

RESOLUTION NO. 52-83

MASON COUNTY SHORELINE PLAN AMENDMENTS

WHEREAS, it is necessary and in the best interest of Mason County to amend the Mason County Shoreline Master Plan, Title 7, Chapter 7.08, 7.16.060 and 7.24.040; and

WHEREAS, the Board of Mason County Commissioners held two public hearings, April 4, 1983 and May 9, 1983 to receive public input on the amendments; and

NOW, THEREFORE BE IT HEREBY RESOLVED, that Attachment "A" is established as an amendment to Title 7 of the Mason County Shoreline Master Plan.

DATED this 13th day of June, 1983

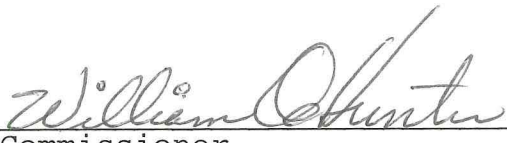
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON



Chairman



Commissioner



Commissioner

ATTEST:



Clerk of the Board

xc: Auditor
Cmmrs
General Services
Prosecutor

PROPOSED AMENDMENTS TO THE MASON COUNTY
SHORELINE MASTER PLAN

The following amendments to the Mason County Shoreline Master Plan were approved by Mason County on May 9, 1983:

1. Water-related Industrial Uses and Activities.

The last sentence of section 7.04.024 (page 2) should be modified (underlined portion) to read as follows:

Alterations of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for single family residences, ports, shoreline recreational uses, including, but not limited to, parks, marinas, piers, and other improvements facilitating public access to shorelines of the state, industrial and commercial development which are particularly dependent on their location on or use of the shorelines of the state, water-related industrial, commercial uses and activities, and other development that will provide an opportunity for substantial numbers of people to enjoy the shorelines of the state.

A new definition should be added to Chapter 7.08 (Definitions) to read as follows:

7.08.245 Water-Related Industrial, Commercial Uses and Activities. "Water-Related Industrial, Commercial Uses and Activities" are uses and activities which are not dependent upon a shoreline location, but which may not be feasibly or economically carried on without a shoreline location. These uses and activities require water transport, usually involving the shipment of raw or manufactured materials, which include, but not limited to, wood products, agricultural products, aquacultural products and mineral products.

2. Mining.

Section 7.16.060 (Mining) should be completely deleted and replaced with the following:

7.16.060 Mining

Mining means the extraction or removal of sand, gravel, minerals or other naturally occurring materials from the earth.

Recognizing that minerals, especially sand, gravel, and quarry rock are valuable resources yet are relatively limited in quality and quantity, and that shorelines are also a valuable and limited resource where mining has severe impacts if occurring within the shoreline area, mining and accessory activities shall be conducted to the extent feasible in a manner consistent with the shoreline resource. Therefore, mining activities shall not result in permanent significant damage to the shoreline environment. Provisions should also be made to maintain areas of historic, cultural, or educational significance on or adjacent to mining sites, and mining in unique, natural, or fragile shoreline areas shall not be allowed.

Mining activities shall not be allowed that will permanently impede, or retard the flow or direction of flow of any stream or river. Surface runoff from the site carrying excessive sedimentation, and siltation shall not be allowed to enter any shoreline waters.

The on-site handling of materials (including screening, washing, crushing, sorting, loading, stockpiling, and storage operations) should be conducted landward from the shoreline. To the extent feasible, accessory equipment and materials essential to mining operations in shoreline areas shall be stored, sited, and operated as far landward from the ordinary high water mark.

Mining activities shall utilize visual and aural screening, buffers, and berms around the operation to minimize aesthetic and noise impact. Screening and buffering measures shall, as far as is reasonably feasible, utilize the natural vegetation and topography of the site.

Restoration of the site after completion of the mining activity shall be provided. Plans shall detail reclamation of all disturbed areas to a biologically productive and useful condition, and shall insure compatibility between the project site and adjacent existing land, shoreline, and water uses.

A. General Regulations

1. Setbacks and Buffers. Mining operations in shoreline areas shall utilize screening and buffering to minimize visual and noise impacts and for dust control preferably of natural vegetation.

2. Erosion Control. Mining operations shall employ measures to minimize surface runoff, erosion, and sediment generation from entering shoreline waters. All preventive techniques shall be maintained in good effective condition.

3. Rivers and Streams. Mining river bars is permitted provided that no operations shall be allowed which permanently impede, or retard the flow or direction of flow of any river or stream.

4. Marine Beaches. The mining of sand, gravel, cobbles, or rock from any marine beaches below the line of mean high or high tide shall not be permitted. Aquacultural uses and beach maintenance and improvements are not considered mining activities.

5. Lake Shores. The mining of sand, gravel cobbles, or rock from any lake shores below mean high water shall not be permitted. Aquacultural uses and beach maintenance and improvements are not considered mining activities.

6. Related Activities. The reduction, treatment, batching, or processing of the mined materials for on-site manufacturing purposes shall adhere to the policies and regulations applicable to ports and water-related industry. (Refer to Shoreline Master Plan 7.16.100).

7. Water Quality. Mining operations shall comply with all local, state, and federal water quality standards and pollution control laws.

8. Standing Water. Mining operations shall be conducted so as not to result in open pits or excavations being left which collect and hold stagnant, toxic or noxious standing waters.

9. Interim Reclamation Measures. The amount of excavated area at any time without reclamation shall be set by permit condition; provided that no more than 10 acres shall lie disturbed, unused, or unreclaimed at any one time.

10. Reclamation. Mining in Washington is controlled by the Surface Mining Act of 1970 (RCW 78.44) and is administered by the State Department of Natural Resources. The provisions of this legislation shall be followed in all cases. To insure the future use and viability of shoreline areas after the completion of mining activities, the following provisions for land reclamation and utilization shall be adhered to:

a. Reclamation shall be completed within two years after discontinuance of mining operations.

b. All equipment, machinery, buildings, and structures shall be removed from the site upon discontinuance or abandonment of mining operations.

c. Backfill material used in site reclamation shall be natural materials. To the extent reasonably feasible, topography of the site shall be restored to contours compatible with the surrounding land and shoreline areas.

d. Combustible, flammable, noxious, toxic, or solid waste materials are not permitted as backfill or for on-site disposal, and shall be removed and disposed of away from the shoreline area.

e. The site shall be rehabilitated so as to prevent future erosion and sedimentation. Suitable drainage systems shall be installed and maintained if natural, gradual drainage is not possible.

f. All slopes and exposed areas shall be sodded or surfaced with soil to at least the depth necessary to support revegetation. Revegetation shall utilize compatible native, self-sustaining trees, shrubs, legumes, or grasses and shall be planted so as to blend with the surrounding land and shoreline area.

11. Permit Application. (Refer to Shoreline Master Plan 7.12.060). Applications for mining projects shall provide the following information for permit review:

a. Description of the materials to be mined, quantity and quality by type, the total deposit, lateral extent and depth, depth of overburden and amount of materials to be mined.

b. Description of mining technique and list of equipment to be utilized.

c. Cross section plans which indicate present and proposed elevations and/or extraction levels and show the maximum mining depth.

d. Site plans which show existing drainage patterns and all proposed alterations of topography, proposed means of handling surface runoff, and preventive controls for erosion and sedimentation.

e. A mining plan showing scheduling (seasonal, phasing, and daily operations); storage, usage and deposition of overburden, excavation materials and tailings; location and dimensions of stockpiling areas; screening, buffers and fencing; locations of buildings, equipment, machinery, and structures.

f. A reclamation plan.

12. Accessory Facilities. All accessory uses and activities, including equipment, materials, and facilities essential to mining operations in marine shoreline areas shall be permitted. Piers, floats, docks and dolphins may be permitted accessory to mining uses according to the following conditions:

a. Length. Piers, floats, or docks accessory to mining uses should not exceed 200 feet in total length as measured from the ordinary high water mark to the furthest waterward extension of the pier, float, or dock. Loading or accessory facilities or structures, including, but not limited to walkways, gangways, slips, troughs, and conveyors may extend beyond this length.

b. Width. The width of the pier, float, or dock should not exceed a maximum of 30 feet.

c. Height.

(1) The surface of the pier, float, or dock itself should be no higher than 12 feet above the mean higher high tide.

(2) Loading or accessory facilities or structures located on the dock should be no higher than 50 feet above mean higher high tide.

13. Mining Operations. All phases and activities of mining operations shall be carried out in a manner so that the operation shall not significantly affect adjacent shoreline areas.

B. Environment Regulations.

1. Urban Environment. Subject to the General Regulations, mining is a permitted use in the Urban Industrial Environment, and is a conditional use in the Urban Commercial Environment and Urban Residential Environment.

2. Rural Environment. Subject to the General Regulations, mining is a conditional use.

3. Conservancy Environment. Subject to the General Regulations, mining is a conditional use.

4. Natural Environment. Mining is a prohibited use.

In addition to the foregoing, Chapter 7.08 (Definitions) should be amended to include the following definitions of marine waters and accessory facilities:

7.08.115 Marine Waters. Waters which relate to the commerce of the sea and have navigatable depths.

7.08.015 Accessory Facilities. "Accessory Facilities" means equipment, materials, structures, operations, facilities, processes, or uses incidental, subordinate, and usually adjacent to a primary shoreline development or use.

3. Amendments to Shoreline Map.

Subsection 7.24.040B (shoreline designations for Marine Waters Shorelines on the west shore of Hood Canal) should be amended to read as follows:

B. West Shore of Hood Canal - Urban Residential, with the following exceptions: the south half of Section 12, Township 24 North, Range 3 West, which is Conservancy; the shoreline within 200 feet on either side of the entrance of Eagle Creek into Hood Canal, which is Conservancy; from the mid-section line of Section 20, Township 23 North, Range 3 West, south to the Lilliwaup Bridge, which is Conservancy. In addition, an Urban Industrial Environment reaches from the point of inter-section of a line, seven hundred (700) feet south of and parallel to the south line of Section 27, Township 24 North, Range 3 West, W.M., with the westerly shoreline of Hood Canal, to the southernmost boundary of Government Lot 1, Section 34, Township 24 North, Range 3 West thence, continuing from the southernmost boundary of Government Lot 1, Section 34, Township 24 North, Range 3 West to the mid-section line of Section 34, Township 24 North, Range 3 West. Urban Commercial Environments are in Lilliwaup, from the Post Office along State Highway #101 to the Lilliwaup Bridge, both ends inclusive; and in Hoodsport from ITT Rayonier to the Sunrise Motel, both ends inclusive.

The underlined portion in the body of the preceding subsection is the only part that has been amended. The amendment changes the designation on a portion of the shoreline south of the Hamma Hamma River Estuary from Urban Industrial to Urban Residential and therefore reduces the percentage of Urban Industrial designated shoreline in the area.