for resort rebuild, swim buoys, speed limit buoys, road and bridge repairs, deck repair, and a boat house conversion to a home.

Silver Lake - Forty exemptions were issued. Of these, twenty seven were for new docks; four for dock repairs; two for retaining wall or bulkhead maintenance; two for resort repair and enhancements; and the remaining balance for speed buoys, ramp maintenance, boardwalk construction, and dredging.

Clear Lake - Eight exemptions were issued. Of these, three were for new docks; and the remaining balance for road maintenance, picnic shelter replacement, dock repair, fuel tank replacement, and wetland enhancement.

Fish Lake - Exemptions issued for home rebuild and park maintenance.

Medical Lake - Exemptions issued for park enhancements.

Eloika Lake - Three exemptions issued for new docks.

Williams Lake - Five exemptions issued for dock repairs and enhancements; three exemptions for docks; and the balance for dredging, public sewer system construction, boat ramp, repair retaining walls, boat ramp replacement, and road maintenance.

Willow Lake - Exemptions issued for a dock and speed buoys.

Badger Lake - Two exemptions for dock repair and two for new docks.

Spokane River - Forty three exemptions were issued. Of these, ten were for docks; seven for road and bridge repairs; and the balance for dredging, dam repairs, utility line maintenance and replacement, test drilling, retaining wall maintenance, and gauging station construction.

Rock Creek - Nine exemptions issued. Of these, six were for road and bridge repair and maintenance; and the remaining balance for utility maintenance, post flood stream channel rebuilding, re-burying of exposed gas line, flood damage repair, and utility maintenance.

Latah/Hangman Creek - Eleven exemptions issued for bank rebuilding and stabilization; six issued for road and bridge maintenance; and the remaining balance issued for berm construction, utility maintenance, and dike repairs.

Dragoon Creek - Exemption issued for gas line installation.

Little Spokane River - Twenty one exemptions issued. Of these, five issued for bridge and road maintenance or enhancements; two for bank maintenance; two for utility installations; two for multi-home construction; and the balance issued for golf course enhancements, school maintenance, flood damage repair, canoe launch repair, dike repair, picnic shelter replacement, pond maintenance, selective timber removal, and habitat enhancement.

3.3.3 LAND USE DESIGNATIONS AND PARCEL STATUS

Land use maps and individual parcel data were used to summarize information for the river and stream systems. Parcel status included vacant lots, single family dwellings, and agricultural and forest use areas.

West Branch Little Spokane River - The West Branch Little Spokane River consists of both Conservancy and Pastoral designations. Within the Pastoral designation, twenty-one parcels are currently vacant, fourteen are single family dwellings, and two are designated agricultural. Within the

Conservancy designation, seventeen parcels are currently vacant, ten are single family dwellings, and one large parcel is managed for timber production.

Summary of Current Land Use - The majority of current use and parcellation consists of vacant lots (38 parcels). The next use consists of single family dwellings (24 parcels), with the remaining consisting of two agricultural parcels and one parcel managed for timber production.

Eloika Lake - Eloika Lake consists of Natural, Conservancy, and Pastoral designations. Within the Natural designation (on the southern end of the lake), seven parcels are vacant, three parcels are agricultural, one parcel is managed for timber production, and two parcels are single family dwellings. Within the Conservancy designation, the majority of the west side of the lake consists of vacant parcels that are mainly set aside for timber production. The east side of the lake consists of single family dwellings and vacant lots. The northern end of Eloika Lake consists of a Pastoral designation on the west-side of the lake and a Conservancy designation on the east-side. The Pastoral designation is mostly vacant/forestry set-asides, and the Conservancy designation is comprised of vacant parcels.

Summary of Current Land Use - The majority of the southern and northern ends of the lake are vacant parcels. The west side of lake is primarily vacant parcels and the east side is mostly single family dwelling parcels with mixed set-asides for timber production.

Little Spokane River - The lower Little Spokane River (starting at the confluence with the Spokane River) is a Conservancy designation with vacant parcels and a state park. This transitions into a Natural designation on the right bank and a Pastoral designation on the left bank. The Natural designation consists of a state park set-aside. The Pastoral designation transitioning into a Natural designation is county park set-aside. The next transition is to Pastoral and Conservancy designations which are primarily forest set-asides, county park land, and vacant parcels. Beginning at the Fish Hatchery, the parcels are primarily vacant, agricultural, and forestry set-asides. This low use trend continues to the Wandemere Golf Course. The transition is to a Conservancy and Pastoral designations with vacant parcels and single family dwellings. Agricultural, vacant, and forest set-aside lands dominate around the Colbert area. Single family dwelling parcels are prevalent around the Chattaroy area, transitioning back to vacant and forest set-aside parcels. At approximately the Deer Park Milan Rd. single family dwelling and vacant parcels are prevalent. At Elk Chattaroy Rd., forest set-asides and vacant parcels are prevalent transitioning into forest set-asides, agricultural, and vacant parcels.

Summary of Current Land Use - The majority of parcels in the Little Spokane River drainage consist of vacant, forest set-asides, and agricultural. The single family dwelling parcels are very concentrated in specific areas. Notably, several Spokane County and State Park set-asides are prevalent on the lower Little Spokane River.

Rock Creek- Rock Creek consists of Conservancy, Pastoral, and Urban designations. At the confluence of Rock Creek and Latah/Hangman Creek, the Conservancy designation is characterized with vacant agricultural parcels with one single family dwelling. This transitions into a Pastoral designation with strictly agricultural use parcels. This transitions into vacant agricultural and forestry set-asides, alternating between Pastoral and Conservancy designations. At Cameron Rd. within a Pastoral designation, three single family dwellings exist. The Pastoral designation transitions into an Urban designation at Rockford which consists of single family dwellings, vacant parcels, and agricultural uses. Outside of the town boundary, the Urban designation transitions into Pastoral with vacant, forested set-asides, and agricultural uses.

Summary of Current Land Use - The majority of parcels in the Rock Creek drainage consist of vacant, forestry set-aside, and agricultural uses. Very few single family dwellings are present.

Latah/Hangman Creek – Latah/Hangman Creek consists of Conservancy, Pastoral, and Urban designations. The analysis starts at the Hatch Rd. bridge. This section of river is designated as Conservancy with single family dwellings, agricultural uses, and vacant parcels. This Conservancy designation transitions into a Pastoral designation, approximately located at the Hangman Golf Course, which is primarily used for recreation. This area transitions into a Conservancy designation with vacant parcels, agricultural uses, and forest set-asides. This area does contain a couple of single family dwellings. At approximately Spangle Creek, several single family dwellings exist. These are adjacent to vacant and agricultural use parcels. This transitions into agricultural land use until the town of Waverly, which is an Urban designation with one single family dwelling and some vacant parcels. This in turn transitions into a Conservancy designation with agricultural and forest set-aside uses. The town of Latah is the next transition, which is an Urban designation with single family dwellings dominating. This transitions into a Conservancy designation to the Spokane County boundary line and is exclusively agricultural use.

Summary of Current Land Use - Latah Creek is characterized primarily by agricultural uses. Forestry set-asides are found in certain areas along the stream corridor. Single family dwellings are concentrated in the developed areas of the towns of Waverly and Latah.

Deadman Creek - Deadman Creek is a Pastoral Designation in its entirety. At the confluence of the Little Spokane River, the parcels contain a mixture of single family dwellings and vacant lots with some agricultural and forestry set-asides.

Summary of Current Land Use - Deadman Creek contains frequent single family dwellings along its entirety. Many vacant parcels exist within this tributary.

Dragoon Creek - Dragoon Creek is characterized by Pastoral and Rural designations. The analysis begins at the Chattaroy Road. The uses consist of vacant lots, single family dwellings, forested

set-asides, and agricultural parcels. Approximately at Hwy. 395, a Rural designation exists. This area is characterized by several single family dwellings and vacant parcels. This transitions into a Pastoral area with single family dwellings, vacant lots, and forested set-asides. Toward the end of this designation, vacant land is characterized by Washington State Department of Natural Resource (DNR) holdings. This area transitions into a Rural designation area with single family dwellings, with several vacant parcels. The next designation is Pastoral beginning with vacant DNR holdings. The remaining Pastoral area has single family dwellings and vacant agricultural lands. This vacant land transitions into a Rural designation which is exclusively vacant forestry set-aside land. The remaining designation is Pastoral with several single family dwellings and vacant forestry and agricultural uses.

Summary of Current Land Use - Dragoon Creek has single family dwellings throughout the assessment area. These areas have a considerable amount of vacant land parcels consisting of forestry set-asides, agricultural uses, and DNR holdings.

Spokane River {Upstream from Upriver Drive to the Boundary} - This analysis starts adjacent to Upriver Dr. on the right bank. The first area is designated as Conservancy. The area is exclusively vacant with the exception of single family dwellings immediately adjacent to the riparian buffer area. A Natural designation area occurs on the left bank, which is characterized by single family dwellings. The right bank across the river is characterized as a recreational use area transitioning into single family dwellings. The Natural designation area continues with single family dwellings. At approximately Argonne Road, the right bank continues with a Conservancy designation with single family dwellings and a Washington State Parks (WSP) holding, and the left bank continues with a Natural designation characterized as industrial with vacant parcels. The right bank transitions into a Pastoral designation with WSP holdings, and the left bank transitions into a Pastoral designation with vacant land parcels. The right bank has a transitional Conservancy area which contains a continuation of the WSP holdings. The City of Spokane Valley begins on the left bank and the WSP holdings continue on the right bank. Vacant WSP holdings continue past the crossing of Trent Ave. until approximately Barker Road. Here, on the right bank the area transitions to a Conservancy designation and is characterized by several single family dwellings. The left bank is Pastoral and continues in WSP holdings. The right bank transitions to a Pastoral designation with several single family dwellings and continuing with WSP holdings. This continues approximately to Euclid and Indiana, where the right bank has several single family dwellings and the left bank continues with WSP holdings transitioning into vacant Washington Department of Transportation (WSDOT) holdings. The right bank has an alternating Conservancy and Pastoral designation with single family dwellings. The left bank continues with both WSP and WSDOT holdings. The left bank transitions into a Rural designation with WSDOT holdings. The right bank continues with a Pastoral designation with single family dwellings.

Spokane River {Downstream of Downriver Dr. to Spokane County Boundary} - The analysis starts with a Conservancy designation on the left bank in WSP holdings. This continues downstream on both the right and left banks. The Conservancy designation continues with a shift to Avista Corporation (Avista) holdings on the right bank with some single family dwellings. On the left bank, several single family dwellings are present adjacent to the WSP holdings. This continues with vacant WSP holdings adjacent to Riverside State Park. The right bank transitions into a Rural designation with vacant lots and single family dwellings. The left bank continues with WSP holdings until a transition to a Rural designation with an Avista holding. This transitions into a Conservancy designation with WSP holdings on both the right and left banks. The left bank has a block of low density single family dwellings. The designation ends on the right bank. The left bank continues with a Conservancy designation with single family dwellings. Further designations alternate with Rural, Conservancy, Pastoral, Conservancy, Pastoral, Conservancy, Pastoral, Conservancy, Pastoral (with Avista and DNR holdings), Conservancy, Pastoral, Natural, Pastoral (Avista and vacant parcels).

Summary of Current Land Use - The Spokane River consists of Pastoral, Conservancy, Natural and Rural designations. Of particular note are the rather large vacant land holdings of WSP, WSDOT, and Avista.

4.0 SHORELINE PROTECTION AND RESTORATION PLAN

The goals, policies and implementation strategies included in this plan are intended to protect shoreline ecological necessary to sustain the shorelines' ecological integrity, and promote restoration of impaired functions. Nearly all shoreline areas, even substantially developed or degraded areas, exhibit important ecological functions. This plan is intended to encourage the protection of shoreline areas from significant degradation resulting from development or other human activity.

The new Shoreline Management Guidelines, chapter 173-26 WAC, effective January 17, 2004, direct local governments to include a "real and meaningful" strategy to address restoration of shorelines within their shoreline master programs. The guidelines require counties to identify and assemble the most current, accurate, and complete scientific and technical information available regarding shoreline ecosystems. Master program updates must also include an analysis incorporating the most current, accurate, and complete scientific and technical shoreline information available. This plan includes goals and policies that promote restoration of ecological functions, as provided in WAC 173-26-201 (2)(f), where such functions are found to have been impaired based on analysis described in WAC 173-26-201 (3)(d)(i). The shoreline protection strategy set forth is intended to prevent shoreline degradation and assure no net loss of ecological functions.

This plan also promotes non-regulatory programs which will contribute to shoreline restoration through a combination of public and private programs and actions. The full text of this protection and restoration plan is included in Appendix A.

5.0 CUMULATIVE EFFECTS

The Shoreline Management Guidelines require that local governments address cumulative effects of incremental impacts on shoreline ecological functions from uses and activities allowable under the proposed shoreline master program (in accordance with chapter 173-26 WAC). The cumulative effect analysis is based on the review of information contained within 1) this Spokane County Shorelines Master Program Update (e.g. geologic setting and processes (Section 1.0), ecological processes assessments for lentic and lotic systems (Section 2.0), and characterization of current shoreline use patterns and emerging trends (Section 3.0); 2) the revised shoreline management designations (natural, rural-conservancy, high-intensive, shoreline residential, and urban-conservancy); and 3) the goals and policies for shoreline elements (public access, circulation, recreation, shoreline use, conservation, historical and cultural, shoreline restoration and protection, special flood hazards, private property, and education). The use and implementation of the Shoreline Protection and Restoration Plan greatly reduces any incremental impacts on shoreline ecological functions. The Plan allows for utilization of existing information regarding shoreline function and value, and provides restoration strategies to be considered toward a final site-specific restoration plan.

5.1 SPOKANE COUNTY SHORELINES PROGRAM UPDATE

The Spokane County Shoreline Program Update summarizes essential information on the ecosystem-wide processes for lentic and lotic systems within the context of geologic setting and processes. Information is summarized per reach of lentic and lotic shoreline areas, describes the proper functioning condition determination, shows the characterization of processes within each reach, and outlines restoration and maintenance strategies for each reach. This information can be used to ensure that any future activities within these reaches will not result in a loss of ecological functions. Furthermore, to ensure that no net loss of ecological functions occurs, the restoration maintenance strategies specified in the Shoreline Protection and Restoration Plan can be used by property owners and County program administrators throughout the permitting and exemption review process.

Additionally, the characterization of current shoreline use patterns and emerging trends concluded that very minimal development has occurred on vacant shore land; that lake shoreline exemptions are limited generally to bulkhead construction and maintenance, bank repair, and other less invasive development; and that river and stream systems are dominated by vacant lots, single family dwellings, agricultural and forest use areas, and large vacant land holdings. It is suspected that the land use regulations, critical areas permitting, and lack of suitable development sites all contribute to these use patterns and emerging trends.

5.2 REVISED SHORELINE MANAGEMENT DESIGNATIONS

The revised shoreline management designation considers shorelines of statewide significance along with five distinct management areas. These designations generally preserve the natural character of the shoreline, prevent the degradation of the physical features of the shorelines and the quality of water, and encourage uses in each designation which will enhance the character of that environment. The local government may place reasonable standards, restrictions, and prohibitions on development so that such development does not degrade the ecological function of the shoreline or destroy the character of the area. The guidance provided in these designations will ensure that any future activities within these reaches will not result in any loss of ecological functions.

5.3 GOALS AND POLICIES FOR SHORELINE ELEMENTS

The goals and policies of the shoreline elements ensure that reasonable and adequate public use is allowed within the shoreline designations. Specific public use elements include 1) economic development; 2) public access; 3) circulation systems; 4) recreation; and 5) private property rights. Specific resource protection elements include 1) shoreline restoration and protection; 2) historical and cultural; 3) shoreline use; 4) conservation; and 5) special flood hazards. Each of these elements ensures that shoreline ecological functions are protected, preserved, or restored where ecological functions have been degraded. Furthermore, the education element encourages appropriate public agencies, owner associations, businesses, property owners and other shore land user groups understand and promote good stewardship of the shore lands.

5.4 CONCLUSIONS

The information and policies contained within the Spokane County Shoreline Program Update, the revised shoreline management designations, and goals and policies of the shoreline elements, and the strategies outlined in the Shoreline Protection and Restoration Plan enable Spokane County government to effectively regulate applicable shorelines under the SMA, and ensure that no net loss of ecological function and value within the shorelines occurs. Of critical importance is the use of these materials to guide decision making toward protection and enhancement of identified attributes within the shoreline areas. Additionally, adequate in-field investigations must be performed by qualified experts to ensure that the ecological functions are verified, protected, or if disturbed, enhanced and restored. Adequate monitoring and evaluation of program effectiveness and project implementation will become a critical element of the success of this program. Due to the uncertainties associated with funding and willingness

to voluntarily restore shorelines, it is very speculative to define specific timelines and benchmarks for shorelines within Spokane County; however, the County will promote the use of information contained within this report and appendices to guide short-term education, with the intent of protecting ecological functions of County shorelines. If adequate restoration finding is provided, the compilation of information contained within this report will inform the development of prioritization of specific shoreline areas for restoration, site-specific restoration plans with associated implementation timelines and benchmarks, and adequate monitoring and evaluation methodology. Assuming the information in this report is rigorously and effectively applied to shoreline improvements, the cumulative incremental impacts of shoreline improvements should be minimal or nonexistent as it relates to shoreline degradation.

6.0 USE OF THIS REPORT

This report has been prepared for the exclusive use of Spokane County for specific application to the Spokane County Master Plan Update. The reuse of information, conclusions, and recommendations provided herein for extensions of the project or for any other project, without review and authorization by Landau Associates, shall be at the user's sole risk. Landau Associates warrants that within the limitations of scope, schedule, and budget, our services have been provided n a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions as this project. We make no other warranty, either express or implied.

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Appendix of Section 12 C Table 1
Lake Shorelines Categorized for Restoration

APPENDIX C OF SECTION 12

Note: The tables in this Appendix are essentially a part of Element 4, the Shoreline Protection and Restoration Plan, and are referenced extensively in that Element.

Lake	Shoreline Segment*	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Clear Lake	B and F	vegetative communities fragmented, increase in impervious surfaces	increased runoff, lowered filtration capability, potential to degrade water quality from nutrients and sedimentation, loss of wildlife habitat, impact fishlife	plant native vegetation and improve connectivity of plant communities. Reestablish on-site filtration capabilities via stormwater & sedimentation control guidelines, pursue a combination of restoration strategies I, II and IV depending on circumstances of specific shoreline	2017 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife
	C	vegetative communities fragmented, increase in impervious surfaces	increased runoff, lowered filtration capability, potential to degrade water quality from nutrients and sedimentation, loss of wildlife habitat, impact fishlife	plant native vegetation and improve connectivity of plant communities. Reestablish on-site filtration capabilities via stormwater & sedimentation control guidelines, pursue a combination of restoration strategies III, IV and V depending on circumstances of specific shoreline	2014 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife
Newman Lake	B, C, D, E	fragmentation of vegetative communities, increase in impervious surfaces	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality, impact fishlife	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control especially near road, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2013 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife and wildlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

Lake	Shoreline Segment*	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Newman Lake (cont.)	G and H	fragmentation of vegetative communities, increase in impervious surfaces	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control especially near roads, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2013 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife and wildlife
Williams Lake	A,B, D and F	fragmentation of vegetative communities, increase in impervious surfaces	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality	plant native vegetation improve connectivity of plant communities, promote stormwater and sedimentation control especially near roads, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2019 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

Lake	Shoreline Segment*	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Liberty Lake	A	fragmentation of vegetative communities, substantial increase in impervious surfaces, possible use of fertilizers and herbicides	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality	plant native vegetation improve connectivity of plant communities, promote stormwater and sedimentation control especially near roads, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2019 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
Silver Lake	B, C, G and H	fragmentation of vegetative communities, increase in impervious surfaces, introduction of fertilizers and possibly herbicides	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality and fishlife	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control, eliminate use of fertilizers and herbicides, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2017 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
Fish Lake	A, B, C	fragmentation of vegetative communities, increase in impervious surfaces, introduction of fertilizers and possibly herbicides	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality and fishlife	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control, eliminate use of fertilizers and herbicides, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2017 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

Lake	Shoreline Segment*	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Shelly Lake	A	fragmentation of vegetative communities, increase in impervious surfaces, introduction of fertilizers and possibly herbicides	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality and fishlife	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control, eliminate use of fertilizers and herbicides, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2015 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, reestablish fishlife and wildlife
Shelly Lake	A	fragmentation of vegetative communities, increase in impervious surfaces, introduction of fertilizers and possibly herbicides	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality and fishlife	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control, eliminate use of fertilizers and herbicides, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2015 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, reestablish fishlife and wildlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

Lake	Shoreline Segment*	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Medical Lake	A	fragmentation of vegetative communities, increase in impervious surfaces, introduction of fertilizers and possibly herbicides	loss of wildlife habitat, increased runoff, lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality and fishlife	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control, eliminate use of fertilizers and herbicides, pursue a combination of restoration strategies I-IV depending on circumstances of specific shoreline	2013 via volunteer actions and possibly development mitigation, pursue restoration incentive programs outlined in this plan	improve wildlife habitat, improve filtration and water quality, stabilize banks, maintain/enhance fishlife

* The restoration strategies I, II, III, IV cited in this column are extracted from the Landau and Associates Spokane County Shoreline Master Program Update Report, dated July 6, 2005 maintained in the Department of Building and Planning.

**The restoration strategies, as extracted from the above cited Landau Associates 2005 Report are outlined as follows:

Restoration Strategy I
Passive Bioengineering – Restoration strategy most appropriate for areas of moderate site disturbance and relatively intact habitat conditions. Includes the following: 1) Planting of native vegetation that mimics the adjacent plant communities, 2) Minimal grading or sloping to replicate natural topography, 3) Drip irrigation to increase survivability of introduced vegetation, 4) Monitoring and evaluation of plant survivability, including noxious weed removal and replacement of dead vegetation, 5) Livestock exclusion or rotation to eliminate or minimize compaction of soil and impacts to native vegetation, 6) Toe-slope armoring including native vegetation plantings, and 6) Slope stabilization.

Restoration Strategy II
Hard Bioengineering – Restoration strategy most appropriate for areas that have been moderately to severely modified or impacted. Includes the following: 1) Slope modifications using heavy equipment, 2) Toe-slope armoring including large rock or wood debris placement, 3) Slope stabilization, and 4) Excavation of site to properly mimic natural conditions found pre-disturbance.

Restoration Strategy III
Native Plant Enhancement – Restoration strategy most appropriate for areas that have been minimally disturbed and require less intervention to reestablish natural functions and values. Includes the following: 1) Planting of vegetation communities that closely mimic conditions found at intact sites adjacent to the area, 2) Placement of small quantities of plant material to benefit function and value of fairly intact habitat conditions, and 3) Placement of tree and shrub habitat components that are focused in providing habitat connectivity or canopy cover for fish and wildlife.

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

Restoration Strategy IV

(IV) Native Grass Strip Buffers – Restoration strategy most appropriate for areas that require stabilization, filtration, and storage functions near adjacent waterbodies; this strategy should be utilized in areas where native vegetation placement is not possible. Includes the following: 1) Planting of native grasses that are prevalent in the surrounding areas, 2) Minor scarification of planting area to facilitate adequate germination, water storage, and rooting, 3) Adequate mulching to protect grass seed and to provide moisture for an extended period of time, and 4) Monitoring and evaluation.

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

River*	Shoreline Reach and Length	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Spokane	Lower portion of Reach 1 .2 miles	plant communities fragmented and sparsely vegetated, trees removed	increased runoff, lowered filtration capability, potential to degrade water quality from nutrients and sedimentation, loss of fishlife and wildlife habitat,	plant diversity of riparian vegetation and improve connectivity of plant communities, pursue a combination of restoration strategies I, III and V depending on circumstances of specific shoreline	2015 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife & wildlife
	6 2.8 miles	lacks riparian vegetation due to development and parks	increased runoff, lowered filtration capability, potential to degrade water quality from nutrients and sedimentation, loss of fishlife and wildlife habitat	plant riparian vegetation and improve connectivity of plant communities, reestablish on-site filtration capabilities via stormwater & sedimentation control guidelines, pursue a combination of restoration strategies III and V depending on circumstances of specific shoreline	2015 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife and wildlife
	14 2.7 miles	Bulkheads and lawns to water's edge, road runoff, wave action has eroded banks	bank destabilized, increased runoff, lowered filtration capability, potential to degrade water quality from nutrients and sedimentation, loss of fishlife and wildlife habitat,	plant riparian vegetation and improve connectivity of plant communities, reestablish on-site filtration capabilities via stormwater & sedimentation control guidelines, pursue a combination of restoration strategies III and V depending on circumstances of specific shoreline	2015 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, stabilize banks, maintain/enhance fishlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

River*	Shoreline Reach and Length	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Little Spokane River	1C, 2, 3 .8, .5 and 1 miles respectively	riparian vegetation is minimal due to heavy grazing and some residential development with lawns and bulkheads	lowered filtration capability increasing nutrients and sediments flowing to lake potentially reducing water quality	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control especially near road, pursue a combination of restoration strategies I, III & V	2015 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife and water quality, stabilize banks, maintain/enhance fishlife and wildlife
	6 1.9 miles	riparian vegetation is limited due to heavy grazing and some residential development with lawns and bulkheads, stormwater coming from nearby roads and railroads	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3
	8, 9, 10, 12, 13 9.7 miles total	riparian vegetation is limited due to grazing, stormwater runoff coming from nearby roads and development	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3
	14 and 15 1 and 9.2 miles respectively	riparian vegetation is very limited due to heavy grazing and some residential development with lawns and beaches at the waters edge, barrow pit in the middle of reach 14	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3	Same as reaches 1C, 2, 3

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

River*	Shoreline Reach and Length	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
West Branch of LSR	6 .5 miles	vegetative communities are fragmented due to livestock grazing, the reach lacks adequate riparian-wetland vegetative cover subjecting banks to erosion	increased runoff, lowered filtration capability increasing nutrients and sediments flowing to water potentially reducing water quality	plant riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V	2019 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
Dragoon Creek	3 .6 miles	crop production on both sides of creek, riparian vegetation is sparse and exists in thin strips adjacent to creek, runoff from crop land entering the creek	increased runoff, lowered filtration capability increasing nutrients and sediments flowing to water potentially reducing water quality, reduction in wildlife habitat	plant riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies III & V	2019 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
	4 .9 miles	livestock grazing and recreation access points, spots of sparse riparian vegetation	increased runoff, lowered filtration capability increasing nutrients and sediments flowing to water potentially reducing water quality, reduction in wildlife habitat, erosion and slumping banks	plant riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies III & V depending on specific circumstances of shoreline	2019 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
	8 1.8 miles	livestock grazing, spots of sparse riparian vegetation	increased runoff, lowered filtration capability increasing nutrients and sediments flowing to water potentially reducing water quality, reduction in wildlife habitat, erosion and slumping banks	plant riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V depending on circumstances of specific shoreline	2019 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

River*	Shoreline Reach and Length	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Hangman Creek	9 and 10 1.5 and 1.1 miles respectively	Crop production and livestock grazing, entire reach lacks adequate riparian plant communities	bank erosion/instability, little dissipation of creek energy, sediments flowing to water potentially reducing water quality, reduction in wildlife habitat	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
	14B 1.1 miles	Overgrazing by livestock, sparse riparian vegetation	bank erosion/instability, little dissipation of creek energy, sediments flowing to water potentially reducing water quality, reduction in wildlife habitat	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
	18 3.3 miles	extensive agriculture activity in this reach with relatively few intact riparian plant communities	stream bank cutting and sloughing, little dissipation of creek energy, sediments flowing to water potentially reducing water quality, reduction in wildlife habitat, runoff from roads	plant native/riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
	20 and 21C 7.4 and 3 miles Respectively	fragmentation of riparian plant communities due to limited areas of agriculture activities	increased runoff, lowered filtration capability increasing nutrients and sediments flowing to water potentially reducing water quality, reduction in wildlife habitat, erosion and slumping banks	plant native/riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

River*	Shoreline Reach and Length	Ecological Disturbances	Shoreline Impacts	Restoration Measures**	Approximate Timing & Method	Restoration Benefits
Rock Creek	6 and 10 .2 miles	extensive livestock grazing, majority of reach lacks significant riparian vegetation	bank erosion/instability, little dissipation of creek energy, sediments flowing to water potentially reducing water quality, reduction in wildlife habitat	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
	8 and 9 2.4 and 7.4 miles respectively	livestock grazing is spots, riparian vegetation is sparse in grazed areas, nearby rock quarries are potential sources of increased sediment	bank erosion/instability, little dissipation of creek energy, sediments flowing to water potentially reducing water quality, reduction in wildlife habitat	plant native vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies I, III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	improve wildlife habitat, improve water quality, bank stability, maintain/enhance fishlife and wildlife
Pine Creek	1 3.8 miles	extensive crop production and livestock grazing, borrow pits near mid-reach, runoff from nearby roads	bank erosion/instability, sediments flowing to water potentially reducing water quality, reduction in wildlife and fisheries habitat	plant native/riparian vegetation and improve connectivity of plant communities, promote stormwater and sedimentation control pursue a combination of restoration strategies III & V depending on circumstances of specific shoreline	2020 via volunteer actions and possibly development mitigation, encourage pursuit of restoration incentive programs outlined in this plan	

* The river reaches cited in this column are extracted from the Landau and Associates Spokane County Shoreline Master Program Update Report, dated July 6, 2005, maintained in the Department of Building and Planning.

**The restoration strategies extracted from the Landau Associates 2005 Report are outlined as follows:

Appendix of Section 12 C Table 1 (Cont.)
Lake Shorelines Categorized for Restoration

Restoration Strategy I
Passive Bioengineering – Restoration strategy most appropriate for areas of moderate site disturbance and relatively intact habitat conditions. Includes the following: 1) Planting of native vegetation that mimics the adjacent plant communities, 2) Minimal grading or sloping to replicate natural topography, 3) Drip irrigation to increase survivability of introduced vegetation, 4) Monitoring and evaluation of plant survivability, including noxious weed removal and replacement of dead vegetation, 5) Livestock exclusion or rotation to eliminate or minimize compaction of soil and impacts to native vegetation, 6) Toe-slope armoring including native vegetation plantings, and 6) Slope stabilization.

Restoration Strategy II
Hard Bioengineering – Restoration strategy most appropriate for areas that have been moderately to severely modified or impacted. Includes the following: 1) Slope modifications using heavy equipment, 2) Toe-slope armoring including large rock or wood debris placement, 3) Slope stabilization, and 4) Excavation of site to properly mimic natural conditions found pre-disturbance.

Restoration Strategy III
Native Plant Enhancement – Restoration strategy most appropriate for areas that have been minimally disturbed and require less intervention to reestablish natural functions and values. Includes the following: 1) Planting of vegetation communities that closely mimic conditions found at intact sites adjacent to the area, 2) Placement of small quantities of plant material to benefit function and value of fairly intact habitat conditions, and 3) Placement of tree and shrub habitat components that are focused in providing habitat connectivity or canopy cover for fish and wildlife.

Restoration Strategy IV
(IV) Native Grass Strip Buffers – Restoration strategy most appropriate for areas that require stabilization, filtration, and storage functions near adjacent water bodies; this strategy should be utilized in areas where native vegetation placement is not possible. Includes the following: 1) Planting of native grasses that are prevalent in the surrounding areas, 2) Minor scarification of planting area to facilitate adequate germination, water storage, and rooting, 3) Adequate mulching to protect grass seed and to provide moisture for an extended period of time, and 4) Monitoring and evaluation.

SECTION 13
SHORELINE MASTER PROGRAM AMENDMENT PROCEDURES

13.1 Purpose and Intent

The purpose and intent of this section is to provide procedures whereby the goals, policies, regulations and the Shoreline Designation Map of the Shoreline Master Program may be amended.

13.2 Initiation of Amendment

Amendments to this regulation may be initiated:

1. By the Planning Commission, when changed conditions or further study indicate a need; or
2. By the Board of Spokane County Commissioners (Board) when it deems it necessary for the public interest or when it considers a change in the recommendation of the Planning Commission to be necessary; or
3. By the Director, based on citizen requests or when changed conditions warrant adjustments to the Shoreline Management Program.
4. By any person upon submission of appropriate application forms and application fees.

13.3 Criteria for Amendment

The County may amend the Shoreline Master Program (SMP) when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and RCW 90.58, the Shorelines Management Act.
2. A change in economic, technological, or shoreline conditions has occurred to warrant modification of the SMP.
3. An amendment is necessary to correct an error in the SMP.
4. An amendment is necessary to clarify the meaning or intent of any portion of the SMP.
5. An amendment is necessary to provide for a use(s) that was not adequately addressed by the SMP.
6. An amendment is deemed necessary by the Board as being in the public interest.

13.4 Amendment Procedures

1. Applicability:
   The procedures in this section shall apply to amendments of the Shoreline Master Program including the Shoreline Designation Map and the text of this regulation.
2. Initiation:
   Amendment applications initiated by a person other than Spokane County shall be submitted to the Department on such forms as prescribed by the Department and is subject to such fees established by the Board.
3. Procedures:
   Amendment applications are subject to the notification and procedural requirements specified in applicable Washington State Statutes and Administrative Code. Upon receipt of an amendment proposal, the Department shall review the proposal for consistency with the criteria in item 13.3(4) below. Once the review is complete, the proposed amendment shall be placed on the earliest available meeting agenda of the Planning Commission. The Department shall forward a staff report to the Planning Commission and said report may include alternatives other than those proposed by the applicant.
4. Criteria for amendment approval
   An amendment may be approved when all of the following criteria are met:
   a. The amendment bears a substantial relationship to the public health, safety, or welfare.

b. The amendment is consistent with the Goals and Policies of the Comprehensive Plan and the Shorelines Management Act RCW 90.58.
c. The amendment is consistent with the Growth Management Act, RCW 36.70A.
d. The amendment is consistent with Shoreline Management administrative guidelines, WAC 173-26 and WAC 173-27.

5. Planning Commission Review and Recommendation:
   a. The Commission shall schedule and conduct a public hearing to consider the amendment and any appropriate alternatives.
   b. Subsequent to completion of the hearing and deliberations, the Commission shall make a recommendation on the proposal that may include approval, denial, or modification of the proposed amendment. The Department shall forward to the Board the recommendation of the Commission.
   c. The Planning Commission' recommendation shall be forwarded to the Board for its approval or denial.
   d. The Commission may make such minor modifications to the proposal it deems appropriate prior to its approval.
   e. Following Planning Commission action on the application, and if recommended for approval, the notice shall be provided by the Department to the Washington State Department of Community Development (CTED) of Spokane County's intent to adopt development regulations pursuant to 36.70A RCW. The notice shall be provided at least 60 days prior to final adoption and shall include a copy of the proposed regulation.
6. Board of County Commissioners Review and Decision:
   a. Upon receipt of the Planning Commissions recommendation, the Board shall, at its next available regular meeting, set the date for a public meeting to consider the proposed amendment.
   b. At the established public meeting the Board may do one of the following.
      i. Adopt, make minor modifications, remand to the Planning Commission or deny the proposed amendment.
      ii Establish a date for a public hearing by the Board to consider the proposed amendment
   c. Should the Board hold a public hearing on the amendment, the Board may then subsequently adopt, make minor modifications, remand or deny the proposed amendment. Written findings of fact shall accompany the Board's decision. The Board shall apply the criteria above in item 13.3(4) when deliberating on the amendment application.
   d. Should the Board desire to substantially modify a recommendation from the Commission, the Board shall hold a public hearing on the amendment. The Board may subsequently adopt the modified amendment or deny the proposed amendment. Written findings of fact shall accompany the Board's decision. The Board shall apply the criteria above in item 13.3(4) when deliberating on the amendment application.
   e. A notice of adoption to include method of appeal and time frame for appeal shall be published by the Board in the newspaper of record after adoption of a proposed amendment pursuant.
   f. The Board's action may be appealed to the Eastern Washington Growth Management Hearings Board as provided by the appeal process pursuant to RCW 36.70A
7. Referral to CTED and Department of Ecology
   The Board's decision shall be forwarded to the Department of Community Development (CTED) pursuant to RCW 36.70A.106. Following CTED's concurrence the Board shall refer the amendment to the Department of Ecology for its review and concurrence pursuant to RCW 90.58 and WAC 173-27. Referral to the Department of Ecology shall occur after all appeal periods have expired and no appeals have been submitted to the Eastern Washington Growth Management Hearing Board. If appealed the amendment shall be forwarded to Ecology after the Growth Management Hearing Board has affirmed the adoption of the amendment in writing.
8. Public Notice for Proposed Amendments:

Notice of the date, time, place, and purpose of a public hearing on an amendment application shall be given by one publication in Spokane County's official newspaper at least 15 days before the hearing.

APPENDICES

Appendix I – Spokane County Critical Areas Ordinance

Copies available in the Department of Building and Planning for purchase and on the Department's Website

Appendix II – Shoreline Designations Map

Appendix III – Latah Creek Channel Meander Belt Map