

STREAMS

Lake Forest Park Municipal Code Chapter 16.16 regulates development in Environmentally Sensitive Areas. This sensitive area summary is one of a series of four that describes each of these environmentally sensitive areas.

**The following information is meant to provide general information about Streams. This summary is not a substitute for the actual codes or regulations. The following does not include information pertaining to other land use and building permit requirements and procedures. Additionally, the conditions and regulations described in this bulletin do not address any state or federal regulations regarding the listing of salmonid species under the Endangered Species Act and should not be construed as such. Environmentally Sensitive Areas requirements can and do sometimes change after action by the City Council. Interested parties should always verify current requirements with the City Planning Department.*

WHAT IS A STREAM?

A stream is defined as an area where surface waters have created a channel or bed, which contains water for at least part of the year. Note that water does not have to be present throughout the year.

An entirely artificial watercourse, such as a ditch, is not considered a stream unless it now contains fish known as “salmonids” (see below) or if it conveys surface water naturally occurring prior to alteration of the land.

WHY ARE STREAMS IMPORTANT?

Streams provide spawning and breeding habitat for wildlife and fish. Streams also shape our landscape, transporting material from one location to another providing mineral-rich soil for farmland. The area surrounding the streams, known as riparian habitat, provides shade and stream bank stability for the stream, while providing food, water, shelter and shade for reptiles, birds, mammals, fish and amphibians.

WHAT IS A “SALMONID”?

A “salmonid” includes any of the species of salmon, trout, whitefish or char (such as Dolly Varden).

STREAM TYPES

Designating types of streams is useful because development restrictions can be tailored to each stream’s uniqueness and contributions to the environment.

- **Type 1** streams are used seasonally by fish for spawning or passage.
- **Type 2** streams are not fish bearing yet do not go dry anytime during a year of normal rainfall.

- **Type 3** streams are seasonal, non-fish-bearing streams that do not have surface flow for a significant portion of the year.

In most cases, determination of stream type requires that a report prepared by a qualified professional be submitted to the Planning Department.

STREAM BUFFERS

Streams are provided a “buffer” of land to protect them from human activities. No construction, clearing, grading or other activities are allowed within this buffer or within the sensitive area. In addition, structures must also be kept outside a 15-foot building setback from the edge of the stream buffers.

Buffers are measured from the ordinary high water mark (abbreviated as OHWM) of the stream channel and extend in either direction from the stream. The OHWM is typically found on the bank of streams at the edge of vegetation. 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.

Buffers are measured horizontally and are more accurately measured on a map rather than “walked-off” on the ground unless it is perfectly level. If a stream is “braided”, where more than one channel exists, the OHWM must include all braids.

The minimum width of the buffer depends on the stream type:

Stream Type	Standard Buffer	Buffer with Enhancement
Type 1	115 Feet	70 Feet
Type 2	50 Feet	35 Feet
Type 3	35 Feet	25 Feet

**In addition, structures must be kept outside a 15-foot building setback that extends beyond the buffer.*

STREAM ENHANCEMENT

An enhancement is an action that increases the functions and values of a stream, wetland or other sensitive areas. For more information and resources regarding enhancement and restoration projects contact the City of Lake Forest Park Planning Department.

STREAMS ADJACENT TO SLOPES OR WETLANDS

If the OHWM of a stream or the edge of a wetland is within 25 feet of a slope that inclines between 30% but less than 40%, the buffers may be enlarged. If the slope inclines 40% or more, the area is a steep slope hazard area. (Refer to the information bulletin discussing steep slope hazard areas)

1. If the slope is relatively short and lies entirely within the stream buffer, the buffer will be the greater of:
 - a) The minimum buffer for the stream; or
 - b) 25 feet beyond the top of the slope.
2. If the slope is relatively long and extends beyond the stream buffer, the buffer will extend to a line 25 feet beyond the minimum buffer for that stream. Note that the new buffer may end on the slope without reaching the top.

Any stream abutted by riparian wetlands or other contiguous sensitive areas will have the minimum buffer required.

ADDITIONAL STREAM PROTECTION

Vegetation or wildlife that are not native to the Pacific Northwest cannot be introduced into a stream buffer without approval by the City of Lake Forest Park.

The use of herbicides, pesticides and hazardous substances is prohibited in stream corridors or buffers unless it is demonstrated that special circumstances require their use.

All protected streams areas must be well marked on site prior to any construction activity. All permitted alterations are subject to conditions and requirements administered through a sensitive areas work permit.

PERMITTED ALTERATIONS

Consult the City of Lake Forest Park Sensitive Areas Code and the Planning Department for more specific information about:

- Stream Crossings
- Stream Enhancements
- Trails
- Stream relocations
- Stream channel stabilization
- Surface water management
- Utilities in a stream buffer

Any alteration of streams or their buffers are strictly regulated and require mitigation plans.

SENSITIVE AREA TRACTS

Development proposals, including subdivisions, short subdivisions, lot line adjustments, variance requests, conditional use permits and reasonable use requests, that contain stream corridors will be required to set aside the sensitive area in a separate preservation tract. This tract will be recorded on all documents of title or record for all affected lots.

OTHER JURISDICTIONAL REVIEW

Applications for work within a stream corridor or its associated buffer must also meet the requirements of other jurisdictions. For example, a Hydraulic Project Approval (HPA) from the Washington State Department of Fish and Wildlife may be required. A State Environmental Policy Act (SEPA) review may also be required. SEPA is administered through the City of Lake Forest Park with review by several outside agencies. For more information please contact the City of Lake Forest Park Planning Department.

A profile of applicable current land use regulations for specific parcels can be obtained from the City for a charge of \$20.00. A written request that identifies the property by address and legal description is required. Please allow at least two weeks for the written response.

For more information please contact the Planning Department

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