

# PROJECT MEMO



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<b>TO:</b>	Mike Olden	<b>DATE:</b>	March 7, 2023
<b>FROM:</b>	Nicole Stickney, AICP & Andrew Love	<b>PROJECT NO.:</b>	2211017.30
<b>SUBJECT:</b>	Reach 6 (Chehalis) and 35-foot Buffers for Recreation		

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## INTRODUCTION

The memo provides information and an analysis to explain how *No Net Loss* can be achieved with a 35-foot buffer for recreational tent camping activities and accessory uses such as parking, specific to the High Intensity Shoreline Environment of the Chehalis River Reach 6 (reach). This memo augments the City’s Cumulative Impacts Analysis and No Net Loss Report.

## BACKGROUND

- The Shoreline Management Act (SMA) requires local shoreline master programs (SMPs) to include goals, policies, and regulations to ensure that SMP implementation will “achieve no net loss of ecological function” over the long term.
- The SMP Guidelines (WAC 173-26-186(8)(d)) state that: “To ensure no net loss of ecological functions and protection of other shoreline functions and/or uses, master programs shall contain policies, programs, and regulations that address adverse cumulative impacts and fairly allocate the burden of addressing cumulative impacts.”
- The SMP Guidelines discuss the concept of net loss in more detail in WAC 173-26-201(2)(c).

## CHEHALIS RIVER REACH 6

There is a portion of the Chehalis River known as “Reach 6” that is located within the Montesano Shoreline Jurisdiction. The existing land use pattern of the High Intensity portion of the reach is industrial. Seventy-four percent of the reach is zoned Industrial and within the Flood Hazard Overlay District (zoning designation of I-FH) and the remaining 26 percent is zoned Heavy Commercial-Light Industrial (C-2). Given the historically industrial and commercial uses of the reach the environment is rather degraded as documented in the Shoreline Inventory and Characterization Report.

The Chehalis River has a water quality impairment as listed on Ecology’s 303(d) list: “A portion of the reach extending from the lumberyard downstream to the city boundary is listed as Category 2 for temperature, and Category 4A for bacteria. Category 2 water bodies indicate a potential water quality concern but there is not enough evidence to require a water quality improvement project such as a total maximum daily load (TMDL). Category 4A water bodies are considered polluted but the impairment is currently addressed with an approved TMDL.”

Furthermore, the reach scores very low for functional assessment, with a score of 17 out of 36 as shown in Table 11 of the Shoreline Inventory and Characterization Report. The low score is “primarily due to shoreline modifications and development, altered vegetation, and impaired water quality. Although the Chehalis River scored moderately, and low, relative to the other reaches, some of the functional benefits of this reach are

reflected in the score for the wetland complex (Reach 4) located in the Chehalis River floodplain...wetlands in these reaches support processes and functions affecting both reaches. Because the Chehalis River reach is functioning at a moderate level and development is still limited within the reach, restoration would be an appropriate objective for this reach. However, since the Chehalis River is ranked lowest in comparison to other reaches in the city and has a moderate level of existing development, development that provides for water-oriented uses may be most appropriately focused in this reach. However, opportunities for water-oriented uses may be limited and development will be constrained by flood hazards and other critical areas (e.g., wetlands) that are present within this reach and the associated floodplain wetland complex in Reach 4. This is particularly the case in light of growing concerns over increasing peak flows and flood frequency in the Chehalis Basin.” The report goes on to outline, “Future development would require mitigation and could occur provided the ecological functions of the area are retained and proposed development adheres to the provisions of the floodplain ordinance.”

It is apparent that any such future development would need to be planned with consideration of the requirements and limitations due to the presence of a channel migration zone, the 100-year floodplain, and existing wetlands.

## REDUCED BUFFER WIDTH FOR CAMPING

SMPs include policies, regulations, and requirements for environmental protection; one such measure is the establishment of shoreline buffers which are sized according to the type or intensity of a potential use and the applicable Shoreline Environment Designation. Typically, buffers are 50 feet or larger, unless the use is something that absolutely has to be on the water like a boat launch or marina. However, some communities vary buffer widths according to specific portions of a river reach or wetland complex due to unique circumstances.

For example, we found that Clallam County has established a special 35-foot buffer (that cannot be further reduced) which is only for single-family residential use /development qualifying as “minor new development” as addressed in Clallam County Code Section 35.30.030(2)(a). We highlight that this special buffer width is also only applicable within the *Shoreline Residential – Intensive* designation of Lake Sutherland and in order to maximize the ecological effect of the buffer a landowner must institute measures to mitigate the impacts for the reduced buffers by either planting woody cover to create a multitiered woody riparian area (meeting six criteria as set out in the code) or by implementing a site-specific habitat management plan (HPM) for the property (and the requirements for an HPM are detailed in the code).

We recommend that the Montesano SMP use a similar approach, and propose to modify Table 4-1 Shoreline Buffers to list out that tent camping spots can be established, provided that mitigation (such as tree retention, new plantings within a buffer, limiting use to a specific “footprint” ). The activities or uses would be where tents or picnic benches could be set up. Parking areas or driveways would have to observe the normal buffer unless required for ADA.

## NO NET LOSS STATEMENT

Allowing a reduced 35-foot buffer along a specific portion of Reach 6 only for certain limited recreational uses, does not appear to conflict with the analysis and conclusions Cumulative Impacts Analysis and No Net Loss Report.

Table 3-11 of the report affirms that non-water oriented recreational development and water-oriented recreational development were identified potential permit actions along Reach 6. This contrasts with more intensive options like commercial and industrial development, parking, and new roads related to permitted shoreline activities. In addition, Section 3.07.05 of the report describes, “Future development within the reach may support recreational uses, which is considered a preferred use under the SMA in reaches designated High Intensity and Urban Conservancy.”

The report generally concludes that with the regulatory measures that are in place (which specifically includes shoreline buffers) that the program, on the whole, can result in no net loss. This is especially true if new uses are required to revegetate the 35-foot buffer at the time of permitting. A recreational use like tent camping would offer the chance to reestablish riparian buffers while also enhancing recreational access for the community. Further, open space like a camping area would be more resilient against flooding than any use involving permanent structures.

## REFERENCES

Herrera Environmental Consultants, Inc. and AHBL, Inc. (2014). *Shoreline inventory and characterization report*.  
Herrera Environmental Consultants, Inc. and AHBL, Inc. (2016). *Cumulative impacts analysis & no net loss report*.

c: Wayne E. Carlson, AHBL, Inc.