

PRELIMINARY SHORELINE JURISDICTION

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Shoreline jurisdiction is complicated

- Jurisdiction is mandated by statute (SMA)
- Local options exist for shorelands along rivers
- Federal and tribal exclusions may apply

Include all water bodies defined in SMA

You may find new ones:

- ❑ Changes in physical (river moved) & political landscape (annexations)
- ❑ New sources of information & GIS capability
- ❑ Original maps based on incomplete information on streams & lakes



Newly identified SMA lake
in Pend Oreille County

Why is this important?

- Updated SMP maps & descriptions are official SMA “jurisdiction” (WAC 173-18-044 etc.)
- Ecology will no longer list rivers and lakes in WAC per 2007 amendment

Streams from point exceeding 20 CFS mean annual flow

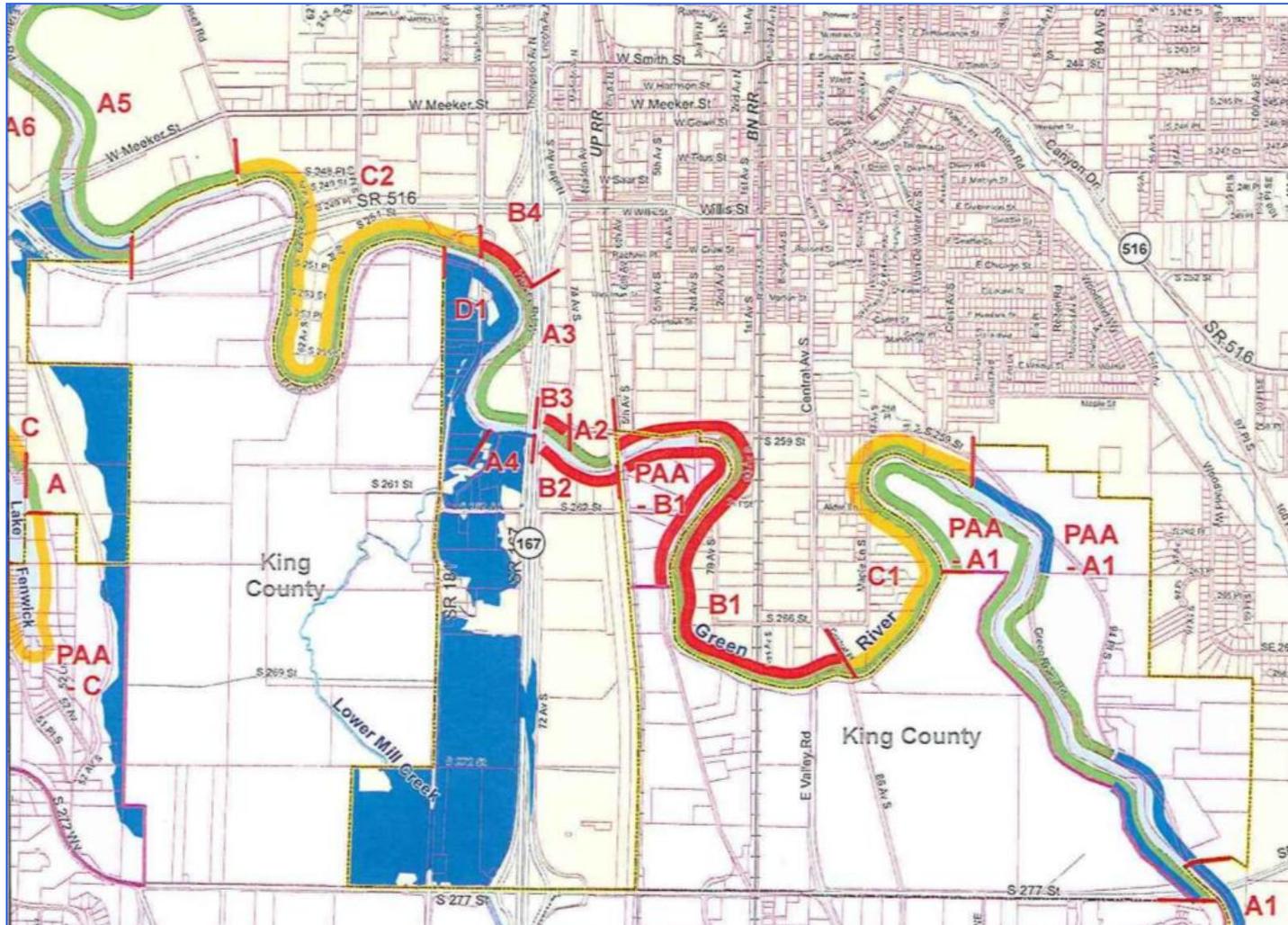


Cowlitz River, Lewis County



Upper Chewuch River, Okanogan County

You may discover new areas for your SMP



Lakes and reservoirs $>$ 20 acres



SMP Update Book of Maps

Angle Lake, City of SeaTac



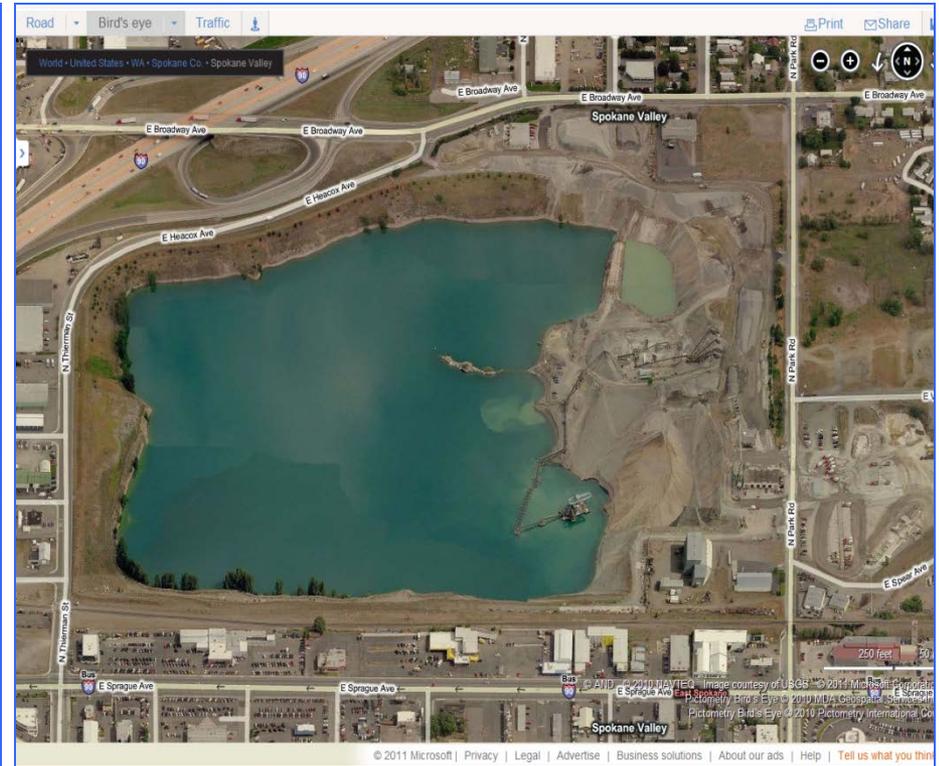
Rock Lake, Whitman County

Doug Pineo photo

Include most artificial water areas



Coal Mine Ponds, Centralia



Park Road Pit, City of Spokane Valley

Some artificial water areas are not shorelines



SMA identifies shorelines of statewide significance

- Specific larger water bodies are classified as Shorelines of Statewide Significance (RCW 90.58.030(2)(e)).
- Lakes and reservoirs 1,000 acres +
- Rivers
 - Eastside: 200 cfs or 300 mi² drainage area
- SSWS priority uses ranked in statute
- Pursue “optimal implementation” of SMA.

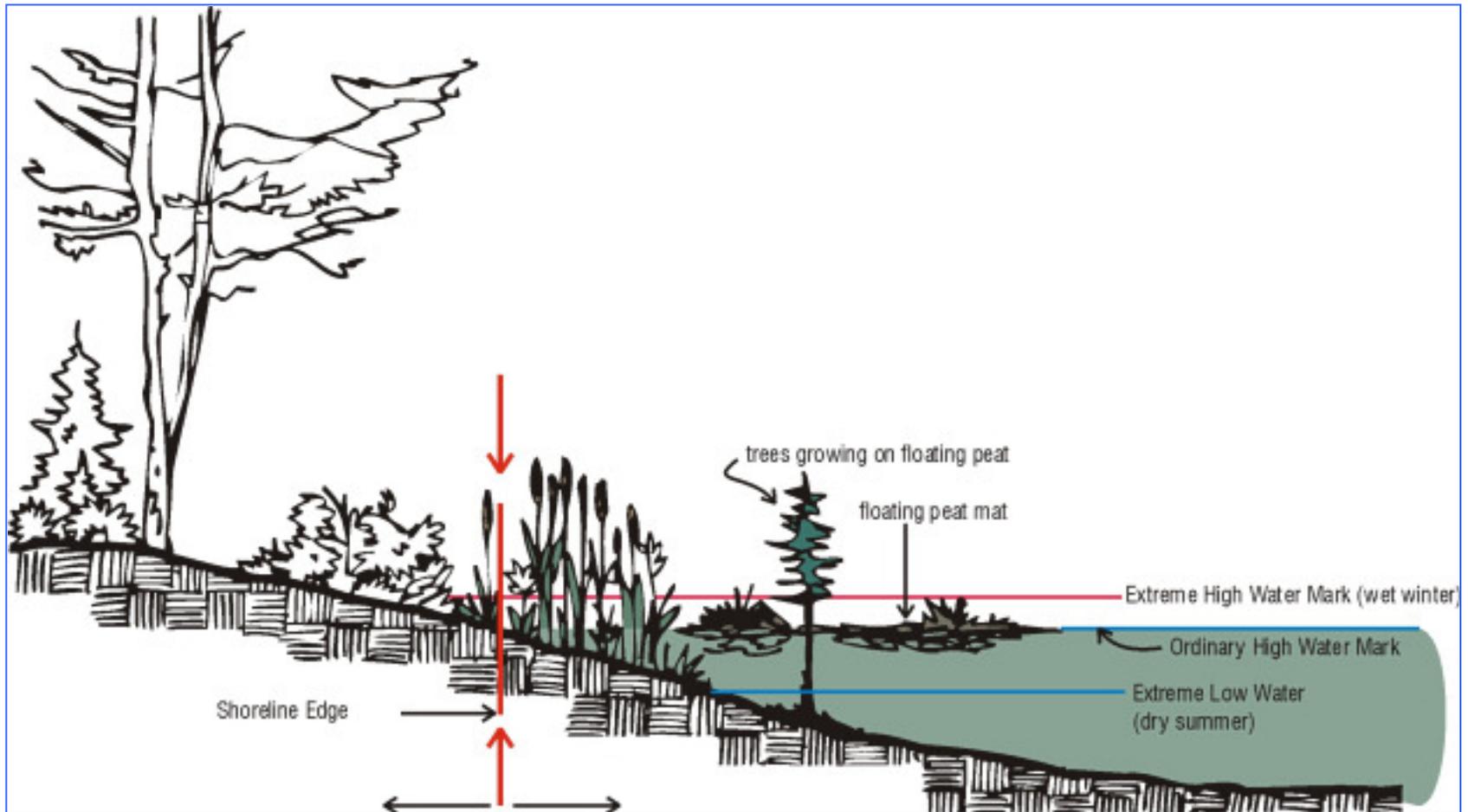
Jurisdiction extends to middle of water bodies (RCW 35.21.160)

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- Extends waterward of OHWM
- Where shoreline waterbody is the political boundary; jurisdiction extends to middle of waterway

Shorelands extend landward 200 ft from OHWM, generally!

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Shorelands include wetlands “associated” with streams and lakes

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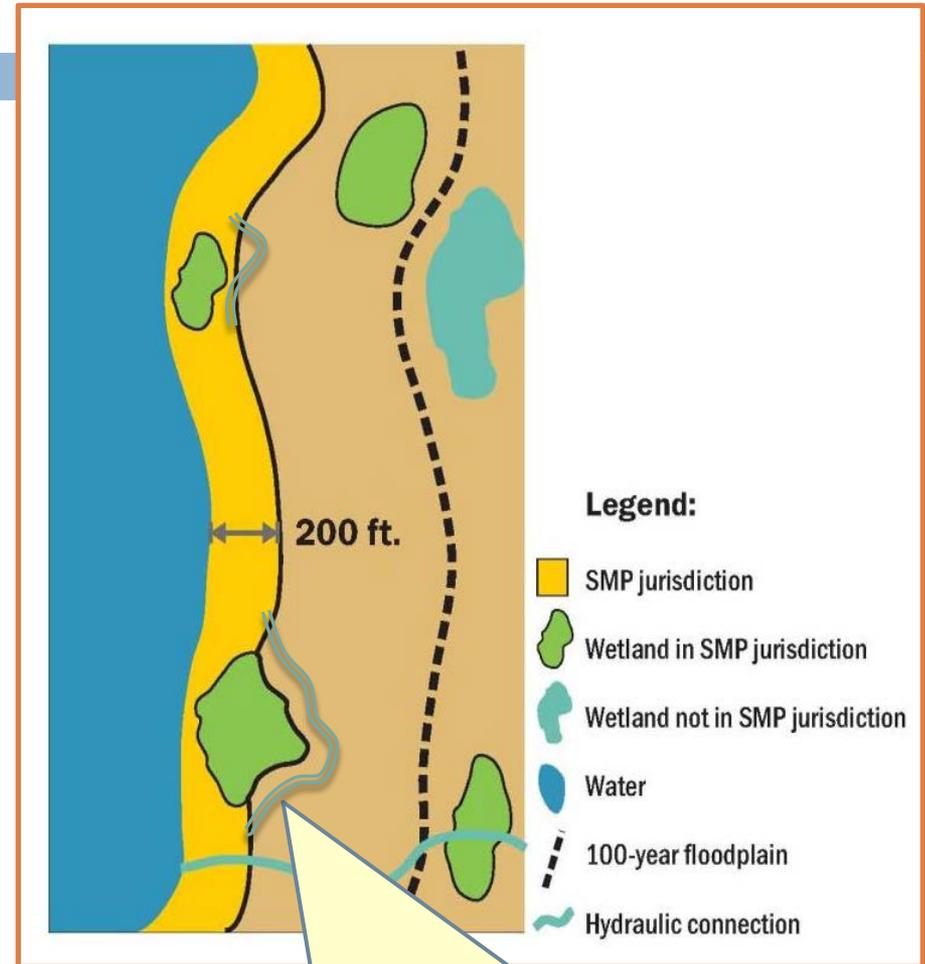
- Include associated wetlands more than 200' from OHWM
- Larsen Lake wetland is about a mile north of Phantom Lake, Bellevue

Areas where the Shoreline Act applies

- Lakes > 20 acres
- Larger streams (> 20cfs mean annual flow)
- “shorelands” 200’ landward from water edge, including 200’ of floodplain area from edge of floodway

Also:

- associated wetlands, including all wetlands within 100-year floodplain.

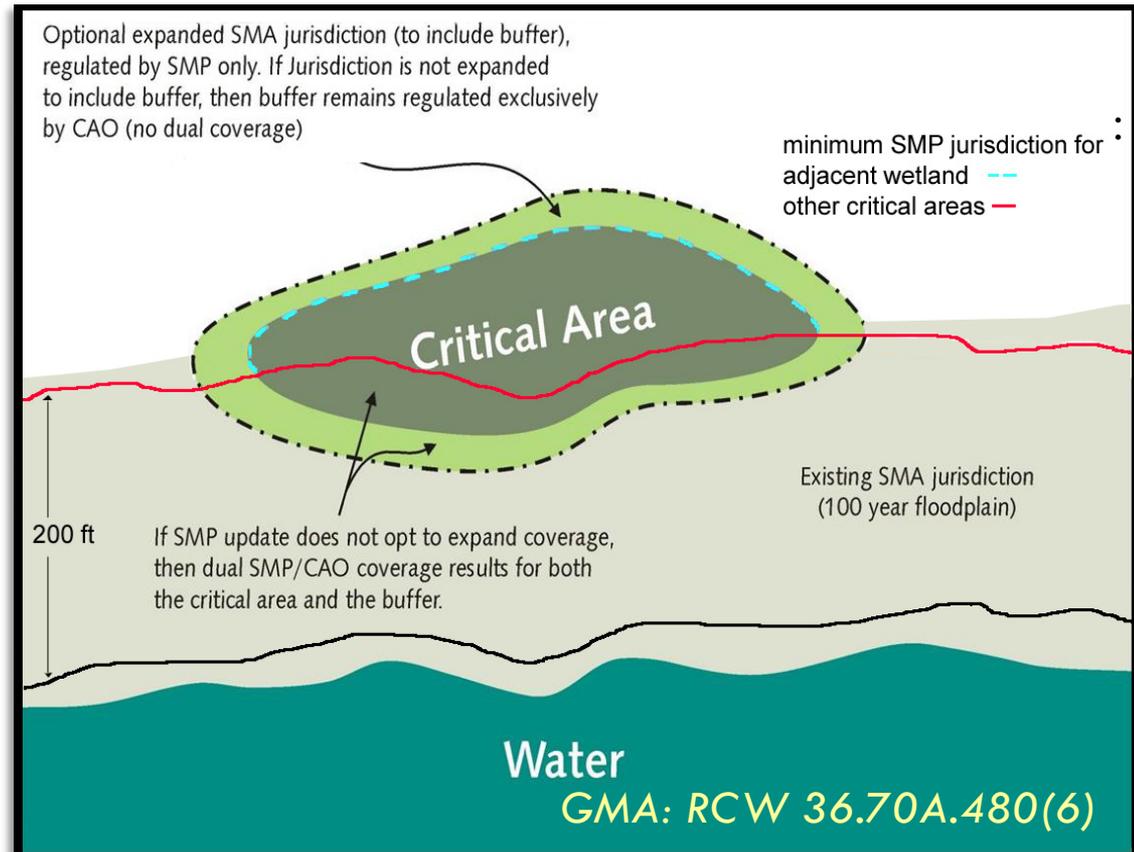


Local options: Can include all or portions of the **100-year floodplain**; Critical Area **buffers**.

Option for “Land necessary for buffers”

If not:

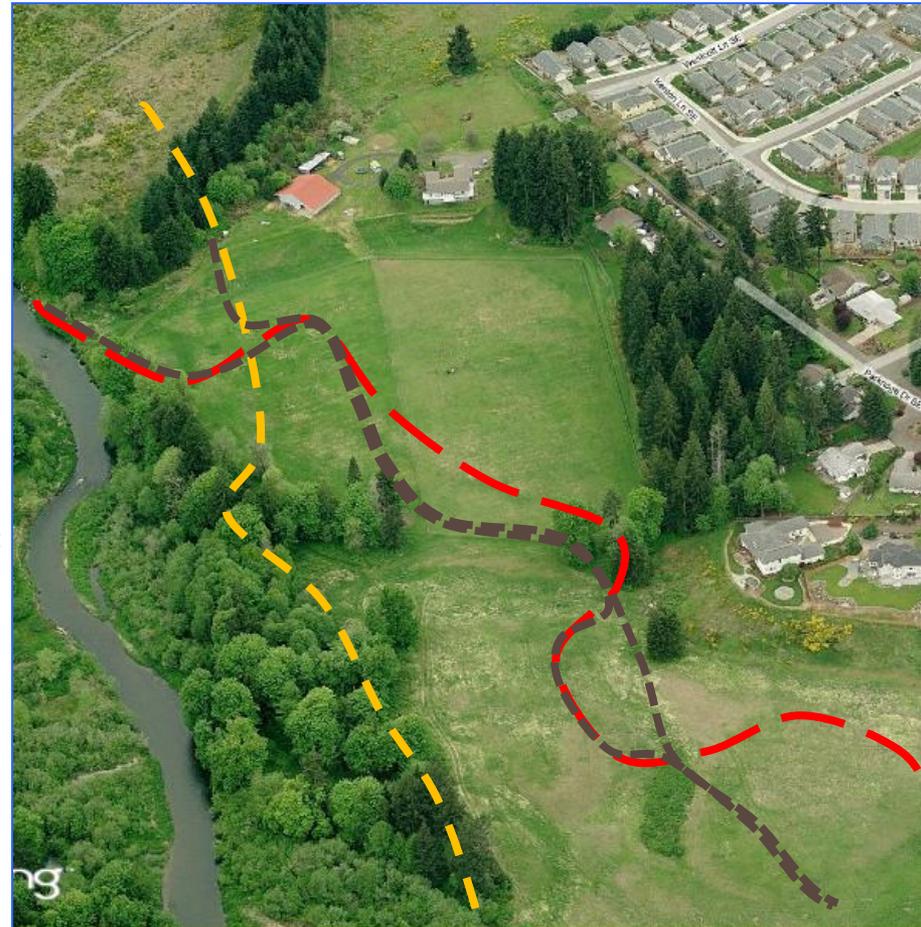
Jurisdiction shall continue to regulate critical area and required buffers under GMA as well as SMP (i.e., *dual coverage continues*).



Choices regarding extent of shorelands along streams

3 Choices

- At a minimum:
 - ▣ 200 feet from OHWM
 - ▣ 200 feet from floodway*
- 1% probability floodplain*
- Customized with buffers



Consider factors such as...

- Flood hazard reduction
 - ▣ frequently flooded areas
 - ▣ Channel migration

- Habitat protection

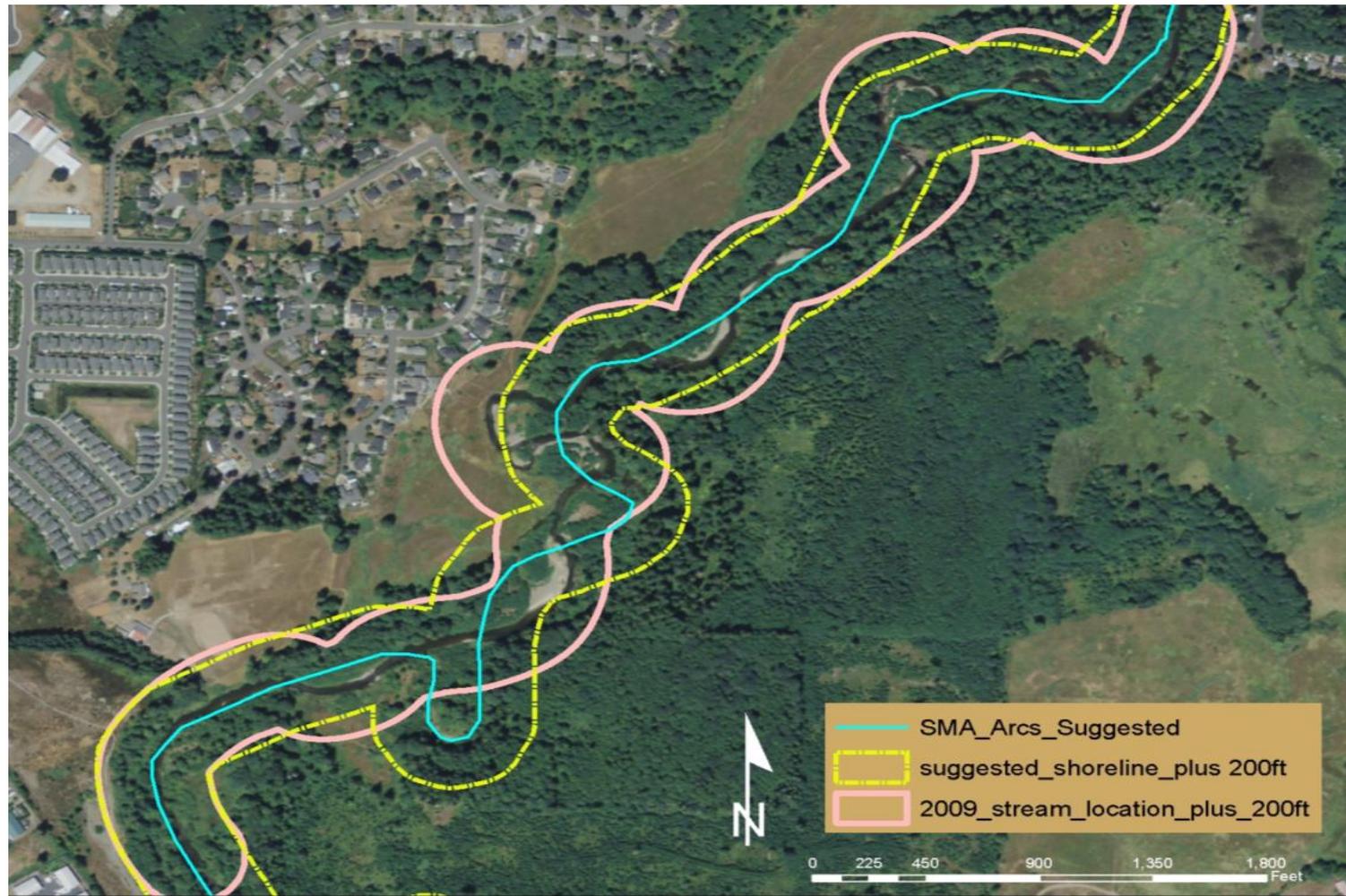
- Existing and projected land uses



... And OHWM on streams is a dynamic edge

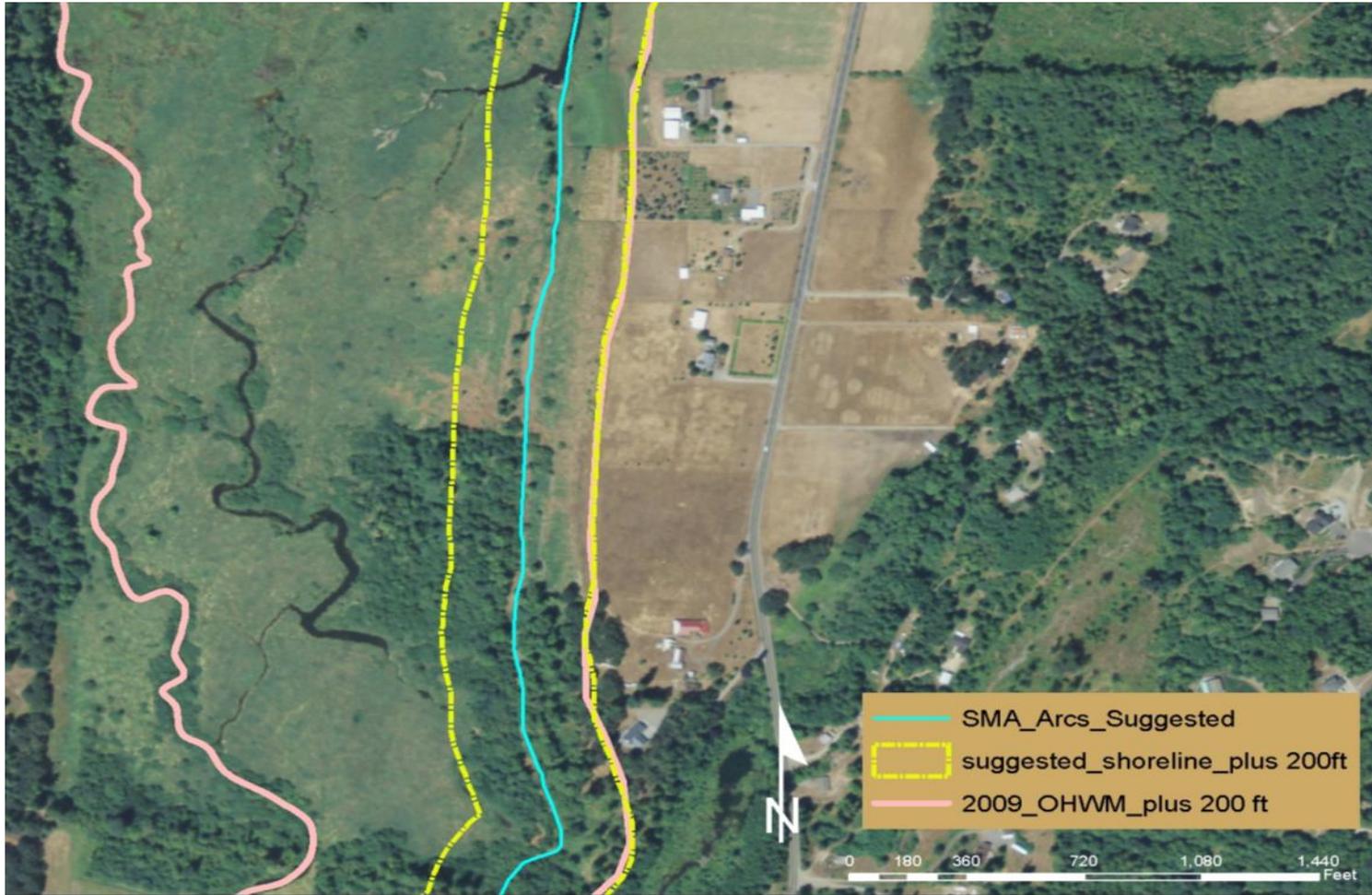


Use current stream location when mapping preliminary jurisdiction



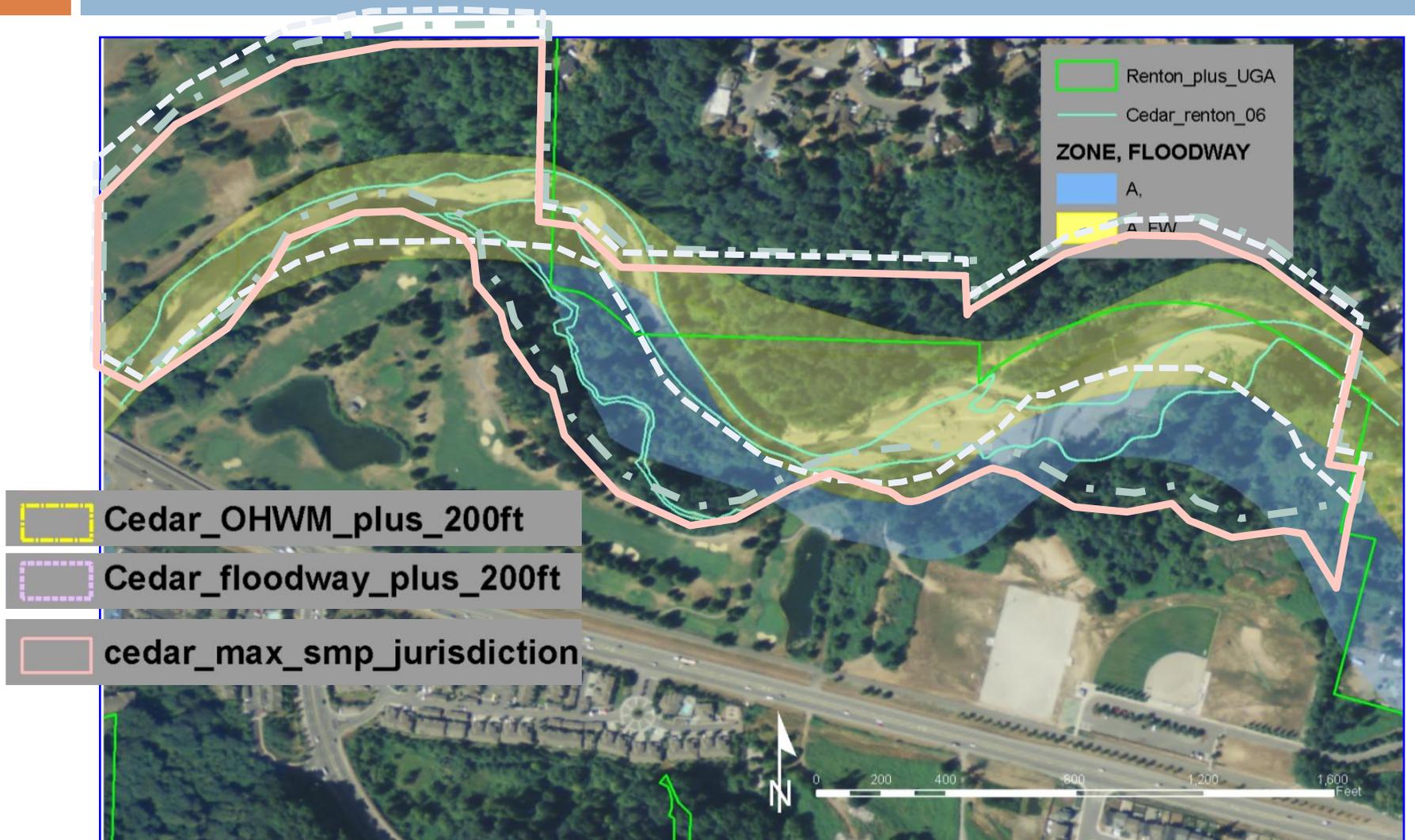
2009 NAIP orthophoto

OHWM occurs on outside edge of multiple channels



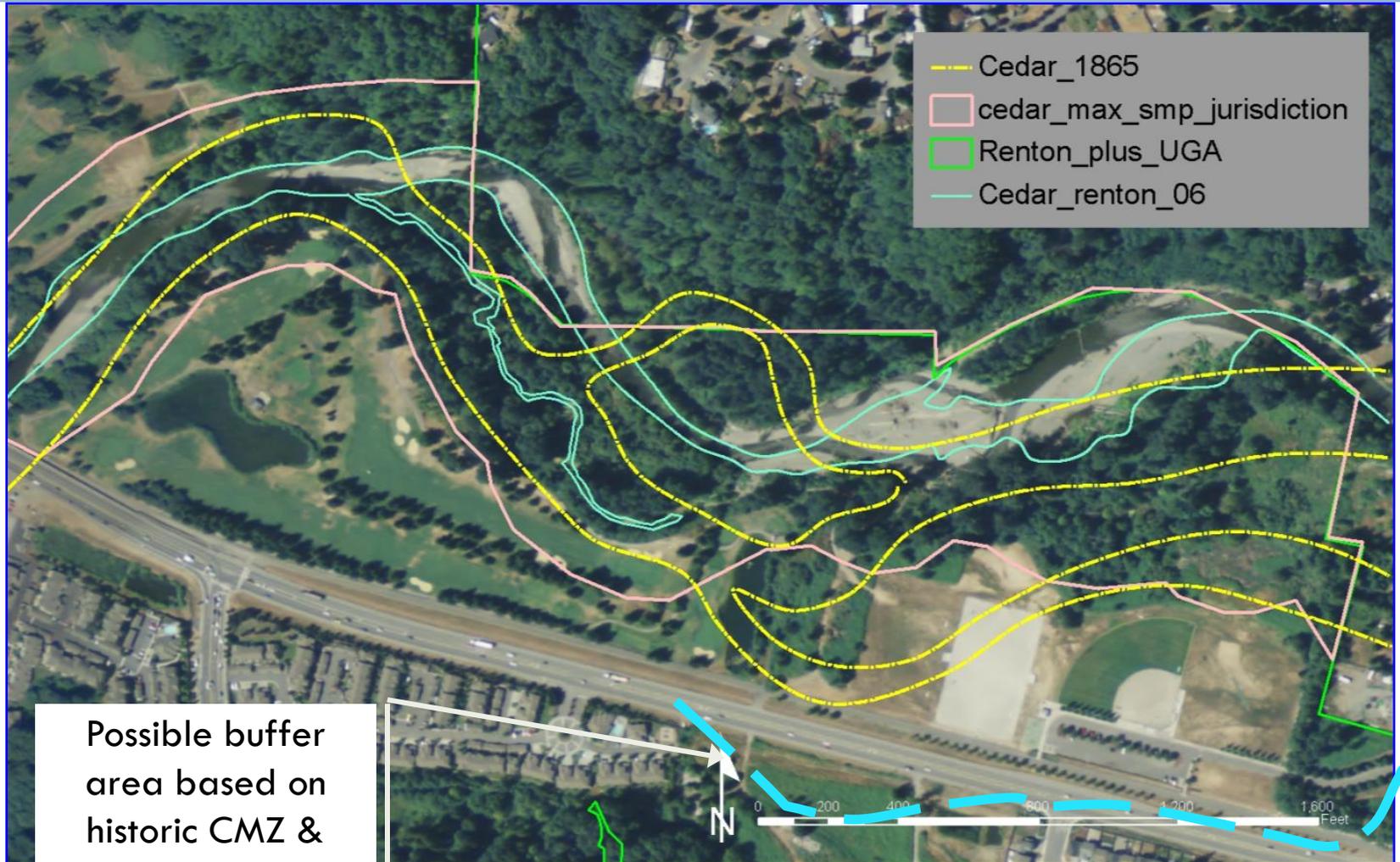
2009 NAIP Orthophoto

Customized minimum jurisdiction



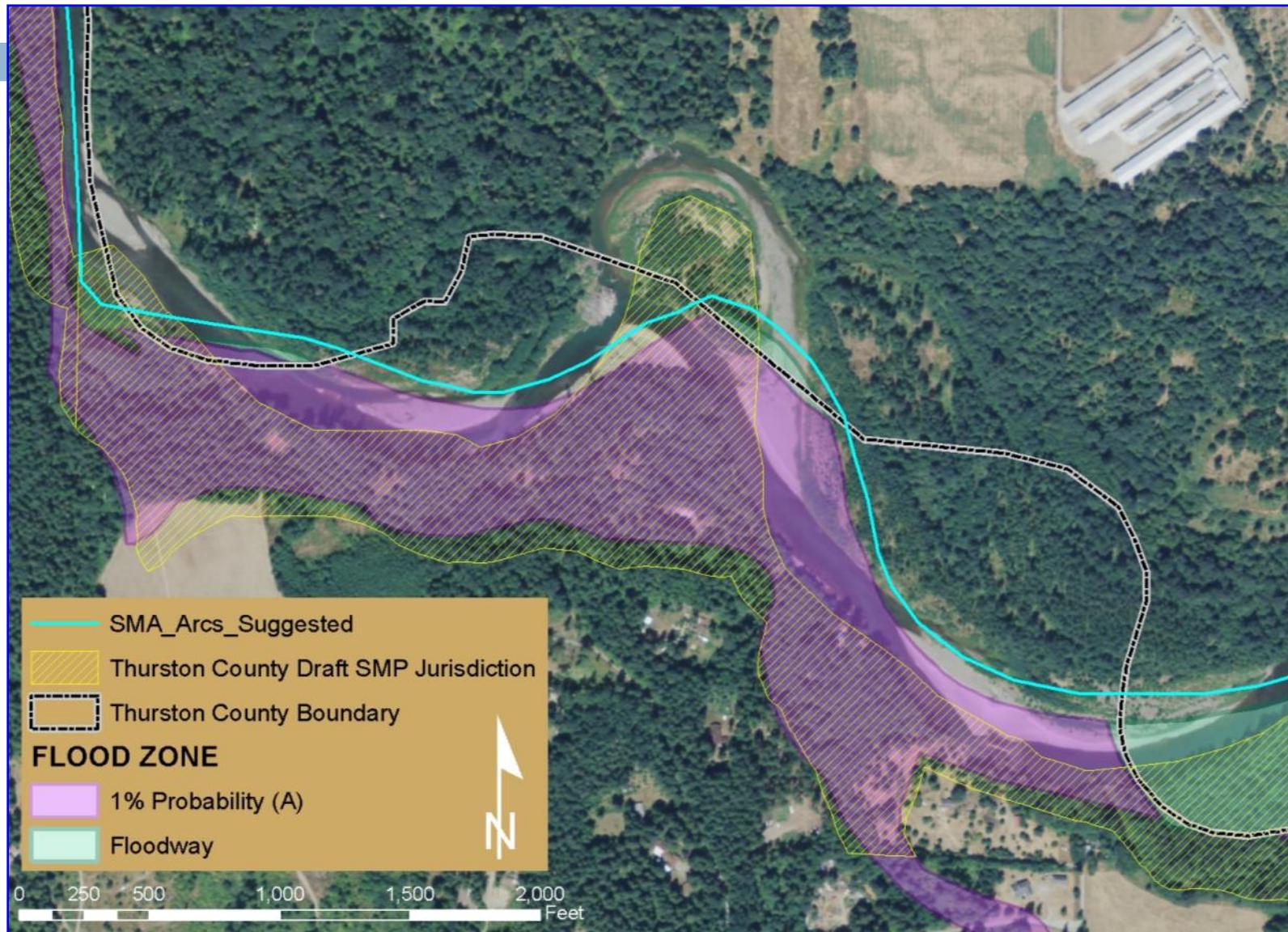
2009 NAIP Orthophoto

Customized minimum jurisdiction

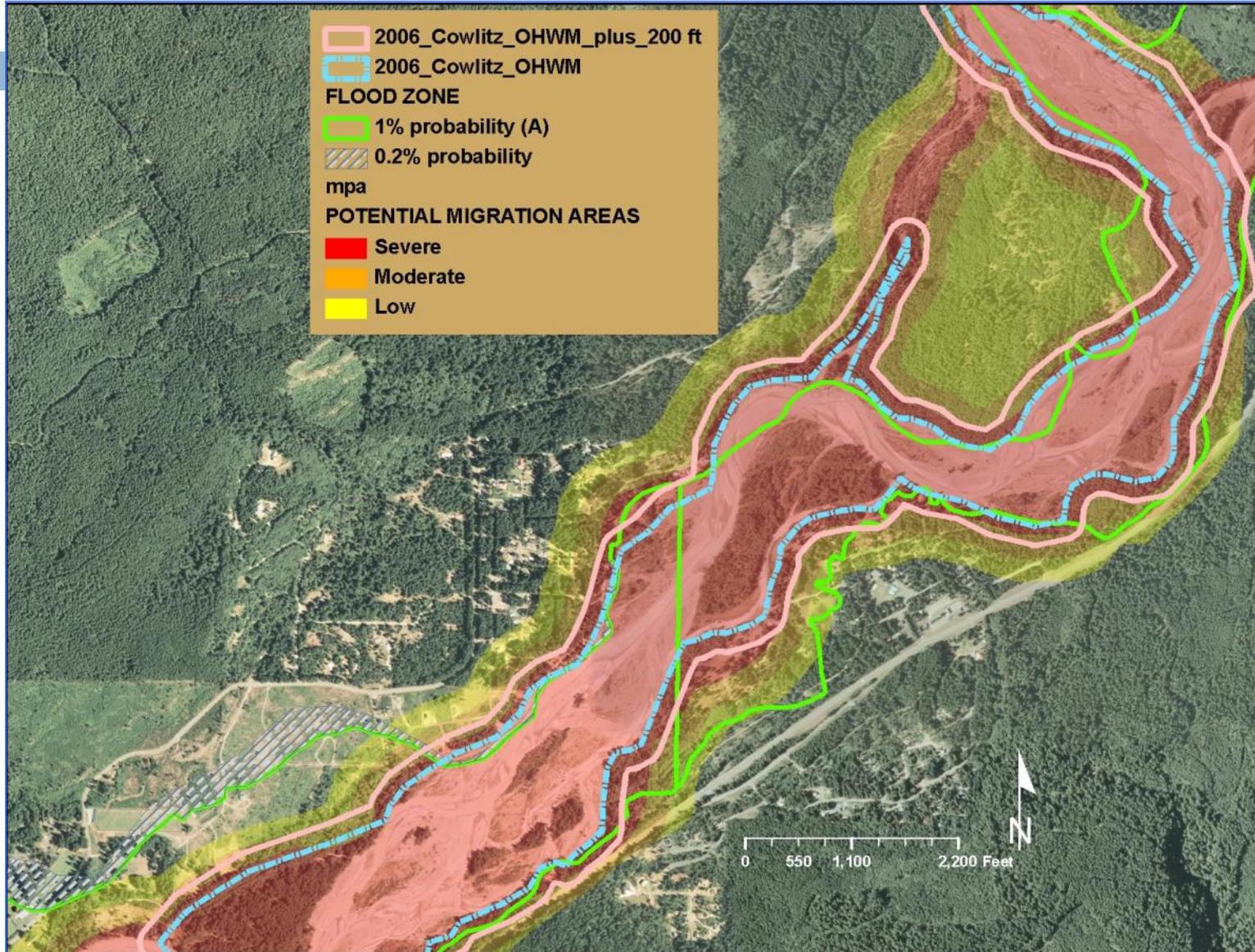


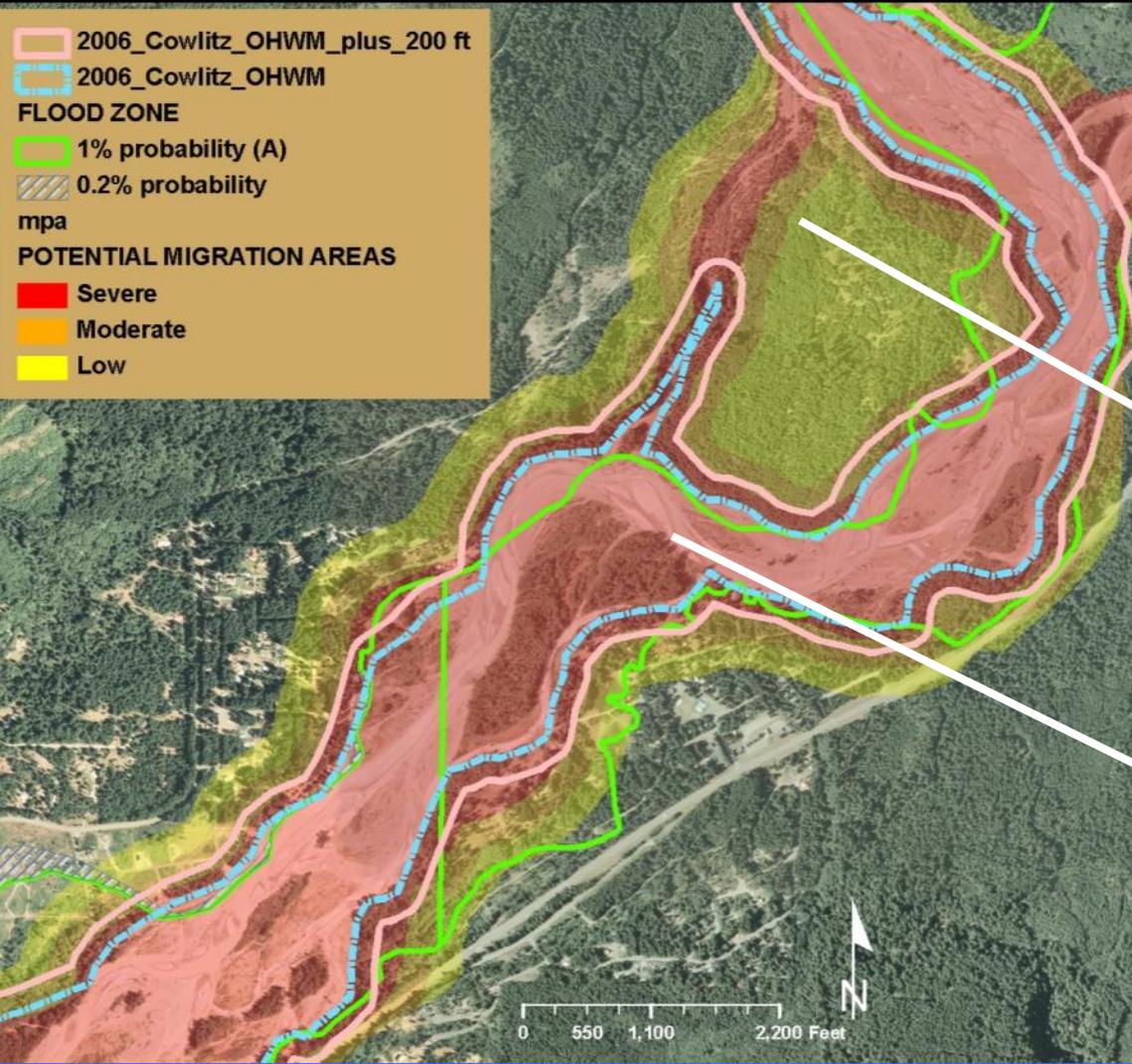
2009 NAIP Orthophoto

Political boundaries often follow stream courses

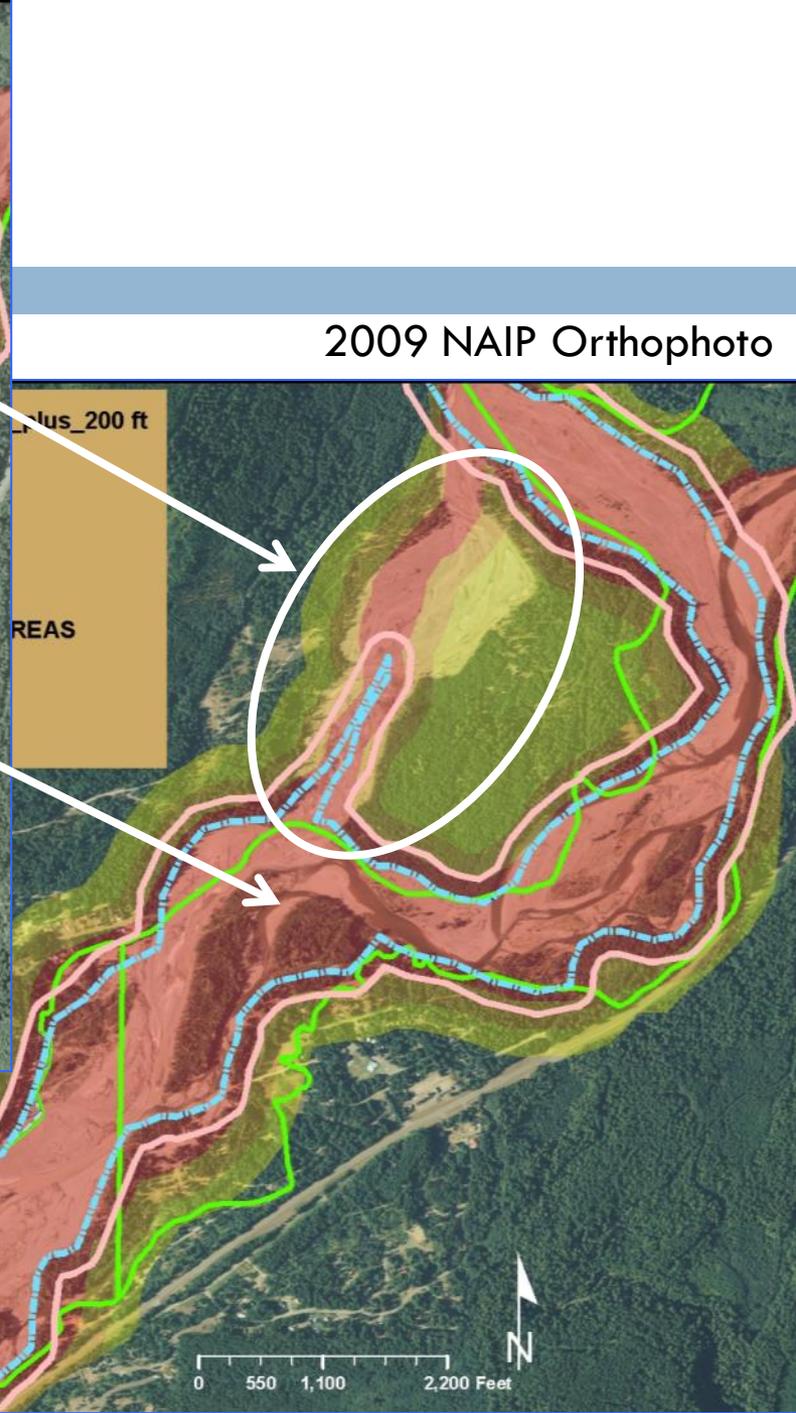


Dynamic systems may justify 1% probability floodplain + critical area buffers





2006 NAIP Orthophoto



SMPs should include federal lands

- ❑ Non-Federal activities on Federal land are (generally) subject to SMA
- ❑ Exceptions occur if Federal/state agreements establish exclusive Federal jurisdiction.
 - ❑ Exclusively Federal areas may properly be excluded from SMP.
 - ❑ Local governments will need to provide documentation of exclusive jurisdiction.

Shoreline jurisdiction is key to SMP

- Start early: Vital element of comprehensive update
- Start with maximum potential area; make decisions during SMP planning process
- Examine all available information
- Consult with Ecology planner
- Documentation maps should include:
 - City: urban growth area boundaries, topography, and SMA shorelines.
 - County: WRIA boundaries, topography, city borders and SMA shorelines. DEM background, and state inset map
 - Clear statement of inclusion of custom boundaries

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