Streams

A Skagit County Critical Areas Ordinance Fact Sheet

The *Skagit County Critical Areas Ordinance (CAO)* regulates development affecting wetlands; fish and wildlife habitat conservation areas including streams; aquifer recharge areas; frequently flooded; and geologically hazardous areas.

This CAO fact sheet is one in a series, which describes the above-listed types of environmentally critical areas protected by Skagit County under

Title 14, Chapter 14.24, *Critical Areas Ordinance*, effective June 13, 1996. This has been provided to you as general information and is not intended as a substitute for the actual codes or regulations. For more information, contact Skagit County Planning & Development Services at (360) 336-9410 or visit our website at www.skagitcounty.net .

What is a stream?

A stream is an area where the surface water flow is sufficient to produce a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds and defined-channel swales. The channel or bed need not contain water throughout the year.

This definition is not meant to include irrigation ditches, canals, storm or surface water runoff devices or other artificial watercourse, unless used by fish, or if it was a natural stream which was straightened or relocated during construction.

Why are streams important?

Streams benefit the environmental and economic well-being of Skagit County. Streams provide numerous values and functions. They:

- help maintain water quality;
- store and convey stormwater and floodwater by acting as natural stormwater management facilities;
- are a source for groundwater recharge;
- provide important fish and wildlife habitat and food, both instream and within their corridors; and
- offer areas for recreation, education, scientific study, and general aesthetic appreciation.

How does development impact a stream corridor?

Unless appropriately mitigated, development can degrade a stream's wildlife habitat and water quality, undermining its values and functions. Uncontrolled development can:

- increase stormwater runoff and flooding;
- contribute excessive sediment and higher water conditions, thereby causing erosion;
- increase stream turbidity (cloudy appearance from sediment) which can reduce the light and oxygen necessary for plant and animal life;
- contribute toxic chemicals and organic pollutants; and remove vegetation along stream banks, a stream component crucial to maintaining water temperature, bank stabilization, and pollutant filtering capabilities.

Stream Classification

Throughout the State, water bodies—including streams—have been classified by the Department of Natural Resources based on flow volume and importance to fish and wildlife, domestic use, and public recreation. Streams in Skagit County have been classified as Type S, Type f or Type N.

Type S streams (or waters) have the largest flow volumes (at least 20 cubic feet per second) and provide important fish and wildlife protection. Examples include the Skagit, Samish, Cascade, and Sauk Rivers. Type N streams tend to be very small, seasonal streams and often have no name.

You can read more about stream classification in the Forest Practice Rules produced by Washington State Department of Natural Resources in WAC 222-16-030.

Buffers and Building Setbacks

As with streams, most critical areas are provided a "buffer" of native vegetation to protect them from human activities. No clearing or grading is allowed within this buffer or within the critical area itself. Standard buffer width requirements depend on the stream type. These are minimum requirements and may be increased to protect a stream. The buffer requirements are as follows:

- Type S Stream
    200 feet
- Type F Stream
    100 feet - 150 feet
- Type N Stream
    50 feet

Alteration of a stream or its buffer may require a mitigation plan with the County. The applicant must also meet the requirements of other jurisdictions, such as the Department of Fish & Wildlife's Hydraulic Project Approval (HPA).

Buffers begin at the "ordinary high water mark" (OHWM) of the stream channel and extend in either direction from the stream. The OHWM is typically placed at the line often found on the bank of streams which is the average extent of high water. Alternatively, the OHWM may be placed at the top of the bank if this line is not visible, or where the vegetation changes to an upland type.

Buffer widths are increased if there are streamside wetlands which provide overflow storage for stormwater, feed water back to the stream during low flows or provide shelter and food for fish.

Streams in Ravines

For streams in ravines, the minimum buffer width must be the minimum buffer required for the stream type, or a buffer width which extends 25 feet beyond the top of the slope, whichever is greater.

Stream Crossings

While stream crossing may be allowed under SCC 14.24.540, all crossings must be the only reasonable alternative and any impacts to the stream and/or its buffer must be fully mitigated.

Please contact the Washington Department of Fish and Wildlife for specific stream crossing requirements.

Livestock Restrictions

In areas that would allow livestock to access streams, impacts must be avoided. This may be accomplished by fencing along a stream's outer buffer edge.

Other Restrictions and Provisions

Examples of activities which are subject to the standards contained in the CAO and other applicable federal, state and local ordinances include:

- Forest practices, Class IV General and Conversion Option Harvest Plans (COHPs);
- Land divisions and land use permits;
- Road construction;
- Building and clearing activities;
- Placing fill in or near a stream.

For specific information, contact Skagit County Critical Areas Staff by calling (360)336-9410 or read the Critical Areas Ordinance online at www.skagitcounty.net.