

# Definitions and Acronyms

## **Act**

The Washington State Shoreline Management Act, chapter 90.58 RCW.

## **Activity**

An occurrence associated with a use; the use of energy toward a specific action or pursuit. Examples of shoreline activities include but are not limited to fishing, swimming, boating, dredging, fish spawning, wildlife nesting, or discharging of materials.

## **Adjacent Lands**

Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). The SMA directs local governments to develop land use controls (i.e., zoning, comprehensive planning) for such lands consistent with the policies of the SMA, related rules and the local shoreline master program (Refer to RCW 90.58.340).

## **Administrator**

The responsible official for implementing and enforcing the Shoreline Master Program, in this case, the Planning Director.

## **Amendment**

A revision, update, addition, deletion, and/or reenactment to an existing shoreline master program.

## **Anadromous Fish**

Species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to freshwater rivers and streams to procreate.

## **Approval**

An official action by a local government legislative body agreeing to submit a proposed shoreline master program or amendments to the department for review and official action pursuant to this chapter; or an official action by the department to make a local government shoreline master program effective, thereby incorporating the approved shoreline master program or amendment into the state master program.

**Associated Wetlands**

Those wetlands that are in proximity to and either influence, or are influenced by tidal waters or a lake or stream subject to the Shoreline Management Act. Refer to WAC 173-22-030(1).

**Best Management Practices (BMPs)**

Riverbank erosion control BMPs are designed to protect river ecosystems from erosion and sedimentation. Examples include Infiltration BMPs which reduce or eliminate the discharge of runoff to receiving waters and can also recharge the groundwater table. Detention BMPs control peak flows by detaining runoff and releasing it back to the stream system at reduced flow rates, thereby reducing downstream erosion and flooding. Detention BMPs include wet and dry ponds, vaults or tanks, and constructed wetlands. Riverbank Stabilization BMPs are vegetative, bioengineered, and structural controls for stabilizing, strengthening and protecting riverbanks from channel erosion and bank failure.

**Boat Launch or Ramp**

Graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

**Buffer Area**

A parcel or strip of land that is designed and designated to permanently remain vegetated in an undisturbed and natural condition to protect an adjacent aquatic or wetland site from upland impacts, to provide habitat for wildlife and to afford limited public access.

**Building Setback**

A building setback is an additional setback for construction activities that is measured from the end of the riparian setback.

**Building Setback Line**

Unless otherwise indicated within this Master Program, the line which establishes the limits of all buildings, fencing and impervious surfaces along the shoreline.

**Bulkheads**

Walls usually constructed parallel to the shore whose primary purpose is to contain and prevent the loss of soil by erosion, wave, or current action. Bulkheads are used to protect riverbanks by retaining soil at the toe of the slope or by protecting the toe of the bank from erosion and undercutting.

**Channel**

An open conduit for water either naturally or artificially created, but does not include artificially created irrigation, return flow, or stockwatering channels.

**Channel Migration Zone (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.

**Comprehensive Plan**

Comprehensive plan means the document, including maps adopted by the town council, that outlines the Town's goals and policies relating to management of growth, and prepared in accordance with RCW 36.70A. The term also includes adopted subarea plans prepared in accordance with RCW 36.70A.

**Conditional Use**

A use, development, or substantial development that is classified as a conditional use or is not classified within the applicable master program. Refer to WAC 173-27-030(4).

**Development**

Development means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of 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 this chapter at any state of water level. RCW 90.58-030 3(d).

**Development Regulations**

The controls placed on development or land uses by a county, city or town, including, but not limited to, zoning ordinances, critical areas ordinances, all portions of a shoreline master program other than goals and policies approved or adopted under RCW 90.58, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto.

**DNS**

Determination of Nonsignificance, under the State Environmental Policy Act (SEPA.).

**Document of Record**

The most current shoreline master program officially approved or adopted by rule by the department for a given local government jurisdiction, including any changes resulting from appeals filed pursuant to RCW 90.58.190.

**Ecological Functions or Shoreline Functions**

The work performed or the role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem.

**Ecosystem-wide Processes**

The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

**EIS**

Environmental Impact Statement.

**Endangered Species Act (ESA)**

A federal law intended to protect any fish or wildlife species that are threatened with extinction throughout all or a significant portion of its range.

**Enhancement**

Alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.

**Environmental Impacts**

The effects or consequences of actions on the natural and built environments. Environmental impacts include effects upon the elements of the environment listed in the State Environmental Policy Act (SEPA). Refer to WAC 197-11-600 and WAC 197-11-444.

**Erosion**

Erosion is the wearing away of land by the action of natural forces.

**Exemption**

Certain specific developments as listed in WAC 173-27-040 are exempt from the definition of substantial developments and are therefore exempt from the substantial development permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local master program. Conditional use and/or variance permits may also still be required even though the activity does not need a substantial development permit WAC 173-27-040 (b).

**Fair Market Value**

"Fair market value" of a development is the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment, or materials.

**Flood Control**

Any undertaking for the conveyance, control, and dispersal of floodwaters caused by abnormally high direct precipitation or stream overflow.

**Floodplain**

A term that is synonymous with the one hundred-year floodplain and means that land area susceptible to inundation with a one percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps or a reasonable method which meets the objectives of the act.

**Floodway**

Floodway means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not

necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition. The floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state. RCW 90.58.030 2(g).

**Geotechnical Report or Geotechnical Analysis**

A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties.

Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

**Grading**

The movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.

**Grassy Swale**

A vegetated drainage channel that is designed to remove various pollutants from storm water runoff through biofiltration.

**Guidelines**

Those standards adopted by the department to implement the policy of RCW 90.58 for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards shall also provide criteria for local governments and the department in developing and amending master programs.

**Habitat**

The place or type of site where a plant or animal naturally or normally lives and grows.

**Hydric Soil**

Hydric soil means soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper soil horizon(s), thereby influencing the growth of plants.

**In-kind Replacement**

To replace wetlands, biota or other organisms with substitute flora or fauna whose characteristics closely match those destroyed, displaced, or degraded by an activity.

**Landfill**

The placement of soil, rock, existing sediment or other material (excluding solid waste) to create new land, tideland or bottom land area along the shoreline below the OHWM, or on wetland or upland areas in order to raise the elevation.

**Levee**

A large dike or embankment, often having an access road along the top, which is designed as part of a system to protect land from floods.

**Limited Public Access (Physical or Visual)**

Restrictions on access that are deemed necessary for the health, safety, or welfare of the public or for the protection and maintenance of the particular site.

**Local Government**

Any county, incorporated city or town which contains within its boundaries shorelines of the state subject to chapter 90.58 RCW.

**May**

“May” means the action is acceptable, provided it conforms to the provisions of this chapter.

**Mitigation**

The steps necessary to avoid, minimize, or compensate for environmental impacts.

**Must**

“Must” means a mandate; the action is required.

**Native Plants or Native Vegetation**

These are plants that occur naturally, and that distribute and reproduce without aid. Native plants in western Washington are those that existed prior to intensive settlement that began in the 1850s.

**Nonwater-oriented Uses**

Those uses that are not water-dependent, water-related, or water-enjoyment.

**One-hundred-year Flood**

The maximum flood expected to occur during a one-hundred-year period.

**Ordinary High Water Mark (OHWM)**

"Ordinary high water mark" on all lakes, streams, and tidal water 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 or as it may naturally change thereafter or as it may change thereafter; in accordance with permits issued by a local government or the department. WAC 173-22-030(11) specifically states that for rivers/streams where the ordinary high water mark cannot be found, it shall be the line of mean high water. For braided rivers and streams, the ordinary high water mark is found on the banks forming the outer limits of the depression within which the braiding occurs.

**Permit (or Shoreline Permit)**

Any substantial development, variance or conditional use permit, or revision, or any combination thereof, authorized by the Act. Refer to WAC 173-27-030(13).

**Physical Public Access**

Unobstructed access with public use improvements that are available to the general public and that extend from the land to the ordinary high water mark or to the wetland directly abutting the ordinary high water mark.

**Priority Habitat**

A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

- Comparatively high fish or wildlife density;
- Comparatively high fish or wildlife species diversity;
- Fish spawning habitat;
- Important wildlife habitat;
- Important fish or wildlife seasonal range;
- Important fish or wildlife movement corridor;
- Rearing and foraging habitat;
- Important marine mammal haul-out;
- Refugia habitat;
- Limited availability;
- High vulnerability to habitat alteration;
- Unique or dependent species; or
- Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows). A priority habitat may also be described by a successional stage (such as, old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or nonpriority fish and wildlife.

**Priority Species**

Species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed below.

(a) Criterion 1. State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014), threatened (WAC 232-12-011), or sensitive (WAC 232-12-011). State proposed species are those fish and wildlife species that will be reviewed by the department of fish and wildlife (POL-M-6001) for possible listing as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.

(b) Criterion 2. Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or statewide, by virtue of their inclination to

congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.

(c) Criterion 3. Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.

(d) Criterion 4. Species listed under the federal Endangered Species Act as either proposed, threatened, or endangered.

**Proposed, Threatened, and Endangered (PTE) Species**

Those native species that are proposed to be listed or are listed in rule by the Washington State Department of Fish and Wildlife as threatened or endangered, or that are proposed to be listed as threatened or endangered or that are listed as threatened or endangered under the federal Endangered Species Act.

**Public Access**

Public access is the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. Refer to WAC 173-26-221(4).

**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 such as an effect on public property or on health, safety, or general welfare resulting from a use or development. Refer to WAC 173-27-030(14).

**RCW**

Revised Code of Washington.

**Restoration**

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 pre-European settlement conditions.

**Revetment**

Facing of stone, concrete, etc., built to protect a scarp, embankment, or shore structure against erosion by waves of currents. The principal features of a revetment are: 1) heavy armor layer, 2) filter layer, and 3) toe protection.

**Riparian**

Of, on, or pertaining to the banks of a river.

**Riparian Buffer Setback**

Riparian Buffer Setbacks function as a setback from the shoreline, and are to be measured from the OHWM. Outside of the shoreline jurisdiction Critical Area Regulation buffers apply as required by SMC 16.80.150.

**Riprap**

A layer, facing, or protective mound of stone placed on shoulders, slopes, or other such places to protect them from erosion, scour, or sloughing of a structure or embankment; also, the stone so used.

**Riverbank**

The upland areas immediately adjacent to the floodway, which confine and conduct flowing water during non-flooding event. The riverbank, together with the floodway, represent the river channel capacity at any given point along the river.

**River Channel**

A natural or artificial watercourse with definite bed and banks to confine and conduct flowing water.

**Sediment**

The fine-grained material deposited by water or wind.

**SEPA**

State Environmental Policy Act.

**SEPA Checklist**

A checklist is required of some projects under SEPA to identify the probable significant adverse impacts on the quality of the environment. The checklist will also help to reduce or avoid impacts from a proposal, and help the responsible governmental agency decide whether a full environmental impact statement (EIS) is required (WAC 197-11-960).

**Shall**

“Shall” means a mandate; the action must be done.

**Shoreland Areas or Shorelands**

Those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the ordinary high water mark, including floodways and areas landward two hundred (200) feet from such floodways and all wetlands and river deltas associated with the streams, and lakes which are subject to the provisions of this chapter; the same to be designated as to location by the Washington Department of Ecology.

**Shoreline Master Program or Master Program**

The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.

As provided in RCW 36.70A.480, the goals and policies of a shoreline master program for a county or city approved under chapter 90.58 RCW shall be considered an element of the county or city's comprehensive plan. All other portions of the shoreline master program for a county or city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the county or city's development regulations.

**Shoreline Modifications**

Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

**Shorelines of Statewide Significance**

“Shorelines of the State” that meet the criteria for “Shorelines of Statewide Significance” contained in RCW 90.58.030(e).

**Shorelines of the State**

This term includes both “shorelines” and “shorelines of statewide significance.”

**Should**

“Should” means that the particular action is required unless there is a demonstrated, compelling reason, based on policy of the Shoreline Management Act and this Master Program, against taking the action.

**Water-dependent Use**

A use or portion of a use which cannot exist in a location that is not adjacent to the water but is dependent on the water by reason of the intrinsic nature of its operations. Examples of water-dependent uses include ship cargo terminal loading areas, fishing, ferry and passenger terminals, barge loading facilities, ship building and dry docking, aquaculture, float plane facilities and marinas.

**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.

In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

Primary water-enjoyment uses may include, but are not limited to:

- Parks with activities enhanced by proximity to the water;
- Piers and other improvements that facilitate public access to shorelines of the state;
- Restaurants with water views and public access improvements;
- Museums with an orientation to shoreline topics;
- Aquariums;
- Scientific/ecological reserves;
- Resorts with uses open to the public and public access to the shoreline; and any combination of those uses listed above.

**Water-oriented Use**

A use that is water-dependent, water-related, or water-enjoyment, or a combination of such uses.

**Water Quality**

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 chapter and affecting water quantity, such as impermeable surfaces and storm water handling practices. Water quantity, for purposes of this chapter, does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through RCW 90.03.340.

**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.

Water-related uses include manufacturing of ship parts large enough that transportation becomes a significant factor in the product's cost, professional services serving primarily water-dependent uses, and storage of water-transported foods.

Other examples of water-related uses include the warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker, and upland log storage for water-borne transportation.

In addition, the definitions and concepts set forth in RCW 90.58.030, as amended, and implementing rules shall also apply as used herein.

**Visual Access**

Access with improvements that provide a view of the shoreline or water, but do not allow physical access to the shoreline.