

Document Code No.: LUD-17-1-5

Title: Critical Areas: Designation, Classification and Mapping of Channel Migration Zones

Effective Date: [Note: 30 days after filing with ARMMS]

Authorities: K.C.C. Chapter 2.98, and 21A.02.090 and 21A.24.274

Keywords: Channel Migration Zone

Sponsoring Agency: Department of Local Services and Department of Natural Resources and Parks

Signature: _____

Date signed: _____



I. Purpose

A. This rule is adopted under King County Code (K.C.C.) chapter 2.98, and K.C.C. 21A.02.090 and 21A.24.274. It is the purpose of this rule to:

1. adopt criteria for channel migration designation, classification, and mapping; and
2. adopt channel migration zone studies and maps.

B. King County will prepare channel migration zone studies and maps for channels located within King County's shoreline jurisdiction.

C. The criteria for channel migration designation, classification, and mapping and the maps adopted by these rules are for use by King County in its review of development activities under the King County Code. The criteria and maps do not apply to forest practices applications to the Washington state Department of Natural Resources.

D. This public rule repeals LUD-17-1-4."

Applicability and Audience

Owners of property shown on the Channel Migration Zone maps for the Tolt, Snoqualmie, Raging, Green, Cedar, South Fork Skykomish, White, Greenwater Rivers in unincorporated King County. The maps identify the areas and parcels affected by land use, zoning, and development regulations applicable within the channel migration zones.

II. Definitions

A. Channel migration hazard area, moderate: the portion of the channel migration zone, as shown on King County's Channel Migration Zone maps, that lies between the severe channel migration hazard area and the outer boundaries of the channel migration zone.

B. Channel migration hazard area, severe: the portion of the channel migration zone, as shown on King County's Channel Migration Zone maps, in which there is a higher level of channel migration hazard due to a high likelihood of continued, progressive bank erosion, rapid shifting of channel location or other imminent channel changes.

C. Channel migration zone (CMZ): the area along a river channel within which the channel can be reasonably predicted based on best available science, to migrate over time as a result of a natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings.

D. Department: the King County department of local services, or successor agency.

III. Policy

21A-24-277 Designation and classification of channel migration zones.

A. Channel migration zones shall be designated based upon a channel migration zone study prepared following the criteria in Appendix A to this rule.

B. Special studies to determine channel migration area boundaries on a specific property may be submitted to the department under section 21A-24-279A of this rule.

21A-24-278A Adopted channel migration zone maps.

The Channel Migration Zone maps and updates, reassessments, or adjustments to those maps listed in Appendix B to this rule are hereby adopted as the Channel Migration Zone maps for King County.

21A-24-279A Updates, reassessments, or adjustments to Channel Migration Zone Maps.

A. Updates, reassessments or adjustments to the adopted King County Channel Migration Zone maps shall be adopted by the provisions of this rule and its appendices, K.C.C. 2.98.060 and executive policy INF-7-6-1-EP, or successor policies.

B. To the extent practical, a completed channel migration zone study and map should be updated through its entire study length approximately every twenty years since its date of adoption, or more frequently if unpredicted channel migration render the study and map inaccurate through much of its study area. An updated channel migration zone study and map shall be prepared using the methods and criteria for channel migration designation, classification and mapping as for a new CMZ study and map, as specified in Appendix A to this rule. A completed channel migration zone study and map remains in effect until it is updated.

C. At the request of a property owner or on its own initiative, the department may reassess and adjust the boundary of a completed channel migration zone map within a smaller portion of the full channel migration zone study length and before the entire channel migration zone map is updated as follows:

1. A property owner may submit a critical area study to the department supporting the property owner's request for a site-specific reassessment of the channel migration zone boundary. The critical area study shall be conducted using channel migration mapping methods and criteria specified in Appendix A to this rule.

2. The department, in consultation with the department of natural resources and parks, may reassess and adjust the boundary of the channel migration zone or its component hazard areas if it determines that the conditions within a specific portion of an overall channel migration zone study area have changed to the extent that the existing mapped channel migration zone boundary is no longer accurate. The reassessment and adjustment shall be made using mapping methods and criteria specified in Appendix A to this rule.

3. If the department, in consultation with the department of natural resources and parks, approves an adjustment to an existing channel migration zone map under subsection B.1 or B.2 of this section, the adjustment will be documented by staff from the department of natural resources and parks, water and land resources division, river and floodplain management section, in a letter and annotated portion of the adjusted channel migration zone map for adoption in an amendment to this public rule. The letter and adjusted map portion shall be kept on file in the records associated with the existing channel migration zone study and map for that area. The river and floodplain management section shall record and post all channel migration zone adjustments to its website. The river and floodplain management section shall provide the adjusted CMZ boundary(s) to the King County geographic information system (GIS) center for inclusion in the county's geographic information mapping system.

IV. Implementation Plan

21A-24-282 Severability.

If a provision of the rule contained herein or its applicability to any person or circumstance is held invalid, the remainder of the provisions of this rule or the application of the provision to other persons or circumstances shall not be affected.

V. Maintenance

This rule will be maintained by the department and the department of natural resources & parks, or their successor agencies.

VI. Consequences for Noncompliance

The department is responsible for enforcing compliance of this rule under King County's land use, zoning and development regulations. If non-compliant development occurs within the designated Channel Migration Zones, enforcement activities under K.C.C. Title 23 would initiate.

Appendices:

Appendix A: Preparation of Channel Migration Zone (CMZ) Study and Map

Appendix B: King County Channel Migration Zone Maps Adopted by this Rule

Appendix C: Washington State and King County Regulations Regarding Disconnected Migration Areas