

# Definitions and Acronyms

For the purpose of this Master Program, certain terms and their derivations shall be construed as specified in this section. Words in the singular include the plural, and the plural, the singular. The words "shall" and "will" are mandatory; the word "may" is permissive. Additional definitions applicable to this Master Program and adopted by reference herein, are found in RCW 90.58 and applicable sections of the Washington Administrative Code. The following definitions apply throughout this Program, unless otherwise indicated.

## **Accessory Use or Accessory Structure**

Any structure or portion of a structure or use incidental and subordinate to and functionally supports a primary use or development.

## **Accessory Dwelling Unit**

An accessory dwelling unit (ADU) is a habitable dwelling unit added to, created within, or detached from and on the same lot with a single family dwelling that provides basic requirements for living, sleeping, eating, cooking, and sanitation.

## **Accretion**

The growth of a beach by the addition of material transported by wind and/or water. Included are such shoreforms as barrier beaches, points, spits, hooks and tombolos.

## **Act**

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

## **Activity**

An occurrence associated with a use; the use of energy toward a specific action or pursuit. Examples of shoreline activities include but are not limited to fishing, swimming, boating, dredging, fish spawning, wildlife nesting, or discharging of materials.

## **Adjacent Lands**

Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). The SMA directs local governments to develop land use controls (i.e., zoning, comprehensive planning) for such lands consistent with the policies of the SMA, related rules and the local shoreline master program (see Chapter 90.58.340 RCW).

**Administrator**

The Summer Director of Community Development and Parks, or his/her designee, charged with the responsibility of administering the shoreline master program.

**Agricultural Activities**

Agricultural uses and practices including, but not limited to: producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation;

**Agricultural Products**

includes but is not limited to horticultural, viticultural, floricultural, vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and harvested within twenty years of planting; and livestock including both the animals themselves and animal products including but not limited to meat, upland finfish, poultry and poultry products, and dairy products.

**Agricultural Equipment and Agricultural Facilities**

Includes, but is not limited to: (i) The following used in agricultural operations: Equipment; machinery; constructed shelters, buildings, and ponds; fences; upland finfish rearing facilities; water diversion, withdrawal, conveyance, and use equipment and facilities including but not limited to pumps, pipes, tapes, canals, ditches, and drains; (ii) corridors and facilities for transporting personnel, livestock, and equipment to, from, and within agricultural lands; (iii) farm residences and associated equipment, lands, and facilities; and (iv) roadside stands and on-farm markets for marketing fruit or vegetables; and

**Agricultural Land**

Those specific land areas on which agriculture activities are conducted.

**AKART**

An acronym for "all known, available, and reasonable methods of prevention, control, and treatment" (WAC 173-201A-020). AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution.

**Anadromous Fish**

Species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to freshwater rivers and streams to procreate.

**Appurtenance**

A structure or development that is necessarily connected to the use and enjoyment of a single-family residence or other use and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty (250) cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark.

**Aquaculture**

The commercial cultivation or farming of aquatic animals and plants.

**Archaeological**

Having to do with the scientific study of material remains of past human life and activities.

**Associated Wetlands**

Those wetlands that are in proximity to and either influence, or are influenced by tidal waters or a lake or stream subject to the Shoreline Management Act (WAC 173-22-030(1)).

**Average Grade Level**

The average of the natural or existing topography of the portion of the lot, parcel or tract of real property which will be directly under the proposed building or structure; provided, that in the case of structures to be built over water, average grade level shall be the elevation of ordinary high water. Calculation of the average grade level shall be made by averaging the ground elevations at the midpoint of all exterior walls of the proposed building or structure.

**Best Management Practices (BMPs)**

BMPs are methods of improving water quality that can have a great effect when applied by numerous individuals. BMPs encompass a variety of behavioral, procedural, and structural measures that reduce the amount of contaminants in stormwater runoff and in receiving waters. The term "best management practices" is typically applied to nonpoint source pollution controls is considered a subset of the AKART requirement.

**Biota**

The animals and plants that live in a particular location or region.

**Boat Launch or Ramp**

Graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand, or mechanical device.

**Boat Lift**

A mechanical device that can hoist vessels out of the water for storage. These devices are usually located along a pier.

**Boat Rail or Railway**

A set of steel rails running from the upland area into the water upon which a cart or dolly can carry a boat to be launched.

**Boathouse**

A structure designed for storage of vessels located over water or in upland areas. Boathouses should not be confused with "houseboats."

**Breakwater**

An off-shore structure generally built parallel to the shore that may or may not be connected to land. Its primary purpose is to protect a harbor, moorage, or navigational activity from wave and wind action by creating a still-water area along the shore. A secondary purpose is to protect the shoreline from wave-caused erosion.

**Buffer Area**

The zone contiguous to a sensitive area that is required for the continued maintenance, function, and/or structural stability of the sensitive area. Buffer widths vary depending on the relative quality and sensitivity of the area being protected. The critical functions of the riparian buffer (those associated with an aquatic system) include shading, input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, interception of sediments, overflow during high water event, protection from disturbance by humans and domestic animals, maintenance of a wild habitat, and room for variation of aquatic system boundaries over time due to hydrological or climatic effects. The critical functions of terrestrial buffers include protection of slope stability, attenuation of surface water flows from stormwater runoff and precipitation, and erosion control.

**Building**

Any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of any use or occupancy.

**Building Height**

Building height means the vertical distance from the existing or finished grade, whatever is lower, at any point on the building perimeter to the highest point of the underside of the ceiling beams in the case of a flat roof; to the deck line of a mansard roof; or to the mean level of the underside of the rafters between the eaves and the ridge of the gable, hip or gambrel roof.

**Building Setback Line**

Unless otherwise indicated within this Master Program, the line which establishes the limits of all buildings, fencing and impervious surfaces along the shoreline.

**Bulkhead**

A wall-like structure generally placed parallel to and near the ordinary high water mark to retain an upland or fill area prone to gliding or sheet erosion, and to protect an upland from erosion by wave action. Bulkheads are normally lighter than a seawall and similar to structures termed "revetments."

**Buoy**

Buoys are floating devices anchored to a lake or river bottom used for navigational purposes or moorage. (See also **Mooring Buoy**)

**Channel**

An open conduit for water either naturally or artificially created, but does not include artificially created irrigation, return flow, or stockwatering channels. (See also **Stream**).

**Channel Improvement**

Enlargement of a natural stream's discharge capacity by means of straightening, making "cutoffs", cleaning vegetation, widening, or deepening, and thereby decreasing flood stages.

**Circulation**

Those means of transportation that carry passengers or goods to, from, over, or along a corridor.

**Clearing**

The destruction or removal of vegetation, ground cover, shrubs and trees including, but not limited to, root material removal that affects the erosive potential of the soils on the site

**Covered Moorage**

Boat moorage, with or without walls, that has a roof to protect the vessel.

**Commercial Development**

Commercial developments are those uses that are involved in wholesale and retail trade or business activities.

**Community Structure**

A building, dock, or other structure that is intended for the common use of the residents of a particular subdivision or community. It is not intended to serve as a public facility.

**Comprehensive Plan**

Comprehensive plan means the document, including maps, adopted by the city council that outlines the City's goals and policies relating to management of growth, and prepared in accordance with Ch. 36.70A RCW. The term also includes adopted subarea plans prepared in accordance with Ch. 36.70A RCW.

**Conditional Use**

A use, development, or substantial development that is classified as a conditional use or is not classified within the applicable master program. (WAC 173-27-030(4))

**Corridor**

A circulation right-of-way and the area immediately adjacent to it.

**Degrade**

To scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function.

**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 other project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any state of water level (RCW 90.58.030(3d)). (See also: **Substantial Development**)

**Dike**

An embankment to prevent flooding by a stream or other waterbody.

**DNS**

Determination of Nonsignificance, under SEPA.

**Dock**

A dock or pier is a landing and moorage facility for watercraft that abuts the shoreline and does not include recreational decks, storage facilities, or other appurtenances.

**Downdrift**

The direction of movement of beach materials.

**Dredge Spoil or Dredge Material**

The material removed by dredging.

**Dredging**

The removal of earth from the bottom or banks of a body of water for the purpose of deepening a navigational channel, obtaining bottom materials, or for flood control.

**Duplex**

One detached residential building containing two (2) dwelling units totally separated from each other by a one-hour (1) fire wall or floor designed for occupancy by not more than two (2) families.

**Dwelling, Single-family**

A detached building designed exclusively for residential purposes for one family, including site built homes, specified manufactured homes in manufactured home subdivisions, or modular homes.

**Dwelling, Multiple-family**

Multiple-family dwelling means a residential building designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of units provided.

**Earth Material**

Any rock, natural soil or fill, and/or any combination thereof.

**Ecological Functions**

Those functions that are considered necessary for the recovery of Proposed, Threatened, and Endangered (PTE) species.

**Economic Development**

A development that provides a service, produces a good, retails a commodity, or engages in any other use of activity for the purpose of making financial gain.

**EIS**

Environmental Impact Statement.

**Elements**

Major aspects of land and water use for which goals are written as part of a Shoreline Master Program.

**Emergency**

An unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with the master program. Emergency construction is construed narrowly as that which is necessary to protect property from the elements (RCW 90.58.030(3eiii) and WAC 173-27-040(2d)). (See also **Substantial Development**, section (c))

**Endangered Species Act (ESA)**

A federal law intended to protect any fish or wildlife species that is threatened with extinction throughout all or a significant portion of its range.

**Enhancement**

Alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.

**Environmental Impacts**

The effects or consequences of actions on the natural and built environments. Environmental impacts include effects upon the elements of the environment listed in the State Environmental Policy Act (SEPA) (WAC 197-11-600 and WAC 197-11-444)

**Environment(s) (Shoreline Environment(s))**

Designations given specific shoreline areas based on the existing development pattern, the biophysical capabilities and limitations, and the goals and aspirations of local citizenry, as part of a Master Program.

**Erosion**

The wearing away of land by the action of natural forces.

**ESA**

See **Endangered Species Act**.

**Excavate**

Any person-made cut, cavity, trench, or depression in the earth's surface, formed by earth removal. [WAC 296-155-650]

**Exemption**

Certain specific developments as listed in WAC 173-27-040 are exempt from the definition of substantial developments and are therefore exempt from the substantial development permit process of the SMA. An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the local master program. Conditional use and/or variance permits may also still be required even though the activity does not need a substantial development permit (RCW 90.58.030(3e)).

Under 173-27-040 WAC, the following applies:

1. Exemptions shall be construed narrowly. Only those developments that meet the precise terms of one or more of the listed exemptions may be granted exemption from the substantial development permit process.
2. An exemption from the substantial development permit process is not an exemption from compliance with the act or the local master program, nor from any other regulatory requirements. To be authorized, all uses and developments must be consistent with the policies and provisions of the

applicable master program and the Shoreline Management Act. A development or use that is listed as a conditional use pursuant to the local master program or is an unlisted use, must obtain a conditional use permit even though the development or use does not require a substantial development permit. When a development or use is proposed that does not comply with the bulk, dimensional and performance standards of the master program, such development or use can only be authorized by approval of a variance.

3. The burden of proof that a development or use is exempt from the permit process is on the applicant.
4. If any part of a proposed development is not eligible for exemption, then a substantial development permit is required for the entire proposed development project.
5. Local government may attach conditions to the approval of exempted developments and/or uses as necessary to assure consistency of the project with the act and the local master program.

#### **Fair Market Value**

"Fair market value" of a development is the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment, or materials.

#### **Federal Emergency Management Administration (FEMA)**

This branch of the federal government is responsible for responding to emergencies such as flood events. FEMA administers the National Flood Insurance Program, develops floodplain maps, and enforces federal regulations pertaining to flood plain management.

#### **FEMA**

See **Federal Emergency Management Agency**

#### **Float**

"Float" means a structure or device that is not a breakwater, and which is moored, anchored or otherwise secured in the waters of Sumner and which is not connected to the shoreline.

#### **Flood Control**

Any undertaking for the conveyance, control, and dispersal of floodwaters caused by abnormally high direct precipitation or stream overflow.

**Floodplain**

A term synonymous with the hundred-year floodplain, meaning that land area susceptible to being inundated by stream derived waters with a one percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps or a reasonable method that meets the objectives of the Shoreline Management Act.

**Floodway**

“Floodway” means those portions of the area of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition. The floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

**Functions and Values**

The beneficial roles served by critical areas including, but are not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, historical and archaeological and aesthetic value protection, educational opportunities, and recreation. These beneficial roles are not listed in order of priority. Critical area functions can be used to help set targets (species composition, structure, etc.) for managed areas, including mitigation sites.

**Gabions**

Structures composed of masses of rocks, rubble or masonry held tightly together usually by wire mesh so as to form blocks or walls. Sometimes used on heavy erosion areas to retard wave action or as foundations for breakwaters or jetties.

**Grading**

The physical manipulation of the earth's surface and/or drainage pattern in requiring the removal of most or all of the existing vegetation and in sufficient quantities to alter the natural topography and general character of the site.

**Grassy Swale**

A vegetated drainage channel that is designed to remove various pollutants from storm water runoff through biofiltration.

**Groin**

A barrier-type structure extending from the backshore or stream bank into a water body. The purpose of a groin is to interrupt sediment movement along the shore. A groin is also referred to as a spur dike or rock weir.

**Habitat**

The place or type of site where a plant or animal naturally or normally lives and grows.

**Hearing Examiner (Land Use)**

The Hearing Examiner of the City of Sumner.

**Hearings Board**

The state shorelines hearings board established by the Act.

**Height**

The distance measured from the 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 master program provides otherwise): *provided* further, that temporary construction equipment is excluded in this calculation (WAC 173-27-030(9)). See also **Building Height**.

**HPA - Hydraulic Project Approval.**

The permit issued by the Washington State Department of Fish and Wildlife pursuant to the State Hydraulic Code Chapter 75.20.100-140 RCW.

**Hydric Soil**

Hydric soil means soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper soil horizon(s), thereby influencing the growth of plants.

**In-kind Replacement**

To replace wetlands, biota or other organisms with substitute flora or fauna whose characteristics closely match those destroyed, displaced, or degraded by an activity.

**Lake**

A body of standing water in a depression of land or expanded part of a river, including reservoirs, of twenty (20) acres or greater in total area. A lake is bounded by the ordinary high water mark or, where a stream enters a lake, the extension of the elevation of the lake's ordinary high water mark within the stream (RCW 90.58.030(1d); WAC 173-22-030(9)).

**Landfill**

The placement of soil, sand, rock gravel or other material to create new land along the shoreline below the OHWM, or on upland areas in order to raise the elevation.

**Landscaping**

Vegetative ground cover including shrubs, trees, flower beds, grass, ivy and other similar plants and including tree bark and other materials which aid vegetative growth and maintenance.

**Levee**

A large dike or embankment, often having an access road along the top, which is designed as part of a system to protect land from floods.

**Licensed Engineer**

A professional engineer, licensed to practice in the State of Washington.

**Littoral**

Living on, or occurring on, the shore.

**Littoral Drift**

The mud, sand, or gravel material moved parallel to the shoreline in the nearshore zone by waves and currents.

**Marina**

A use providing moorages for pleasure craft, which also may include boat launching facilities, storage, sales, and other services.

**Master Program**

The comprehensive shoreline use plan for the City of Sumner, 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.

**Mining**

The removal of naturally occurring materials from the earth for commercial, industrial, or construction use.

**Mitigation or Mitigation Sequencing**

The process necessary to avoid, minimize or reduce, or compensate for the environmental impact(s) of a proposal (see WAC 197-11-768 and WAC 173-26-020 (30)). Mitigation or mitigation sequencing means the following sequence of steps listed in order of priority, with (a) of this subsection being top priority:

- a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;

- c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- d) Reducing or eliminating the impact over time by preservation and maintenance operations;
- e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
- f) Monitoring the impact and the compensation projects and taking appropriate corrective measures.

**Mixed-use Development**

Development that combines water-dependent with water-enjoyment uses and/or nonwater-oriented uses.

**Moorage**

Any device or structure used to secure a vessel for temporary anchorage, but which is not attached to the vessels (such as a docks or buoys).

**Moorage Piles**

Structural members that are driven into the lake bed to serve as a stationary moorage point. They are typically used for moorage of small boats in the absence of, or instead of, a dock or pier. In some cases, moorage piles may be associated with a dock or pier.

**Mooring Buoy**

A floating object anchored to the bottom of a water body that provides tie up capabilities for vessels.

**Multi-family or Multiple-family**

See Dwelling, Multiple-family

**Multiple-Use**

The combining of compatible uses within one development.

**Native Plants or Native Vegetation**

These are plants that occur naturally, and that distribute and reproduce without aid. Native plants in western Washington are those that existed prior to intensive settlement that began in the 1850s. Agencies such as the Washington State Extension Service, the State Department of Natural Resources, the State Department of Ecology and Pierce County should be consulted for assistance in identifying native plants.

**Natural Riparian Habitat Corridors**

The streamside environment designed and maintained primarily for fisheries and wildlife habitat, water quality improvements and secondarily for flood control works, while allowing controlled public access to avoid damage to the resource.

**Non-conforming Use or Development**

A shoreline use or structure or portion thereof which was lawfully constructed or established prior to the effective date of the Shoreline Management Act or local shoreline master program provision, or amendments, but no longer conforms to the policies and regulations of this Master Program.

**Non-water-Oriented Use**

A use that has little or no relationship to the shoreline. Examples include professional offices, multifamily residential development, and mini-storage facilities.

**Normal Maintenance**

Those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition (WAC 173-27-040(2b)). See also **Normal Repair**.

**Normal Protective Bulkhead**

A bulkhead, common to single-family residences, constructed at or near the ordinary high water mark to protect an existing single-family residence, and which sole purpose is for protecting land from erosion, not for the purpose of creating new land (WAC 173-27-040(2c)).

**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 (WAC 173-27-040(2b) (the full definition of normal repair is listed in section 7.3 of this SMP). See also Normal Maintenance.

**Off-site Compensation**

To replace wetlands or other shoreline environmental resources away from the site on which a resource has been impacted by a regulated activity.

**OHWM**

See **Ordinary high water mark**.

**On-site Compensation**

To replace wetlands or other shoreline environmental resources at or adjacent to the site on which a resource has been impacted by a regulated activity.

**One-hundred-year Flood**

The maximum flood expected to occur during a one-hundred-year period.

**Open Space**

A land area allowing view, use or passage that is almost entirely unobstructed by buildings, paved areas, or other man-made structures.

**Ordinary High Water Mark (OHWM)**

"Ordinary high water mark" on all lakes, streams, and tidal water is that mark that 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 or as it may naturally change thereafter or as it may change thereafter; in accordance with permits issued by a local government or the department. The following criteria clarify this mark on those waters within the City of Sumner per WAC 173-22-030(11), specifically, lakes, and streams:

1. Lakes. Where the ordinary high water mark cannot be found, it shall be the line of mean high water; and
2. Streams. Where the ordinary high water mark cannot be found, it shall be the line of mean high water. For braided streams, the ordinary high water mark is found on the banks forming the outer limits of the depression within which the braiding occurs.

**Over-water Structure**

Any device or structure projecting over the ordinary high water mark, including, but not limited to piers, docks, floats, and moorage or anchor buoys.

**Parking Space or Parking Stall**

A parking space is any off-street space intended for the use of vehicular parking with ingress or egress to the space easily identifiable.

**Permit (or Shoreline Permit)**

Any substantial development, variance or conditional use permit, or revision, or any combination thereof, authorized by the Act (WAC 173-27-030(13)).

**PFC**

See Properly Functioning Conditions (PFC)

**Pier**

See **Dock**.

**Pollutant**

Any substance that has been or may be determined to cause or tend to cause injurious, corrupt, impure, or unclean conditions when discharged to surface water, air, ground, sanitary sewer system, or storm drainage system.

**Port**

A center for water-borne traffic.

**Practicable Alternative**

An alternative that is available and capable of being carried out after taking into consideration short-term and long-term cost, options of project scale and phasing, existing technology and logistics in light of overall project purposes.

**Proposed, Threatened and Endangered (PTE) Species**

Those native species that are proposed to be listed or are listed in rule by the Washington State Department of Fish and Wildlife as threatened or endangered, or that are proposed to be listed as threatened or endangered or that are listed as threatened or endangered under the federal Endangered Species Act.

**Properly Functioning Conditions (PFC)**

Conditions that create and sustain natural habitat-affecting processes over the full range of environmental variation and that support productivity at a viable population level of PTE species. PFC indicates a level of performance for a subset of the more broadly defined “ecological functions,” reflecting what is necessary for the recovery of PTE species.

**PTE Species**

See Proposed, Threatened and Endangered Species

**Public Access**

A means of physical approach to and along the shoreline available to the general public. This may also include visual approach.

**Public Interest**

The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected such as an effect on public property or on health, safety, or general welfare resulting from a use or development. [WAC 173-27-030(14)]

**Railroad**

A surface linear passageway with tracks for train traffic, but does not include freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

**RCW**

Revised Code of Washington.

**Recreation**

The refreshment of body and mind through forms of play, amusement, or relaxation. The recreational experience may be active, such as boating, fishing, and swimming, or may be passive such as enjoying the natural beauty of the shoreline or its wildlife.

**Residential Development**

Development that is primarily devoted to or designed for use as a dwelling(s).

**Restoration**

To revitalize or reestablish characteristics and processes of a wetland or habitat diminished or lost by past alterations, activities, or catastrophic events.

**Retrieval Lines**

A system by which a float or other floating object is retrieved to a pier, dock, or shoreland.

**Revegetation**

The planting of vegetation to cover any land areas that have been disturbed during construction. This vegetation shall be maintained to insure its survival and shall be consistent with planting requirements of the Sumner Landscape Code.

**Revetment**

Facing of stone, concrete, etc., built to protect a scarp, embankment, or shore structure against erosion by waves of currents. The principal features of a revetment are: 1) heavy armor layer, 2) filter layer, and 3) toe protection.

**Riparian**

Of, on, or pertaining to the banks of a river.

**Riprap**

A layer, facing, or protective mound of stone placed on shoulders, slopes, or other such places to protect them from erosion, scour, or sloughing of a structure or embankment; also, the stone so used.

**River Bank**

The upland areas immediately adjacent to the floodway, which confine and conduct flowing water during nonflooding event. The riverbank, together with the floodway, represent the river channel capacity at any given point along the river.

**River Channel**

A natural or artificial watercourse with definite bed and banks to confine and conduct flowing water.

**River Channel Capacity**

The maximum flow that can pass through a channel without overflowing the banks and inundating normally dry land.

**Riverfront Park**

A publicly owned open space that lies along the Puyallup or White (Stuck) Rivers, along a scenic and recreational road/drive, or along a riverfront road.

**Riverfront Road**

A public street or road that lies alongside the Puyallup or White (Stuck) Rivers and which has no major development between it and the river.

**Rock Weir**

A structure made of loose rock that is designed to control sediment movement, water flow, or both. A rock weir adjacent to a shoreline is typically formed by placing rock in a line outward from the shore, with the top of the rock embankment below the water level to restrict current movements parallel to the shore without completely blocking flow.

**Runoff**

Water that is not absorbed into the soil but rather flows along the ground surface following the topography.

**Salmon and Steelhead Habitats**

Gravel bottomed streams, creeks, and rivers used for spawning; streams, creeks, rivers, side channels, ponds, lakes, and wetlands used for rearing, feeding, and cover and refuge from predators and high water; streams, creeks, rivers, estuaries, and shallow areas of saltwater bodies used as migration corridors; and salt water bodies used for rearing, feeding, and refuge from predators and currents.

**Scarification**

Loosening the topsoil and/or disrupting the forest floor in preparation for regeneration.

**Sediment**

The fine-grained material deposited by water or wind.

**SEPA**

See **State Environmental Policy Act**.

**SEPA Checklist**

A checklist is required of some projects under SEPA to identify the probable significant adverse impacts on the quality of the environment. The checklist will also help to reduce or avoid impacts from a proposal, and help the responsible

governmental agency decide whether a full environmental impact statement (EIS) is required (WAC 197-11-960).

**Shoreland Areas or Shorelands**

Those lands extending landward for two hundred (200) feet in all directions as measured on a horizontal plane from the ordinary high water mark, including floodways and areas landward two hundred (200) feet from such floodways and all wetlands and river deltas associated with the streams, and lakes which are subject to the provisions of this chapter; the same to be designated as to location by the Washington Department of Ecology.

**Shoreline Administrator**

See **Administrator**.

**Shoreline Environment(s)**

See **Environment**

**Shoreline Jurisdiction**

All geographic areas covered by the Act, related rules, and the Sumner Master Program. See also definitions of **Shorelines**, **Shorelines of the State**, **Shorelines of Statewide Significance**, **Shoreland Areas**, and **Wetlands**.

**Shoreline Management Act of 1971**

Chapter 90.58 RCW, as amended.

**Shoreline Master Program (SMP)**

The goals and policies and related use regulations that are used by local governments to administer and enforce the permit system for shoreline management. Master programs must be developed in accordance with the policies of the SMA, be approved and adopted by the state, and be consistent with the rules (WACs) adopted by Ecology.

**Shoreline Permit**

See **Permit**.

**Shoreline Residential (Shoreline) Environment**

A shoreline designation under the Shoreline Management Act for areas of low to moderate intensity land use that still maintains significant natural features. In the City of Sumner, these areas include portions of the Puyallup and White (Stuck) Rivers as shown on Figures 4-1.

**Shorelines**

All water areas of Sumner and their associated shorelands, together with the lands underlying them, except: (i) shorelines of statewide significance; (ii) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic

feet per second or less and the wetlands associated with such upstream segments, and (iii) shorelines on lakes less than twenty acres in size and wetlands associated with such lakes.

### **Shorelines Hearings Board**

A state-level quasi-judicial body, created by the SMA, which hears appeals by any aggrieved party on the issuance of a shoreline permit, enforcement penalty and appeals by local government on Ecology approval of master programs, rules, regulations, guidelines or designations under the SMA. See RCW 90.58.170; 90.58.180; and WAC 173-27-220 and 173-27-290.

### **Shorelines of the State**

The total of all "shorelines" and "shorelines of statewide significance" within the state.

### **Shorelines of Statewide Significance**

Shorelines of the state that meet the criteria for shorelines of statewide significance contained in RCW 90.58.030(e). Within Sumner, the Puyallup or White (Stuck) Rivers are the only waters that qualify as shorelines of statewide significance.

### **Sign**

Any visual communication device, structure, placard or fixture that uses color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. For the purpose of this chapter, a sign is not considered to be building or structural design, but is restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way.

However, a sign shall not include the following:

1. Official notices authorized by a court, public body or public officer.
2. Direction, warning, or information sign authorized by federal, state, or municipal authority.
3. The official flag, emblem, or insignia of a government, school or religious group or agency.
4. A memorial plaque or tablet, or cornerstones indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible part of the building or structure.

### **Single-family Residence (SFR)**

A detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership that are a normal appurtenance (WAC 173-27-040(2g)).

**Site**

Any lot or parcel of land or contiguous combination thereof, under the same ownership, on which development is proposed.

**Slope**

An inclined ground surface. The inclination is expressed as a ratio of horizontal distance to vertical distance.

**Shall**

"Shall" indicates a mandate; the particular action must be done.

**Shoreline Substantial Development Permit (SSDP)**

SSDPs are permit required for all substantial developments within the jurisdiction of the Shoreline Master Program. The permit process includes public notice, a public hearing, approval or denial by the Hearing Examiner, and review by the Department of Ecology.

**SMA**

See **Shoreline Management Act**.

**SMP**

See **Shoreline Master Program**.

**Soil Bioengineering**

An applied science that combines structure, biological and ecological concepts to construct living structures that stabilizes the soil to control erosion, sedimentation and flooding using live plant materials as a main structural component.

**Solid Waste**

Solid waste includes all putrescible and nonputrescible solid and semisolid wastes, including garbage, rubbish, ashes, industrial wastes, wood wastes and sort yard wastes associated with commercial logging activities, swill, demolition and construction wastes, abandoned vehicles and parts of vehicles, household appliances and other discarded commodities. Solid waste does not include sewage, dredge material or agricultural or other commercial logging wastes not specifically listed above.

**SSDP**

See **Shoreline Substantial Development Permit**.

**State Environmental Policy Act, (SEPA)**

SEPA requires state agencies, local governments and other lead agencies to consider environmental factors when making most types of permit decisions, especially for development proposals of a significant scale. As part of the SEPA process, EISs may be required to be prepared and public comments solicited.

**Stream**

A naturally occurring body of periodic or continuously flowing water where: a) the mean annual flow is greater than twenty cubic feet per second and b) the water is contained within a channel. See also **Channel**.

**Structure**

That which is built or constructed; a permanent or temporary edifice or building of any kind or any piece of work composed of parts jointed together in some definite manner, whether installed on, above, or below the surface of water, except for vessels.

**Subdivision**

The division or redivision of land into lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

**Substantial Development**

Any development of which the total cost or fair market value, whichever is higher, exceeds five thousand hundred dollars (\$5,000), or any development which materially interferes with the normal public use of the water or shorelines of the state; except for those uses excepted from the definition of substantial development by RCW 90.58.030(3)(e)(i)-(xi) and WAC 173-27-040. These exemptions are listed in Section 1 of *Chapter 8: Administration*. See also **Development and Exemption**.

**Truck Maneuvering Area**

An area of a site used by trucks for turning and backing or for access to loading/unloading areas.

**Unique and Fragile Areas**

An area of special environmental significance for wildlife habitat, threatened plant communities, and/or natural scenic quality. The geographic boundaries of these areas are officially delineated on the City's Official Critical Areas Map.

**Upland**

The area above and landward of the ordinary high water mark.

**Urban (Shoreline) Environment**

A shoreline designation under the Shoreline Management Act for areas of high intensity land uses that include residential, commercial, and industrial development. In the City of Sumner, these areas include portions of the Puyallup and White (Stuck) Rivers as shown on Figures 4-1.

**Urban Conservancy (Shoreline) Environment**

A shoreline designation under the Shoreline Management Act for areas of high intensity mixed land uses that include residential, commercial, and industrial development, generally located in a floodplain with potential for ecological

restoration. In the City of Sumner, these areas include portions of the Puyallup and White (Stuck) Rivers as shown on Figures 4-1.

### **Use or Use Activity**

The purpose or activity for which the land, or building thereon, is designed, arranged or intended, or for which it is occupied or maintained and shall include any manner of performance or operation of such activity with respect to the provision of this title. The definition of "use" also includes the definition of "development."

### **Utilities**

Services that produce and carry electric power, sewage, communications, petroleum products, oil, natural gas, water, etc.

### **Variance**

A means of granting relief from specific bulk, dimensional or performance standards set forth in the applicable master program to a particular piece of property, which property, because of special circumstances is deprived of privileges commonly enjoyed by other properties in the same vicinity and environmental designation, and not a means to vary from the permitted uses of a shoreline.

### **Water-dependent Use**

A use that requires direct contact with the water and cannot exist at a non-water location due to the nature of the use. Examples include ship cargo terminal loading areas, ferry terminals, aquaculture, and marinas.

### **Water-enjoyment Use**

Recreational uses or other uses facilitating public access to the shoreline as a primary characteristic of the use, and uses that provide for aesthetic enjoyment of the shoreline for a substantial number of people as a general character of the public's ability to enjoy the physical and aesthetic qualities of the shoreline. Examples include parks, piers, museums, and educational/scientific reserves.

### **Water-oriented Use**

A use that is a water-dependent, water-related, or water-enjoyment use.

### **Water-related Use**

A use that is not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a waterfront location. Examples include warehousing of goods transported by water, seafood processing plants, hydroelectric generating plants, and oil refineries where transport is by tanker.

### **Watershed Restoration Project**

“Watershed restoration project” means a public or private project authorized by the sponsor of a watershed restoration plan that implements the plan or a part of the plan and consists of one or more of the following activities:

1. A project that involves less than ten (10) miles of streamreach, in which less than twenty-five (25) cubic yards of sand, gravel, or soil is removed, imported, disturbed or discharged, and in which no existing vegetation is removed except as minimally necessary to facilitate additional plantings;
2. A project for the restoration of an eroded or unstable stream bank that employs the principles of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or
3. A project primarily designed to improve fish and wildlife habitat, remove or reduce impediments to migration of fish, or enhance the fishery resource available for use by all of the citizens of the state, provided that any structure, other than a bridge or culvert or instream habitat enhancement structure associated with the project, is less than two hundred (200) square feet in floor area and is located above the ordinary high water mark of the stream.

#### **Watershed Restoration Plan**

“Watershed restoration plan” means a plan, developed or sponsored by the Department of Fish and Wildlife, the Department of Ecology, the Department of Natural Resources, the Department of Transportation, a federally recognized Indian tribe acting within and pursuant to its authority, a city, a county, or a conservation district that provides a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed for which agency and public review has been conducted pursuant to chapter 43.21C RCW, the State Environmental Policy Act.

#### **Wetlands or Wetland Areas**

"Wetlands" or "wetland areas" means areas that are inundated or saturated by surface 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 nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.