

# Kittitas Regional Shoreline Master Program Update Addendum to October 2012 Draft SMP

10/17/2012

## **1.2 Scope and Jurisdiction of the Shoreline Master Program**

[See page 7.] Kittitas County, the Cities of Ellensburg and Cle Elum, and the Town of South Cle Elum, originally adopted a regional shoreline master program in 1975, which was not revised, with the exception of minor map amendments, until now (2012). Within the County there were 9 lakes and 18 creeks and rivers that were listed under the Shoreline Management Act. The jurisdictional areas of this updated regional program have changed. A set of maps is included in ~~Chapter 9~~ **Appendix F** that depict the jurisdictional areas and shoreline reaches. ~~These removed are included at the end of Appendix A.~~

## **1.3 Purpose and intent.**

The purpose and intent of this SMP are to:

1. To promote the public health, safety and general welfare of the community by providing long range, comprehensive policies and effective, reasonable regulations for development and use of shorelines within **the participating jurisdictions** ~~Douglas County and its applicable jurisdictions;~~

## **1.5 Public involvement process, advisory committee, and agency outreach**

This SMP was updated as part of a multi-jurisdictional update process, with Kittitas County serving as project lead. Participating jurisdictions were Kittitas County, the City of Ellensburg, the City of ~~E~~Cle Elum, and the Town of South Cle Elum. [...]

### **Shoreline Visioning Process**

To provide context, the process of developing the regional SMP began with community-wide visioning sessions to elicit citizen input on what the communities want the shoreline areas to look like 5-10 years from now. Citizens and interest groups were asked to provide input on issues such as public access, water-related and water-dependent uses, recreation, restoration activities and more. Visioning meetings were held in Ellensburg and Cle Elum. **Additionally, a community visioning questionnaire was distributed widely throughout the County to solicit feedback on these same issues.**

[...]

## **Citizen Advisory Committee**

The Citizen Advisory Committee (CAC) was established to finalize recommendations on environment designations, goals, policies and use regulations. Representatives were selected by each of the four participating jurisdictions, which included one planning commission member or elected official from each jurisdiction. The jurisdictions coordinated their selections to achieve a diverse mix of interests including agriculture, recreation, power generation, real estate/development, environment, sporting and conservation. Invitations to participate were also extended to the Washington State Departments of Ecology, Natural Resources, and Fish and Wildlife to the public utility districts of Douglas, Chelan and Grant counties, and to the Colville Confederated Tribes and the Yakama Indian Nation. The committee began meeting in October 2012 and continued through October 2013.

### **1.7 Applicability**

*[All new text below]*

The following statements establish the applicability of this SMP in the participating jurisdictions.

1. All proposed uses and development occurring within shoreline jurisdiction must conform to the intent and requirements of Chapter 90.58 RCW, the Shoreline Management Act, and this Program whether or not a permit or other form of authorization is required. See Section 1.2 for the definition of shoreline jurisdiction and Chapter 8 for definitions of uses, activities, and development.
2. This SMP does not apply to the following activities:
  - a. Interior building improvements that do not change the use or occupancy;
  - b. Exterior structure maintenance activities, including painting and roofing, as long as it does not expand the existing footprint of the structure;
  - c. Routine landscape maintenance of established, ornamental landscaping, such as lawn mowing, pruning and weeding; and
  - d. Maintenance of the following existing facilities that does not expand the affected area: septic tanks (routine cleaning), wells, and individual utility service connections.
3. The shoreline permit procedures, policies and regulations established in this SMP shall apply [jurisdiction]-wide to all nonfederal uses, activities, and development.
4. This SMP applies to lands subject to nonfederal ownership, lease or easement, even though such lands may fall within the external boundaries of a federal ownership.
5. Federal lands include, but are not limited to, National Forests, National Parks, National Wilderness Areas, and lands owned by the Federal Bureau of Land Management (BLM). The following subsections shall guide the determination of SMP applicability on federal lands:

- a. Federal development on federally owned land is not subject to this SMP nor required to obtain a Shoreline permit, unless otherwise required by federal law or unless the state by statute has ceded all regulatory authority over the federal ownership;
  - b. Federal development on a federally owned lease is not subject to this SMP nor required to obtain a Shoreline permit, unless otherwise required by federal law or unless the state by statute has ceded all regulatory authority over the federal ownership as long as the development is consistent with the purpose of the lease;
  - c. Development on federally owned land under a federal lease or easement for a non-federal activity is subject to this SMP and must obtain a Shoreline permit; for example, the SMP applies to private activities on federal land such as leases where the private citizen owns the structure but the federal government owns the land;
  - d. Non-federal development or use on federally owned land is subject to this SMP and must obtain a Shoreline permit;
  - e. Development on non-federal land is subject to this SMP and must obtain a Shoreline permit, even if it is leased, rented, etc. to the federal government, or it is within the boundaries of federal ownership unless the state by statute has ceded all regulatory authority over the federal ownership.
- 6. As recognized by RCW 90.58.350, the provisions of this SMP shall not affect treaty rights of Indian Nations or tribes.
  - 7. Where this Program makes reference to any RCW, WAC, or other state or federal law or regulation, the most recent amendment or current edition shall apply.

## ***2.8 Flood hazard prevention element***

[...]

### **Objectives**

- 1. **New development in flood prone areas should be avoided.**
- 2. The county and cities shall maintain the requirements of the National Flood Insurance Program.
- 3. New development shall occur in conformance with applicable flood prevention codes and hazard management and mitigation plans.
- 4. Assure that flood hazard reduction measures do not result in a net loss of ecological functions associated with lakes, rivers and streams.
- 5. Encourage bio-stabilization methods for erosion damage repair whenever possible.

### 3.1 Evaluation

Environment designations were created by evaluating the existing use patterns, biological and physical characteristics, zoning designations, and comprehensive plan designations. The inventory and characterization data, depicted on maps and text, was used to determine the extent of shoreline alterations **and to analyze shoreline function.**

### 3.2 Environment designations

The following environment designations and management policies implement and are consistent with WAC 173-26-211, Environmental Designation System, and the comprehensive plan. Each environment designation contains a purpose statement, designation criteria and a management policies component. The shoreline environment designation system includes **six** ~~seven~~ environments: **natural, rural conservancy, urban conservancy, shoreline residential, and high-intensity,** ~~shoreline residential, urban conservancy, rural conservancy, natural, channel migration zone, and aquatic as presented below~~

### 3.6 Shoreline residential environment

[...]

#### **Designation criteria**

Assign a shoreline residential environment designation to shoreline areas inside urban growth areas, as defined in RCW 36.70A.110, incorporated municipalities, "limited areas of more intense rural development," or "master planned resorts," **or areas that are developed, planned, or platted predominantly with single-family or multi-family uses,** as described in RCW 36.70A.360, ~~if they are predominantly single-family or multi-family residential development or are planned and platted for residential development.~~

### 3.7 High intensity environment

[...]

#### **Designation criteria**

Assign a high-intensity environment designation to shoreline areas within incorporated municipalities, urban growth areas, ~~and~~ industrial or commercial "rural areas of more intense development," **and areas suitable for, planned for, or currently supporting high-intensity uses related to commerce, transportation, or navigation,** as described by RCW 36.70A.070 ~~if they currently support high-intensity uses related to commerce, transportation or navigation; or are suitable and planned for high-intensity water-oriented uses.~~