



Friends of the White Salmon River

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November 30, 2020

Klickitat County Planning Commission
228 West Main Street MS-CH-17
Goldendale, Washington 98620
Attn: Denice Lee

Submitted via email to denicel@klickitatcounty.org

RE: Shae Hill CUP SH2020-02

Friends of the White Salmon River (FWSR) is a non-profit organization dedicated to protecting the White Salmon River and its watershed for fish, wildlife, and for the residents of the area. FWSR's supporters include citizens of Klickitat and Skamania Counties and others who live, work and recreate in the White Salmon River watershed. Our members and supporters would be negatively affected by land use actions that have an adverse effect on the river, its tributaries, and wildlife habitat.

We strongly urge you to deny this application, as the proposed project will do additional damage to an already severely damaged shoreline area. The County should not permit additional damage. **Picture 1**, provided by the applicant, shows a current buffer that is a pitiful ghost of what it should be.

A. General Comments

Ecological functions of shoreline require adequate undisturbed buffers, at a minimum. Making room for the river to live naturally, move as it wants, absorb large woody debris, gravel beds, move rocks, and generally be itself is essential for all species that depend on the river, including humans.

The lot in question is a result of long process of short plats and other land use actions, starting with a short plat in 1997, SP-97-06. Every one of these applications offered an opportunity for the County to protect the shoreline buffer. In fact, the buffer has continued to degrade throughout the entire process, until we presently have a poor pitiful ghost of a buffer.

There is recent damage on the shoreline of this lot. Most recently, a permit was issued to remove a large standing cottonwood in the shoreline buffer of this property. This is a classic example of permitting harm – that tree was no doubt habitat for various species, including the insects that feed the salmon and steelhead. We need to protect, not destroy, ecological functions of buffers.

The removal of the cottonwood (and various smaller trees) is not the only recent damage done. A screen shot from Google earth 2018 shows grading and soil disturbance well within the supposed 50-foot buffer. **Picture 2**.

Finally, the shoreline in the Husum area has degraded through unpermitted actions. Some of these actions have been brought to County attention in complaints filed with the County. None of them have been resolved in favor of the buffer and the river.¹

¹ The property now owned by the Bosquets, the house now owned by Paul Fortino north of Husum, the on-going clearing at Deadman's Curve come to mind

In summary, it is past time for the County to start evaluating the cumulative effects of proposals. It is past time for the County to start promoting and protecting the ecological functions of buffer. The effect of this proposal must be considered in the context of achieving the protections called for in Shoreline Management Program, the Critical Areas Ordinance, and the Wild & Scenic River Management Plan.

For convenience, I provide the following list of potential / likely sources of harm to the river as this area converts from agricultural to residential use.

- *increase of impervious surfaces such as the road and driveway which may release dangerous chemicals into storm water runoff;
- *increased run off from roof surfaces;
- *possible run-off from lawns and lawn chemicals;
- *water drawn from shallow aquifers;
- *septic systems which are not regulated or monitored;
- *silt from graded open areas;
- *grading which destroys soil structure, soil habitat, and roots within the buffer;
- *substantial loss of vegetation in the buffer, including native vegetation.

B. Provisions of SPL 2014-11

This project absolutely should not be approved unless and until all required mitigations for Short Plat 2014-11, creating four lots including the lot in this application, are met.

The MDNS for this short plat acknowledges potential harm to surface water quality. “The White Salmon River is within the project area. This River is considered a Shoreline of the State and also designated a National Wild and Scenic River. The proposal will result in a total of 4 new residential lots and associated access road. Additional impervious surfaces will increase run-off. Pollutants associated with runoff from a typical residential development include petroleum products, fertilizers, and detergents. Increased runoff can also increase erosion.”

Increased impervious surfaces, such as those proposed by this project, are specifically mentioned as a threat. Erosion, also mentioned, is likely increased by vegetation removal and increased foot and boat traffic. The application does contain a replanting plan, but there is no provision for monitoring, and no approval by a qualified agency.

The MDNS contains several requires mitigations regarding storm water, including the installation of certain storm water handling facilities. It is not clear if these improvements have been completed. There is an easement granted to the County for stormwater purposes (auditor’s document 1118550). This easement follows the road to the subdivision lots. There is also a Storm Drainage Facility Maintenance agreement (auditor’s document 1118552). However, I have not found documentation of installation of the required facilities. **Picture 3** shows the approximate location of the storm drainage easement along the property in this application. There is no sign of the require facilities on this photo.

C. The proposal is not permissible under the Klickitat County Shoreline Management Program or the Wild & Scenic Management Plan

The SMP is about managing shoreline uses, and it is an unwieldy toothless document with so much qualifying language as to allow almost anything. Nevertheless, the SMP does contain provisions under which this proposal cannot qualify.

1. SMP goals. The section on purpose and intent clearly prioritizes long-term, ecological benefits.

“To meet the RCW 90.58 the Klickitat County Shoreline Master Plan has been developed to ensure that appropriate development/activities occur on shorelines of state-wide significance. Proposed development/activities on shorelines of state-wide significance shall be evaluated in a manner that will give preference to uses in the following order:

- (A) Recognize and protect the state-wide interest over local interest;
- (B) Preserve the natural character of the shoreline;
- (C) Result in long term over short term benefit;
- (D) Protect the resources and ecology of the shoreline;
- (E) Increase public access to publicly owned areas of the shoreline;
- (F) Increase recreational opportunities for the public in the shorelines;
- (G) Provide for any other element as defined in RCW 90-58-100 deemed appropriate or necessary.”

This proposal damages the natural character of the shoreline, brings short term benefit at the expense of long-term benefit, and does not protect the resources and ecology of the shoreline.

2. **Buffers.** A 50-foot Natural Buffer Zone of undisturbed vegetation is required in this SMP environment.

“Within all environments designated for the shorelines of Klickitat County is an area called the Natural Buffer Zone (NBZ). The purpose of this zone is to establish an undisturbed conservation buffer of natural vegetation in order to preserve the shoreline natural riparian zone; to assure water quality; to preserve the aesthetic qualities along the shorelines, and to enhance and preserve unique natural resources for the benefit of existing and future generations and the public interest.”

“Undisturbed conservation buffer” is defined in the glossary. “Undisturbed allows only minor vegetative modification that does not substantially alter the visual character or adversely affect the riparian structure and function.”

The existing shoreline buffer does not come close to even the very basic standard in the Shoreline Master Program. The proposed project will do more damage. The County’s response to this application should be to require the applicant to restore the shoreline buffer to the required condition, not to permit additional damage.

3. **Wild & Scenic Buffers.** The Wild & Scenic Management Plan, calls for a 100’ undisturbed buffer in this area. I understand that the County refuses to adopt or enforce the existence of the Wild & Scenic River and its management plan, but this is extremely shortsighted.

4. **Wild & Scenic standards for launch sites,** under the River Access section of the Management Plan, state:

- “1. Do not increase existing capacity.
- 2. Limit commercial cable launch sites at BZ Corner to a maximum of two, only one of which provides public access.
- 3. Assure that facilities providing public access are safe, reasonably priced, and provide good public service, preferably through cooperation with the owner/operator of the launch.
- 4. **Do not allow additional private launch facilities.**
- 5. Cooperate with Pacific Power to assure that an adequate public take-out is located at the head of Northwestern Lake.
- 6. At Husum Falls, do not provide improvements unless needed for safety or to prevent resource damage at the take-out above the falls, the portage, and the put-in below the falls.
- 7. Provide a put-in near Rattlesnake Creek.”

There are various existing public (permitted) and private (either grandfathered before the SMP or installed without permit). **Picture 5 below.** No more are needed or should be allowed. According to the letter submitted by the USFS, this proposal, and by extension all additional private launch sites, will increase the number of boats on the river “which is already nearing its recreational carrying capacity”. Whitewater recreational use needs to co-exist with the goals with more public importance related to biological diversity and habitat.

5. **Visual aesthetics of the shoreline.** Both the County SMP and the Wild & Scenic Management Plan have goals to preserve a natural look along the shoreline. The house is clearly visible from the river, detracting from the natural views. A solid, undisturbed buffer is necessary to restore the desired condition. **Picture 6 below.**

The MDNS for SPL 2014-11 states in condition 2.1 that “no work is proposed with 200 feet for the White Salmon River.” Now, of course, there is a house, or maybe two, within 150’ of the river. Here is a perfect example of the short-sighted approach of not evaluating cumulative impacts when considering land use actions.

D. This application cannot be permitted under the requirements for a Shoreline Conditional Use Permit. The SMP requires consideration of cumulative impacts. The proposal fails to meet any of these standards, with the possible exception of number two. From the SMP:

“For all Conditional Use Permit applications, consideration must be given under the conditional use permit process to the cumulative impacts over time of granting additional permits for like actions in an area. In other words, if comparable development proposals are likely and were permitted by conditional use permit in the area where similar circumstances exist, the total of the developments must also be consistent with the Shoreline Management Act and must not produce substantial adverse effects to the shoreline environment.

Conditional uses that are set forth in the local master program, may be authorized provided that the applicant can demonstrate all the following (WAC 173-27-160):

1. The proposed use is consistent with the Shoreline Management Act and the policies of the local master program.
2. The proposed use will not interfere with the normal public use of public shorelines.
3. The proposed use of the site and design of a project will be compatible with other permitted uses within the area.
4. The proposed use will cause no unreasonably adverse effects to the shoreline environment designation in which it is to be located.
5. The public interest suffers no substantial detrimental effect.”

E. The project cannot be approved, as it violates Critical Areas Ordinance provisions. Both the SMP and the CAO are in the process of revision. There is no doubt, however, that the entire portion of the White Salmon below BZ Falls is habitat for endangered species. The buffers required by either ordinance are, at a minimum, 150 feet. Likely the house itself is in violation of Critical Areas standards. Certainly, the present condition of the buffer is in violation. No further damage should be permitted.

F. This project cannot be approved because of errors in application (JARPA)

1. Questions 5n and 5n. current use of land. Adjacent land use is not for hay production, as it had been in the past, and it looks unlikely to be pasture, in the lack of barns, stock tanks, fencing or other facilities characteristic of pasture. The land use is residential and fallow. This is especially harmful for the river in light of the conversion of the former pasture and hay crop to bare ground. **Picture 7 below**

In addition, there is already a private, unpermitted boat launch a very short distance to the south of this property. This is also not identified as an adjacent use.

2. Question 8c is answered “There are no known adverse impacts other than removing [invasive plants]. This answer fails to consider the installation of impervious concrete surfaces.

3. Question 9M is answered erroneously, since it omits mention of all ESA listed fish found in the river at this location. Salmon restoration is a high public common goal, and it should take precedence over a private boat launch.

4. Several questions address the width of path. The applicant says they intend to increase the width by six inches. There are no measurements provided of the current path, and no explanation of how a six-inch difference is significant for a raft. We are doubtful that a 36” wide path is sufficient for a raft. Indeed, there is already evidence of trees having been cut. Perhaps the plan is to have a 36” walking path and vegetation on either side kept low enough to pass a raft over it. This would completely miss the point of a buffer.

6. The replanting plan is not sufficient. The plants may be native, but are they optimal for a buffer? What third-party monitoring is proposed?

7. Finally, the applicant states that this launch is for their family. There is no estimate of trips per years or the number of people likely to launch from this site. This information is certainly pertinent and should have been included in the application. See comment above about the capacity of the river to support recreational whitewater us.

In conclusion, FWSR have participated in innumerable permitting processes in the White Salmon River watershed over the last fifty-plus years. In general, the permitting process has proved to be worthless for any environmental protection in the watershed. We strongly urge the County to start protecting and improving the shorelines, and to stop permitting additional harm.

Very truly yours,

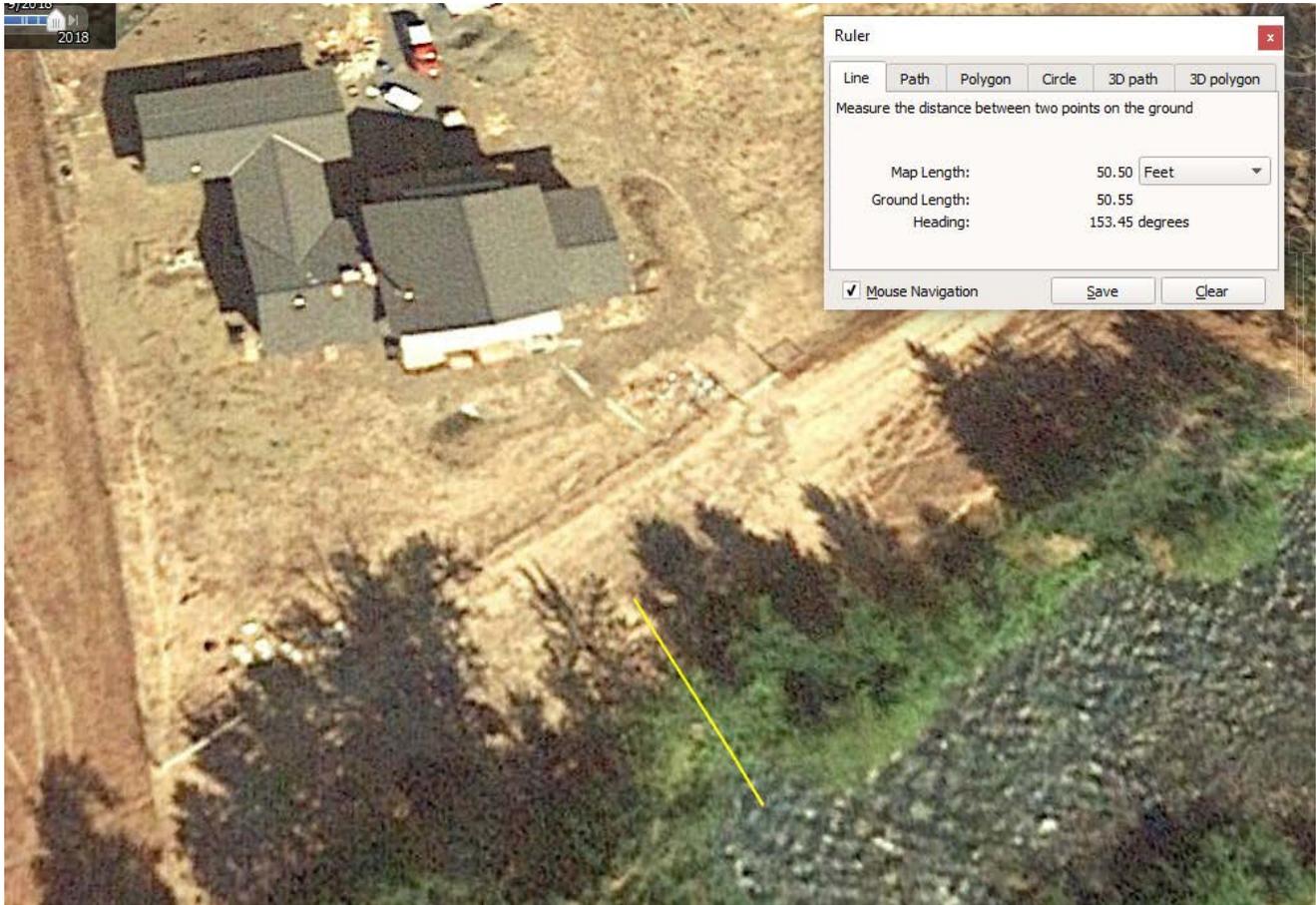


Patricia L. Arnold

Picture 1. current buffer. Picture provided in the application.



Picture 2. Land disturbance and grading within the buffer.



Picture 3. Approximate location of stormwater easement, shown by the yellow line.



Picture 5. Existing access points.



Picture 6. House (and adjoining house) from the river. Lacking buffer, view of house not consistent with SMP or W&S Plan



Picture 7. Adjoining land uses

