

**Shoreline Inventory and Characterization Report  
Skamania County, Washington**

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**Appendix B  
Preliminary Shoreline Jurisdiction Maps and Letter**

May 6, 2015

Michelle McConnell, Shoreline Planner  
SEA Program/Southwest Regional Office  
Washington State Department of Ecology  
PO Box 47775  
Olympia, WA 98504

Dear Ms. McConnell:

Skamania County, in collaboration with BergerABAM, has developed the attached maps of the proposed preliminary minimum and optional shoreline jurisdiction for the County for Task 4 of the County's scope of work with the Department of Ecology (Ecology). Attachment 1 includes an index map of the whole County plus additional sheets of the four quadrants at a finer level of detail showing streams, rivers, lakes, and associated wetlands which are shorelines of the state. Associated wetlands have not historically been identified as shorelines in the Skamania County Shoreline Management Master Program (SMMP) or included in previous shoreline boundary mapping. Attachment 2 identifies "shorelines of statewide significance."

The first step in updating the map of shoreline jurisdiction was to review the shoreline and associated wetlands definitions found in RCW 90.58.030, related guidance found in Chapter 173-22 WAC, and guidance found in Chapter 5 of Ecology's Shoreline Master Program (SMP) Handbook. The following discussion describes the process used to map preliminary Skamania County shoreline jurisdiction to be refined during later SMP tasks.

## **1.0 STATUTORY MINIMUM JURISDICTION**

### **1.1 General Applicability**

As relevant to Skamania County, the Shoreline Management Act (SMA) generally applies to all rivers and streams with mean annual flow over 20 cubic feet per second (cfs); lakes and reservoirs exceeding 20 acres; wetlands associated with these areas; and lands extending landward 200 feet from the ordinary high water mark (OHWM) or 200 feet from the floodway along streams, where floodway information is available.

### **1.2 Ordinary High Water Mark**

Since there is no available data source for establishing the precise location of OHWM, the County used Ecology's "SMA – Streams and rivers – points", "SMA – Streams and rivers – arcs", "SMA – Adopted arcs", "Suggested Shoreline Points", "Suggested Shoreline Arcs," "Suggested Shorelines Polygons", and the Department of Natural Resource's (DNR) "Hydrography" layers to depict an approximation of shoreline jurisdictional waters. A 200-foot offset was applied from the edge of these waterbodies as an approximation of the OHWM. In

some instances, however, only stream centerline data – not stream polygons - was available. For these streams, the 200-foot offset was applied from the centerline as an approximation of shoreline jurisdiction. Ecology does not require the preliminary SMP jurisdiction map to show the precise location of the OHWM. The statutory definition of the OHWM will be included in the updated Skamania County SMP. The precise location of the OHWM and adjacent shorelands will have to be determined on a case-by-case basis in the County as property owners file development applications (see SMP Handbook, Chapter 5, page 2).

### **1.3 Shorelines of Statewide Significance**

RCW 90.58.030(2)(f) defines shorelines of statewide significance. Relevant definitions for Skamania County include:

- “Those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark”
- “Those natural rivers or segments thereof as follows: any west of the crest of the Cascade range downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more” and “any east of the crest of the Cascade range downstream of a point where the annual flow is measured at two hundred cubic feet per second or more.”

Under these definitions and using Ecology’s “Suggested Shoreline Arcs” and “Suggested Shoreline Polygon” data layers, shorelines of statewide significance in Skamania County include Swift Reservoir, Spirit Lake, the Columbia River, and portions of Lava Creek, Trout Lake Creek, White Salmon River, Little White Salmon River, Wind River, and Lewis River (see Attachment 2).

### **1.4 Associated Wetlands**

The County used its wetland database to determine associated wetlands. The County wetland data was originally generated by the U.S. Fish and Wildlife Service’s National Wetland Inventory (NWI) database. Ecology guidance states that an entire wetland is associated if any part of it lies within the area 200 feet landward of the OHWM of a state shoreline. Further guidance states that wetlands that are hydraulically connected to a shoreline are also considered to be associated. Wetlands that are separated by an obvious topographic break from the shoreline are not associated, provided they are outside the shoreland zone and provided that the break is not an artificial feature such as a berm or road. To determine the wetlands that were associated, the County and BergerABAM used GIS to select the wetlands that were partially or fully within the shoreland zone and/or within the 100-year floodplain 200 feet from the floodway or OHWM, or were shown as having a surface hydrologic connection to the shoreland area (stream or drainage connectivity to the shoreland).

### **1.5 Flood Hazard Areas**

Under RCW 90.58.030, minimum shoreline jurisdiction also includes the floodway and contiguous floodplain extending 200 feet landward from the floodway. The floodway may be identified in one of two ways: (1) using FEMA FIRM maps or (2) using the SMA floodway as defined in RCW 90.58.030(2)(b)(ii). The County and Berger ABAM reviewed FEMA flood insurance rate maps (FIRM) for Skamania County, but floodway information was not available. In addition, no maps are available which show the SMA floodway. Thus, the minimum jurisdiction maps rely on the OHWM to map shorelands as directed by Ecology in Chapter 5 of the SMP Handbook, page 20.

### **1.6 Federal Lands and Columbia River Gorge National Scenic Area**

A large portion of Skamania County is under federal ownership (U.S. Forest Service or tribal lands), or is in the Columbia River Gorge National Scenic Area (NSA) as shown on Attachment 1. Chapter 5 of Ecology's SMP Handbook indicates that Ecology assumes federal lands are within shoreline jurisdiction unless a local government provides documentation of exclusive federal jurisdiction. The County has approached the Forest Service to begin determining whether that agency's land in the Gifford Pinchot National Forest is under sole federal jurisdiction, but at this stage, the County has mapped preliminary shoreline jurisdiction as applying to all federal lands and to the NSA. Per Task 4 of the County-Ecology scope of work, "the shoreline jurisdiction area will be refined during later tasks to identify and eliminate shorelines from the local SMP that are under sole jurisdiction of federal or tribal governments."

## **2.0 OPTIONAL SHORELINE JURISDICTION**

In accordance, with RCW 90.58.030(2)(d), local jurisdictions may also include additional areas within shoreline jurisdiction beyond the statutory minimum. These "optional" shoreline jurisdiction areas may include: (1) all or part of the floodplain beyond the 200-foot mark from the OHWM or floodway; and (2) buffers necessary for the protection of critical areas. Local jurisdictions may choose to regulate some or all of the above described areas beyond the statutory minimum jurisdiction. If the entire floodplain and all critical area buffers are included in shoreline jurisdiction, this is the statutory "maximum area" to which the SMP would apply. Attachment 1 shows the optional jurisdiction areas (entire 100-year floodplain).

The County has not yet determined whether it will choose to extend shoreline jurisdiction into optional jurisdiction areas.

## **3.0 CONCLUSION**

In summary, minimum shoreline jurisdiction in Skamania County applies to the following:

- Streams and rivers of 20 cfs or greater;
- Lakes and reservoirs 20 surface acres or greater in size;

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- Associated wetlands, which are those located entirely or partly within minimum shoreline jurisdiction or are hydraulically connected to the shoreline waterbody.
- Shorelands defined as areas extending 200 feet from the OHWM of stream, rivers, lakes, and reservoirs

At the County's discretion, shoreline jurisdiction may extend to any or all of the following areas:

- All or part of the floodplain extending beyond 200 feet from the OHWM
- Critical areas and their buffers which cross the SMA jurisdictional limit

The County is working to confirm which lands under federal ownership are within sole federal jurisdiction. The preliminary shoreline jurisdiction map will be revised pending the determination of sole federal jurisdiction and once better data is available to represent approximate OHWM in those areas where stream centerline is the only currently available data.

Please let us know if you have any questions or comments on this letter or the preliminary shoreline jurisdiction maps.

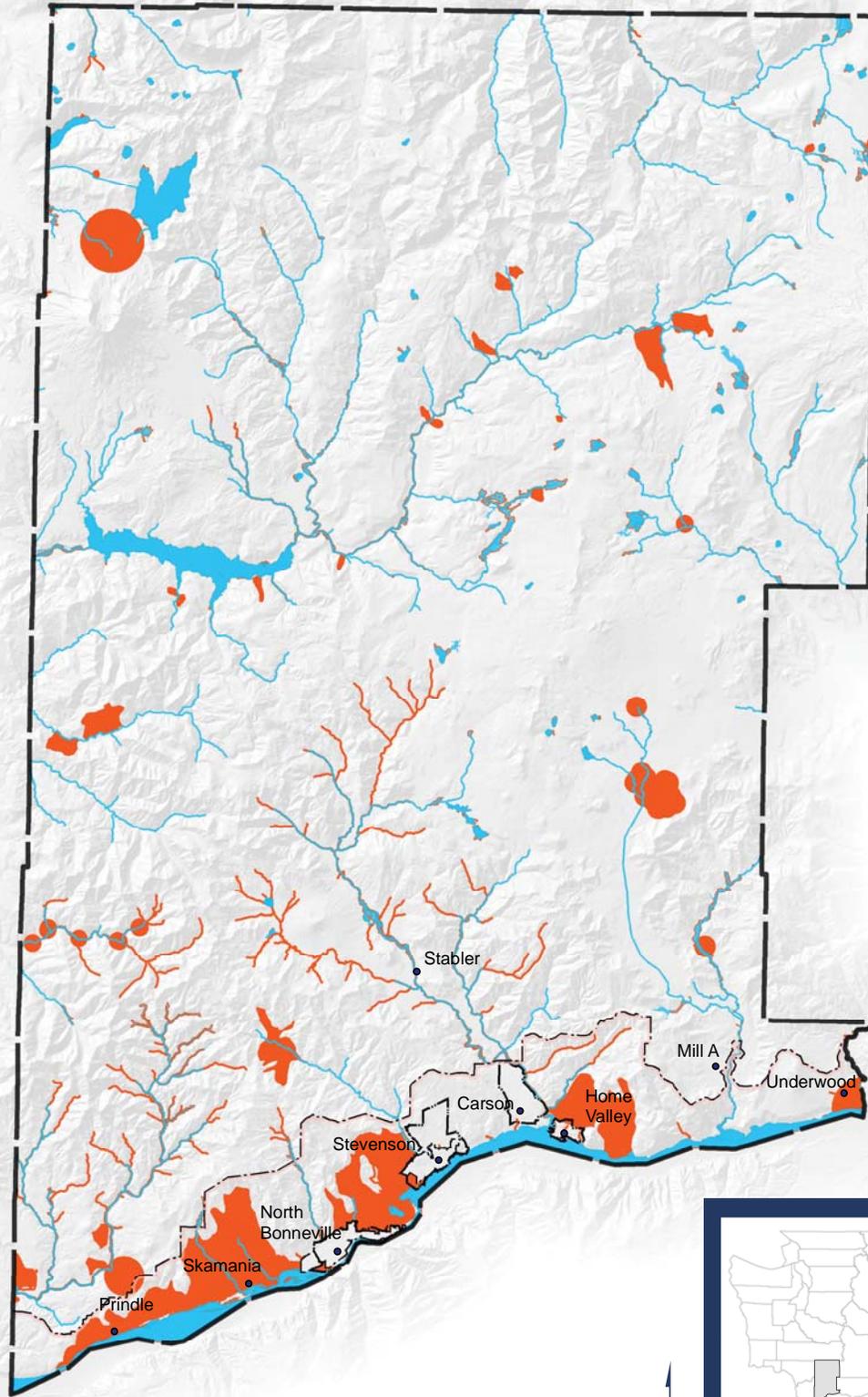
Sincerely,



Ethan Spoo, Senior Planner  
BergerABAM

#### **ATTACHMENTS**

- Attachment 1: Preliminary Shoreline Jurisdiction Maps
- Attachment 2: Shorelines of Statewide Significance Map



**NARRATIVE:**

METHODS:

**SHORELINES DISCLAIMER:** Shoreline jurisdiction boundaries depicted on this map are approximate. They have not been formally delineated or surveyed and are for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.

**ASSUMPTION:** This map depicts preliminary shoreline jurisdiction for Skamania County in its entirety, while maintaining an assumption that all federally owned land and all areas within the Col. River Gorge National Scenic Area outside of Urban Areas are likely to fall under sole federal jurisdiction.

**LEGEND:**

- Preliminary Shoreline Jurisdiction (Minimum Area)
- Preliminary Shoreline Jurisdiction (Maximum Area)
- Skamania County boundary
- Nat'l Scenic Area Bndy
- Urban Area Bndy
- City Limits



**SKAMANIA COUNTY**

**DISCLAIMER:** This map product was prepared by Skamania County and is for information purposes only. It may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

**PRELIMINARY  
MAXIMUM  
SHORELINE  
JURISDICTION**

