

6. Net changes in vegetation (area, character)

Using this information and information about the outcomes of other actions and programs of the other County departments, a no net loss report shall be prepared as part of the Program update required by RCW 90.58.080. Should the no net loss report show degradation of the baseline condition documented in the *Thurston County Shoreline Inventory and Characterization Report (2013)*, changes to the Master Program and/or Shoreline Restoration Plan (Appendix C) shall be proposed at the time of the eight-year update to prevent further degradation and address the loss in ecological functions.

19.500.110 Enforcement and Penalties

A. Authority

Thurston County may bring such declaratory, injunctive or other action as may be necessary to assure that no uses are made of the shorelines subject to Thurston County jurisdiction contrary to the provisions of this Program or the Act. Ecology shall also have enforcement authority pursuant to Chapter 90.58 RCW and Chapter 173-27 WAC “Part II Shoreline Management Act Enforcement.”

B. Process

1. Any action taken by Thurston County shall be in accordance with civil enforcement provisions of the Code Enforcement Chapter, Title 26 TCC, as now or hereafter amended, along with the following provisions.
2. The choice of enforcement action and the severity of any penalty should be based on the nature of the violation, the damage or risk to the public or to public resources, and/or the existence or degree of bad faith of the persons subject to the enforcement action.
3. Whenever an authorized official determines that a violation has occurred or is occurring, he or she should pursue reasonable attempts to secure voluntary corrections prior to taking any other action. Failing voluntary correction, the authorized official may issue a notice of violation. Upon receipt of a notice of violation, a person may request a hearing to explain mitigating circumstances surrounding the violation.

C. Civil Penalties

Pursuant to RCW 90.58.210, any person who fails to conform to the terms of a permit issued under this Program or who undertakes development on the shorelines of the state without first obtaining any permit required under this Program shall be subject to a civil penalty not to exceed one thousand dollars for each violation. Each permit violation or each day of continued development without a required permit shall constitute a separate violation.

D. Criminal Penalties

Any person found to have willfully engaged in activities on the shorelines of the state in violation of the Act, this Master Program, or any rules and regulations adopted pursuant thereto, shall be guilty of a gross misdemeanor, pursuant to RCW 90.58.220.