

## ARTICLE 24

# (EN) Estuarine Natural

### SECTION 3.24.000 Purpose

The Estuarine Natural classification is intended to preserve and protect areas containing significant natural resources in the estuary. The classification provides for uses of designated natural resource areas which are consistent with the natural management unit designation of the Comprehensive Plan and its objective to protect significant habitats, biological productivity and scientific, research and educational values.

### SECTION 3.24.050 Permitted Uses

In the EN zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this ordinance.

1. Aids to navigation, such as beacons and buoys.
2. Commercial harvest of fin fish in the water column.
3. Grazing of livestock that does not require establishment of dikes, tidegates or other permanent structures.
4. Low intensity, water-dependent recreation not requiring development.
5. Maintenance of existing facilities and structures.
6. Passive restoration measures.
7. Protection of habitat, nutrient, fish, wildlife and aesthetic resources.
8. Research and educational observation without permanent structures.
9. Bridge crossings not including supporting structures on fill located in the waterway or adjacent wetlands.

### SECTION 3.24.100 Uses Permitted with Standards

The following uses and activities and their accessory buildings and uses are permitted subject to the procedures set forth in §2.060.1 of this ordinance, and conformance with applicable standards and criteria set forth in §3.24.150 and Article 36 SUPPLEMENTARY PROVISIONS of this chapter.

1. Active restoration of fish and wildlife habitat or water quality and estuarine enhancement.

2. Aquaculture and commercial harvest of benthic organisms (clams, oysters, shrimp, etc.) which does not involve dredge or fill or other estuarine alteration other than incidental dredging for harvest of benthic species or removable in-water structures such as stakes or racks.
3. Log storage in the Steamboat Island management unit.
4. Rehabilitation of existing wing dams, sanitary waste outfalls and bridges.
5. Riprap as an erosion preventive measure.
6. Communication and pipeline facilities.
7. Boat ramps for public use where no dredging or fill for navigational access is needed.
8. Pipelines, cables and utility crossings including incidental dredging necessary for their installation.
9. Installation of tidegates in existing functional dikes.
10. Temporary alterations in support of uses permitted outright or conditionally permitted in Article 24.
11. Bridge crossing-support structures and dredging necessary for their installation.
12. Other alterations limited to uses consistent with the purpose of the management unit.
13. Dredging necessary for on-site maintenance of existing functional tidegates and associated drainage channels and bridge crossing support structures.
14. Riprap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archeological values, and public facilities.

### **SECTION 3.24.150 Approval Standards And Criteria**

In an EN zone, approval of uses permitted with standards or permitted conditionally shall be based on findings which show that the proposed use complies with the following applicable standards and criteria. Approval may be subject to conditions deemed necessary to ensure that conformance is achieved.

1. The use is found to be consistent with the provisions of Article 36 SUPPLEMENTARY PROVISIONS, including:
  - a. Resource capabilities of the area;

- b. Purpose of the resource management unit as explained in §3.24.000 of this zone classification;
  - c. Other Alterations in §3.36.040; and
  - d. Standards and criteria applicable to specific uses.
2. The use is found to be consistent with any of the following applicable special standards:
- a. Rehabilitation of existing wing dams, sanitary waste outfalls and bridges shall be permitted if such will not conflict with permitted uses in the zoned area.
  - b. Riprap shall be permitted to the extent necessary to protect uses existing on October 7, 1977, and to protect unique natural resources and historical and archaeological values and public facilities only if land use management practices and nonstructural solutions are inadequate and adverse impacts on water currents, erosion and accretion patterns are minimized.
  - c. Log storage may be permitted in the Steamboat Island Natural Management Unit (No. VI) of the Coastal Resources Plan if it is needed to either expand or replace storage required by an existing wood products facility, if it is established in deep water where logs will not go aground at the lowest tide and if it will not interfere with navigation.
  - d. Commercial harvest of benthic organisms which disturb the bottom sediments of the water body must be limited to methods other than dredging in natural management units.
  - e. Active restoration shall be consistent with the definition contained in Chapter 1 of this ordinance. Proposals for active restoration shall identify the historical existence and cause of the lost or degraded estuarine resource being restored.