

AMENDATORY SECTION (Amending Order DE 72-15, filed 6/30/72)

WAC 173-22-010 Purpose. Pursuant to RCW 90.58.030 (2)((+f+)) (d), the department of ecology herein designates the ((wetland areas)) shorelands associated with the streams, lakes, and tidal waters which are subject to the provisions of chapter 90.58 RCW.

AMENDATORY SECTION (Amending WSR 07-02-086, filed 1/2/07, effective 2/2/07)

WAC 173-22-040 Shoreland area designation criteria. The following criteria contain the standards for the department's designation of shoreland areas associated with shorelines of the state which are subject to the jurisdiction of chapter 90.58 RCW:

(1) Tidal waters. The shoreland area shall include:

(a) Those lands which extend landward two hundred feet as measured on a horizontal plane from the ordinary high water mark; and

(b) Those wetlands which are in proximity to and either influence or are influenced by the tidal water. This influence includes but is not limited to one or more of the following: Periodic tidal inundation; hydraulic continuity; formation by tidally influenced geohydraulic processes; or a surface connection through a culvert or tide gate;

(2) Lakes. The shoreland area shall include:

(a) Those lands which extend landward two hundred feet as measured on a horizontal plane from the ordinary high water mark; and

(b) Those wetlands which are in proximity to and either influence or are influenced by the lake. This influence includes but is not limited to one or more of the following: Periodic inundation or hydraulic continuity;

(3) Streams. The shoreland area shall include the greater of:

(a) Those lands which extend landward two hundred feet as measured on a horizontal plane from the ordinary high water mark;

(b) Those flood plains which extend landward two hundred feet as measured on a horizontal plane from the floodway: Provided, that local government may, at its discretion, include all or a larger portion of the one hundred-year flood plain within the associated shorelands. Designation of this shoreland area shall be in accordance with chapter 173-26 WAC, the state master program. If the applicable master program does not designate the shoreland area for a stream, it shall be designated under the rules which applied at the time of adoption by the department;

(c) Those wetlands which are in proximity to and either influence or are influenced by the stream. This influence includes but is not limited to one or more of the following: Periodic inundation; location within a flood plain; or hydraulic continuity; and

(d) Those lands within a river delta flood plain except for 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.

AMENDATORY SECTION (Amending WSR 07-02-086, filed 1/2/07, effective 2/2/07)

WAC 173-22-050 Review and update of designations. Each local government master program shall include a map of shorelands constituting shorelines of the state within the jurisdiction of the master program that complies with the requirements of RCW 90.58.030 (2)(d). ~~((When such master program is approved by the department subsequent to the effective date of this provision, the list within the master program shall be the official list for that jurisdiction and shall supersede the list contained herein.))~~

AMENDATORY SECTION (Amending WSR 07-02-086, filed 1/2/07, effective 2/2/07)

WAC 173-22-055 Conflicts between designations and criteria. In the event that any of the shoreland designations ~~((shown on the maps adopted in WAC 173-22-060 or))~~ in a shoreline master program ~~((approved under WAC 173-22-050,))~~ conflict with the criteria set forth in this chapter the criteria shall control. The boundary of the designated shoreland areas shall be governed by the criteria set forth in WAC 173-22-040 except that the local government must amend the local master program to reflect the new designation within three years of the discovery of the discrepancy.

AMENDATORY SECTION (Amending WSR 97-04-076, filed 2/5/97, effective 3/8/97)

WAC 173-22-070 Lands within federal boundaries. ~~((In addition to those designations contained in the appendix,))~~ Those nonfederal lands lying within the exterior boundaries of federal lands and those federal lands leased ~~((by the federal government))~~ to other persons, which ~~((lands))~~ fall within the definition of shorelands ~~((contained herein)),~~ shall ~~((also))~~ be subject to the jurisdiction of chapter 90.58 RCW. Areas and uses in those areas that are under exclusive federal jurisdiction as established through federal or state statutes are not subject to the jurisdiction of chapter 90.58 RCW.

REPEALER

The following sections of the Washington Administrative Code are repealed:

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| WAC 173-22-060 | Shoreline designation maps until superseded. |
| WAC 173-22-0602 | Adams County. |
| WAC 173-22-0604 | Asotin County. |

WAC 173-22-0606	Benton County.
WAC 173-22-0608	Chelan County.
WAC 173-22-0610	Clallam County.
WAC 173-22-0612	Clark County.
WAC 173-22-0614	Columbia County.
WAC 173-22-0616	Cowlitz County.
WAC 173-22-0618	Douglas County.
WAC 173-22-0620	Ferry County.
WAC 173-22-0622	Franklin County.
WAC 173-22-0624	Garfield County.
WAC 173-22-0626	Grant County.
WAC 173-22-0628	Grays Harbor County.
WAC 173-22-0630	Island County.
WAC 173-22-0632	Jefferson County.
WAC 173-22-0634	King County.
WAC 173-22-0636	Kitsap County.
WAC 173-22-0638	Kittitas County.
WAC 173-22-0640	Klickitat County.
WAC 173-22-0642	Lewis County.
WAC 173-22-0644	Lincoln County.
WAC 173-22-0646	Mason County.
WAC 173-22-0648	Okanogan County.
WAC 173-22-0650	Pacific County.
WAC 173-22-0652	Pend Oreille County.
WAC 173-22-0654	Pierce County.
WAC 173-22-0656	San Juan County.
WAC 173-22-0658	Skagit County.
WAC 173-22-0660	Skamania County.
WAC 173-22-0662	Snohomish County.
WAC 173-22-0664	Spokane County.
WAC 173-22-0666	Stevens County.
WAC 173-22-0668	Thurston County.
WAC 173-22-0670	Wahkiakum County.
WAC 173-22-0672	Walla Walla County.
WAC 173-22-0674	Whatcom County.
WAC 173-22-0676	Whitman County.
WAC 173-22-0678	Yakima County.