

SMP Update Chart 04.23.2021

Existing SMP Section	New SMP Section (if changed)	Existing	Proposed	Reasoning
Appendix 2		[Critical Areas regulations in effect on 16th day of October, 2017, contained in the County's CAO (LCC Chapters 17.35 and 17.35A) will be attached.]	[Critical Areas regulations last amended by ordinance 1284 on June 25, 2018, contained in the County's CAO (LCC Chapter 17.38) will be attached.]	Integrate updated CAO into SMP to be consistent with current regulations
4.04A		...Lewis County Code (LCC) Chapters 17.35 and 17.35A are called "critical areas buffers."	...Lewis County Code (LCC) Chapter 17.38 are called "critical areas buffers."	Updated CAO reference
4.04.02A(2)		The Critical Areas Regulations in effect on the 16th day of October, 2017, which are contained in the Lewis County Critical Areas Ordinance (CAO), LCC Chapter 17.35 and 17.35A, and include LCC 15.35 (Flood Damage Prevention) by reference, are integral and applicable to the SMP, and are hereby adopted by reference. All uses and development occurring within critical areas or their buffers within shoreline jurisdiction shall comply with these regulations except as modified in SMP Section 4.04.02(A)(5) below.	The Critical Areas Regulations last amended by ordinance 1284 on June 25, 2018, which are contained in the Lewis County Critical Areas Ordinance (CAO), LCC Chapter 17.38, and include LCC 17.10 (Definitions) and LCC 15.35 (Flood Damage Prevention) by reference, are integral and applicable to the SMP, and are hereby adopted by reference. All uses and development occurring within critical areas or their buffers within shoreline jurisdiction shall comply with these regulations except as modified in SMP Section 4.04.02(A)(5) below.	Updated CAO reference and include location of CAO definitions (LCC 17.10)
4.04.02A(3)		LCC Chapter 17.35 is retained as part of the SMP Critical Areas regulations only as it applies to agricultural activities in shoreline jurisdiction. LCC Chapter 17.35 shall remain in effect until regulations addressing agricultural uses in critical areas or a Voluntary Stewardship Program is adopted by the County, and the SMP is subsequently amended.	DELETED	LCC 17.35 was repealed
4.04.02A(4)	4.04.02A(3)	If there are any conflicts or unclear distinctions between the provisions in LCC Chapters 17.35 and 17.35A...	If there are any conflicts or unclear distinctions between the provisions in LCC Chapter 17.38....	Updated CAO reference
4.04.02A(5)	4.04.02A(4)	To ensure consistency with the SMA, exceptions to the applicability of the regulations in LCC Chapters 17.35 and 17.35A in shoreline jurisdiction are listed below:	To ensure consistency with the SMA, exceptions to the applicability of the regulations in LCC Chapter 17.38 in shoreline jurisdiction are listed below:	Update CAO reference

4.04.02A(5)(c)	4.04.02A(4)(c)	In shoreline jurisdiction, the definition of hydric soil in 17.35A.250 does not apply. The definition of hydric soils shall be derived from the language found in the Natural Resources Conservation Service (NRCS) Field Indicators of Hydric Soils in the United States, Version 7.0. United States Department of Agriculture, NRCS. 2010.	In shoreline jurisdiction, the definition of hydric soil in LCC 17.10.080 does not apply. The definition of hydric soils shall be derived from the language found in the Natural Resources Conservation Service (NRCS) Field Indicators of Hydric Soils in the United States, Version 8.2. United States Department of Agriculture, NRCS. 2018, or as amended	Same definition with updated references, different location. Updated definition reference												
4.04.02A(5)(d)	4.04.02A(4)(d)	Within shoreline jurisdiction, the reasonable use and variance procedures in LCC 17.35A.530 are not available for relief from critical area standards. Instead, applicants seeking relief from critical area standards shall apply for a shoreline variance under SMP Section 7.04.03.	Within shoreline jurisdiction, the reasonable use and variance procedures in LCC 17.38.1010 are not available for relief from critical area standards. Instead, applicants seeking relief from critical area standards shall apply for a shoreline variance under SMP Section 7.04.03.	Updated CAO reference												
4.04.02A(5)(e)		In shoreline jurisdiction, compliance with critical areas requirements as required by LCC 17.38.050(3)17.35A.571(2) shall be documented with the issuance of County permits for all uses and development, not just for high intensity uses	DELETED	Updated CAO required review to be documented under LCC 17.38.050(3) for all uses, not just high intensity uses like previous CAO in LCC 17.35A.571(2)												
	4.04.02A(4)(e)		The following table modifies the 2014 wetland function scoring to be consistent with the 2018 rating system: <table border="1" data-bbox="1230 1068 1619 1406"> <thead> <tr> <th>2014</th> <th>Final Habitat Score</th> <th>2018</th> </tr> </thead> <tbody> <tr> <td>8-9</td> <td>High</td> <td>8-9</td> </tr> <tr> <td>5-7</td> <td>Medium</td> <td>6-7</td> </tr> <tr> <td>3-4</td> <td>Low</td> <td>3-5</td> </tr> </tbody> </table>	2014	Final Habitat Score	2018	8-9	High	8-9	5-7	Medium	6-7	3-4	Low	3-5	Updated wetland function scoring to be consistent with the 2018 rating system.
2014	Final Habitat Score	2018														
8-9	High	8-9														
5-7	Medium	6-7														
3-4	Low	3-5														
4.04.02A(5)(f)		LCC 17.35A.577 – Performance-based critical area standards for major developments does not apply in shoreline jurisdiction.	DELETED	Updated CAO does not include												

				performance based CAO standards
4.04.02A(5)(g)		LCC 17.38.2205A.580 – Wetland Identification. In shoreline jurisdiction, identification of wetlands and delineation of their boundaries shall be done in accordance with the approved Federal wetland delineation manual and applicable regional supplements, as amended.	DELETED	Updated CAO references RCW 36.70A.175 and Ecology Wetland rating system in LCC 17.38.220 and LCC 17.38.230
4.04.02A(5)(h)		LCC 17.35A.600 – Allowed activities in wetlands and buffers. In shoreline jurisdiction, the uses outlined in LCC 17.35A.600(1)(a) through (1)(c) and LCC 17.35A.600(1)(e) through 1(g) shall be limited to the outer 25% of Category III and IV wetland buffers, unless there is no other feasible option. These activities are prohibited in the buffer for Category I wetlands, and prohibited in the buffer for Category II wetlands unless there is no other feasible option. In such cases, activities shall be limited to the outer 25% of the Category II wetland buffer.	DELETED	Updated CAO addresses in LCC 17.38.130
4.04.02A(5)(i)		LCC 17.35A.610 – Wetland Protection. The Washington State Wetland Rating System was updated in 2014. The following clarifications apply in shoreline jurisdiction: 1)The table in LCC 17.35A.610(1)(c) shall be interpreted with low intensity buffers being those listed in the furthest left column, moderate intensity buffers being those listed in the middle column, and high intensity buffers being those listed in the furthest right column. 2)The table in LCC 17.35A.610(2) applies to Category I and Category II wetlands. 3)The provisions for single-family development on parcels of five acres or greater in LCC 17.35A.610(3) does not apply in shoreline jurisdiction. In shoreline jurisdiction, single-family development on parcels of five acres or more in size will be considered moderate	DELETED	Updated CAO using current 2014 rating system and does not need the conversion

		<p>intensity uses. The standards in subsections LCC 17.35A.610(1) and (2) shall be used to determine buffers for this land use in shoreline jurisdiction.</p> <p>4)The following tables convert the 2004 wetland category and function scoring to the 2014 ratings system:</p> <p>a. Table for converting category scores:</p> <table border="0"> <tr> <td>2004</td> <td>Western WA</td> <td>2014</td> </tr> <tr> <td>> 70</td> <td>Category I</td> <td>23-27</td> </tr> <tr> <td>51-69</td> <td>Category II</td> <td>20-22</td> </tr> <tr> <td>30-50</td> <td>Category III</td> <td>16-19</td> </tr> <tr> <td><30</td> <td>Category IV</td> <td>9-15</td> </tr> </table> <p>b. Table for converting function scores:</p> <table border="0"> <tr> <td>2004</td> <td>Final Habitat Score</td> <td>2014</td> </tr> <tr> <td>29-36</td> <td>High</td> <td>8-9</td> </tr> <tr> <td>20-28</td> <td>Medium</td> <td>5-7</td> </tr> <tr> <td>< 19</td> <td>Low</td> <td>3-4</td> </tr> </table>	2004	Western WA	2014	> 70	Category I	23-27	51-69	Category II	20-22	30-50	Category III	16-19	<30	Category IV	9-15	2004	Final Habitat Score	2014	29-36	High	8-9	20-28	Medium	5-7	< 19	Low	3-4		
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4.04.02A(5)(j)	4.04.02A(4)(f)	LCC 17.35A.611(1) –Buffer width reduction with specific mitigation. In shoreline jurisdiction, buffer width reduction is addressed in SMP Section 4.04.02(C)(2)	LCC 17.38.280(1) – Reduction in Buffer Width by Reducing the Intensity of Land Use Impacts. In shoreline jurisdiction, buffer width reduction is addressed in SMP Section 4.04.02(C)(2).	Updated CAO reference																											
	4.04.02A(4)(g)	N/A	LCC 17.38.280(2) – Reductions in Buffer Widths Where Existing Roads or Structures Lie within the Buffer. In shoreline jurisdiction, interrupted buffer is addressed in SMP Section 4.04.02(C)(3).	Currently addressed in both CAO and SMP. Adding this in to exempt CAO criteria and development will follow SMP criteria																											
	4.04.02A(4)(h)	N/A	LCC 17.38.280(3) – Common Line Buffers. In shoreline jurisdiction, common line buffer is addressed in SMP Section 4.04.02(C)(4).	Currently addressed in both CAO and SMP. Adding this in to exempt CAO criteria and development will follow SMP criteria																											
4.04.02A(5)(k)	4.04.02A(4)(i)	LCC 17.35A.612 – Averaging buffer widths. In shoreline jurisdiction, buffer averaging is addressed in SMP Section 4.04.02(C)(1).	LCC 17.38.290 – Buffer width averaging. In shoreline jurisdiction, buffer averaging is addressed in SMP Section 4.04.02(C)(1).	Updated CAO reference																											

4.04.02A(5)(l)		LCC 17.35A.620 – Mitigation. In shoreline jurisdiction, minimum acreage replacement ratios of 1.5:1 as outlined in LCC 17.35A.620(6)(d) are applicable when replacement (creation) is accomplished in conjunction with other mitigation types as outlined in LCC 17.35A.620(2). The Shoreline Administrator may determine that minimum acreage replacement ratios do not apply when mitigation is undertaken pursuant to LCC 17.35A.620(7) and (8).	DELETED	Updated CAO does not have same standards
4.04.02A(5)(m)		LCC 17.35A.660 – Classification. In shoreline jurisdiction, all waters of the State, including both lakes and streams, are classified in accordance with the Washington State Department of Natural Resources (WDNR) as provided in WAC 222-16-030 with the revisions in LCC 17.35A.660(1) through (5).	DELETED	Updated CAO states this in LCC 17.38.470
4.04.02A(5)(n)		LCC 17.35A.680 – Protection. The provisions for single-family development on parcels of five acres or greater adjacent to Type S waters in LCC 17.35A.680(2) do not apply in shoreline jurisdiction. In shoreline jurisdiction, the standard buffer width requirements found in SMP Table 4-1: Shoreline Buffers based on LCC 17.35A.680(1) shall apply.	DELETED	Updated CAO does not include this provision
4.04.02A(5)(o)	4.04.02A(4)(j)	LCC 17.35A.681 – Averaging buffer width. In shoreline jurisdiction, buffer averaging, interrupted buffer, and common line are addressed in SMP Section 4.04.02(C)(1), Section 4.04.02(C)(3), and Section 4.04.02(C)(4).	LCC 17.38.430 – Buffer width reduction or averaging. In shoreline jurisdiction, buffer averaging, interrupted buffer, and common line are addressed in SMP Section 4.04.02(C)(1), Section 4.04.02(C)(3), and Section 4.04.02(C)(4)	Updated CAO reference
4.04.02A(5)(p)	4.04.02A(4)(k)	LCC 17.35A.690 – Mitigating conditions. In shoreline jurisdiction, on-site mitigation activities (LCC 17.35A.690(3)) may include, but are not limited to, planting native vegetation, installing low impact development (LID) facilities such as rain gardens to mitigate stormwater impacts,	LCC 17.38.080 – General mitigation requirements. In shoreline jurisdiction, on-site mitigation activities (LCC 17.38.080(4)(a)) may include, but are not limited to, planting native vegetation, installing low impact development (LID) facilities such as rain gardens to mitigate	Updated CAO reference

		installing large woody debris, and removing bulkheads or other hard shoreline stabilization structures. Mitigation projects involving instream work such as the installation of large woody debris shall be designed to ensure there are no adverse effects to upstream or downstream properties. Off-site mitigation (LCC 17.35A.690(4)) shall occur in a similar habitat type as the project impact and in a location that will provide the greatest ecological benefit to affected species or habitats and have the greatest likelihood of success.	stormwater impacts, installing large woody debris, and removing bulkheads or other hard shoreline stabilization structures. Mitigation projects involving instream work such as the installation of large woody debris shall be designed to ensure there are no adverse effects to upstream or downstream properties. Off-site mitigation (LCC 17.38.080(4)(b)) shall occur in a similar habitat type as the project impact and in a location that will provide the greatest ecological benefit to affected species or habitats and have the greatest likelihood of success.	
4.04.02A(5)(q)	4.04.02A(4)(l)	LCC 17.35A.956 – Development standards for channel migration hazard areas. In shoreline jurisdiction, uses and activities that may be authorized in CMZs are listed in SMP Section 4.05.02(F).	LCC 17.38.630 – Standards. In shoreline jurisdiction, uses and activities that may be authorized in CMZs are listed in SMP Section 4.05.02(F).	Updated CAO reference
4.04.02B(1)		The required critical area buffers for Type S streams, as established in LCC 17.35A.680 and modified by SMP Table 4-1: Shoreline Buffers, shall be considered shoreline buffers.	The required critical area buffers for Type S streams, as established in SMP Table 4-1: Shoreline Buffers, shall be considered shoreline buffers.	Updated CAO reference
4.04.02B(2)		Lakes are subject to the aquatic habitat critical area requirements of LCC 17.35A.651(4). This SMP establishes the minimum habitat buffer widths for lakes in the shoreline jurisdiction in SMP Table 4-1: Shoreline Buffers. The minimum habitat buffers for lakes in the shoreline jurisdiction shall be considered shoreline buffers.	The minimum required aquatic habitat critical area buffers for lakes, as established in SMP Table 4-1: Shoreline Buffers, shall be considered shoreline buffers.	Updated CAO reference
4.04.02B(3)		The buffers for all other critical areas shall be established in accordance with the standards of LCC Chapters 17.35 or 17.35A, except as modified by SMP Section 4.04.02(A)	The buffers for all other critical areas shall be established in accordance with the standards of LCC Chapters 17.38, except as modified by SMP Section 4.04.02(A)	Updated CAO reference
4.04.02B(9)		Building setbacks of 15 feet are required from the landward edge of the shoreline buffer in accordance with LCC 17.35A.574(4). Building setbacks are used to protect the shoreline buffer from disturbance during construction and from the impacts related to use of a structure. Where	Building setbacks of 15 feet are required from the landward edge of the shoreline buffer in accordance with LCC 17.38.1030. Building setbacks are used to protect the shoreline buffer from disturbance during construction and from the impacts related to use of a structure. Where	Updated CAO reference

		no shoreline buffer is required in Table 4-1, no building setback shall be required.	no shoreline buffer is required in Table 4-1, no building setback shall be required.	
Table 4-1		High intensity uses as defined in LCC 17.35.245	High intensity agricultural uses	Modify to take out CAO reference
Table 4-1		Low intensity uses as defined in LCC 17.35.270	Low intensity agricultural uses	Modify to take out CAO reference
4.04.02C(1)		<u>Buffer Averaging</u> The width of a buffer may be averaged following the requirements of LCC 17.35A.612 and LCC 17.35A.681, thereby reducing the width of a portion of the buffer and increasing the width of another portion of the buffer. The table referenced in LCC 17.35A.612(3)(b) is not applicable in shoreline jurisdiction.	<u>Buffer Averaging</u> The width of a buffer may be averaged following the requirements of LCC 17.38.290 and LCC 17.38.430, thereby reducing the width of a portion of the buffer and increasing the width of another portion of the buffer.	Updated CAO reference
4.04.02C(2)		<u>Buffer Width Reduction</u> Reductions of certain buffers may be approved administratively if buffer averaging in SMP Section 4.04.02(C)(1), common line buffer in SMP Section 4.04.02(C)(3), or interrupted buffer provisions in SMP Section 4.04.02(C)(4) are infeasible. The buffer width reduction shall: a. Shall apply solely to a decrease in the buffer widths from the requirements for high intensity uses (see LCC 17.35A.605(3)) to the requirements for moderate intensity uses. b. Shall include appropriate measures to reduce potential impacts from LCC 17.35A.611(2). c. Shall be designed to ensure no net loss of shoreline ecological functions occurs when the reduction is utilized.	<u>Buffer Width Reduction</u> Reductions of certain buffers may be approved administratively if buffer averaging in SMP Section 4.04.02(C)(1), common line buffer in SMP Section 4.04.02(C)(3), or interrupted buffer provisions in SMP Section 4.04.02(C)(4) are infeasible following the requirements of LCC 17.38.280(1). The buffer width reduction: a. Shall include appropriate measures to reduce potential impacts from LCC 17.38.280(1)(b). b. Shall be designed to ensure no net loss of shoreline ecological functions occurs when the reduction is utilized.	Updated CAO reference
4.04.02D(1)(a)		Uses and activities authorized to locate in shoreline buffers in SMP Chapter 5: Specific Shoreline Use Policies and Regulations, SMP Chapter 6: Shoreline Modification Policies and Regulations, and LCC 17.35A.670.	Uses and activities authorized to locate in shoreline buffers in SMP Chapter 5: Specific Shoreline Use Policies and Regulations, SMP Chapter 6: Shoreline Modification Policies and Regulations, and LCC 17.38.130.	Updated CAO reference
4.04.02D(2)		<u>Critical Areas Buffers</u> The uses and activities allowed within critical areas buffers in LCC Chapter 17.35A, including	<u>Critical Areas Buffers</u> The uses and activities allowed within critical areas buffers in LCC Chapter 17.38.130 as	Updated CAO reference

		the uses permitted in wetland buffers per LCC 17.35A.600 as modified in 4.04.02(A)(5)(h), and riparian buffers for waters that are not Shorelines of the State per LCC 17.35A.670, may be allowed without a shoreline variance, when located, constructed, and maintained in a manner that minimizes adverse impacts on shoreline ecological functions, and in compliance with the SMP.	modified in 4.04.02(A)(5)(h), and riparian buffers for waters that are not Shorelines of the State per LCC 17.38.470, may be allowed without a shoreline variance, when located, constructed, and maintained in a manner that minimizes adverse impacts on shoreline ecological functions, and in compliance with the SMP.	
4.04.02E(8)		In shoreline buffers, pruning shall comply with the National Arborist Association pruning standards, unless the tree is a hazard tree as defined in LCC 17.35A.238. Trees that are felled in shoreline buffers should be left in place.	In shoreline buffers, pruning shall comply with the National Arborist Association pruning standards, unless the tree is a hazard tree as defined in LCC 17.10.080. Trees that are felled in shoreline buffers should be left in place.	Updated CAO reference
Table 5-1		See attachment A	See attachment A	To allow bridges as a SSDP vs a SCU
Table 5-1 Notes: 13		Home occupations, as established by LCC 17.145.120: Home Occupations are incidental and accessory to a residential use. Use the 'Residential' use category to determine whether they are allowed in a particular shoreline environment designation.	Home-based businesses, as established by LCC 17.142.110: Home-based businesses are incidental and accessory to a residential use. Use the 'Residential' use category to determine whether they are allowed in a particular shoreline environment designation.	Updated code for compliance with current use standards
5.05.01		Develop Voluntary Stewardship Programs to regulate new agricultural activities in critical areas.	DELETED	VSP practices can be implemented in Shoreline, but new activity is required to meet provisions in SMP per SMA
5.05.02		See Attachment B	See Attachment B	Update chart for ease of reading and better understanding of agriculture in SMP
	5.05.02(2)		<u>Date of Existing Agricultural Activity.</u> This is the date of adoption of the first Lewis County Shoreline Master Program prepared under the guidelines in effect under Chapter 173-26 WAC and includes all amendments incorporated through required periodic review. See WAC	Added to clarify a date used in the chart

			173-26-120, State process for approving/amending shoreline master programs and WAC 173-26-171, Authority, purpose, and effects of guidelines.	
5.09		Forest management practices are those methods used for the protection, production, and harvesting of timber. The FPA (Chapter 76.09 RCW) is the basis of management of commercial forest uses within shoreline jurisdiction. The WDNR regulates forest practices including those within shoreline jurisdiction in the County.	Forest management practices are those methods used for the protection, production, and harvesting of timber. The FPA (Chapter 76.09 RCW) is the basis of management of commercial forest uses within shoreline jurisdiction. The WDNR regulates forest practices including those within shoreline jurisdiction in the County. A forest practice that only involves timber cutting is not a development under the act and does not require a shoreline Substantial Development Permit or a shoreline exemption. A forest practice that includes activities other than timber cutting may be a development under the act and may require a Substantial Development Permit, as required by WAC 222-50-020.	Added language to clarify that forest practices only involving timber cutting does not require a SDP, unless they are proposing other activities
5.14.02E		The primary residential use on any lot shall be established prior to any accessory structures.	The primary residential use on any lot shall be established prior to any accessory or appurtenant structures.	Added appurtenant structures for clarity
7.02.02A		Unless specifically exempted by statute (see RCW 90.58.355), all proposed uses and development occurring within shoreline jurisdiction must conform to the development standards in the LCC, Chapter 90.58 RCW, the SMA, and this SMP, whether or not a permit is required.	Unless specifically exempted by statute, all proposed uses and development occurring within shoreline jurisdiction must conform to the development standards in the LCC, Chapter 90.58 RCW, the SMA, and this SMP, whether or not a permit is required.	Deleted code reference.
	7.07.02B		Requirements to obtain a Substantial Development Permit, Conditional Use Permit, Variance, letter of exemption, or other review to implement the Shoreline Management Act do not apply to the following: i. Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent	Added to clarify where exemptions from permitting apply vs referencing state code.

			<p>decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. Periodic Review Checklist Guidance 6 September 2019</p> <p>ii. Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit.</p> <p>iii. WSDOT facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a Substantial Development Permit, Conditional Use Permit, Variance, letter of exemption, or other local review.</p> <p>iv. Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.</p> <p>v. Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to chapter 80.50 RCW.</p>	
7.07B		The nonconforming use and development standards in LCC 17.35A.520 shall apply to the entirety of shoreline jurisdiction.	The nonconforming use and development standards in LCC 17.38.1000 shall apply to the entirety of shoreline jurisdiction.	Updated CAO reference
7.07C		For nonconforming shoreline uses, development or structures, in addition to the standards established in LCC 17.35A.520, the following standards shall apply...	For nonconforming shoreline uses, development or structures, in addition to the standards established in LCC 17.38.1000, the following standards shall apply...	Updated CAO reference
8.02		Development – The construction or exterior alteration of buildings or structures; dredging; drilling; dumping; filling; removal of sand, gravel,	Development – The construction or exterior alteration of buildings or structures; dredging; drilling; dumping; filling; removal of sand, gravel,	Added the last sentence for clarity

		or minerals; bulkheading; driving of piling; placing of obstructions; or a project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to Chapter 90.58 RCW at any state of water level (RCW 90.58.030(3)(a)).	or minerals; bulkheading; driving of piling; placing of obstructions; or a project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to Chapter 90.58 RCW at any state of water level (RCW 90.58.030(3)(a)). "Development" does not include dismantling or removing structures if there is no other associated development or re-development.	and consistent interpretation.
8.02			Existing Agriculture – Existing agriculture shall include those specific land areas on which agriculture activities are or have been conducted, regardless of the period of dormancy.	Added definition to clarify the definition of existing agriculture
8.02			High intensity agriculture uses - Means agriculture uses which by their nature have the potential for significant impact and will be regulated using a review process coupled with SEPA review, or, for SEPA exempt properties, substantially similar to SEPA review. Except as provided herein, high intensity uses shall include all uses not specifically identified as low intensity uses.	Currently, definition from 17.35 for Ag uses was added to definitions in SMP.
8.02			Low intensity agriculture uses – Means agriculture uses which by their nature generally have a low or moderate impact on the environment in which they occur and will be regulated using a single or short form of approval. Except as provided, low intensity uses shall include: (a) Livestock in excess of grazing best management practices recommended by the Natural Resources Conservation Service; (b) Machinery storage, fueling, and maintenance; or (c) Storage of petroleum, fertilizers, pesticides, and herbicides.	Currently, definition from LCC 17.35 for Ag uses was added to definitions in SMP.

8.02		<p>Residential Development – Development, which is primarily devoted to or designed for use as a dwelling(s). Residential development includes single-family development, multifamily development and the creation of new residential lots through land division.</p>	<p>Residential Development – Development, which is primarily devoted to or designed for use as a dwelling(s). Residential development includes single-family development, multifamily development and development associated with the creation of new residential lots through land division.</p>	<p>Clarify definition. Currently states residential development includes the creation of new residential lots. However, it is development associated with creation of new lots. Land divisions themselves are not development</p>
8.02		<p>Substantial Development – A development of which the total cost or fair market value exceeds \$6,416.00, or any development, which materially interferes with the normal public use of the water or Shorelines of the State. The dollar threshold established in this definition must be adjusted for inflation by the Office of Financial Management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period...</p>	<p>Substantial Development – A development of which the total cost or fair market value exceeds \$7,047 or as otherwise amended, or any development, which materially interferes with the normal public use of the water or Shorelines of the State. The dollar threshold established in this definition must be adjusted for inflation by the Office of Financial Management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period...</p>	<p>Change the \$ threshold to be consistent with latest update in WAC.</p>

Attachments:

Attachment A – Table 5-1: Permitted, Conditional and Prohibited Uses – Mark-up

Attachment B – SMP 5.05.02 Agricultural Chart

Attachment A

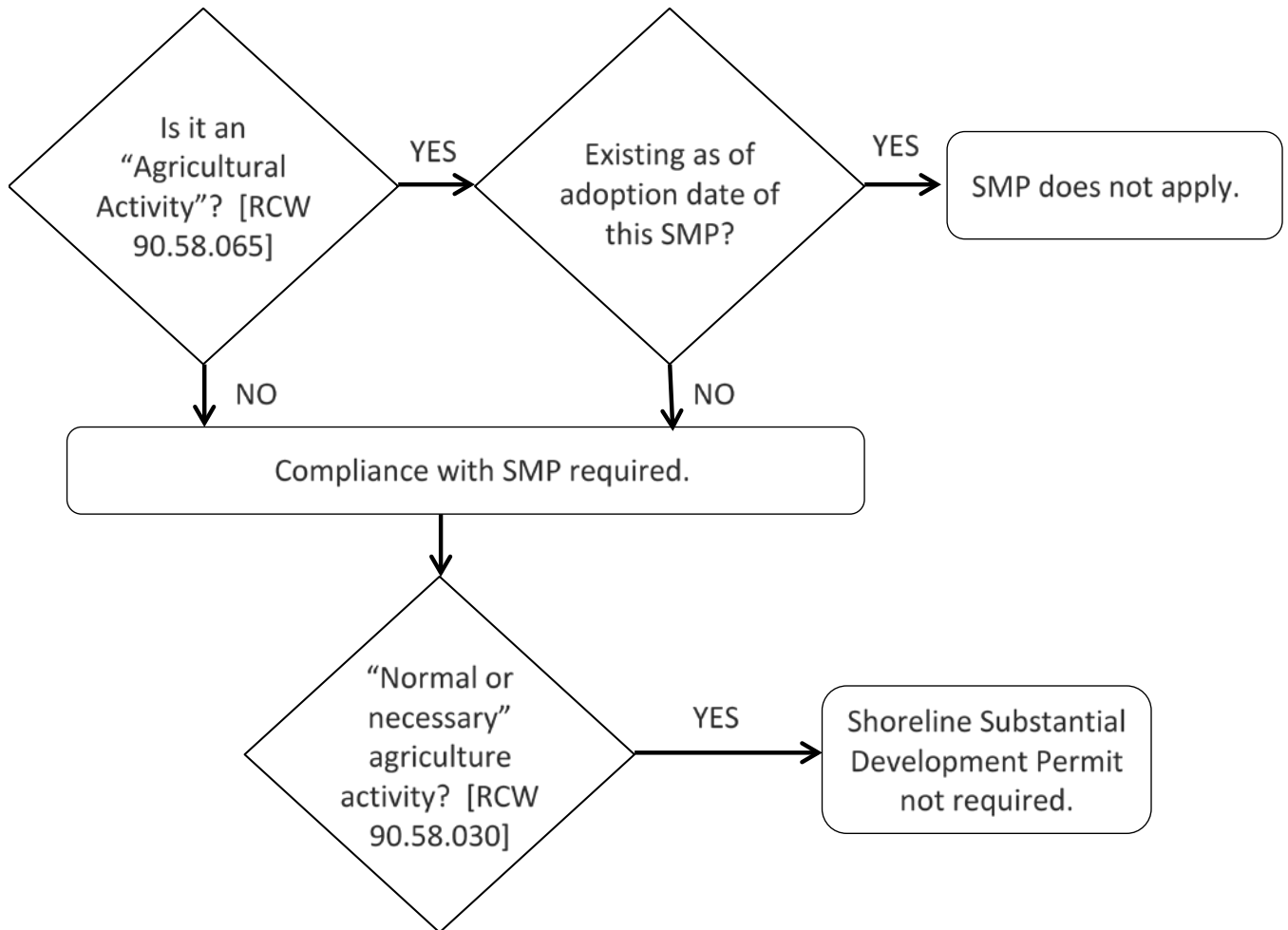
Table 5-1: Permitted, Conditional, and Prohibited Uses

Shoreline Uses (1)	High Intensity	Shoreline Residential	Rural/Urban Conservancy	Natural	Aquatic (2)
<i>Key: P = Permitted Use, C = Conditional Use, X = Prohibited</i>					
Agriculture (New agricultural activities only) (3)(4)	P	P	P	C	X
Aquaculture	C	C	C	X	C
Boating and Water Access Facilities					
Boat Ramps and Launches	P	P	P	X	See adjacent upland shoreline environment designation
Boat Launching Rails	P	P	P	X	
Boat Lifts and Canopies	P	P	P	X	
Moorage Covers (Open Sides, Structural Roof)	C	C	C	X	
Mooring Buoys	P	P	P	X	
Private Single / Joint-Use Docks and Piers	P	P	P	X	
Public Piers / Docks / Marinas	P	P	P	X	
Recreational Floats	P	P	P	X	
Commercial Development (5)	P	C	C	X	(6)
Forest Practices	P	P	P	C	X
Industrial Development (7)	P	X	C (8)	X	(6)
Mining	P	X	C	X	X
Parking (9)	P	P	P	X	X
Recreational Development (10)					
Water-oriented	P	P	P	C (11)	P (12)
Non-water-oriented	P	P	P	X	X
Trails	P	P	P	C	X
Residential Development (13)	P	P	P	C	X
Signs	P	P	P	X	X
Transportation Facilities					
Bridges for motorized and non-motorized uses	EP	EP	EP	C	C
Expansion of roads within existing right-of-way	P	P	P	P	X
New roads for permitted shoreline uses	P	P	P	C	X
Expansion of roads outside of a right-of-way or movement of existing roads	C	C	C	C	X

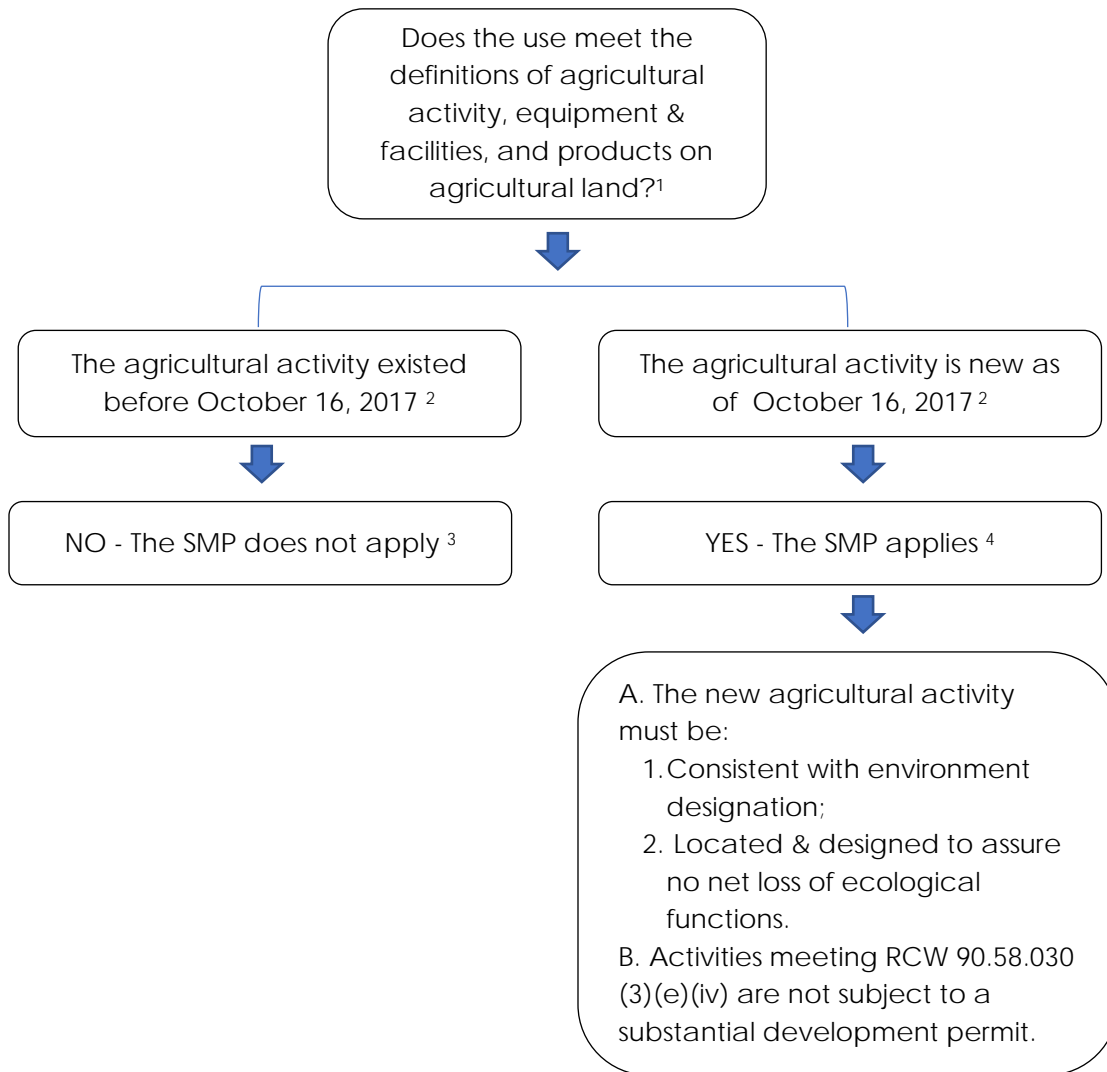
Shoreline Uses (1)	High Intensity	Shoreline Residential	Rural/Urban Conservancy	Natural	Aquatic (2)
Utilities					
Production and processing facilities	P	X	C	X	X
Transmission facilities within an existing right-of-way	P	P	P	C	C
Transmission facilities outside an existing right-of-way	P	P	C	C	C
Accessory utilities	Reviewed as part of primary use				
Other	C	C	C	C	C

Attachment B

Existing



Proposed



Notes:

¹ RCW 90.58.065(2) provides the following definitions:

(a) "Agricultural activities" means agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural 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,

provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation;

(b) "Agricultural products" includes but is not limited to horticultural, viticultural, floricultural, vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and harvested within twenty years of planting; and livestock including both the animals themselves and animal products including but not limited to meat, upland finfish, poultry and poultry products, and dairy products;

(c) "Agricultural equipment" and "agricultural facilities" includes, but is not limited to: (i) The following used in agricultural operations: Equipment; machinery; constructed shelters, buildings, and ponds; fences; upland finfish rearing facilities; water diversion, withdrawal, conveyance, and use equipment and facilities including but not limited to pumps, pipes, tapes, canals, ditches, and drains; (ii) corridors and facilities for transporting personnel, livestock, and equipment to, from, and within agricultural lands; (iii) farm residences and associated equipment, lands, and facilities; and (iv) roadside stands and on-farm markets for marketing fruit or vegetables; and

(d) "Agricultural land" means those specific land areas on which agriculture activities are conducted.

² This is the date of adoption of the first Lewis County Shoreline Master Program prepared under the guidelines in effect under Chapter 173-26 WAC and includes all amendments incorporated through required periodic review. See WAC 173-26-120, State process for approving/amending shoreline master programs and WAC 173-26-171, Authority, purpose, and effects of guidelines.

³WAC 173-26-241(3)(a)(ii) reads:

Master programs shall not require modification of or limit agricultural activities occurring on agricultural lands. In jurisdictions where agricultural activities occur, master programs shall include provisions addressing new agricultural activities on land not meeting the definition of agricultural land, conversion of agricultural lands to other uses, and other development on agricultural land that does not meet the definition of agricultural activities."

⁴WAC 173-26-241(2)(a)(v) reads:

(v) New agricultural activities are activities that meet the definition of agricultural activities but are proposed on land not currently in agricultural use. Master programs shall include provisions for new agricultural activities to assure that:

(A) Specific uses and developments in support of agricultural use are consistent with the environment designation in which the land is located.

(B) Agricultural uses and development in support of agricultural uses, are located and designed to assure no net loss of ecological functions and to not have a significant adverse impact on other shoreline resources and values.

Measures appropriate to meet these requirements include provisions addressing water quality protection, and vegetation conservation, as described in WAC 173-26-220 (5) and (6). Requirements for buffers for agricultural development shall be based on scientific and technical information and management practices adopted by the applicable state agencies necessary to preserve the ecological functions and qualities of the shoreline environment.