

**CAO and SMP Update
Citizens Advisory Committee
Meeting Summary**

Date: September 12, 2005
 Time: 4 p.m. – 7 p.m.
 Place: 5280 Northwest Drive, Whatcom County PDS

AGENDA

1.	4:00	Review agenda and Meeting Summary for July 25 th <u>Information:</u> August 22 nd agenda and Meeting Summary for July 25 th <u>Action Needed:</u> Make any changes or additions and approve as final.
2.	4:05	Shoreline Environment Designations and Shoreline Inventory Summary <u>Information:</u> Draft Shoreline Environment Designations <u>Action Needed:</u> Discussion and feedback.
3.	6:30	Shoreline Jurisdiction <u>Action Needed:</u> Overview and discussion.
4.	7:00	Adjourn

MEETING ATTENDANCE

Kathy Berg	Wendy Steffensen
Roger Almskaar	Peg Larson
Rebecca O’Brine Willson	Amy Pederson
David Haggith	Margaret Clancy
Aubrey Stargell	David S. Sherrard
Skip Richards (via phone)	Jeff Chalfant
Elizabeth Daly	Cathy Craver

DOCUMENTS DISTRIBUTED

1. September 12, 2005 Agenda.
2. Draft proposed CAC meeting dates and agenda for September.
3. Preliminary SED Recommendations for CAC review on 9/12/05.

MEETING CONTENTS

1. The CAC reviewed the agenda and July 25th summary. No changes were made and the summary was considered final.
2. Shoreline Environment Designation (SED) and Shoreline Inventory Summary: (SED recommendations were passed out.) Margaret stated that they have proposed some different designations. The existing SEDs, from the most protective designation to the least, are: *natural, conservancy, rural, urban, urban resort, cherry point, and aquatic*. The proposed new designations are: *natural, conservancy, rural, resources, urban conservancy, shoreline residential, urban, urban resort, aquatic, and cherry point*. Tonight’s meeting will only go over the freshwater designations (rivers, streams, and lakes). The marine designations will be reviewed at an upcoming meeting.

- 2.1. Margaret noted that one of the biggest changes on a county-wide scale is that many of the *rural* lands are now *resource conservancy* because their existing land uses are primarily agriculture or forestry resource use. Similar to the existing designations *conservancy* is generally more restrictive than *rural* and *resource*. It is important to note that this just applies to shorelines.
 - 2.1.1. Margaret added that the SED map is not necessarily indicative of the lateral extent of shoreline jurisdiction. She cited the Nooksack River as an example. Shoreline jurisdiction is generally 200 feet from the ordinary high water mark (OHWM), but under the SMA the county can bring the entire floodplain into shoreline jurisdiction. That is not what is proposed on the Nooksack, but some areas will be wider than 200-feet from OHWM. The TAC is reviewing the protocol that has been developed to define shoreline jurisdiction.
 - 2.1.2. Q: Peg: Will you have a map that accurately depicts shoreline jurisdictions? A: Margaret: Yes, we are working on it.
 - 2.1.3. David S. added that the width of the band of colors on the map representing the different shoreline designations does not necessarily represent the width of shoreline jurisdiction. At the scale of these maps, the width of shoreline jurisdiction would barely be seen. This will need to be changed prior to public comment.
- 2.2. David S. presented the “Bingo Chart” of shoreline designations and their respective allowed uses. In general, the allowed uses did not change very much.
- 2.3. Q: Aubrey: Is *forestry* in this chart? A: David S.: Not right now. We are waiting to hear from Ecology about how forest practices are regarded under the SMA and how much latitude there is to regulate the shoreline in those areas. We will include *forestry* after we hear back from them.
- 2.4. Q: Liz: Can you go over the items that need conditional use permits (CUPs)? Those permit reviews cost some money.
- 2.5. Roger mentioned that shoreline permits are essentially conditional use permits already. The projects that are of state governmental concerns should be appropriate CUPs, not something like whether or not restrooms are allowed.
 - 2.5.1. David S. explained that anything within shoreline jurisdiction of a state waterbody is an issue with the state.
- 2.6. David S. referenced the “bingo chart” again and explained that it cross-references the zoning code. The intent is to make the chart consistent between shoreline designations and the underlying county zoning. There are many areas where CUPs are required.
- 2.7. Q: Becky: Under the *conservancy* designation there is *resource* and *rural*. Can you explain that? A: David S.: The *resource* and *rural* designations refer to the underlying zoning under the *conservancy* designation. Sometimes the allowed uses in the zoning are different, and that is why we look at all the underlying zoning to make sure there are no inconsistencies.
 - 2.7.1. Q: Becky: If you look at Lake Samish, it was *conservancy* or *rural*, and now it’s *conservancy* or *shoreline residential*. Which column shows a person what they can do in *conservancy* and what they can do in *rural*? A: Margaret: What you will need to do is look at the underlying zoning. If you are in *conservancy*, then you will need to find out if your zoning is *resource* or *rural* to see what you are allowed to do.

- 2.8. Q: Roger: Can we have a line that says “in residential, this is allowed”? A: David S.: This would be a place where you would look to find out about general classifications. We can go into greater detail in the definitions.
- 2.9. Margaret reviewed a power point presentation on the North Fork Watershed Management Unit (WMU). (Preliminary SED Recommendations for CAC review on 9/12/05 document). She explained that the streams were sectioned into reaches; data was collected for shorelines, riparian areas, land uses, and modifications; and recommendations were formed based on what was found.
- 2.10. *North Fork*: there are 10 reaches.
- 2.10.1. Reaches 1-3: proposed to maintain *conservancy*, land use is of moderate intensity.
- 2.10.2. Reaches 4-5: maintain left bank as *conservancy* and *natural*; keep *natural* right bank *conservancy*.
- 2.10.3. Reaches 6-8: maintain *conservancy*.
- 2.10.4. Reaches 9-10: some areas were *undesigned* because they were in the National Forest, so the designation defaults to *conservancy*.
- 2.10.5. Q: Liz: Does that mean no homes are allowed? A: Margaret: No, that zoning has large lots. The preference is to show that you can build outside of the shoreline jurisdiction. This does not preclude development.
- 2.10.6. Q: Wendy: Why split *conservancy* and *natural* on reaches 4-5? A: Margaret: In some cases the reach breaks don’t match up with the environment designations.
- 2.10.7. *Coal Creek*: maintain *conservancy*.
- 2.10.8. *Racehorse Creek*: maintain *conservancy*.
- 2.10.9. *Kendall Creek*: maintain *conservancy* for reaches 1-2. Lower reach 3: maintain *conservancy* on the right bank, change to *urban conservancy* on the left bank. (This is because of the Kendall UGA.) Upper reach 3 will maintain *natural* for the left bank. *Natural* and *conservancy* are proposed for the right bank.
- 2.10.10. Reach 4: Was *conservancy*, *rural*, and *undesigned*; proposed *urban conservancy*.
- 2.10.10.1. The map doesn’t seem to be matching up with the table for reach 3, so Margaret will check that.
- 2.10.11. Q: Wendy: How does a change in designation affect no net loss? A: Margaret: That doesn’t predispose impact. Wendy: But it might allow for uses that will cause impact. David S.: The key is implementation. The regulations follow the environment designations and that is where you will have to make sure you achieve no net loss.
- 2.10.12. *Maple Creek*: maintain *conservancy* in reach 1.
- 2.10.13. Reaches 2-4: was *rural*; proposed to *conservancy*.
- 2.10.14. Q: Aubrey: It says that there are intact riparian areas, but that area has low impact agriculture and low density residential. What is the rationale for 1 house per 5 acres, or 1 house per 10 acres in those areas? A: David S.: It shouldn’t have much of an impact for those densities.
- 2.10.14.1. Aubrey added that there are some places in those areas that have little to no buffers. It was suggested that those areas be looked at further.
- 2.10.15. Q: Roger: What are the areas on the map that are blocked out? A: David S.: In the 1990’s, USGS did an inventory of where the 20 c.f.s. streams are. There were areas of uncertainty that were not transposed to the map. They are shown as gray areas on the existing SED map. We are

trying to get the information from USGS that they used to determine the uncertainty.

- 2.10.15.1. Q: Aubrey: Isn't Maple Creek nearly dry? A: Margaret: The mean annual flow is used to determine the 20 c.f.s. Maple Creek may be dry for part of the year, but the mean annual flow is 20 c.f.s. or greater.
- 2.10.16. *Silver Lake*: maintain *conservancy*.
- 2.10.17. *Boulder Creek*: maintain *conservancy*.
- 2.10.18. *Canyon Creek*: maintain *conservancy* in reaches 1-3.
- 2.10.19. Reaches 4-7: were *undesigned*, but proposed *conservancy* by default.
- 2.10.20. *Cornell Creek*: maintain *conservancy*.
- 2.10.21. *Glacier Creek*: was *conservancy* and *undesigned*; proposed just *conservancy*.
- 2.10.22. Q: Wendy: Could be argue that the areas that were previously in the national forest should have a *natural* designation instead of *conservancy*?
A: We looked at that in the TAC meetings, but those reaches did not warrant the *natural* designation based on their conditions.
- 2.10.22.1. Wendy stated that there are some cases in *natural* where residences are allowed and CUPs can be used.
- 2.10.22.2. Roger added that they were used sparingly in the old program.
- 2.10.23. Q: Liz: When it says wetlands, what category does that mean? I have a ton of class 4 wetlands and I'm only a half a mile from the shoreline. A: Margaret: It doesn't matter what category the wetlands are.
- 2.10.24. *Middle Fork*: there are no changes.
- 2.10.24.1. Liz stated that it seemed odd to go from *conservancy* to *natural* and back to *conservancy* along specific reaches of the Middle Fork.
- 2.10.24.2. Roger added that there was a gorge in that area where it changes.
- 2.10.24.3. Margaret said there is also elk habitat in that area.
- 2.10.25. Q: Wendy: What happens when the diversion dam is changed? A: Margaret: There is a possibility that designations may change when that happens, but it is uncertain about the future conditions right now. We can discuss that at the next meeting.
- 2.10.26. *Middle Fork Tributaries*: All creeks were either *conservancy* or *undesigned*. Proposed for all to be *conservancy*.
- 2.10.27. *South Fork*: propose *conservancy* for reach 1.
- 2.10.28. Reaches 2-3: were *rural* and tribal; proposed *resource*. Agriculture is close to stream and it is in line with the zoning.
- 2.10.29. *Black Slough*: was *undesigned*; proposed *resource*.
- 2.10.30. Reach 4: was *conservancy* and *rural*; maintain *conservancy* and *rural* for left bank, proposed *resource* for right bank.
- 2.10.31. Reach 5: maintain *rural* and *conservancy*.
- 2.10.31.1. Margaret added that a buffer for the eagle roost in the area has not been specified in the SMP, but that can be included in the CAO. It would not have one buffer length, but rather a site-specific review.
- 2.10.31.2. Q: Wendy: If you have eagle habitat on the left bank, what happens if it impacts the right bank? A: Margaret: If we are talking about a nest territory, it's possible that it would impact the right bank.
- 2.10.31.3. Q: Wendy: Could we look at that one again? It seems to be downgraded and the chart is a little confusing. It may be helpful to get maps that go with the chart. A: Margaret: This is an excerpt from a much larger report. I'll make a note to look at that.

- 2.10.32. Q: Roger: Why does reach 4 say *rural*? A: It should say just *conservancy*.
- 2.10.33. Reach 5: was *rural* and *conservancy*; proposed left bank to be *resource* and *conservancy*.
- 2.10.34. Reach 6-8: maintain *conservancy*.
- 2.10.35. Reach 9: maintain *conservancy* and *natural*.
- 2.10.36. Reach 10: maintain *conservancy*.
- 2.10.37. Reach 11: was *undesigned*; proposed *conservancy*.
- 2.10.38. *South Fork tributaries*: All creeks were *conservancy* or *undesigned*; proposed all *conservancy*.
- 2.10.39. *Upper Mainstem Nooksack*: maintain *conservancy* in reach 16.
- 2.10.40. Reaches 17-19: Was *conservancy* and *tribal*; proposed *conservancy*.
- 2.10.41. *Anderson Creek*: Reach 1: maintain *conservancy*.
- 2.10.42. Reach 2: Was *conservancy* and *rural*; maintain for left bank, *conservancy* for right bank.
- 2.10.43. Reach 3: was *rural*; proposed *rural* and *conservancy*.
- 2.10.44. Reach 4: was *rural*; proposed *rural* and *conservancy*.
- 2.10.45. Reach 5: was *rural*; proposed *rural* and *conservancy*.
- 2.10.46. Reach 6: was *undesigned*; proposed *conservancy*.
- 2.10.47. Margaret added that a change has been made to the *resource conservancy* and *rural conservancy* shoreline designations to drop the word *conservancy* in their titles. They will be known as *resource* and *rural* from now on.
- 2.10.48. *Smith Creek*, reach 1: was *undesigned*; proposed *conservancy* on left bank, proposed *resource* for right bank.
- 2.10.49. Reach 2: was *conservancy*; proposed *conservancy* and *resource* on left bank, proposed *resource* on right bank.
- 2.10.50. Reach 3: was *conservancy*; proposed *rural* and *resource*.
- 2.10.51. *Lower Mainstem Nooksack and Wiser Lake*, reaches 6-15: was *rural*; proposed *resource*.
- 2.10.52. *West Wiser Lake* (which is split by the highway) shall remain *conservancy*. *East Wiser Lake* was *rural* and *conservancy*; proposed *shoreline residential* and *conservancy*.
- 2.10.53. Q: Wendy: Is *shoreline residential* less protective than *rural*? A: David S.: For that area, *rural* cannot apply because the right underlying zoning is not in place.
- 2.10.54. Q: Becky: When you see something that was previously zoned *conservancy*, how did it get built out? A: Jeff: Those areas were likely subdivided prior to the shoreline designation.
- 2.10.55. David S. added that *Wiser Lake* is surrounded by long, narrow lots. There isn't any intact lakeside vegetation, so it doesn't meet the criteria for *conservancy*.
- 2.10.56. *Nooksack Delta and Tennant Lake*: Reaches 1-2: maintain *natural*.
- 2.10.57. Reach 3: was *rural*; proposed *resource*.
- 2.10.58. Reaches 4-5: was *rural* and *conservancy*; proposed *resource* and *conservancy* for left bank; proposed *resource* for right bank.
- 2.10.59. *Tennant Lake*: was *natural*; proposed *natural* and *conservancy*.
- 2.10.60. *Lake Whatcom*: Reach 1 was *urban*; proposed *shoreline residential*.
- 2.10.61. Reach 2: was *urban*, *conservancy*, and *rural*; proposed *shoreline residential* and *conservancy*.
- 2.10.62. Reach 3: was *rural*; proposed *shoreline residential*.

- 2.10.62.1. Q: Wendy: Why is the *rural* designation going to *shoreline residential*? A: David S.: These are for ½ acre lots, but there is still riparian disturbance and over water structures that would make it *shoreline residential*.
- 2.10.63. Q: Roger: Is there enough of a difference between reaches 1-3 and 4-5? A: David S.: The lots are 1, 2 and 5-acre lots. Roger: I didn't think at the end of reach 5 that there were 1-acre lots. David S.: We will review that to see what the lot sizes are.
- 2.10.64. Q: Becky: Is there a major change to the people whose designation has changed from *urban* to *shoreline residential*? A: David S.: No. The intention is to have the shoreline designation match the residential zoning.
- 2.10.65. Reach 6: was *natural* and *rural*; proposed *natural, conservancy, rural, and resource*. The reach has DNR shore land, an alluvial fan, and rural forestry that need the multiple designations.
- 2.10.66. Reach 7: was *rural*; proposed *conservancy* and *shoreline residential*.
- 2.10.66.1. David S. added that the TAC proposed having reach 7 split into lakeside and roadside. They are looking into ownership.
- 2.10.67. Reach 8: was *rural*; proposed *rural* and *conservancy*.
- 2.10.68. Reach 9: was *conservancy*; proposed *rural*.
- 2.10.69. Reach 10: maintain *conservancy*.
- 2.10.70. Reach 11: was *conservancy*; proposed *urban* at the golf course and marina, and *rural* for the area around the golf course.
- 2.10.71. Q: Aubrey: Does the shoreline jurisdiction run up Austin Creek? A: Yes.
- 2.10.72. Q: Wendy: Is zoning driving a lot of these designations? A: Margaret: The first criteria are to look at ecological functions. Then we see what matches with the zoning.
- 2.10.72.1. David S. added that the degree of ecological intactness can change a lot, so that is when the zoning is looked at.
- 2.10.73. Reach 12: was *rural*; proposed *rural* and *shoreline residential*.
- 2.10.74. Reach 13-14: was *urban*; proposed *shoreline residential*.
- 2.10.75. Reach 15: was *conservancy*; proposed *natural*.
- 2.10.76. Q: Becky: Currently, if you have *shoreline residential*, you can look at the regulations and have *urban* or *rural* regulations, is that right? One specific difference I see is that if you're in *urban*, you can have covered moorage, but if you're in *rural* you can't. A: David S.: That's right. We'll be reviewing those rules in the near future.
- 2.10.77. Roger mentioned that Camp Firwood on Lake Whatcom uses Reveille Island. That should be made clear in the rules.
- 2.10.78. *Lake Whatcom tributaries: Smith Creek*: was *rural* and *undesignated*; proposed *rural* and *conservancy*.
- 2.10.79. *Austin Creek*: was *conservancy*; proposed *rural* and *conservancy*.
- 2.10.80. *Anderson Creek and Mirror Pond*: was *rural*; proposed *urban conservancy* and *conservancy*.
- 2.10.80.1. Aubrey mentioned that Mirror Pond is the settling pond for the Lake Whatcom diversion.
- 2.10.81. *Lake Louise*: was *conservancy*; proposed *urban conservancy* and *conservancy*.
- 2.10.82. *Lake Samish*: Reach 1 was *urban*; proposed *shoreline residential*.
- 2.10.83. Reach 2: was *urban* and *conservancy*; proposed *shoreline residential* and *conservancy*.
- 2.10.84. Reaches 3-4: maintain *conservancy*.

- 2.10.85. Reach 5: was *urban*; proposed *shoreline residential*.
- 2.10.86. Reach 6: was *urban*; proposed *shoreline residential* and *conservancy*.
- 2.10.87. Becky mentioned that the map doesn't show all of the roads and some of the houses. David said that he would look at the plat maps.
- 2.10.88. *Friday Creek*: maintain *conservancy*.
- 2.10.89. *Cain Lake*: was *rural*; proposed *shoreline residential* and *rural*.
- 2.10.90. Margaret mentioned that some of the open space at the south end of Cain Lake might be owned by WDFW.
- 2.10.91. *Reed Lake*: was *rural* and *natural*; proposed *shoreline residential*.
- 2.10.92. *Samish River*: was *rural*; proposed *conservancy*.
- 2.10.93. *Squalicum Creek*: was *urban* and *rural*; proposed *urban conservancy*.
- 2.10.94. *Squalicum Lake*: was *conservancy*; proposed *rural*.
- 2.10.95. *Toad Lake*: was *rural*; proposed *shoreline residential* and *conservancy*.
- 2.10.96. *Chuckanut Creek*: maintain *rural*.
- 2.10.97. *Terrell Creek*: Reach 1 was *urban resort*, *urban*, and *conservancy*; proposed *urban resort*, *shoreline residential*, and *conservancy*.
- 2.10.98. Q: Aubrey: Isn't that *urban resort* north of Alderson? A: Yes, but that has not been designated yet because it is part of the marine designations that we will be going over at a future meeting.
- 2.10.99. Reach 2: maintain *conservancy* and *natural*.
- 2.10.100. Q: David H.: What is the barrier that is keeping the creek from going into the bay? A: Jeff: It is a *natural* berm.
- 2.10.101. *Lake Terrell*: was *natural* and *conservancy* in reaches 1-5; proposed *natural* for all reaches.
- 2.10.102. *Bertrand Creek*: Reach 1 was *rural*; proposed *resource*.
- 2.10.103. Reach 2 to Reach 4 below Badger Road: maintain *conservancy*.
- 2.10.104. Reach 4 from Badger Road to ~.75 miles upstream: maintain *rural*.
- 2.10.105. Upper Reach 4 to reach 5: was *rural*; proposed *resource*.
- 2.10.106. Reaches 6-7: was *rural*; proposed *conservancy*.
- 2.10.107. Q: David H.: What are the legal changes that might occur because of the watershed improvement districts (WID)? A: Margaret: Those watershed management plans are for salmon and water quality and quantity. They will not affect these designations.
- 2.10.107.1. Liz added that these creeks are important for spawning, but the designations are really for agriculture.
- 2.10.108. *Fishtrap Creek*: Reach 1 was *rural*; proposed *resource*, except for portions that are in the UGA.
- 2.10.109. Reaches 2-5: are within the City of Lynden.
- 2.10.110. Reaches 6-8: was *rural*; proposed *resource*.
- 2.10.111. *Dakota Creek*: reach 1 - left bank was *rural*; proposed *urban conservancy*. The right bank is within the City of Blaine.
- 2.10.112. Reach 2: was *conservancy*; proposed *urban conservancy*.
- 2.10.113. Reach 3: maintain *conservancy*.
- 2.10.114. Reaches 4-9: was *rural*; proposed *conservancy*.
- 2.10.115. Q: David H.: Is there enough function to qualify that part of *rural* to *conservancy*? A: Margaret: Yes, we spent a lot of time looking at that area.
- 2.10.116. Q: Liz: Are you confirming the 20 c.f.s. points and then putting a new designation in that *undesignated* area? A: David S.: No, the default for the *undesignated* areas is now *conservancy*. They've already been determined to have 20 c.f.s.

- 2.10.117. *California Creek*: Reaches 1-2 were *rural*; proposed *rural* and *conservancy*.
- 2.10.118. Reaches 3-5: maintain *rural*.
- 2.10.119. Reaches 6-7: were *rural*; proposed *conservancy*.
- 2.10.120. Reach 8: was *rural*; proposed *conservancy* for left bank; maintain *rural* for right bank.
- 2.10.121. *Tenmile Creek*: Reach 1 was *conservancy*; proposed *resource*.
- 2.10.122. Reach 2: was *conservancy*; proposed *conservancy* and *shoreline residential* for the right bank. The left bank is within the City of Ferndale.
- 2.10.123. Reach 3: maintain *conservancy*.
- 2.10.124. Reaches 4-5: maintain *conservancy*.
- 2.10.125. Reaches 6-8: were *rural*; proposed *conservancy*.
- 2.10.126. Reaches 9-10: were *rural*; proposed *resource*, except where general manufacturing, proposed *urban conservancy*.
- 2.10.126.1. The recycling facility may not fit under *urban conservancy*. We should look at that one again.
- 2.10.127. *Fazon Lake*: maintain *conservancy*.
- 2.10.128. *Lummi River*: Distributary reaches were *natural*; proposed *natural* and *resource*.
- 2.10.129. Reach 2: was *rural*; proposed *resource*.
- 2.10.130. Q: David H.: Is that where the tide gate is? A: Jeff: I don't think it is a tide gate, but the flow is regulated through a culvert in the dike.
- 2.10.130.1. Q: Is that the Red River or Lummi River? A: It is sometimes called both.
- 2.10.131. Q: Becky: If you are in Custer and Dakota Creek runs through your property. It was *rural*, but now it's *conservancy*. What is the big change? A: David S.: If the zoning is *rural*, the program would say intensive uses should be in the outer portions of the property, not near the creek.
- 2.10.132. Q: Becky: What if the creek runs through the property, you can't access the back of the property, and you have a horse with no fence? A: David S.: The SMP wouldn't regulate that, but the CAO might. The Clean Water Act would also regulate discharge into the creek.
- 2.10.133. A Saturday meeting is scheduled on September 24th from 9:00 – 2:00.
3. Shoreline Designations:
- 3.1. Jeff reviewed the draft shoreline jurisdiction map with the CAC. He indicated that under the SMA the shoreline jurisdiction generally includes all areas within 200-feet of the ordinary high water mark. Additionally, the SMA allows counties to include the entire 100-year floodplain in shorelines jurisdiction and at a minimum requires that the shoreline jurisdiction include the entire floodway plus all areas 200-feet of the floodway along streams and rivers. He noted that it has been a challenge to determine the shoreline jurisdiction along the Nooksack River.
- 3.2. Jeff added that we do not have a mapped floodway for the entire Nooksack River, so the TAC is suggesting that we utilize the geomorphic channel migration zone as a proxy because it is similar in size and extent to the FEMA floodway and the county has a data set that covers the entire Nooksack River (including the forks). Additionally, it makes sense to consider using the geomorphic channel migration zone is because it is based on the natural, geomorphic conditions. The TAC took the geomorphic channel migration zone and reduced it by removing areas separated by major roads and infrastructure. Jeff also noted that by statute we have to include all associated wetlands. When

completed, this map would be helpful to property owners by providing a bright line that to inform them where the shoreline jurisdiction begins and ends on the Nooksack River. The map is still being modified.

- 3.2.1. David S. added that another issue with the FEMA floodplain is that sometimes it shows the river extending out past the floodplain.
- 3.3. Q: Would Silver Lake be included in this? A: Yes, because it is more than 20 acres.
- 3.4. Margaret added that the determination of the channel migration zone for shoreline jurisdiction would be for the Nooksack River and that the other tributaries will use their own “200 feet from the OHWM plus all associated wetlands”, and would not need a channel migration zone determination.
- 3.5. Margaret also noted that the Sumas River will be added to the map as soon as the information is available.
 - 3.5.1. Roger added that while working on a project in Ferndale, the FEMA map that was used was completely different than ground conditions when the area was surveyed.
- 3.6. Margaret mentioned that a map with all the 20 c.f.s. points is not ready yet, but there is a map with the current points and the ones that are being proposed. They are still waiting for information from USGS.
- 3.7. Q: Aubrey: Did USGS collect the data points? A: Jeff: Yes, they did in the 1990's. We still need to get clarification regarding the accuracy.
- 3.8. Q: Aubrey: How long would it take to get off of the 20 c.f.s. list? A: Jeff: It would take 10 years of data showing that it was below 20 c.f.s. to get off the list.
 - 3.8.1. Q: Aubrey: Who makes that determination? A: David S.: Ecology.
- 3.9. The group indicated that they thought that the approach to determining shorelines jurisdiction was appropriate and workable.
- 4. The Saturday, September 24th meeting will cover any parts of the draft SMP sections that have not been covered or sections that the CAC would like to revisit. The CAC has seen about 75% of the document. The marine work is a little behind, so the marine designations will be reviewed at a later meeting.
 - 4.1. The Saturday meeting will be at the PDS library from 9:00 – 2:00 and lunch will be provided.
 - 4.2. Jeff handed out the modifications to the CAO.
- 5. Meeting adjourned.

Action Summary

Agenda Item	Action
2	Margaret and David S. will delete the <i>rural</i> designation from the South Fork Nooksack River, Reach 4 of Preliminary SED Recommendations. Existing and left bank SED should be <i>conservancy</i> only.
2	David will look at the plat maps for Lake Samish to identify roads and houses not shown on current map.