

**LINCOLN COUNTY GROWTH MANAGEMENT
ORDINANCE 1994**

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RESOURCE LANDS AND CRITICAL AREAS PROTECTION ORDINANCE

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LINCOLN COUNTY
PROTECTION ORDINANCE #94-03
FOR RESOURCE LAND AND CRITICAL AREAS

SECTION 1.0

STATUTORY AUTHORIZATION, PURPOSE AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION

The legislature of the State of Washington has, in RCW 36.70A.170, mandated Cities and Counties to: 1) inventory, classify, and designate agricultural lands, forest lands, mineral resource lands, and critical areas: 2) to develop development regulations meant to ensure the conservation of agricultural lands, forest lands, mineral resource lands, and critical areas in accordance with RCW 36.70A.060. These regulations must be consistent with the comprehensive plans of the County and preclude development that is incompatible with resource lands and critical areas designated under RCW 36.70A.170.

1.2 PURPOSE AND OBJECTIVES

The purpose of this ordinance is to comply with RCW 36.70A by protecting the public health, safety, and welfare by identifying and protecting resource lands and critical areas. Lincoln County, in compliance with, Washington State Growth Management mandates, finds that the impact of development on resource lands or in critical areas poses certain threats to the public health, safety, and welfare, to clean water, to fish and wildlife habitat, and diminishes productivity on resource lands. This ordinance is enacted to protect critical areas and conserve natural resource lands by regulating development within or adjacent to such areas/lands, while providing property owners with reasonable economic use of their lands.

The objectives of this ordinance are: to bring Lincoln County into compliance with the goals and objectives of the State of Washington's Growth Management Act; to sustain the quality of life in the Cities, County and region; to identify and protect those critical areas; and to identify resource lands that are of long-term commercial importance to the area.

SECTION 2.0

DEFINITIONS

2.1 DEFINITIONS

- A) “Agricultural lands” include those lands not already characterized by urban growth and are of long-term significance for the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, and animal products, or the food and fiber for consumption of livestock, or other products and processes normally associated with farming. In addition that definition specified in RCW 84.33.020 is adopted by reference.
- B) “Aquifer Recharge Areas” means those lands which demonstrate the natural processes involved in recharging the underlying aquifer which is used by the community for potable water.
- C) “Critical Areas” include the following areas and ecosystems:
 - (1) Wetlands
 - (2) Aquifer Recharge Areas which demonstrate a critical recharging effect on aquifers used for potable water
 - (3) Fish and Wildlife Habitat Conservation Areas
 - (4) Frequently Flooded Areas
 - (5) Geologically Hazardous Areas
- D) “Data Maps” means that series of maps maintained by Lincoln County or its referenced repository for the purpose of graphically depicting the boundaries of resource lands and critical areas.
- E) “Districts” means a portion of land specially set off or defined.
- F) “Fish and Wildlife Habitat Conservation Areas” include:
 - (1) Areas with which endangered, threatened, and sensitive species have primary association
 - (2) Habitats and species of local importance
 - (3) Commercial and recreational shellfish areas
 - (4) Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat
 - (5) Waters determined to be of state-wide significance
 - (6) Lakes, ponds, streams, and rivers planted with game fish by a government or tribal entity
 - (7) State natural area preserves and natural resource conservation areas.
- G) “Forest Lands” include those lands not already characterized by urban growth and are of long-term significance for the commercial production of timber and other wood fiber normally associated with forestry practices.

- H) “Timber Lands” synonymous with forest land and means all land in any contiguous ownership of twenty or more acres, which is primarily devoted to and used for growing and harvesting timber, and means land only. (WAC 458-40-510) (RCW 84.33)
- I) “Unique Forest Lands” means “old growth” timber areas and timer areas that contain rare species of trees.
- J) “Frequently Flooded Areas” includes those flooded areas in the 100-year floodplain designation of the Federal Emergency Management Agency and the National Flood Insurance Program and other frequently flooded areas.
- K) “Geologically Hazardous Area” means an area that is not suited for commercial, residential, or industrial development because of its susceptibility to erosion, sliding, earthquakes, or other geological events hazardous to the public health or safety.
- L) “Mineral Resource Lands” include those lands not already characterized by urban growth and are of long-term significance for the production or extraction of aggregate and other mineral substances, including: sand, gravel, and other valuable metals.
- M) “Long-term Commercial Significance” includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of land.
- N) “Qualified Professional” means an accredited or licensed professional with a combination of education and experience in the discipline appropriate for the subject matter that is being commented on; someone who would qualify as an expert in their field.
- O) “Resource Lands” include the following areas:
 - (1) Agricultural Lands
 - (2) Forest Lands
 - (3) Mineral Resource Lands.
- P) “Urban Growth” refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services.
- Q) “Characterized by Urban Growth” refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

- R) “Wetlands” means lands that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands include artificial wetlands intentionally created from non-wetland areas to mitigate conversion of other wetlands, if permitted by the County.
- S) “Wetlands with Significant Functions” means those wetlands that provide any or all of the following: habitat for fish and wildlife; flood control; contribute to the recharge of the aquifer; provide habitat for vegetation that is endangered; and an area that is necessary for the protection of the ecosystem.

SECTION 3.0

CONSTRUCTION WITH OTHER LAWS

3.1: ABROGATION AND GREATER RESTRICTIONS

It is not intended that this chapter repeals, abrogates, or impairs any existing regulations, easements, covenants, or deed restrictions. However, when this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

3.2: INTERPRETATION

The provisions of this chapter shall be liberally construed to serve the purposes of this chapter.

SECTION 4.0

PERMITTING

4.1: PERMITS

Applications for permits to conduct activities having a possible significant impact on critical areas and resource lands must identify the critical areas or resource lands affected and make an estimate of the probable impact. Lincoln County may grant permits, which include mitigating measures if the mitigating measures adequately provide for the public health, safety, and welfare, and protects the critical area and resource land from unnecessary degradation. Lincoln County may deny requests for permits which would result in activities degrading a wetland or fish and wildlife habitat conservation area, which would put people or property in a position of unacceptable risk with respect to floods, or geological hazards, which would tend to aggravate geological hazards, or which would harm critical aquifer recharging areas, or have a significant impact on economically feasible resource lands.

4.2: NEW PERMITS REQUIRED FOR ACTIVITIES IN RESOURCE LANDS AND CRITICAL AREAS

The following activities shall require a critical areas permit if they are not already approved through a more general permit in which the applicant has reported a possible impact on a resource land or critical area.

- (1) In Wetlands: The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter or material of any kind; the dumping, discharging, or filling with any material; the draining, flooding, or disturbing of the water level or water table; the driving of piling; the placing of obstructions; the construction, reconstruction, demolition or expansion of any structure; the destruction or alteration of wetlands vegetation through clearing, harvesting, shading, intentional burning, or planting of vegetation that would alter the character of a regulated wetland, provided that these activities are not part of a forest practice governed under chapter 76.09 RCW and its rules; or activities that result in a significant change of physical or chemical characteristics of wetland water sources, including quantity, or the introduction of pollutants.
- (2) In Critical Aquifer Recharge Areas: Any land use, agricultural activity, or other activity having significant potential to contaminate the water.
- (3) In Fish and Wildlife Habitat Conservation Areas: Any land use or other activity having the potential to significantly degrade the habitat or harm fish and wildlife.
- (4) In Frequently Flooded Areas: Any land use or other activity likely to contribute to a significant increase of geological hazards to the public's health, safety, and general welfare.
- (5) In Geologically Hazardous Areas: Any land use or other activity likely to contribute to a significant increase of geological hazards to the public's health, safety, and general welfare.

- (6) In Resource Land Areas: Any land use or other activity likely to affect to a significant extent the use of the existing resource on those lands.

4.3: NON-REGULATED ACTIVITIES

The following uses may be allowed within a critical area or on resource lands to the extent that they are not prohibited by any other chapter or law and provided that they do not disturb the natural functions of the critical areas and resource lands.

- (1) Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife.
- (2) Outdoor recreation activities including but not limited to fishing, bird watching, hiking, boating, horseback riding, swimming, canoeing, hunting and bicycling.
- (3) The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, or alteration of the wetland by changing existing topography, water conditions or water resources.
- (4) Existing and ongoing agricultural activities including farming, horticulture, aquaculture, irrigation, or grazing of animals. Activities on areas lying fallow, as part of a conventional rotational cycle, are part of an ongoing operation. An operation ceases to be ongoing when the area on which it was conducted has been converted to another use or has lain idle so long that modifications to the hydrological regime are necessary to resume operation.
- (5) The maintenance, but not construction, of drainage ditches.
- (6) Education, scientific research, and use of nature trails
- (7) Navigational aids and boundary markers.
- (8) Site investigative work necessary for land use application submittals such as surveys, soil logs, percolation tests and other related activities. In every case, wetland impacts shall be minimized and disturbed areas shall be immediately restored.
- (9) Normal maintenance, repair, or operation of existing serviceable structures, facilities, or improved areas. Maintenance and repair does not include any modification that changes the character, scope or size of the original structure, facility, or improved area and does not include the construction of a maintenance road.
- (10) Legally constructed structures, in existence on the date this ordinance becomes effective, that do not meet the requirements of this ordinance may be remodeled or reconstructed; provided that the new construction or related activity does not further encroach into the critical area(s) and/or natural resource land(s). Remodeling or reconstruction shall be subject to all other requirements of the building and zoning codes.
- (11) Normal and routine activities conducted by public agencies to control mosquitoes throughout the area.
- (12) Operation and maintenance of the Columbia Basin Project related facilities by the Bureau of Reclamation.
- (13) Normal and routine maintenance of legally constructed irrigation ditches.

- (14) Normal and routine maintenance of agricultural ponds, livestock watering ponds and fish ponds, provided that such activities do not involve conversion of any wetland or stream not used for such purpose on the effective date of this ordinance.
- (15) Normal and routine maintenance of public streets, state highways, public utilities and public park facilities. Maintenance and repair does not include any modification that changes the character, scope, or size of the original structure, facility, or improved areas, nor does it include constructions of a maintenance road or the dumping of maintenance debris.
- (16) The following electric, natural gas, cable communications and telephone utility-related activities, when undertaken pursuant to best management practices to avoid impacts to critical areas and natural resource lands:
 - a. Normal and routine maintenance or repair of existing utility structures or right-of-way;
 - b. Relocation of electric facilities, lines, equipment or appurtenances, not including substations with an associated voltage of 55,000 volts or less, when required and/or approved by the Administrator;
 - c. Relocation of natural gas, cable communications, telephone facilities, lines, pipes, mains, equipment or appurtenances when required and/or approved by the Administrator.
 - d. Installation or construction in approved street right-of-ways and replacement, operation or alteration of all facilities listed in subsections b and c above.
- (17) Artificial structures intentionally constructed from upland areas for purposes of stormwater drainage or water quality control, or ornamental landscape ponds, which are not part of a mitigation plan.
- (18) Renovation of historical structures.

SECTION 5.0

ESTABLISHMENT OF RESOURCE LANDS AND CRITICAL AREAS

PROVISION FOR DATA MAPS

5.1: LIST OF CRITICAL AREAS

The unincorporated areas of Lincoln County hereby identifies the following critical areas, and references the appropriate data map(s):

- | | |
|--|--------------|
| A. Wetlands | Attachment 3 |
| B. Aquifer Recharge Area | Attachment 3 |
| C. Fish and Wildlife Habitat
Conservation Areas | Attachment 3 |
| D. Frequently Flooded Areas | Attachment 3 |
| E. Geologically Hazardous Areas | Attachment 3 |

5.2: LIST OF RESOURCE LANDS

Lincoln County hereby designates as lands unincorporated and unique, farmlands, resource lands, critical areas, or other such designations as may be appropriate in the attachments to this Ordinance.

5.3: DATA MAPS AND ATTACHMENTS

Data Maps and Attachments to this Ordinance are adopted, referenced and included in this document as shown in the attached attachments or the referenced repositories.

Resource lands and critical areas are hereby depicted on a series of data maps maintained at the Lincoln County Planning Office or its referenced repository. These maps contain the best available graphic depiction of resource lands and critical areas and will be continuously updated as more reliable data becomes available. These maps are for information and illustrative purposes only and are not regulatory in nature, but will provide a guide to help identify said lands and assist in the permitting process.

The resource lands and critical areas data maps are intended to alert the development community, appraisers, and current or prospective property owners of a potential encounter with a use or development limiting factor based on the natural systems. The presence of a critical area or resource designation on the data maps is sufficient foundation for the designated official to order an analysis of the factor(s) identified prior to acceptance of a development application as being complete and ready for processing under the County Zoning Ordinance, Platting and Subdivision Ordinance, and the Short Plat and Short Subdivision Ordinance or any other regulatory authority – i.e. Shorelines Management, S.E.P.A., etc.

5.4: INTERPRETATION OF DATA MAPS AND REGULATING POLICIES

The Chairman of the Board of County Commissioners or his designee is hereby declared the Administrator of this Ordinance for the purpose of interpreting data maps and regulating policies. An affected property owner or other party with standing has a right to appeal the administrative determination to the appropriate jurisdiction with the power of appeals using the same procedure for zoning appeals found in the County Zoning Ordinance, Platting and Subdivision Ordinance, and the Short Plat and Short Subdivision Ordinances.

The data maps are to be used as a general guide to the location and extent of resource lands and critical areas. Resource lands and critical areas indicated on the data maps are presumed to exist in the locations shown and are protected under all the provisions of this chapter. The exact location of resource lands, and critical areas shall be determined by qualified professionals using the definitions found in this chapter and shall entail a site survey. All development applications are required to show the boundary(s) of all resource lands and critical areas on a scaled drawing prior to the development application being considered “complete” for processing purposes.

In addition all plats, short plats, development permits and building permits issued for development activities on, or within three hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, shall contain a notice that the subject property is within or near, designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. (RCS 36.70A.060 (1))

5.5: APPLICATION OF DATA MAPS

The conclusion by the administrative authority that a parcel of land or a part of a parcel of land that is the subject of a proposed development application is near or within the boundary(s) of one or more critical areas or resource lands as shown on the data maps, shall serve as cause for additional investigation and analysis to be conducted by the applicant. The site- specific analysis shall be limited to those resource lands and critical areas indicated. In the event of multiple designations, each subject matter will be determining development limitations and appropriate mitigating measures, by the County.

SECTION 6.0

GENERAL PROVISIONS

6.1: GENERAL PROVISIONS

S.E.P.A. compliance will be required prior to accepting a development application tendered to the County Zoning Ordinance, Platting and Subdivision Ordinance and any other regulatory ordinances, the data maps shall be consulted for assisting in determining whether or not the property subject to the application is within or near any areas shown as a resource land or critical area. When such areas are encountered, the applicant will immediately be notified and the type(s) of resource land(s) or critical area(s) disclosed. Instructions shall be provided to the applicant on the type of evaluation and site-specific analysis that will be required as a supplement to the application materials necessary to bring the application up to a standard that can be characterized as “complete”, in compliance with this ordinance, and eligible for processing.

If the subject property does not lie within, near or partly within the resource lands or critical areas as depicted on the data maps, the application will be considered complete, provided the application requirements of the ordinance governing the process at issue are satisfied.

From the effective date of this ordinance, no development application processed under the County Zoning Ordinance, Platting and Subdivision Ordinance, the Short Plat and Short Subdivision Ordinance or any other regulator ordinance shall be approved without a written finding that his ordinance has been considered, additional information has been assembled under this chapter or was not required, and that the purpose and intent of this ordinance has been accorded substantial consideration.

This ordinance does not preclude the need for or the addition of site-specific development regulations or standards. In the event of a development permit application tendered to the appropriate jurisdiction, the intent and purpose of this ordinance shall be given full consideration. The data maps shall be used to help determine the applicability of any development regulations or standards adopted to protect and conserve those resource lands and critical areas classified and designated in accordance with RCS 36.70A.170.

6.2 APPLICABILITY

This ordinance applies to all real property within the unincorporated boundary limits of Lincoln County as it is now configured or may, from time to time, be altered.

When any other chapter of the Zoning, Platting, Subdivision, Short Plat, or any other regulatory ordinance conflicts with this chapter the more restrictive provision will apply.

SECTION 7.0

PENALTIES

7.1: PENALTIES

Carrying out an activity requiring a permit under this chapter with knowledge that a proposed activity requires a permit shall make the violator liable for a civil penalty of up to one thousand dollars (\$1,000.00). The unknowing failure to seek a permit makes the violator liable for a civil penalty up to five hundred dollars (\$500.00). Each day such violation continues, may be considered a separate offense.

SECTION 8.0

ADMINISTRATIVE APPEALS

8.1: ADMINISTRATIVE APPEALS

Any aggrieved person dissatisfied with a permitting decision may appeal the decision to the County Commissioners provided that the person file a notice of appeal within thirty (30) days. Those who have filed an administrative appeal may file an appeal (in superior court) if the appeal is filed within thirty (30) days of completion of the administrative appeal.

SECTION 9.0

NON-CONFORMING ACTIVITIES

9.1: NON-CONFORMING ACTIVITIES

A regulated activity that was approved prior to the passage of this chapter but which does not conform to this chapter may be continued subject to the following:

- (1) No such activity shall be expanded, changed, enlarged, or altered in any way that increases the extent of its non-conformity without a permit issued pursuant to the provisions of this chapter.
- (2) Except for cases of discontinuance as part of normal agriculture practices, if a non-conforming activity is discontinued for 12 consecutive months, any resumption of the activity shall conform to this chapter.
- (3) If a non-conforming use or activity is destroyed by human activities or an act of God, it shall not be resumed except in conformity with the provisions of this chapter.

SECTION 10.0

SEVERABILITY

10.1: SEVERABILITY

If any clause, sentence, paragraph, section or part of this chapter or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgement shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any part thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

ATTACHMENT ONE

AGRICULTURAL AND FOREST LANDS

AGRICULTURAL AND TIMBER LANDS

LAND USE MAP:

The land use map was developed using a generalized soils map of the county and land use was based on what the soils suitability was for agricultural production of hay, cattle, wheat, barley and timber. When this map was designed it was for agricultural planning purposes, so urban and industrial uses were not considered. This is not to say that any location on the map is not suitable for urbanization or industrialization, but rather that an on-site evaluation would have to be made. The county soils map was developed and mapped to include soil types that are 10 acres or greater in size. Our GIS (Geographic Informational System) is run on GRASS software, and all soils were hand digitized from 1:24,000 orthophotography. The margin for error here is plus or minus 10 meters (32.81 feet).

The soils map is the base map for many other maps developed by the U.S. Department of Agriculture and meets National Map Accuracy Standards.

CLASSIFICATION OF AGRICULTURAL LANDS

Agricultural land means either:

- (a) land in any contiguous ownership of twenty or more acres (i) devoted primarily to the production of livestock or agricultural commodities for commercial purposes, or (ii) enrolled in the federal conservation reserve program or its successor;
- (b) any parcel of land five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under RCW 84.34; or
- (c) any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of one thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under RCW 84.34.

Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the land on which appurtenances necessary to production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products.

Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section.

DESIGNATION OF AGRICULTURAL RESOURCE LANDS

Due to the amount of agricultural land within Lincoln County and based upon its impact on the economy of the County and region, Lincoln County hereby designates as agricultural resource lands all lands within the County currently taxed under RCW 84.34 or meeting the above classification of agricultural lands.

REGULATING POLICIES FOR AGRICULTURAL LANDS

1. The County encourages the maintenance and viability of the family farm.
2. The County encourages the retention of agricultural lands of local importance for agricultural use.
3. The County supports land owners in developing lands consistent with local land use policies.
4. Farm practices on non-commercial farms should be consistent with best management practices for the industry.
5. Agricultural lands and those agricultural lands considered to represent the culture, customs and traditions of the county considered desirable for acquisition for public recreational, scenic, and/or park purposes, or for wildlife habitat, should first be evaluated for its impact on the commercial agricultural and socio-economic structure of the immediate area, and of the County as a whole.
6. The County supports and encourages the maintenance of agricultural lands in open space and current use property tax classifications consistent with RCW 84.34 (Open Space).
7. Clustering of commercial and residential development on adjacent non-agricultural land is encouraged. The transition area in clustered development should buffer adjacent agricultural land from development.
8. The County encourages the control of noxious weeds in all affected areas.
9. Existing non-farm activities, such as lineal development and subdivisions substantially surrounded by agricultural lands, should be considered as anomalies. These areas should not be expanded, and should not represent the basis for the conversion or rezone of adjacent farm lands to non-farm uses until urban lands are substantially developed.
10. Any proposed functional classification system for roads should recognize and support the rural character of roads in agricultural areas.
11. The County recognized a “right-to-farm” attitude whereby the County realizes that agricultural lands enjoy historical or prescriptive rights to normal farm practices.
12. The County supports the existing economic base by discouraging the unnecessary or speculative rezoning of agricultural lands to non-farm use.
13. The County will strive to ensure that public actions are managed to minimize disruption of agricultural activity.
14. Areas designated as agricultural should be preserved in agriculturally viable parcel sizes to the maximum extent possible, and protected from the encroachment of incompatible uses.
15. In the event of a conflict between residential uses and the normal agricultural activities of a pre-existing agricultural use, the County will attempt to support those in favor of the agricultural use.

16. Planning provisions for the location of areas to be maintained exclusively for commercial agricultural use should be made in a manner consistent with preserving the productive farming areas and protecting and maintaining the areas agricultural base.

DESIGNATION OF TIMBER RESOURCE LANDS

Lincoln County hereby designates all existing timbered areas in any contiguous ownership of five or more acres within the County which are either Land Grade 6 or better; all state lands shown on the forest land ownership maps provided to the County in 1991; or lands taxed as timber lands under Chapter 84.33 RCW as Forest Resource Lands of long term commercial significance.

REGULATING POLICIES FOR TIMBER RESOURCE LANDS

1. The County encourages the conservation of timber lands for productive economic use to maintain unique timber lands consistent with historical practices.
2. It is the policy of the County to encourage the continuation of historical practices of our unique timber land by supporting selective harvesting and thinning, livestock grazing, protection of springs, riparian zones and wildlife habitat.
3. The primary land use activities in timber areas are timber management, agricultural/grazing, mineral extraction, ancillary uses and other non-timber related economic activities relying on forest lands, such as wildlife habitat enhancement for various purposes.
4. The County encourages the multiple economic use of timber lands for a variety of natural resource and other land use activities particularly suited for timber lands because of physical and topographical characteristics; remoteness from populated areas; availability of water supplies; and the quality of the timber environment.
5. Unique timber land and those timber lands considered to represent the culture, customs and traditions of the County considered desirable for acquisition for public recreation, scenic, and park purposes, should first be evaluated for its impact on a viable multiple use timber industry and local government revenue programs. If timber land is acquired for such purposes, the County recommends the continuation of grazing practices and revenue payments in lieu of taxes. However, the continuation of grazing should only be allowed if it is compatible with the new use for which the land was purchased.
6. Land use activities within or adjacent to timber lands should be sited and designed to minimize conflicts with historic timber management.
7. Clustering of residential development on adjacent rural lands is encouraged. The transition area in clustered development should be adjacent to the timber land designation.
8. Special development standards for access, lot size and configuration, fire protection, and dwelling unit location should be adopted for development within or adjacent to unique timber lands and the County encourages the State to undertake the establishment of such standards.
9. Notification should be placed on all plats and the notice of title that the adjacent land is in resource use and subject to a variety of activities that may not be

compatible with residential development. The notice should state that timber, agricultural or mining activities performed in accordance with County, State and Federal laws are not subject to legal action as public nuisances.

MINERAL RESOURCE LANDS

It is the intent of this document to recognize the local importance of protecting mineral resource areas. The mining industry in Lincoln County and its cities and towns consists mainly of sand and gravel extraction operations at the present time. These operations are important from the standpoint of providing vitally needed construction materials. Residential, commercial and industrial construction, as well as road construction and repair depend on a stable low cost source of sand and gravels. Conservation of these resources must be assured through measures designed to prevent incompatible development in or adjacent to resource lands.

CLASSIFICATION/DESIGNATION

According to the Minimum Guidelines as defined by the Department of Community Development (DCD) in WAC 365-190-070 as lands primarily devoted to the extraction of minerals or that have known or potential long term commercial significance for the extraction of minerals Lincoln County under the provisions of RCW 36.70A hereby designates as mineral resource lands all listed sites shown and the sand and gravel sites shown on the February 1994 map of sand and gravel sites maintained by the County Engineer and on file at that office.

The following categories of mineral resource lands were established for this classification and designation:

1. Metallics
2. Sand and Gravel
3. Other Minerals, including Oil and Gas

REGULATING POLICIES:

The following regulating policies are hereby adopted regarding existing mineral resource lands and will be applied to any future discovered mineral resources within Lincoln County.

1. Settling ponds may be required for new rock pit developments to protect water quality and prevent sedimentation.
2. Mining sites are encouraged to be located where adjacent lands are used for mining, open space, forestry, agricultural, and industrial uses.
3. Mining sites should be located where the off site effects of blasting, noise, dust and vibration from extractive operations are minimized.
4. Mining sites should be located and sited where heavy equipment, mines and pits can be screened from residential and commercial properties.
5. Filling should not be allowed in floodways and erosion control should be considered a priority and addressed in any operational plan.

6. Screening and buffering from adjacent properties may be required of new or expanded mineral extraction development.
7. Mining operations should assure the reclamation of land for redevelopment after the completion of gravel and mineral extraction including, but not limited to, weed control for a three to five (3-5) year period with the intent being to re-establish adequate ground cover that is compatible with the surrounding uses.
8. Mining sites should be protected from conflicting uses.

ATTACHMENT 2
MINERAL RESOURCES

REPORT ON OTHER POSSIBLE MINERAL RESOURCES IN LINCOLN COUNTY

HYDROCARBON POTENTIAL – The U.S. Department of the Interior, Bureau of Land Management shows Lincoln County as having a moderate potential for hydrocarbon mineral production.

FOSSILS – The Washington Department of Natural Resources shows no known fossil finds in Lincoln County.

GEMS – The Washington Department of Natural Resources shows the only recorded gem finding within the County to be fire opals.

LOW TEMPERATURE GEOTHERMAL RESOURCES – The Department of Natural Resources Open Report 82.1 states that a broad area around Davenport west 50 km contains many wells with good quality gradient ranging from 50 to 60 degrees C/km.

THERMAL AND MINERAL SPRINGS – The Department of Natural Resource Open File No. 80-11 shows no thermal or mineral springs in Lincoln County.

MINERAL RESOURCES OF LINCOLN COUNTY

Basalt and allied volcanic rocks

Dolomite

Peat

Quartz

Quartzite

Sand and Gravel

Talc and Sandstone

Copper

Lode Gold

Placer Gold

Lead

Molybdenum

Silver

Zinc

Coal

Clay

MD.DATA.U	SITE NAME	TYPE	LATTITUDE	LONGITUDE
204	Blue Silver Quarry	Dolomite	47 55 1.15N	118 16 51.09W
297	Spokane Molybdenum	Mo/Au/Ag	47 55 51.56N	118 9 50.56W
298	Barnell Placer	Au	47 56 3.10N	118 42 4.85W
299	China Bar Placer	Au	47 50 48.20N	118 21 6.08W
300	Clark Placer	Au	47 56 28.61N	118 40 52.21W
301	Keller Ferry Placer	Au	47 56 8.70N	118 40 51.57W
4301	Heart	Cu	47 56 24 N	118 03 03 W
4303	Creston Ferry Placer	Au	47 52 03 N	118 29 28 W
4304	Peach Bar Placer	Au	47 49 13 N	118 23 21 W
4305	Winkelman Bar Placer	Au	47 56 01 N	118 40 18 W
4306	Crystal City Mining	Pb/Ag/ Cu/W	47 54 35 N	118 17 17 W
4308	Fouress	Ag/Zn/ Pb/Au/Cu	47 53 07 N	118 10 46 W
4309	Valley View	Zn/Pb	47 53 07 N	118 10 54 W
4333	Plum	Coal	47 55 49 N	118 53 39 W
4334	Old Fort Spokane	Mg	47 55 04 N	118 16 05 W
4335	Creston	Coal	47 45 18 N	118 28 22 W
4336	Egypt	Si	47 51 51 N	118 11 18 W

MD.DATA.U	SITE NAME	TYPE	LATTITUDE	LONGITUDE
4419	C.W. Capps	Talc	47 47 58 N	118 00 31 W
4420	Travis Farm	Talc	47 36 41 N	117 56 01 W
4435	Latta and Phillips Placer	Au	47 54 55 N	118 42 03 W
4436	Iron Crown	Au/Cu	47 46 28 N	118 03 46 W
4437	Lincoln	Cu/Pb	47 54 34 N	118 17 41 W
4439	Davenport Placer	Au	47 39 31 N	118 09 36 W
4440	Egypt	Pb	47 53 06 N	118 11 05 W
4441	Elkhorn	Pb	47 45 41 N	118 03 37 W
4442	John L	Pb	47 54 02 N	118 18 43 W
4443	Silver Queen	Ag/Cu/Pb	47 51 54 N	118 13 06 W
4444	United Workman	Ag/Au	47 46 19 N	118 03 42 W
4448	Creston Clay	Clay	47 45 19 N	118 32 04 W
4455	Alt Prospect	W	47 42 28 N	117 57 40 W
4457	Matherly Lead	Pb	47 51 05 N	118 09 07 W
4458	Pershell Clay	Al/Clay	47 48 30 N	117 56 10 W

DESIGNATION OF WETLANDS AND REGULATING POLICIES:

Under the guidelines of the Washington State Department of Ecology the following lands, shorelands and waters of Lincoln County are hereby designated Regulated Wetlands, as critical areas requiring immediate protection from incompatible land uses:

- A. Class I: All
- B. Class II: 2500 Square feet or greater
- C. Class III: 10,000 Square feet or greater
- D. Class IV: one acre or greater

The following Wetlands are non-regulated:

- A. Class II: under 2500 square feet
- B. Class III: under 10,000 square feet
- C. Class IV: under one acre
- D. Artificially created wetlands that were not required to include but are not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment ponds, farm ponds and landscape amenities.

REGULATING POLICIES:

1. Wetland areas shall be identified and rated in accordance with the latest available rating system adopted by the State of Washington as Class I, II, III, or IV. (The currently accepted document shall be the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetland or its latest revision.)
2. Wetlands shall be protected, based on their quality established from the rating system, from alterations which may create adverse impacts. The greatest protection shall be provided to Class I and II wetlands. Alteration shall not mean best management practices for agriculture which by design could be considered a change in land use, including but not limited to, tillage practices, improved chemical application or practices which are intended to improve crop production and enhance the areas adjacent to wetlands.
3. The County will coordinate wetland preservation strategies and efforts with appropriate county, state and federal agencies and private conservation organizations to take advantage of both technical and financial assistance and to avoid duplication of efforts.
4. A wetland buffer area of adequate width shall be maintained between wetlands and adjacent new development to protect functions and integrity of the wetlands. Typically, such buffers should be no less than:

	Class I	Class II	Class III	Class IV
Hi Intensity	200 ft.	100 ft.	50 ft.	25 ft. Low
Intensity	100ft.	50 ft.	25 ft.	25 ft.

The ultimate width of the established buffer shall be based upon the functioning and sensitivity of the wetland, the characteristics of the existing buffer, the potential impacts associated with adjacent and proposed land use, and other existing regulations which may control the proposed activity.

5. Wetland buffers shall be retained in their natural conditions unless a portion of a wetland buffer is proposed that will not have an adverse impact on the wetland, or adequate mitigation cannot or will not be provided. The integrity of the wetland shall be maintained as a function of the buffer.
6. Activities or uses which would strip the shoreline of vegetative cover, cause substantial erosion or sedimentation or adversely affect aquatic life should be prohibited.
7. Construction of structural shoreline stabilization and flood control work should be minimized. New developments should be designed to preclude the need for such works and should be compatible with shoreline characteristics and limitations.
8. Wetland alterations shall not cause significant adverse impacts to wetland ecosystems or surrounding areas, unless the impacts are unavoidable and necessary to the feasibility of the project. In such cases, resultant impacts shall be offset through the deliberate restoration, creation, or enhancement of wetlands or other mitigation acceptable to the County.

- a) The County will follow the currently recommended mitigation ratios established by the Department of Ecology. The current ratios are as follows (1993) and these ratios will be updated at any time the Department of Ecology changes its established mitigation ratios.

Class I	6:1
Class II or III	
Forested	3:1
Scub-shrub	2:1
Emergent	1.5:1
Class IV	1.25:1

- b) The County may increase the mitigation ratios under the following circumstances:

- (1) uncertainty as to the probable success of the proposed restoration or creation;
- (2) significant period of time between destruction and replication of wetland functions;
- (3) projected losses in functional value; or
- (4) off-site compensation.

9. A Comprehensive Wetland Mitigation Plan shall be submitted to the County for its approval, for projects which may impact wetland areas to ensure long term success of the project and wetland. Such plans shall provide for sufficient and continuous monitoring and contingencies to ensure natural wetland persistence.

10. A Drainage Plan shall be submitted to the County and approved by the County Engineer to ensure that runoff caused by, but not limited to, such things as impervious surfaces are avoided from entering into the wetland system.
11. Proposals for restoration, creating or enhancement shall be coordinated with appropriate resource agencies to ensure adequate design consistency with other regulatory requirements.
12. Wetlands, which are impacted by activities of a temporary nature shall have restoration begin immediately upon completion. Monitoring of such wetland, as defined by the Mitigation Plan, shall be submitted to the County to ensure the completion of appropriate wetland restoration activities.
13. In-kind replacement of functional values shall be provided whenever possible. Where in-kind replacement is not feasible or practical due to the characteristics of the existing wetland, substitute resources of equal functional value shall be provided.
14. On-site replacement of functional values shall be provided whenever practical. Where on-site replacement is not feasible or practical due to characteristics of the existing location, replacement should occur within the same watershed and proximity. If necessary, wetlands artificially created and banked voluntarily may be used as such mitigation.
15. Mitigation shall begin prior to use or occupancy of the activity, or a performance bond or cash deposit shall be submitted equal to 1.25 times the value of the replacement, restoration, creation, or enhancement, as determined by a qualified individual, shall be submitted to the County in a form acceptable to the County Attorney, prior to wetland alteration.

WETLANDS 4-TIER RATING SYSTEM

- A. Class I Criteria:
1. Documented habitat recognized by federal or state agencies for threatened or endangered plant or potentially extirpated plant, animal, or fish species; or
 2. Documented Natural Heritage wetland sites or high quality native wetland communities which qualify as a Natural Heritage wetland site; or
 3. Documented habitat of regional or national significance for migratory birds; or
 4. Regionally rare native wetland communities; or
 5. Wetlands with irreplaceable ecological functions; or
 6. Documented wetland of local significance.
- B. Class II Criteria:
1. Regulated wetlands that do not contain features outlined in Class I; and are
 2. Documented habitat recognized by federal or state agencies for sensitive plant, animal, or fish species; or
 3. Documented priority species or habitats recognized by state agencies; or
 4. Wetlands with significant functions which may not be adequately replicated through creation or restoration; or
 5. Wetlands with significant habitat value; or
 6. Documented wetlands of local significance.
- C. Class III Criteria:
1. Wetlands that do not contain features outlined in Class I, II or IV and are:
 2. Wetlands with significant habitat value; or
 3. Documented wetlands of local significance including, but not limited to, vernal pools.
- D. Class IV Criteria:
1. Wetlands which do not meet the criteria of a Class I, II or III wetland; and are:
 2. Wetlands that are less than one acre, hydrologically isolated and comprised of one vegetated class that is dominated (greater than 80 percent area cover) by one native species (native species list from the Department of Ecology); or
 3. Wetlands less than two acres and hydrologically isolated with one vegetated class, and greater than 90 percent area plant cover composed of exotic species (exotic species list from the Department of Ecology).

AQUIFER RECHARGE AREAS

AQUIFER RECHARGE MAP

Lincoln County aquifers are not well mapped because it is a costly process and our State has not yet prioritized this process. The aquifer recharge map was developed by combining other data layer maps to create a map showing soils that have the potential to recharge the aquifer. We selected soil mapping units that had high permeability rates (2-6 in/hr) or irrigated soils over shallow basalt (200 feet or less thick).

These soils were:

12, 13	Beckley
14	Benco
15	Benge
36, 37, 38	Edwall
54	Phoebe
70, 71, 72	Spokane
68	Spens
74	Springdale

We then combined these soils with the subsurface geology map which has the following general depth categories:

000-199 feet
200-399 feet
400+ feet

Depth in this instance is characterized as the depth of the Wanapum Basalt Flow from the top to the bottom of the flow. By combining permeability with basalt depth the aquifer recharge map was created. Current subsurface geology mapping is done by the U.S. Geological Survey and is broad based. Because of the distance between depth lines, broad assumptions have been made. This is currently the most accurate information available, but should be viewed as a guideline, and field inspections are advised. This map does not consider wetlands, which are potential aquifer recharge sites, but rather the soils potential to recharge the aquifer. This map will be subject to change over time as we acquire more information about the aquifer within Lincoln County. Further research and studies are needed but currently out of reach due to lack of funding.

AQUIFER RECHARGE AREAS

AQUIFER RECHARGE MAP DEFINITIONS:

The Aquifer Recharge Map has four categories listed: nominal, intermediate, high and water.

High: areas of soils with high recharge (percolation) rates that are underlain by no basalt of a depth of 0-99 feet;

Intermediate: areas of soils with high recharge (percolation) rates that are underlain by basalts 200-399+ feet in depth;

Nominal: areas of soils with high recharge (percolation) rates that are underlain by basalts 400+ feet in depth;

Water: areas that hold perennial water such as lakes and rivers.

DESIGNATION:

Current information presented on the aquifer recharge map is to be used as a guide in locating where shallow basalts and permeable soils exist. Recharge tends to occur in areas where there is exposed basalt, basalt overlain by thin or permeable sediments, or lakes and marshes. A field study is recommended for all sites when considering a recharge area.

Lincoln County designates all lands within its boundaries having an intermediate recharge potential or greater rating as a Aquifer Recharge Area and subject to its Aquifer Recharge Areas Regulating Policies.

It is not the intent of these policies to prohibit development but to help mitigate impact to the aquifer should development occur.

AQUIFER RECHARGE AREAS REGULATING POLICIES

1. Agricultural activities, including commercial and hobby farms, are encouraged to incorporate best management practices concerning animal keeping, animal waste disposal, fertilizer use, pesticide use, and stream corridor management.
2. Fertilizer and pesticide management practices of schools, parks, golf courses and other non-residential facilities that maintain large landscaped areas should be evaluated in relation to proven best management practices.
3. Within an aquifer recharge area, subdivision, short plats and other divisions of land shall be evaluated for its impact on groundwater quality. Mitigating measures will be evaluated regarding development within these areas.
4. Any proposed development within an aquifer recharge area shall have a minimum lot size of one acre unless connected to a sanitary sewer system or other approved alternative meeting treatment standard two.

5. Existing developments above intermediate or higher rated aquifer recharge areas will be strongly encouraged to connect to the sanitary sewer system, where available.
6. Conceptual and detailed drainage plans should be prepared for projects that influence areas characterized as aquifer recharge areas.

FISH AND WILDLIFE CONSERVATION AREAS

THE MAPS FOR THIS AREA ARE ON FILE IN THE OFFICES OF THE
WASHINGTON STATE FISH AND GAME COMMISSION.

FISH AND WILDLIFE HABITAT CONSERVATION AREAS

It is the intent of Lincoln County to recognize the importance of protecting fish and wildlife habitat conservation areas while at the same time guaranteeing the continuation of agriculture. Implementation of these regulating policies is directed toward preserving the resources by precluding development incompatible with these areas.

Various federal, state and private agencies and individuals currently manage established fish and wildlife habitat conservation areas within this county. Lincoln County recognizes their efforts to preserve and protect those critical fish and wildlife habitat conservation areas by acknowledging that cooperation and communication is essential to achieving common habitat conservation goals.

DEFINITIONS:

Areas of Fish and Wildlife Habitat Conservation are defined as:

- 1) areas with which federal and state endangered, threatened and sensitive species of fish and wildlife have a primary association;
- 2) habitats and species of local importance;
- 3) naturally occurring ponds under ten (10) acres and their submerged aquatic beds that provide fish or wildlife habitat;
- 4) waters of the state

DESIGNATION:

The process by which additional habitats are designated as being critical for endangered fish and wildlife will be by petition or application to the Board of County Commissioners. Actual determination shall rest upon the judgement of the Board of County Commissioners after a hearing process to obtain public comment has been conducted. If designated, compliance with the following management policies will regulate development. However, designation is NOT intended to deny development opportunities, rather, it is aimed at steering growth to more suitable areas where fish and wildlife values should no be unduly compromised.

FISH AND WILDLIFE HABITAT CONSERVATION AREAS MANAGEMENT POLICIES

1. The County legislative authority may appoint a five (5) member steering or advisory committee made up of county citizens to help direct negotiations and recommend mitigative measures of negatively impacted areas, buffers and other resources, which may affect the customs, cultures and traditions of the county.
2. Cooperate with federal, state, and private agencies and individuals that have primary authority to manage specific fish and wildlife habitat conservation areas within certain areas of the county.
3. Recognize riparian management consistent with best management practices approved by the Lincoln County Conservation District that maintains or enhances existing riparian habitat.

4. Proposed new uses for lands adjacent to naturally occurring ponds should not impose negative impacts to those areas. If a change in land use occurs, minimal buffers and/or other mitigative measures should be adopted to protect resource values.
5. Activities allowed in fish and wildlife habitat conservation areas shall be consistent with State and Federal endangered species regulations.
6. Development in these areas shall comply with the requirements of the zoning code and any other local overlapping critical area regulation.
7. The County will consider the impacts of new development on the quality of land, wildlife and vegetative resources as part of its environmental review process and may require appropriate mitigative methods determined to be needed to protect the quality of those resources.
8. Critical habitats for endangered, threatened or sensitive species when identified should be designated as environmentally sensitive areas.
9. The County may encourage the restoration of lost and damaged fish habitat, if it is found to be in the best interest and well being of its citizens.
10. Allowance of one single family residence and accessory buildings is recommended as the threshold of acceptable development that may be entitled to a relaxation of portions of this chapter. All relevant rules and regulations from the Lincoln County Ordinances, the Revised Code of Washington, the Washington Administrative Code and Federal laws shall apply at the time of application.
11. In making decisions regarding Fish and Wildlife Conservation Areas the County will consider the right of individual land owners to control and preserve certain habitat conservation areas.
12. The County encourages local land owners to protect habitats critical for endangered fish and wildlife and encourages local citizens to take an active role in the designation of on site species critical or of special interest to the citizens of Lincoln County.

FREQUENTLY FLOODED AREAS

FREQUENTLY FLOODED AREAS

DESIGNATION:

Those areas designated as frequently flooded areas (areas within the 100 year flood plain) are shown on the most current Countywide Flood Insurance Rate Map (September 1988) and are hereby adopted along with any updated version of said map as they are made available. Copies of the maps are on file at the County Planning Office and at the Lincoln County Conservation District Office located in the City of Davenport.

REGULATING POLICIES:

Regulating policies are defined in the County Flood Damage Prevention Ordinance 89-01. It is not the intent of those policies to prohibit development but to ensure that development takes place in a manner that:

1. Reduces danger to health by protecting surface and ground water supplies from impediments which result from incompatible land uses by providing safe and sanitary drainage.
2. Reduces the financial burdens imposed both on the community and the individuals by frequent floods.
3. Encourages planned development land uses which will not impede the flow of flood water or cause danger to life or property. This includes, but is not limited to, filling, dumping, storage of materials, structures, buildings, and any other works which, when acting alone or in combination with other existing or future uses, would cause damaging flood heights and velocities by obstructing flows.
4. Permits and encourages land uses compatible with the preservation of the natural vegetation which is a principal factor in the maintenance of constant rates of water flow through the year and which sustain many species of wildlife and plant growth.
5. Avoids fast runoff of surface waters from developed areas to prevent polluttional materials such as motor oils, paper, sand, salt and other debris, garbage, and foreign materials from being carried directly into the nearest natural stream, lake, or other public waters.
6. Prevents the development of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards.

FLOOD PLAIN ACRES OF Lincoln County PER FEMA-NATIONAL FLOOD
INSURANCE PROGRAM

SPRAGUE	87.52	ACRES
HARRINGTON	25.26	ACRES
ODESSA	170.87	ACRES
REARDAN	22.24	ACRES
DAVENPORT	44.48	ACRES
ALMIRA	66.99	ACRES
CRESTON	13.52	ACRES
WILBUR	157.99	ACRES
COUNTY	38,781.00	ACRES OUTSIDE INCORPORATED AREAS
COUNTY	39,394.00	ACRES INCLUDING INCORPORATED AREAS

GEOLOGICALLY HAZARDOUS AREAS

GEOLOGICAL HAZARDOUS AREAS

DEFINITIONS:

According to WAC 365-190-030, geologically hazardous areas are “areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to siting commercial, residential and/or industrial development consistent with public health or safety concerns”. Hazards of concern that should be considered within this definition include:

1. EROSION HAZARD – areas that, at a minimum, include areas identified by the United States Department of Agriculture (USDA) Soil Conservation District (SCS) as having a “sever” rill and inter-rill erosion hazard.
2. LANDSLIDE HAZARD – areas potentially subject to landslides based on a combination of geologic, topographic and hydrological factors. They include any areas susceptible because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors. Examples of these may include, but are not limited to, the following:
 - a. Areas of historic failing such as;

areas delineated by the USDA SCS as having a “sever” limitation for building site development;

areas mapped as class “u” (unstable), “uos” (unstable old slides), and “urs” (unstable recent slides) in the Department of Ecology Coastal Zone Atlas; or

areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published as the United States Geological Survey or Department of Natural Resources Division of Geology and Earth Sciences.
 - b. Areas with all three of the following characteristics:

slopes greater than 15 percent;

steep hillsides intersecting geologic contacts with a relatively permeable sediment or bedrock; and

springs or groundwater seepage.
 - c. Areas that have shown movement during the Holocene epoch (from 10,000 years ago to the present) or which are underlain or covered by mass wastage debris of that epoch.
 - d. Slopes that are parallel to sub-parallel to planes of weakness (such as bedding planes, joint systems and fault planes) in subsurface materials.

- e. Slopes having gradients greater than 80 percent subject to rockfall during seismic shaking.
 - f. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and undercutting by wave action.
 - g. Areas that show evidence of, or are at risk from, snow avalanches.
 - h. Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows or catastrophic flooding.
 - i. Any area with a slope of 40 percent or greater and a vertical relief of 10 or more feet except areas composed of consolidated rock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least 10 foot vertical relief.
3. SEISMIC HAZARD – areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, or surface faulting. One indicator of potential for future earthquake damage is a record of earthquake damage in the past. Ground shaking is the primary cause of earthquake damage in Washington. The strength of ground shaking is primarily affected by;
- a. the magnitude of the earthquake;
 - b. the distance from the source of the earthquake;
 - c. the type of thickness of the geologic material at the surface; and
 - d. the type of subsurface geologic structure.

Settlement and soil liquefaction conditions occur in areas underlain by cohesionless soils of low density typically in association with a shallow groundwater table.

4. OTHER GEOLOGICAL EVENTS

VOLCANIC HAZARD AREAS – shall include areas subject to pyroclastic flows, lava flows, debris, avalanche, inundation by debris flows, mudflows or related flooding from volcanic activity.

MINE HAZARD AREAS – are those areas underlain by, adjacent to, or affected by mine workings such as adits, gangway, tunnels, drifts, or airshafts. Factors which should be considered include:

- a. proximity to development;
- b. depth from ground surface to mine working; and

- c. geological material.

DESIGNATION

The process for designation depends on the type of geologic hazard suspected or known. Some types, such as severe rill and inter-rill erosion, can be assessed by examining a paper inventory contained within the Lincoln County Soil Survey to determine the properties/functions of the soils located at a site. (Recognizing that the Soil Survey may not accurately portray existing conditions for all lands in Lincoln County, it should be referenced as a guide with on-site inspections also conducted.)

EROSION HAZARDS – are hereby designated as those areas that were identified by the United States Department of Agriculture Soil Conservation Service as having “sever” rill and inter-rill erosion hazard.

LANDSLIDE HAZARDS – all areas within the boundary of Lincoln County having slopes of 15 percent or greater that are underlain by weak, fine grained unconsolidated sediments, jointed or bedded bedrock, or landslide deposits, including the top and toe of such areas are hereby designated as landslide hazards.

SEISMIC HAZARDS

Faults – The Washington State Department of Natural Resources Open File Report 80-2, measuring only faults three miles or longer, records no know faults in Lincoln County.

Earthquakes – The Washington State Department of Natural Resources Information Circulars 84 and 85 show that only shallow earthquakes occur in Eastern Washington and that these do not attain the depths reached by hypocenter in Western Washington. They show that any earthquake in Lincoln County (possibly 3) registered $1.8 < M_c < 3.0$.

Based upon the above data no seismic hazard areas are designated within Lincoln County.

Volcanic Hazards – there are no volcanic hazards within Lincoln County. Therefore no volcanic hazard areas are designated.

Mine Hazards – all mining operations will conform to County Ordinances, State and Federal Laws. It is the intent of the County to protect the public from any known mine hazard and it will investigate all complaints relating to any known or suspected mine hazard within Lincoln County.

REGULATING POLICIES:

1. Proposed projects for which the County assumes lead agency status during the S.E.P.A. environmental review process; or permit applications for construction; or short and long plat reviews will be assessed to establish:

- a) whether the project is to be located in a geologically hazardous area;
 - b) the potential for impact the project may have on the geologic hazard (s); and
 - c) the potential for impact the geological hazard (s) may have on the project.
2. All proposed projects located in a geologically hazardous area or which would have the potential to adversely affect the stability of one of these areas may be required to provide any of the following information during the application process:
- a) a technical study conducted by a qualified authority that evaluates the geological condition (s) upon which the hazard is based. This study may entail a site history, which includes a description of the geology of the area; surface reconnaissance of the site and adjoining areas; subsurface exploration of the site; and a hydrological analysis which addresses slope and/or soil stability;
 - b) an evaluation of safety concerns that may be generated by the project;
 - c) a report on the construction practices, monitoring programs or other mitigation techniques by which all relevant hazards will be overcome or reduced to acceptable levels. Erosion control and site reclamation plans, if applicable, should also be included.

Approval, denial or conditioning of a permit application should be dependent on the degree to which significant geologic hazards can be avoided, reduced or eliminated.

3. Projects proposed within geologic hazard areas may require submittal of a letter from the geotechnical engineer and/or geologist who prepared the required technical study, stating that the risk of damage from the project, both on-site and off-site, is minimal; the proposal will not increase the risk of occurrence of the hazard; and the proposal has incorporated measures to eliminate or reduce the risk of damage due to the hazard.
4. The following protection measures should be considered during the review process of proposals for construction in geologically hazardous areas:
- a) construction methods should be used that minimize risks to structures and do not increase risks to the site or adjacent properties and their structures;
 - b) site planning should minimize disruption of existing topography and vegetation, and should incorporate opportunity for phased clearing;
 - c) impervious surface coverage should be minimized;

- d) areas of disturbed land should be replanted as soon as feasible, in accordance with an approved reclamation plan, where appropriate;
 - e) the clearing and grading schedule should be devised in recognition of the limitations imposed by seasonal weather conditions;
 - f) temporary erosion and sedimentation controls should be implemented, where appropriate;
 - g) conceptual and detailed drainage plans should be prepared for projects that influence large areas characterized as geologically hazardous, with stormwater detention and conveyance standards required to conform to site-specific conditions identified in the technical study;
 - h) any limitations to site disturbance, such as clearing restrictions, imposed as a condition, of development approval shall be marked in the field and approved by the County prior to the undertaking of the project;
 - i) monitoring procedures should be conducted for construction activities which occur in geologically hazardous areas;
 - j) development should not increase instability, or create a hazard, to the site or adjacent properties or induce a significant increase in sedimentation or erosion;
 - k) excessive grading should be discouraged on lands being developed for residential, commercial or industrial use.
5. All applications for development within a Geological Hazard Area or its buffer should include preliminary information to assist the County in determining the need for any specialized reports from a geologist or geotechnical engineer. The following review criteria is established and may be considered by the County when making said determination.
- a) Project name, type and nature of project.
 - b) Location and size of the area, and the general setting with respect to major or regional geographic and geological features.
 - c) Location maps, both regional and local
 - d) Expected project cost.
 - e) Purpose and scope of the report and geological investigation, including the proposed use of the site, level of study, i.e., feasibility, preliminary, final, etc..
 - f) Brief description of the proposed site development, grading, structures, and utilities.

- g) Finished floor grades and excavation levels.
 - h) Known soils in and around project area, thicknesses.
 - i) Slopes; maximum and minimum slopes in percent, average slope gradient.
 - j) Water courses, drainages.
 - k) Topography and drainage within or affecting the area.
 - l) General nature and distribution of exposures of earth materials with the area. Regional and local geology.
 - m) Disclosure of known or suspected geological hazards affecting the area, including a statement regarding past performance of existing facilities (such as buildings or utilities) in the immediate vicinity. A history of slope failures, rock slides, debris torrents, seismic activity should be included.
 - n) Locations of test holes and excavations (drill holes, water wells, test pits and trenches) shown on maps and sections and described in text of the report. The actual bore logs, data, or processed data upon which interpretations are based, should be included in the report to permit technical reviewers to make their own assessments regarding reliability and interpretation.
 - o) Additional information may be required as needed.
6. Any new residential subdivisions or short plat that is determined to be in a geologically hazardous area should have a note placed on the face of the plat stating that the hazard is present.