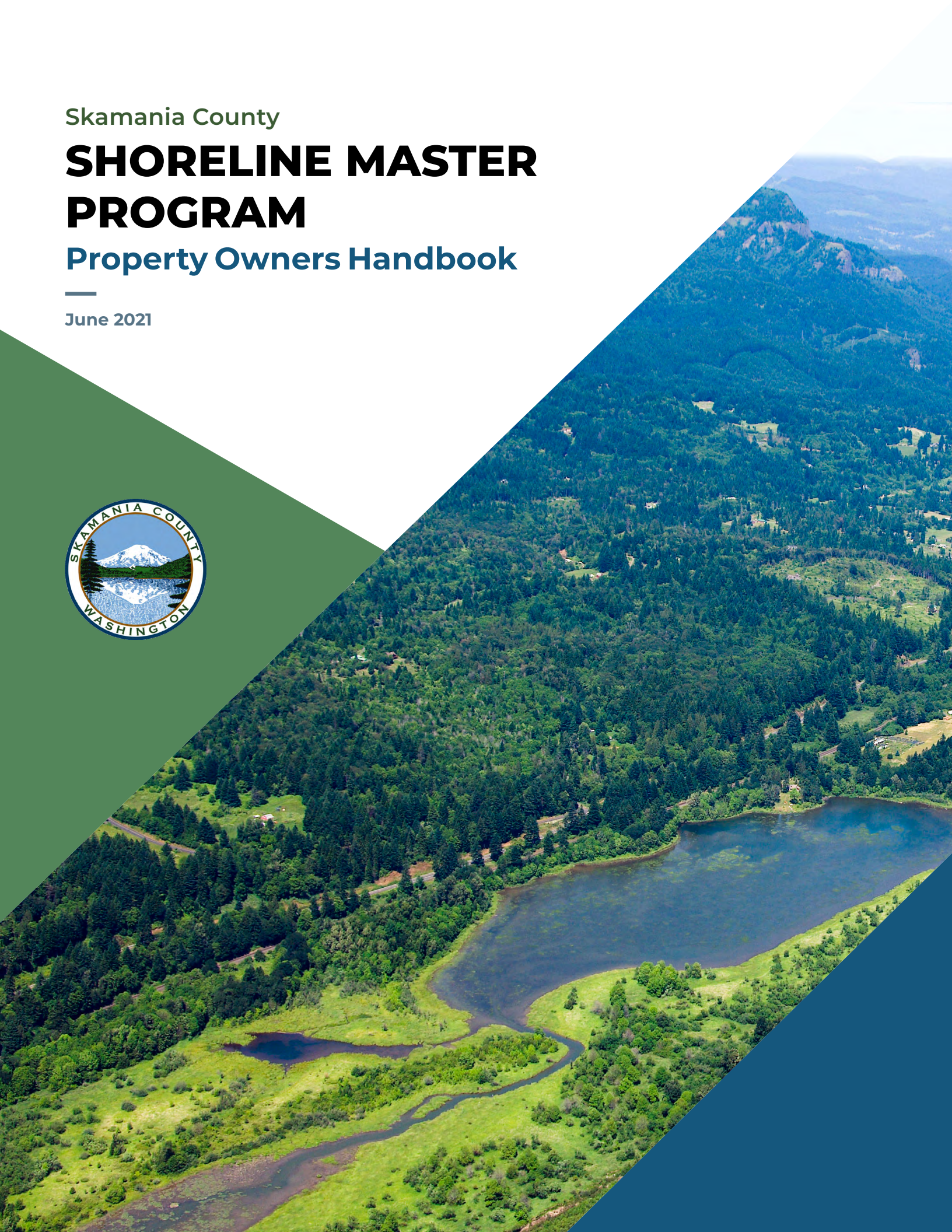


Skamania County

SHORELINE MASTER PROGRAM

Property Owners Handbook

June 2021





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A Community guide to preserving and protecting our shorelines

This handbook has been prepared to assist residents and property owners in navigating the regulations and policies of the Skamania County Shoreline Master Program (SMP). The Property Owners Handbook should be used in conjunction with the adopted SMP, Washington Administrative Code (WAC) chapter 173-27, and Revised Code of Washington (RCW) chapter 90.58 (the Shoreline Management Act), and should not be considered a substitute for the SMP or statutes.

Property Owners Handbook

The following information serves as a quick-reference guide for this handbook. A complete table of contents can be referenced on the following page.



1. Frequently Asked Questions



2. Focus Topics



3. Shoreline Permit Process

Helpful Tools for Using the Handbook



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Definitions**

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1. Frequently Asked Questions

Q. What is an SMP and why does Skamania County have one?

A. Shorelines in Washington State are protected under the Shoreline Management Act (SMA) of 1971, embodied in RCW 90.58. Skamania County's SMP was first adopted in 1974 and recently amended in 2020 to meet the requirements of the SMA and the SMP Guidelines in WAC 173-26. Every Washington city and county with shorelines is required to adopt an SMP. The general purpose of the Skamania County SMP is to guide use and development along the shorelines to protect the natural resources and functions and to recognize and protect private property rights consistent with the public interest.

Q. Does the SMP apply to my property?

A. If you are located on a shoreline, some or all of your property may be affected. Skamania County includes a number of waterbodies that are regulated by the SMP, including Canyon Creek, the Columbia River, Panther Creek, Swift Reservoir, and the Washougal River. In addition, there are many other streams, lakes, and associated wetlands that are within shoreline jurisdiction.

Generally speaking, shoreline jurisdiction (where the SMP applies) includes the in-water areas and the adjacent land 200 feet upland of the ordinary high water mark (OHWM) of the designated shorelines and/or within associated wetlands. If your property is located within these areas, certain activities you propose to undertake will be subject to the County's SMP. The approximate shoreline jurisdictional areas are delineated on a series of maps available in the [County's SMP](#). The precise extent of the shoreline jurisdiction is determined on a site-by-site basis, based on adopted definitions and technical criteria (e.g., location of the OHWM).

Q. How does the SMP relate to the County's Critical Areas and National Scenic Area regulations?

The County's critical areas ordinance (CAO), in Title 19 of the Skamania County Code, applies to critical areas outside shoreline jurisdiction. Your project may require review

under the CAO and SMP if it includes development inside and outside shoreline jurisdiction. The CAO does not apply within the Columbia River Gorge National Scenic Area (NSA). Developments within the Columbia River Gorge NSA must comply with both the SMP and the NSA regulations (Title 22) in the Skamania County Code. We recommend that you talk with a planner before applying to ensure that your proposal will meet the requirements of the CAO and NSA. NSA approval must be completed prior to completing shoreline review.

Q. What kind of activities are regulated by the SMP?

A. The SMP applies to all new uses and development (including expansion of existing development) occurring in shoreline jurisdiction. Please note that all shoreline activities must comply with the SMP even if no shoreline permit is needed.


Previously approved structures and uses are allowed to continue to be used, maintained, and repaired. In cases where these structures do not meet the updated SMP regulations (e.g., such as setbacks from the shoreline or height), they are known as "nonconforming" ([SMP Section 2.9](#)). A change of use, an expansion of a current use or structure, and normal maintenance and repair require SMP review and authorization.

Nonconforming structures may be altered, rebuilt, enlarged, or expanded, provided the proposed alteration, enlargement, or expansion does not intrude further into a restricted area such as a setback or critical area buffer and only expands laterally or away from the restricted area ([see page 9](#)).

Q. How do I get help if I have additional questions?

A. If you have additional questions not answered by the Shoreline Property Owner's Handbook, you can find the [County's SMP](#) on its website.

You can also contact Skamania County Community Development at:

 509-427-3900

 permitcenter@co.skamania.wa.us



2. Focus Topics

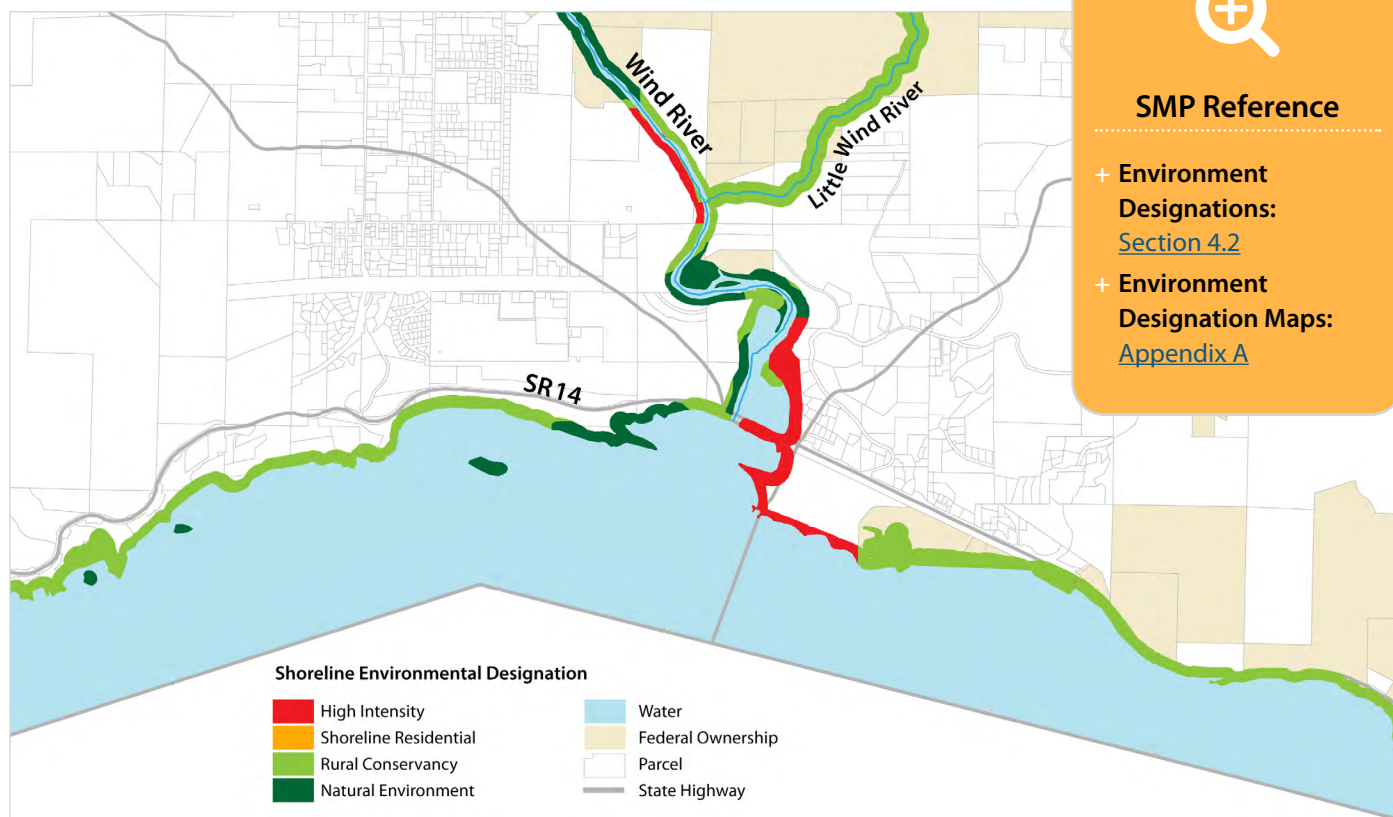
Shoreline Environment Designations, Uses, and Setbacks

Shoreline environment designations are assigned to shoreline areas according to their environmental function, existing land uses, and the goals and aspirations of the community. Designations in Skamania County were developed during the community involvement process for the SMP, which included meetings with an advisory committee and public open houses. Generally speaking, the environment designations protect more pristine areas and direct development to already developed or cleared shorelines. The County's shoreline environment designation map is available [online](#).

The shoreline areas of the county are divided into five shoreline environment designations. Shoreline environment designations are similar to zoning in that certain uses are permitted, prohibited, or require a conditional use permit, for example, Figure 1 shows the different shoreline environment designations where Wind River meets the Columbia River.

- ⊕ **Aquatic:** This designation is intended to protect, restore, and manage the unique characteristics and resources of shoreline areas waterward of the OHWM.
- ⊕ **Natural:** This designation is intended to protect shoreline areas that are relatively free of development.
- ⊕ **Rural Conservancy:** This designation is intended to support lower-intensity, resource-based uses, such as agriculture, forestry, or recreation.
- ⊕ **Shoreline Residential:** This designation is intended to accommodate residential development and appurtenant structures (e.g., a detached garage).
- ⊕ **High Intensity:** This designation is intended to support high-intensity, water-oriented commercial, transportation, and industrial uses.

Figure 1. Wind River Shoreline Environment Designations



Each shoreline environment designation has a different mix of permitted uses and development standards, such as setbacks. Table 1 provides an overview of recreational uses and setbacks in each shoreline environment (see SMP Table 5.3 for a complete list of permitted, conditional, and nonpermitted uses). The SMA establishes preferred uses within shoreline areas, where “water-dependent” or “water-related uses” (e.g., a marina or bait shop) have preference over uses that do not need a location near the shoreline (e.g., a grocery store).

Table 1. Shoreline Recreational Uses and Standards

Proposed Shoreline Recreational Uses	Shoreline Environment Designations									
	Aquatic		Natural		Rural Conservancy		Shoreline Residential		High Intensity	
	Allowance	Setbacks	Allowance	Setbacks	Allowance	Setbacks	Allowance	Setbacks	Allowance	Setbacks
Water-dependent	✓	N/A	✓	0	✓	0	✓	0	✓	0
Water related/water enjoyment	✗	N/A	○	150 ft.	✓	100 ft.	✓	50 ft.	✓	0
Public access – viewing platforms and trails parallel to the shoreline	✗	N/A	○	150 ft.	✓	100 ft.	✓	50 ft.	✓	50 ft.
Public access – viewing platforms and trails parallel to the shoreline	✗	N/A	✓	0	✓	0	✓	0	✓	0
Non-water oriented (golf courses, sports, fields)	✗	N/A	✗	N/A	○	150 ft.	○	100 ft.	○	100 ft.

✓ = Permitted ○ = Conditional ✗ = Not Permitted

Residential Use Standards

Single-family residential uses and their appurtenances are considered priority uses in Skamania County shoreline areas. Residential appurtenances are garages, decks, driveways, utilities, fences, septic tanks and drainfields, and limited grading. SMP regulations apply to the development of new residential uses and appurtenances or the alteration or expansion of existing residential uses.

Development of one single-family home and its appurtenances may be exempt from a shoreline substantial development permit (SSDP) under WAC 173-27-040; however, exempt developments must demonstrate that they comply with the standards of the SMP. An exemption authorization may simply be included as part of a project’s related building permit. If in-water development is proposed, a letter of exemption is required. Exemption review and approval processes are intended to be lower cost and have a shorter review timeline than other shoreline permits.

In shoreline areas, new, altered, and expanded residential uses and appurtenances are subject to standards such as setbacks, density and height requirements, and vegetation conservation, and must comply with critical areas regulations.



SMP Reference

- + **Letters of Exemption:**
[Section 2.6](#)
- + **Use and Standards:**
[Table 5-1 and Section 5.3](#)
- + **Residential Development:**
[Section 5.3.11](#)
- + **Public Access:**
[Section 3.6](#)
- + **Boating facilities and overwater structures:**
[Section 5.3.3](#)
- + **Shoreline stabilization:**
[Section 6.3.1](#)
- + **Fills:**
[Section 6.3.2](#)

Setbacks, Density, and Height

New, altered, expanded, and appurtenant residential structures are required to be placed away from the water; this is called a “setback.” Each shoreline environment designation has different setback requirements for each use. Figure 2 illustrates how the setbacks apply to residential uses.

There are four different kinds of residential setbacks:

1. **Standard:** This is the setback required for residential and appurtenant uses without any special circumstances (red line, Figure 2).
2. **Minor adjustment:** The County can reduce the standard setback by up to 10 percent if the native vegetation and critical areas will not be impacted (yellow house, Figure 2).
3. **Common-line reduction:** To minimize view obstruction, if adjacent residences within 100 feet of the proposed home have a lesser setback, an average setback can be used, but the reduced width can be no less than 75 percent of the standard or 50 feet, whichever is larger (white dotted line, Figure 2).
4. **Setback variance:** The County can approve a setback reduction greater than 10 percent or the common-line average if an applicant obtains a Shoreline Variance (SVAR) permit.

In addition to the setback requirements for residential and appurtenant uses, water-oriented residential accessories (stairs, walkways, natural trails, piers, and docks) are permitted to be placed within the setback area but may not comprise more than 10 percent of the setback area (see Figure 3).

Figure 2. Shoreline Jurisdiction and Setbacks in relation to the OHWM

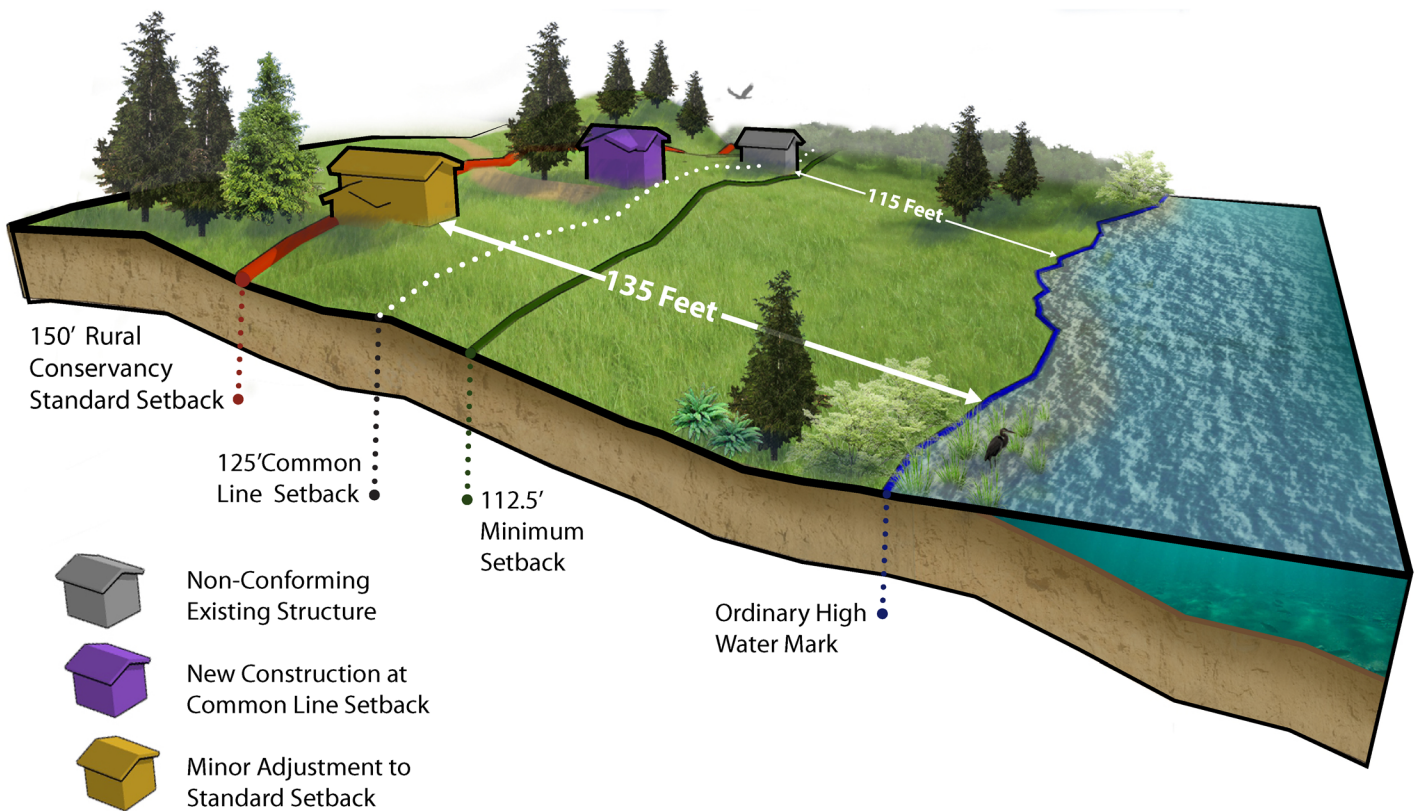
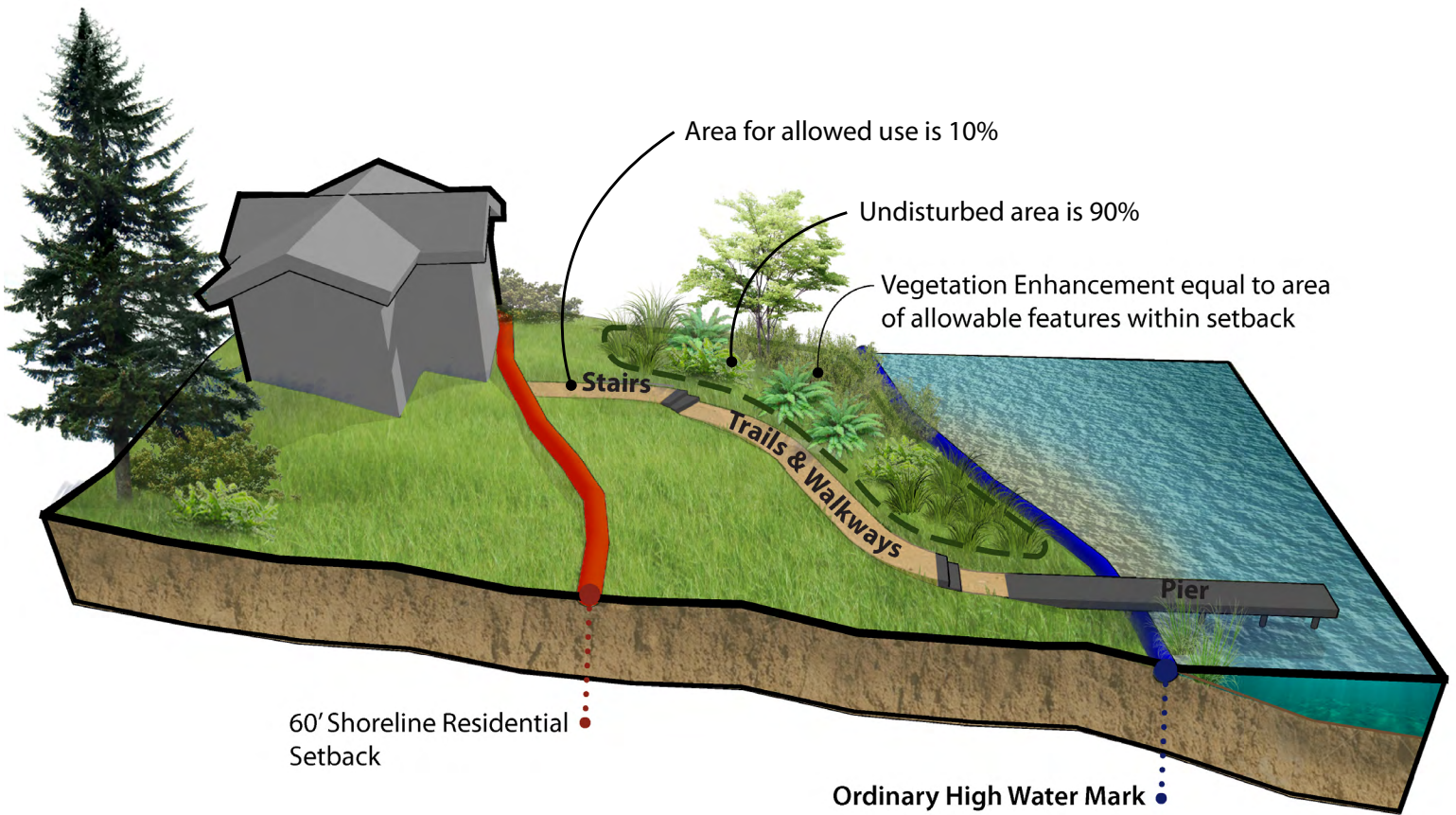


Figure 3. Water-oriented Residential Uses Permitted Within the Setback




Vegetation enhancement may be required to offset impacts for water-oriented uses within the setback ([see page 11](#)).

Other accessory residential uses and activities such as boating facilities and overwater structures, shoreline stabilization, and fill are subject to specific design, placement, and mitigation requirements; the SMP should be referenced prior to submittal of an exemption or permit application.

The density (number of residential units per lot size) of residential development in shorelines is regulated by Skamania County Code, Title 21 (Zoning) and, if located in the NSA, Title 22 (National Scenic Area). Residential structure height is limited to 35 feet.

One purpose of the SMA is to protect and encourage public access (where appropriate) to shoreline areas. New residential development of more than four units or parcels should provide public access to the shoreline.

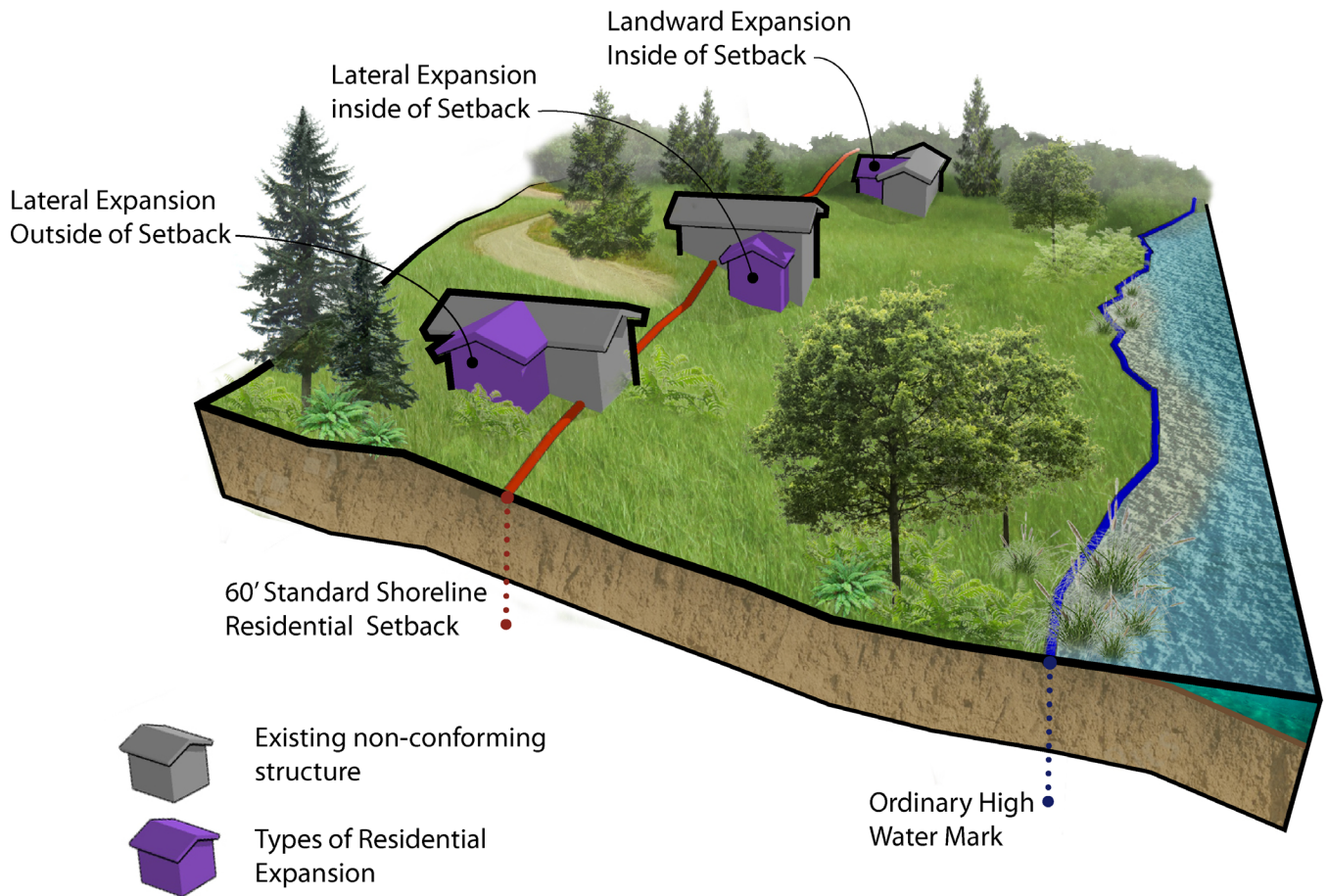
Access can include a walkway, trail, viewpoint, dock or pier, or other feature serving as a means of viewing and/or physical approach to public waters. Individual single-family residential developments are not required to provide public access.



SMP Reference

- + **Public Access:**
[Section 3.6](#)
- + **Residential Development:**
[Section 5.3.11](#)

Figure 4. Allowable Non-conforming Structural Expansions in Shoreline Areas



Alteration, Rebuilding, and Expansion of Existing Residences

Many of Skamania County's shoreline areas are developed with existing shoreline residential uses. You may want to alter, modify, or expand your existing home or other structures (sheds, garages, etc.), or other uses on your property that were previously permitted. Existing residences are allowed to be maintained, altered, and, in some cases, expanded, either by exemption or by permit.

If you want to alter, rebuild, and/or expand your existing residence or appurtenant structures that do not conform to the SMP requirements for setbacks, critical areas buffers, height requirements, or density, you can do that under the nonconforming structure provisions of the SMP.

Altered, rebuilt, or expanded residential structures or development cannot intrude further into the required setback or critical area buffer, but can expand laterally (to the side of existing development) or away from the water.

This type of project is still exempt but will require review to determine compliance with the SMP. If your altered, rebuilt, or expanded residential structure or development is closer to the water than existing development, an SVAR permit is required. Figure 4 illustrates how a nonconforming single-family structure can be expanded in relation to shoreline areas.


Vegetation Conservation

Shoreline vegetation performs important ecological functions, including stabilizing banks and minimizing erosion and landslides, and providing nearshore habitat and food critical to aquatic life.

The purpose of the vegetation conservation provisions is to ensure that actions affecting shoreline vegetation allow shoreline property owners to use and maintain their property, while protecting the valuable functions vegetation provides. The SMP vegetation conservation provisions apply to clearing, grading, grubbing, pruning/trimming, vegetation protection, enhancement, and noxious weed control activities. Expansion of existing landscaped areas beyond the developed footprint may be subject to these provisions.

The policies and regulations do not apply to removing or maintaining existing landscaping (such as lawns and gardens) or to planting native species.

Native vegetation refers to a plant species or community indigenous to the region. Table 2 and Figure 5 show the replanting requirements for vegetation removed within the shoreline based on distance from the water and what type of vegetation is removed. Removal close to the water, removal of native vegetation, and removal within oak woodlands require more new vegetation be planted than removal of non-native vegetation further from the water. If you are proposing to remove shoreline vegetation, you will be required to submit a vegetation management plan to the County to demonstrate how your project will meet the replanting requirements.



SMP Reference

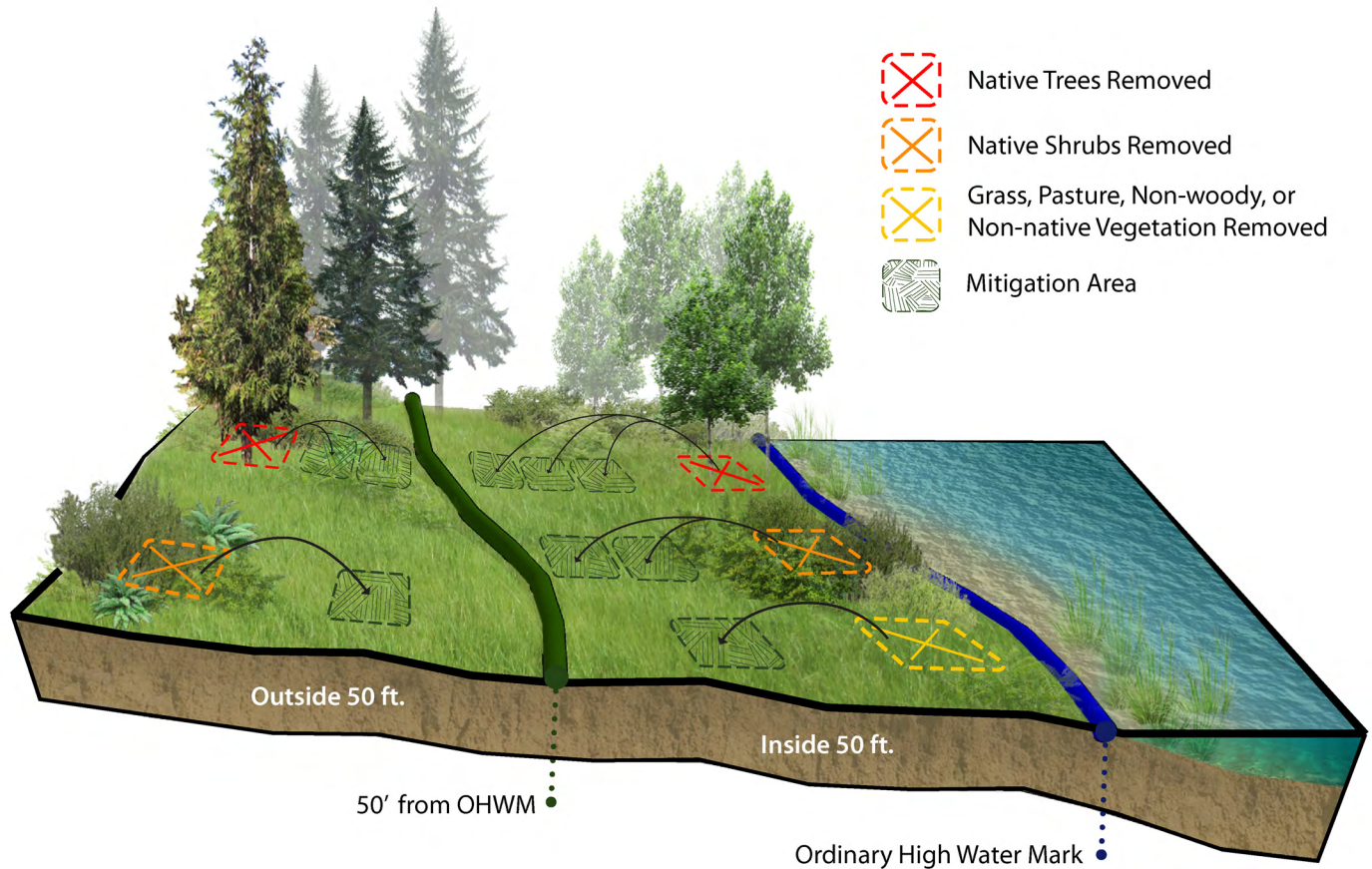
+ **Shoreline Vegetation Conservation:**
[Section 3.7](#)

Table 2. Vegetation Maintenance and Management Standards

Location of Vegetation Removal	Type of Vegetation Removal	Mitigation Action Required
Less than 50 feet from OHWM	Grass, pasture, non-woody, or non-native vegetation	Native, woody vegetation enhancement planting at 1:1 mitigation ratio*
	Native shrubs (not trees)	Native, woody vegetation enhancement planting at 2:1 mitigation ratio*
	Native trees	Native, woody vegetation enhancement planting 3:1 mitigation ratio*
More than 50 feet from OHWM	Any non-native shrub or tree removal	Native, woody vegetation enhancement planting at 1:1 mitigation ratio*
	Any native shrub or tree removal	Native, woody vegetation enhancement planting at 2:1 mitigation ratio*
Outside Oregon white oak woodland dripline	Any removal of native or non-native vegetation within shoreline jurisdiction	Temporary tree protection fencing required prior to ground disturbance. No clearing, grading, trenching, staging, boring, or any other activity is allowed within the drip line of the oak woodlands. Conservation covenant or other mechanism may be required if future development is likely to impact mitigation area
Inside, entirely or partially, Oregon white oak woodland dripline	No oak removal and no significant damage to health of the oak trees as demonstrated by arborist's report	Temporary tree protection fencing required prior to ground disturbance at the extent of proposed activity to ensure that no clearing, grading, trenching, staging, boring, or any other activity will occur within the drip line of oak woodlands beyond what has been recommended by arborist Require mitigation for lost scrub/shrub vegetation, if appropriate Conservation covenant or other mechanism is required to protect the oak woodlands from future development

*Mitigation ratios are shown as enhanced area: impacted area

Figure 5. Vegetation Enhancement Areas



Critical Areas

Critical areas located in shoreline jurisdiction are regulated by the SMP in order to safeguard the functions and values they provide to humans and the environment. Critical area functions should be protected, but if impacts cannot be avoided then mitigation, such as replanting buffer areas, is required.

There are five types of critical areas:

1. Wetlands
2. Areas with a critical recharging effect on aquifers used for potable water
3. Fish and wildlife habitat conservation areas
4. Frequently flooded areas and channel migration zones
5. Geologically hazardous areas

The SMP critical areas regulations apply to all uses and development activities proposed in or near critical areas, or their buffers (including activities exempt from obtaining a shoreline permit). The general location of critical areas is depicted in maps on file with Skamania County and the State of Washington.

A critical area report is required if any development activity will impact a critical area and/or its buffer. In general, critical area reports follow the same pathway:

- ⊕ Identify the existing conditions on site (e.g., identifying the type, location, and condition of the critical area)
- ⊕ Calculate the impacts that the proposed use or development will have on the critical areas
- ⊕ Propose mitigation for the impacts to meet the no net loss standard









SMP Reference

- + **Critical Areas:**
[Section 3.4](#)
- + **Environmental Protection and No Net Loss:**
[Section 3.5](#)
- + **For critical areas outside of shorelines, please see Title 19 of the [Skamania County Code](#).**

The critical area report must meet certain requirements, which can vary by the type of critical area (projects located in more than one critical area may require more than one report). All reports must be prepared by a qualified professional meeting the requirements listed in Table 3.


Table 3. Critical Areas Report Requirements

Critical Area	Report Requirements	Definition of a “Qualified Professional”
All critical areas	 SMP Section 3.4.5	A person with experience and training in the pertinent scientific discipline, and who is a qualified expert with expertise appropriate for the relevant critical area subject (WAC 365-195-905-4). A qualified professional must have obtained a Bachelor of Science or Bachelor of Arts or equivalent degree in biology, engineering, environmental sciences, fisheries, geomorphology, or related field, and two years of related work experience. See the report requirements for a particular critical area for additional details on professional qualifications.
Wetlands	 SMP Section 3.4.6.3	
Critical Aquifer Recharge Area	 SMP Section 3.4.7.3	
Fish and Wildlife Habitat Conservation Areas	 SMP Section 3.4.8.3	
Frequently Flooded Areas and Channel Migration Zones	 SMP Section 3.4.9.2	
Geologically Hazardous Areas	 SMP Section 3.4.10.2	

Forest Practices

Given the importance of the forest industry to Skamania County’s economy, it is important to protect the viability of this industry while also protecting the county’s shorelines from incompatible forest practices that would harm the shoreline or negatively impact other uses, such as recreation and public access.

The forest practices standards of the SMP apply to Class IV General¹ forest practices where shorelines are being converted to a non-forest use (RCW 76.09). Non-harvest forest practices such as roads, construction of stream crossings, and log storage are also subject to the SMP. All other forest practices, such as commercial logging, must be conducted in compliance with state requirements. Table 4 outlines additional forest use requirements.



SMP Reference

+ **Forest Practices:**
[Section 5.3.5](#)

Table 4. Requirements for Forest Practices

Forest Use	Requirements
Commercial harvest of timber undertaken on shorelines	<ul style="list-style-type: none"> • Not subject to the SMP • Must comply with applicable policies and provisions of the Forests and Fish Report, the Forest Practices Act (RCW 76.09), and any adopted regulations (WAC 222) • Must also comply with SCC Title 22 as applicable for lands zoned Forest, Commercial Forest, Large Woodland, or Small Woodland in the National Scenic Area
Class IV General Forest Practice: Vegetation clearing associated with the conversion of land to non-forestry uses and/or developments including conversion timber harvests and associated preparatory work such as grading and installation of utilities	<ul style="list-style-type: none"> • Will be reviewed in accordance with the provisions for the eventual use, modification provisions, and the general provisions of the SMP, including vegetation conservation
Non-harvest forest practices such as construction of roads, stream crossings, log storage, and buildings to assist with forest practices activities regulated by RCW 76.09	<ul style="list-style-type: none"> • Considered development and must comply with SMP • All forest practices subject to this SMP shall meet the setbacks in SMP Table 5-1. • See SMP Section 5.3 for additional requirements for roads, stream crossings, log storage, and temporary structures

¹ See WAC 222-16-050 for information about classes of forest practices.



3. Shoreline Permit Process

Shoreline Permit Approval Requirements

Shoreline permits or exemptions are required for all new uses and development proposed in shoreline jurisdiction within Skamania County (see the discussion of shoreline jurisdiction in section 2.1 of this handbook). Common development activities include new single-family residences, clearing vegetation, and new appurtenant structures such as sheds or garages.

There are three types of shoreline permits:

1. **Shoreline Substantial Development Permit (SSDP):** Required when the development total cost or fair market value (as established by the State of Washington²) and the project is not otherwise exempt (see discussion of exempt uses below).
2. **Shoreline Conditional Use Permit (SCUP):** Required when proposed uses are not permitted outright (see Table 5-1 of the SMP).
3. **Shoreline Variance (SVAR):** Required when applicants seek to vary from specific standards, such as setbacks or buffers, in the SMP. For a variance to be approved, there must be a demonstration of a hardship such that you cannot comply with the standards of the SMP.

Exempt uses

Certain activities and developments (see SMP Section 2.6 and WAC 173-27-040) do not require an SSDP permit. These are called “shoreline exemptions.”

Common shoreline exemptions include activities such as developments with a value less than \$7,047; normal maintenance and repair of existing uses and structures; and development of a new single-family home and appurtenant structures.

Although certain developments and activities are exempt from shoreline permit processing requirements, you are still required to demonstrate that the proposed activity meets the standards of the SMP. A shoreline exemption is not an exemption from compliance with the SMA, this SMP, or from any other regulatory requirements. Depending on location, exempt projects may still require the submission of a critical areas report including a mitigation plan or other documentation to demonstrate compliance with the SMP.

Please note that shoreline development activities may also require other approvals from the County, the State of Washington, or the federal government. As an example, development or activities in streams, rivers, lakes, or below the OHWM of wetlands, commonly require you obtain a Section 404 approval from the U.S. Army Corps of Engineers, a Section 401 water quality certification from Ecology, and/or a Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife. Other state and federal approvals may also be needed. Projects within the Columbia River Gorge NSA will also require NSA review. Please confirm approval requirements with these agencies. Building permits may also be needed from Skamania County.

Permit application timelines and review processes are described on the following page.



SMP Reference

- + **SMP Applicability:** [Section 1.5](#)
- + **SSDPs, Letters of Exemption, Summary of exemption types:** [Section 2.6](#)
- + **SVARs including approval criteria:** [Section 2.7](#)
- + **SCUPs including approval criteria:** [Section 2.8](#)

² The exemption dollar amount is revised every five years by the Washington Office of Financial Management as required by RCW 90.58.030(3.e).

Permit Application Requirements

If you will be applying for an SSDP, SCUP, SVAR, or exemption, you are required to submit items for review so that the County can effectively review your proposed development against the standards of the SMP.

The list below outlines the required items for submittal. Additional or fewer items may be necessary depending on the specifics of your development.

- ➔ **Shoreline Master Application Form**
- ➔ **Joint Aquatic Resources Permit Application Form³**
- ➔ **Narrative describing proposal and SMP compliance**
 - SVAR Criteria (SVAR permit only) | ➔ [SMP Section 2.7](#)
 - SCUP Criteria (SVAR permit only) | ➔ [SMP Section 2.8](#)
 - SMP general provisions | ➔ [SMP Chapter 3](#)
 - Shoreline environment designations | ➔ [SMP Chapter 4](#)
 - Shoreline specific use regulations | ➔ [SMP Chapter 5](#)
 - Shoreline modification provisions | ➔ [SMP Chapter 6](#)
- ➔ **Plans**
 - Site plan showing OHWM, vegetation character, dimensions and location of existing and proposed structures and improvements, and critical areas
 - Grading plan
 - Project and construction details
- ➔ **Technical assessments (i.e., a critical area report for wetlands or fish and wildlife habitat conservation areas)⁴**

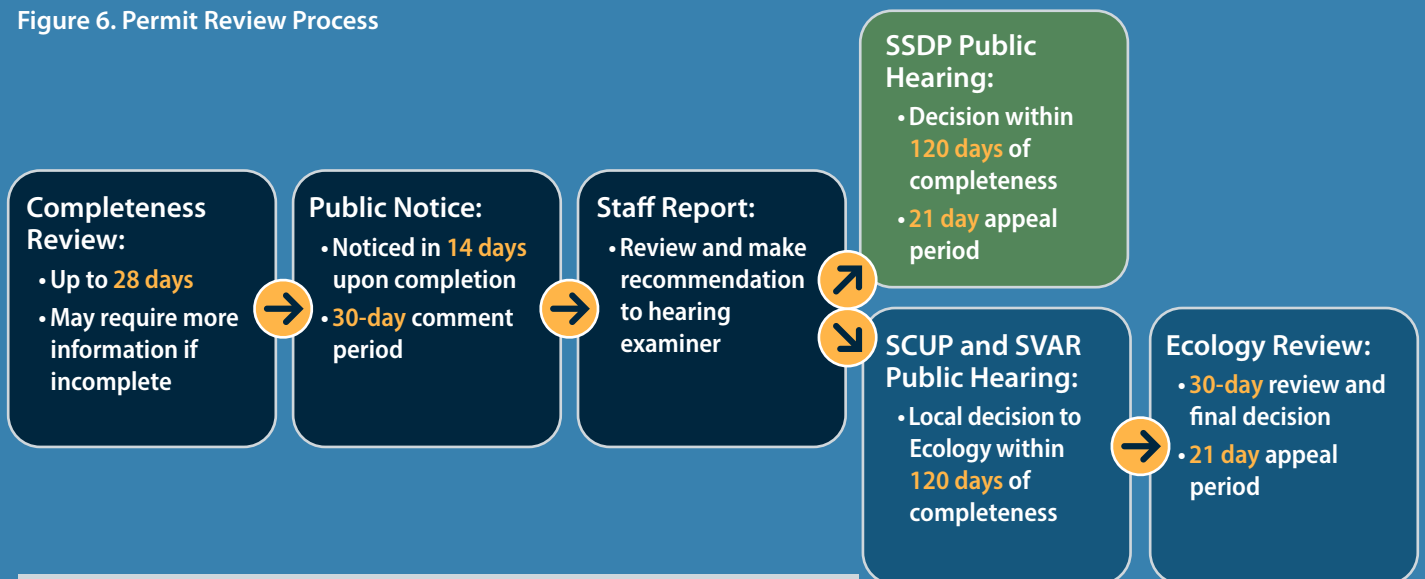
Permit Review Process

Shoreline permits undergo review by the County Community Development staff, the County's hearing examiner, and, in the case of SCUPs and SVARs, by Ecology. All permit types require a 30-day public comment period prior to a decision.

The typical shoreline permit review process includes:

- ➔ **Application submittal:** by the property owner or applicant.⁵
- ➔ **Completeness review:** Staff reviews the application to ensure all required information is included to conduct a review. The completeness determination takes up to 28 days.
- ➔ **Public notice:** Applications are noticed within 14 days of completeness. The comment period lasts 30 days.
- ➔ **Staff report:** Staff issues a staff report based on application materials, applicable standards of the SMP, and public comments. This typically happens 45 to 60 days after the County accepts the application for review.
- ➔ **Public hearing:** The hearing examiner conducts a public hearing and issues a final decision (SSDP), or for SCUP and SVAR, staff forwards the local recommendation to Ecology for review.
- ➔ **Ecology review:** For SCUPs and SVARs, Ecology conducts a 30-day review and issues a final decision.

Figure 6. Permit Review Process



³ A Joint Aquatic Resources Permit Application (JARPA) form is only necessary if in-water work is proposed.

⁴ The need for technical assessments is case specific depending on project impacts.

⁵ Projects located in the Columbia River Gorge NSA must obtain approval of an NSA Land Use Application prior to completing any shoreline permit review.



Glossary of Terms

For the definition of all terms used in this guide, please refer to Chapter 7 of the SMP, RCW Chapter 90.58.030, and WAC Chapter 173-26-020. Definitions of the most common terms used in this handbook are provided below.

Appurtenance or appurtenant structure: A use that is connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the OHWM.

Best Management Practices (BMPs): Conservation practices or systems of practices and management measures that: (a) control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, or sediment; (b) minimize adverse impacts to surface water and ground water flow and circulation patterns and to the chemical, physical, and biological characteristics of wetlands; (c) protect trees, vegetation, and soils designated to be retained during and following site construction and use native plant species appropriate to the site for revegetation of disturbed areas; and (d) provide standards for proper use of chemical herbicides within critical areas.

Buffer: The zone contiguous with a specified area (e.g. a shoreline or critical area) to protect the critical area that is required to be maintained.

Channel Migration Zone or CMZ: The area along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings. The general location of CMZs in the county are identified in the Skamania County Inventory and Characterization Report.

Shoreline critical areas: Shoreline critical areas protected in order to safeguard the functions and values they provide to humans and the environment. There are five types of shoreline critical areas: (1) Wetlands; (2) areas with a critical recharging effect on aquifers used for potable water; (3) fish and wildlife habitat conservation areas; (4) frequently flooded areas and channel migration zones; and (5) geologically hazardous areas.

Development: Use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to

the act at any stage of water level. "Development" does not include dismantling or removing structures if there is no other associated development or redevelopment.

Native vegetation: Plant species or communities indigenous to the region, including extirpated species.

No Net Loss Standard: The no net loss standard is intended to halt the introduction of new impacts to shoreline ecological functions resulting from new development. Both protection and restoration are needed to achieve no net loss. The standard calls for (1) avoiding impacts to shoreline ecological functions from new development, (2) minimizing and mitigating any unavoidable impacts, and (3) conducting restoration projects separate from new development.

Nonconforming structure: A building or structure, or portion thereof, lawfully existing at the time the ordinance codified in this title becomes effective which does not conform to the regulations or standards of the SMP. For the purposes of the SMP, existing roads which do not meet the setback standards of this SMP (whether asphalt, gravel, or dirt) are considered nonconforming structures.

Nonconforming use: A shoreline use which was lawfully established prior to the effective date of the SMA or the SMP, or amendments thereto, but which is prohibited within the shoreline according to the SMP. A nonconforming use is also one which is listed as a conditional use in the SMP and which existed prior to the adoption of the SMP and any relevant amendments and for which a shoreline conditional use permit has not been obtained.

Nonwater-oriented use: A use that is not water-dependent, water-related, or water-enjoyment.

Normal repair and maintenance: "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "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.

Ordinary high water mark or OHWM: The location on all lakes, streams, and tidal water 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.

Public interest: The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected including,

but not limited to, an effect on public property or on health, safety, or general welfare resulting from a use or development.

Setback: A required distance separating shoreline uses, developments, or activities from the shoreline measured horizontally upland from and perpendicular to the OHWM. Setbacks help assure that development is located a safe distance from bluffs, riverbanks, and other natural features, including buffers.

Shorelands or shoreland areas: Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by Ecology.

Shoreline environment designation: Shoreline environment designations are classifications of shoreline areas that reflect local shoreline conditions, including the existing use pattern, the biological and physical character of the shoreline, and the goals and aspirations of the community.

Shoreline areas and Shoreline jurisdiction: All “shorelines of the state” and “shorelands” as defined in RCW 90.58.030.

Shorelines: 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.

Shorelines of statewide significance: The following shorelines in Skamania County are designated as shorelines of statewide significance: Swift Reservoir, Spirit Lake, Columbia River, White Salmon River, Little White Salmon River, Wind River, Lewis River, Lava Creek, and Trout Lake Creek.

Shorelines of the state: The total of all “shorelines” and “shorelines of statewide significance” within the state.

Structure: A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

Waters of the state: All waters defined as “waters of the United States” in 40 C.F.R. 122.2 that are within the boundaries of the state of Washington. This includes lakes, rivers, ponds, streams, inland waters, wetlands, ocean, bays, estuaries, sounds, and inlets.

Water-dependent use: A use or a portion of a use which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

Examples of water-dependent uses may include moorage structures (including those associated with residential properties), ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities and sewer outfalls.

Water-enjoyment use: A recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public’s ability to enjoy the physical and aesthetic qualities of the shoreline.

Water-oriented use: Any combination of water-dependent, water-related, and/or water enjoyment uses and serves as an all-encompassing definition for priority uses under the SMA. Non-water-oriented serves to describe those uses which have little or no relationship to the shoreline and are not considered priority uses under the SMA. Examples include professional offices, automobile sales or repair shops, mini-storage facilities, multifamily residential development, department stores and gas stations.

Water-related use: A use or portion of a use which is not intrinsically dependent on a waterfront location but whose economic viability is dependent upon a waterfront location because: (a) The use has a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water; or (b) The use provides a necessary service supportive of the water-dependent uses and the proximity of the use to its customers makes its services less expensive and/or more convenient.






Definition of Acronyms

- **CMZ** Channel Migration Zone
- **NSA** National Scenic Area
- **OHWM** Ordinary High Water Mark
- **RCW** Revised Code of Washington
- **SCC** Skamania County Code
- **SCUP** Shoreline Conditional Use Permit
- **SMA** Shoreline Management Act of 1971
- **SMP** Shoreline Master Program
- **SSDP** Shoreline Substantial Development Permit
- **SVAR** Shoreline Variance
- **WAC** Washington Administrative Code



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