

SECTION FOUR -- DEFINITIONS

As used in this Program, the masculine includes the feminine and neuter, the singular includes the plural, the present includes the future, the word shall is mandatory and not permissive. Nothing in these definitions shall be construed to exempt any use or activity from complying with the provisions of other State and local regulations.

The following words and phrases, unless the context otherwise requires, shall mean:

ACT. The Shoreline Management Act of 1971 (Chapter 90.58 RCW, as amended).

ACCESSORY BUILDING, STRUCTURE OR USE. A building, part of a building or structure, or use which is subordinate to, and the use of which is customarily incidental to that of the main building, structure or use on the same lot.

ADMINISTRATOR. That person as appointed by the legislative body to administer the provisions of these regulations within the boundaries of that jurisdiction.

AGRICULTURAL ACTIVITIES. Refer to the definition on page - 37 -.

AQUACULTURAL ACTIVITIES. Refer to the definition on page - 39 -.

AQUACULTURAL DISTRICT. A geographical area within the aquatic shoreline environment where the bedlands are primarily used for aquacultural activities and which may include an adjacent dry land area for the support operations.

AQUATIC SHORELINE ENVIRONMENT. The surface of all rivers, all marine water bodies, and all lakes, together with their underlying lands and their water column seaward or waterward of the ordinary high-water mark (OHWM); including but not limited to bays, straits, harbor areas, waterways, coves, estuaries, streamways, tidelands, bedlands and shorelands.

AVERAGE GRADE LEVEL. The average of the natural or existing topography at the center of all exterior walls of a building or structure to be placed on a site; PROVIDED, that in the case of structures to be built over water, average grade level shall be the elevation of ordinary high water.

SECTION FOUR -- DEFINITIONS

BEACH. The zone along the shoreline where there is continuous movement of sediment both laterally and vertically. This zone extends from the daily low tide mark to where the permanent line of vegetation begins.

BEACH FEEDING. An artificial process in which selected beach material is deposited at one or several locations in the updrift portion of the drift sector. The material is then naturally transported by waves or currents downdrift to stabilize or restore accretion beaches and berms, which may be eroding due to artificial obstructions in the shore process corridor.

BEDLANDS. Those submerged lands below the line of extreme low tide in marine waters and below the line of navigability of navigable lakes and rivers.

BERM. One or several linear deposits of sand and gravel generally paralleling the shore at or landward of OHWM; berms are naturally stable because of material size or vegetation.

BILLBOARD. Refer to OUTDOOR ADVERTISING SIGNS AND BILLBOARDS.

BOATHOUSE. A type of covered moorage which has walls and is usually for the storage of one (1) boat.

BOAT RAMP. Constructed of concrete or other material which extends into the water for boat launching.

BOATING FACILITIES. Refer to definition on page - 47 -.

BOG. A depression or other undrained or poorly drained area containing, or covered with, peat (usually more than one layer) on which characteristic kinds of sedges, reeds, rushes, mosses, and other similar plants grow. In the early stages of development the vegetation is herbaceous and the peat is very wet. In middle stages the dominant vegetation is brush. In mature stages trees are usually the dominant vegetation, and the peat, at least near the surface, may be comparatively dry.

BREAKWATER. An off-shore structure either floating or not which may or may not be connected to the shore, such structure being designed to absorb and/or reflect back into the water body the energy of the waves.

SECTION FOUR -- DEFINITIONS

BUFFER. An area of natural vegetation measured perpendicular to the wetland edge for the purpose of protecting the shoreline.

BUILDING. Any structure designed for or used for the support, shelter or enclosure of persons, animals or personal property, and which is used in a fixed location on land, shorelands or tidelands.

BULKHEAD. A retaining wall used to hold back earth and to provide a solid surface to resist wave action.

BULKHEAD, NORMAL PROTECTIVE. A bulkhead that is constructed at or near the ordinary high-water mark to protect a single-family residence and is for protecting land from erosion, not for the purpose of creating new land.

CHANNELIZATION. The straightening, deepening or lining of stream channels, and/or prevention of natural meander progression of stream ways, through artificial means such as relocation of channels, dredging, and/or placement of continuous levees or bank revetments along significant portions of the stream. Dredging of sediment or debris alone is excluded.

CLEARCUT LOGGING OR CLEARCUTTING. The removal of the entire merchantable timber stand from an area.

CLUSTER DEVELOPMENT. A residential development which reserves substantial portions of land as open space or recreational areas for the joint use of the occupants of the development. This land may be provided by allowing dwelling units to be placed on lots smaller than the legal minimum size for regular subdivisions, as long as the density does not exceed prescribed standards.

COMMERCIAL DEVELOPMENT. Refer to the definition on page - 56 -.

CONDITIONAL USE PERMIT. Refer to SHORELINE PERMIT.

COVERED MOORAGE. A roofed structure for the wet or dry storage of one or more boats. Boathouses are a type of covered moorage.

SECTION FOUR -- DEFINITIONS

CRITICAL BIOLOGICAL AREAS. Those geographical locations where certain critical ecological processes occur such as the breeding, nesting, nursery, feeding and resting of rare, endangered or threatened species. These areas are identified on the Critical Biological Areas map of the Coastal Zone Atlas of Washington, Volume 8.

DENSITY. A ratio expressing the number of dwelling units which may be established on a specific land area. Commonly expressed as dwelling units per acre. For planned unit development projects, density is based on the entire project area above the ordinary high-water mark (i.e., Dry Land Area).

DEVELOPMENT. 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.

DIKE. An embankment to prevent flooding by a stream or other water body, often referred to as a levee.

DOCK. Refer to PIER.

DRY LAND. All areas above the elevation of the Ordinary High-Water Mark.

DREDGING. Refer to the definition on page - 63 -.

DRILLING. Refer to the definition on page - 78 -.

DWELLING. A building or portion thereof, designed or used for residential occupancy. The term dwelling shall not be construed to mean a motel, rooming house, hospital or other accommodation used for more or less transient occupancy.

EDUCATION. Refer to the definition on page - 96 -.

EMERGENCY. An unanticipated and imminent threat to public health, safety or the environment which requires immediate action with a time too short to allow full compliance with this Master Program.

SECTION FOUR -- DEFINITIONS

ENVIRONMENT. "Environment" or "master program environment" or "shoreline environment" means the categories of shorelines of the state established by the Shoreline Master Program for the Thurston Region to differentiate between areas whose features imply differing objectives regarding their use and future development.

EXTREME HIGH TIDE. The highest tide level line water will reach in any one year.

EXTREME LOW TIDE. The lowest line on the land reached by a receding tide.

FEEDER BLUFF. A reach of shoreline which contains both an eroding beach and a feeding upland as identified on the Coastal Drift maps of the Coastal Zone Atlas of Washington, Volume 8.

FLOATS, RECREATIONAL. Those platform structures anchored in fresh or marine waters for water recreational purposes such as swimming, diving or water skiing to include jump ramps. They may serve as temporary moorage facilities but for the purposes of this program are not intended to be used as boat storage.

FLOOD PLAIN, ONE HUNDRED YEAR. That portion of the flood plain expected to be covered by flood waters during a flood having a probability of occurrence of once in one hundred years, although the flood may occur in any year.

FLOOD PLAIN MANAGEMENT. A long-term local government program to reduce flood damages to life and property and to minimize public expenses due to floods through a comprehensive system of planning, development regulations, building standards, structural works and monitoring and warning systems.

FLOODWAY. The channel or waterway and those portions of the flood plain adjoining the channel which are reasonably required to carry and discharge the flood waters of any water course or drainage way without causing a significant rise in water surface profile. Under normal conditions the floodway may be identified by a change in surface soil conditions or vegetative ground cover.

FLOODWAY, ONE HUNDRED YEAR. The area, including stream channels, within which the one hundred year flood could be contained between dikes impinging equally on both sides of the flood plain without raising the water level more than one foot above the uncontained one hundred year flood elevation.

SECTION FOUR -- DEFINITIONS

FOREST MANAGEMENT PRACTICES. Refer to the definition on page - 66 -.

FREE-STANDING SIGN. A self-supporting sign placed off and away from the building or use to which it is related.

GROIN. A shore-protection structure in the form of a barrier oblique to primary motion of water, designed to control movement of bed material.

GUIDELINES. Those standards adopted to implement the policy of this chapter (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 to local governments and the department in developing master programs.

HEARINGS BOARD. The State Shorelines Hearings Board established by the act in RCW 90.58.170.

HEIGHT. This is measured from average grade level to the highest point of a structure: Provided, that television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where it obstructs the view of a substantial number of residences on areas adjoining such shorelines, or the applicable master program provides otherwise. Provided further, that temporary construction equipment is excluded in this calculation.

HISTORIC BUILDING. A building or structure on a local, State or National Register of Historic Places.

HISTORIC SITE. Includes both archaeological and historic sites, structures or development which provide knowledge about our cultural heritage, including but not limited to Indian and pioneer settlements, old buildings, forts, trails, landings, bridges or the sites thereof together with interpretive facilities.

HOUSEBOAT. A floating home or building constructed on a float, used in whole or in part for human habitation as a dwelling unit and which is moored, anchored or otherwise secured in waters within the Thurston Region. A registered water-going vessel where the owner lives aboard shall not be construed as a "houseboat."

IMPERVIOUS SURFACE. Those surfaces that do not allow the downward passage of water.

INDUSTRIAL DEVELOPMENT. Refer to the definition on page - 70 -.

INLAND. That land area which lies beyond shoreline management jurisdiction or two hundred (200) feet from the ordinary high-water mark, whichever is greater.

JUNK. Old iron, steel, brass, cooper, tin, lead or other base metals; old cordage, ropes, rags, fibers or fabrics; old rubber; old bottles or other glass, bones; wastepaper, plastic and other waste or discarded material which might be prepared to be used again in some form; any or all of the foregoing; and motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste or scraps from the operation of his own business or materials or objects held and used by a manufacturer as an integral part of his own manufacturing process.

LANDFILLING. Refer to the definition on page - 75 -.

LAUNCH RAMP. An inclined slab, set of pads, planks or graded slope used for launching boats with trailers or occasionally by hand; extensive parking and turn-around areas are usually accessory to launch ramps.

LEGISLATIVE BODY. The Board, Council or Commission of the local government.

LEVEE. A natural or man-made embankment on the bank of a stream for the purpose of keeping flood waters from inundating adjacent land. Some levees have revetments on their sides.

LOCAL GOVERNMENT. Any county, incorporated city or town which contains within its boundaries any lands or waters subject to this Master Program.

LOT. A fractional portion of subdivided land having fixed boundaries.

LOT AREA. The area contained within the boundaries of a lot excluding any area below the ordinary high-water mark.

LOT, FRONT. The portion of a lot adjacent to either the public street affording principal access to the property or the waterfront, if the property abuts a water body.

SECTION FOUR -- DEFINITIONS

LOT LENGTH. The maximum lineal dimension of a lot, not including access roads less the twenty-five (25) feet in width.

LOT WIDTH. For lots of a generally rectangular character, the average lineal dimension taken at right angles to the lot length. For other lots, the diameter of the largest circle which can be placed wholly within the boundaries of the lot.

MARINA. Refer to the definition on page - 47 -.

MARINE RAILWAYS.

(DOE requested addition.)

MARSH. A low, flat area on which the vegetation consists mainly of herbaceous plants such as cattails, bulrushes, tules, sedges, skunk cabbage, and other aquatic or semi-aquatic plant. Shallow water usually stands on a marsh, at least during a considerable part of the year. The surface is commonly soft mud or muck.

MASTER PROGRAM. The comprehensive use plan for the Thurston Region, 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.

MINING AND DRILLING. Refer to the definition on page - 78 -.

MOORING BUOY. Those accessories used for the offshore moorage of pleasure craft. These accessories, usually provided by the boat owner, are normally used where docking facilities are not available or when depth to water bottom and tidal changes are insufficient to allow docking for deep-hulled craft.

MUNICIPAL JURISDICTION. A city or town within the Thurston Region which are affected by the Act.

NONCONFORMING BUILDING OR STRUCTURE. A building or structure or portion thereof which was lawfully erected, altered or maintained, but because of the application of this chapter, no longer conforms to the requirements of the Shoreline Master Program for the Thurston Region.

SECTION FOUR -- DEFINITIONS

NONCONFORMING LOT. A parcel of land legally established prior to the effective date of the Shoreline Master Program for the Thurston Region which does not conform with the lot size or area requirements of this Master Program.

NONCONFORMING USE. An activity that was lawfully established prior to the effective date of the Shoreline Master Program for the Thurston Region, but no longer conforms to the use regulations of this program.

NORMAL MAINTENANCE. This includes those usual acts to prevent a decline, lapse or cessation from a lawfully established condition.

NORMAL REPAIR. To restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment.

ON-PREMISE SIGN. A sign, located on the premises, advertising the goods, services or activities, manufactured, produced, conducted or available on that property.

OPEN SPACE. Land and natural wetlands which retain their natural or semi-natural character because they have not been developed with structures, paving or other development and, for the purposes of this program, are normally required of residential and/or recreation developments.

ORDINARY HIGH-WATER MARK (OHWM). This means the mark on all lakes, streams and tidal water which 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, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: PROVIDED, that in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high-water mark adjoining fresh water shall be the line of mean high water.

OUTDOOR ADVERTISING. All publicly displayed messages such as signs, billboards, placards, pennants or posters, whose purpose is to provide official and commercial information, direction, and advertising.

SECTION FOUR -- DEFINITIONS

OUTDOOR ADVERTISING SIGNS AND BILLBOARDS. Refer to the definition on page - 84 -.

OVER WATER. Location of a structure or development above the surface of the water, including placement of buildings on piling or floats.

PARCEL. A lot or contiguous lots owned by an individual, related individuals, an organization or organizations having similar membership.

PARKING AND LOADING. Refer to the definition on page - 86 -.

PERMIT. Either a Substantial Development Permit, Conditional Use Permit or Variance issued in compliance with the Shoreline Management Act of 1971 and the Shoreline Master Program for the Thurston Region.

PIER. A structure generally built from the shore extending out over the water to provide moorage for commercial and/or private recreation water craft or float planes or for water-oriented recreation use. When a pier or dock is to serve ten (10) or more boats, it is considered a marina. They may either be anchored to and floating or permanently fixed to pilings.

PLANNED DEVELOPMENT. A residential development which permits departures from the conventional siting, setback and density requirements of other sections of this code in the interest of achieving superior site development, creating open space, and encouraging imaginative design by permitting design flexibility.

PLANNING COMMISSION. The board or commission of the local government which is authorized to review those permits identified in this Master Program.

PLANNING DEPARTMENT. That office or department of the local government which is authorized to administer the provisions of the Act, WACs and this Master Program.

PORTS. Refer to the definition on page - 88 -.

PROPERTY LINES. The exterior boundaries of a lot or parcel.

PUBLIC ACCESS. A trail, path, road or launching ramp by which the general public can reach the public waters from a public road.

SECTION FOUR -- DEFINITIONS

PUBLIC STREET. Any street, way, road, alley or highway in public ownership.

RECREATION. Refer to the definition on page - 90 -.

RECREATION, MEDIUM INTENSITY. Involves uses and activities that provide for increased public enjoyment of the shorelines and adjacent areas. Uses and activities may include parks, playgrounds, athletic fields, campgrounds, and boat ramps. Medium-intensity uses may require earth modification and construction of a variety of structures.

RECREATION, LOW INTENSITY. Involves activities such as hiking, canoeing, viewing, nature study, photography and fishing. Low intensity uses do not require extensive preparation of facilities.

REGION OR REGIONAL. All of that geographical area located within Thurston County.

RESEARCH AND EDUCATION. Refer to the definition on page - 96 -.

RESIDENCE, MULTIFAMILY. A residential building containing two (2) or more dwelling units located on a single lot or parcel of ground. For the purpose of this Ordinance, a multifamily dwelling shall include single-family attached units.

RESIDENCE, SINGLE-FAMILY. A detached building designed for occupancy by one (1) family and containing one (1) dwelling unit.

RESIDENTIAL DEVELOPMENT. Refer to the definition on page - 98 -.

REVTMENTS. Sloped walls constructed of riprap or other substantial material, placed on stream banks or marine shorelines to retard bank erosion from high velocity currents or waves respectively.

RIPRAP. Broken stone placed on shoulders, slopes or other such places to protect them from erosion.

ROAD AND RAILROAD DESIGN AND CONSTRUCTION. Refer to the definition on page - 109 -.

SECTION FOUR -- DEFINITIONS

SEAWALLS. Structures normally more massive than bulkheads and revetments, built for the purpose of protecting the shore and uplands from heavy wave action and incidentally, retaining uplands and fills. Seawalls are not common to the Puget Sound region.

SELECTIVE CUTTING. The removal of certain trees selected for cutting so as not to interfere with the growth and development of the remaining trees.

SHORELINE DEPENDENT USE. Any reasonable use that requires a shoreline or water surface location because of its functional nature, including but not limited to navigation, ports, marinas, docks, piers, floats, boat fueling stations, ship yards, seafood harvest, aquaculture, recreational boating and swimming and research and observation of natural shoreline phenomena.

SHORELINE JURISDICTION. Shorelines and Shorelines of State-Wide Significance.

SHORELINE MANAGEMENT ACT. The Shoreline Management Act of 1971 (Chapter 90.58 RCW, as amended).

SHORELINE PERMIT. A Substantial Development Permit issued pursuant to RCW 90.58.140(2), or a Conditional Use Permit or Variance Permit issued pursuant to WAC 173-14.

SHORELINE PROTECTION. Refer to the definition on page - 112 -.

SHORELINES. All water areas within Thurston County, including reservoirs, and their associated wetlands, together with the lands underlying them except:

1. Shorelines of State-Wide Significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is twenty (20) cubic feet per second or less and the wetland associated with such upstream segments; and
3. Shorelines on lakes less than twenty (20) acres in size and wetlands associated with such small lakes.

SHORELINES OF STATE-WIDE SIGNIFICANCE. Areas identified by the Shoreline Management Act as having more than local interest. The following areas in Thurston County were designated as shorelines of state-wide significance:

1. All portions of Puget Sound lying seaward from the line of extreme low tide.
2. The area on Nisqually Delta from DeWolf Bight to Pierce County that lies between the ordinary high-water mark and the line of extreme low tide.
3. Alder Lake.
4. The Nisqually River.
5. The Chehalis River.
6. Wetlands associated with 2, 3, 4 and 5 above.

SHORELINES OF THE STATE. Shorelines and Shorelines of State-Wide Significance.

SIGN, OFF-PREMISE. Any sign used to advertise goods or services not generally available on the premises on which the display is located.

SIGN, ON-PREMISE. Any sign identifying the premises on which located or the occupant(s) thereof, or relating to goods or services manufactured, produced or available on the premise.

SIGNIFICANT WILDLIFE HABITAT AREAS. Those areas which are visited by animals with unusual frequency, density or diversity; or by those species identified as either endangered, threatened, sensitive, or monitored by the Washington State Department of Game; and used for critical processes such as feeding, breeding, nesting and resting, including sites identified as containing one or more of the following:

1. Bald eagle nests
2. Osprey nest sites
3. Spotted owl nest sites
4. Heron rookeries
5. Beaver ponds
6. Snags
7. Big game use habitat.

SECTION FOUR -- DEFINITIONS

SINGLE-FAMILY RESIDENCE. A detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance.

SOLID WASTE DISPOSAL. Refer to the definition on page - 116 -.

STAIRS. A series of steps or flights of steps for passing from one level to another.

STAIR TOWER. A structure twelve (12) feet or taller in height typically consisting of one (1) or more flights of stairs, usually with landings to pass from one level to another.

STAIRWAY. One or more flights of stairs, usually with landings to pass from one level to another.

STREAMBANK. This runs along the course of a stream and rises from the ordinary high water mark (OHWM) up to the first significant break in slope. The first significant break in slope is a bench at least fifteen (15) feet wide. The streambank ends at the top of the bank where that break in slope occurs. NOTE: This definition is not intended to include the concept of a buffer for streams. It is only a definition of a physical feature associated with streams.

STREAMWAY. That corridor of a single or multiple channel or channels, within which the usual seasonal or stormwater runoff peaks are contained. The flora, fauna, soil and topography is dependent on or influenced by the height and velocity of the fluctuating river currents.

STREET. A lineal passageway of automobile and/or truck traffic including but not limited to public and private roads, highways, alleys, lanes, ways, streets and thoroughfares.

STREET, FLANKING. A street abutting what is normally considered the side of a lot or parcel.

STREET, FRONTING. A street abutting what is ordinarily regarded as the front of a lot or parcel, but it shall not be considered as the ordinary side of a corner lot.

STREET, PUBLIC. A street in public ownership.

STRUCTURE. Anything constructed in the ground, or anything erected which requires location on the ground or water, or is attached to something having location on or in the ground or water.

SUBMERGED LANDS. Those areas below the ordinary high-water mark of marine waters, lakes and rivers.

SUBSTANTIAL DEVELOPMENT. Development of which the total cost or fair market value exceeds two thousand five hundred dollars (\$2,500), or any development which materially interferes with the normal public use of shorelines of the state; except that the following shall not be considered substantial developments for the purpose of this Master Program (refer to WAC 173-14-040):

1. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements.
2. Construction of the normal protective bulkhead common to single-family residences.
3. Emergency construction necessary to protect property from damage by the elements.
4. Construction and practices normal or necessary for farming, irrigation and ranching activities, including agricultural service roads and utilities on wetlands, and the construction and maintenance of irrigation structures including but not limited to head gates pumping facilities, and irrigation channels; PROVIDED, that a feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the wetlands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock wintering operations.

SECTION FOUR -- DEFINITIONS

5. Construction or modification of navigational aids such as channel markers and anchor buoys.
6. Construction on wetlands by an owner, lessee or contract purchaser of a single-family residence for his own use or for the use of his family, which residence does not exceed a height of thirty-five (35) feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter.
7. Construction of a dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee or contract purchaser of a single-family residence, the cost of which does not exceed two thousand five hundred dollars (\$2,500).
8. Operation, maintenance or construction of canals, waterways, drains, reservoirs or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water for the irrigation of lands.
9. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water.
10. Operation and maintenance of any system of dikes, ditches, drains or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system.

SURFACE OR OPEN-PIT MINING. Involves either the removal of surface material (overburden) to enable the underlying mineral resources to be exposed and extracted (quarried) or the direct extraction of naturally occurring surface minerals and materials such as rock, sand, gravel and aggregate. Removal of sand from river bars is considered a surface mining activity.

SURFACE WATER BODY. Any water area which is within the shorelines of the state.

SWAMP. Is similar to a marsh except that reeds and shrubs comprise the characteristic vegetation. Marshes and swamps merge into each other, and both tend to merge into bogs.

TIDELAND. The land on the shore of marine water bodies between OHWM or MHHW and the line of extreme low tide which is submerged daily by tides.

TIMBER. Forest trees, either cut or standing, of a commercial species including Christmas trees.

UTILITIES. Refer to the definition on page - 118 -.

UTILITY LINES:

1. DISTRIBUTION LINES. Linear facilities used to supply utility services directly to consumers in the vicinity of the facility, including electrical lines to consumers with a voltage less than 55,000 volts, local telephone and cable television lines, local sewer and water lines and local natural gas lines.
2. TRANSMISSION LINES. Linear facilities used to transmit utilities, energy supplies or materials in bulk beyond the source region to a distribution system located in another region.

VARIANCE PERMIT. Refer to SHORELINE PERMIT.

SECTION FOUR -- DEFINITIONS

WATER DEPENDENCY. The degree of dependency of any use of the land upon a shoreline location. This degree of dependency can range from water-dependent to water-related uses and is expressed as follows:

1. WATER-DEPENDENT USES. A use or portion of a use that cannot logically exist in any other location and is dependent on the water by reason of the intrinsic nature of its operation. Water-dependent uses include, but are not limited to:
 - a. Aquaculture
 - b. Boat launch facilities
 - c. Ferry terminals
 - d. Hydroelectric power plants
 - e. Marinas
 - f. Marine construction, dismantling and repair
 - g. Marine and limnological research and education
 - h. Private and public docks
 - i. Terminal and transfer facilities for marine commerce and industry
 - j. Water intakes and outfalls.
 - k. Log booming.
 - l. Tug and barge facilities.

2. WATER-RELATED USES. A use or portion of a use which is not intrinsically dependent on a waterfront location, but whose operations cannot occur economically without a shoreline location or without close proximity to water-dependent uses. Water-related uses include, but are not limited to:
 - a. Warehousing or storage facilities
 - b. Support services for fish hatcheries
 - c. Seafood processing plants
 - d. Wood products manufacturing
 - e. Log storage
 - f. Watercraft sales
 - g. Boating supplies

WATER-ENJOYMENT USES. A recreational use such as a park, pier, or other use facilitating public access as a primary character of the use; or, a use that provides for passive and active interaction of a substantial number of people with the shoreline for leisure and enjoyment as a general character of the use and which, through location, design and operation assure the public's ability to interact with the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the public and most if not all of the shoreline oriented space in the facility must be devoted to the specific aspects of the use that foster shoreline interaction. Water-enjoyment uses include but are not limited to:

1. Restaurants
2. Museums
3. Bicycle and Walking Trails
4. Boardwalks

WETLANDS. "Wetlands," "associated wetlands" or "wetland areas" means those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the ordinary high-water mark; and all marshes, bogs, swamps, floodways, river deltas, and the entire one hundred (100) year flood plains associated with the streams, lakes and tidal waters which are subject to the provisions of the Act; the same to be designated as to location by the Washington State Department of Ecology. Flood plains shall not include those areas which are effectively protected from the one hundred (100) year flood by authorized flood control devices or other legal improvements.