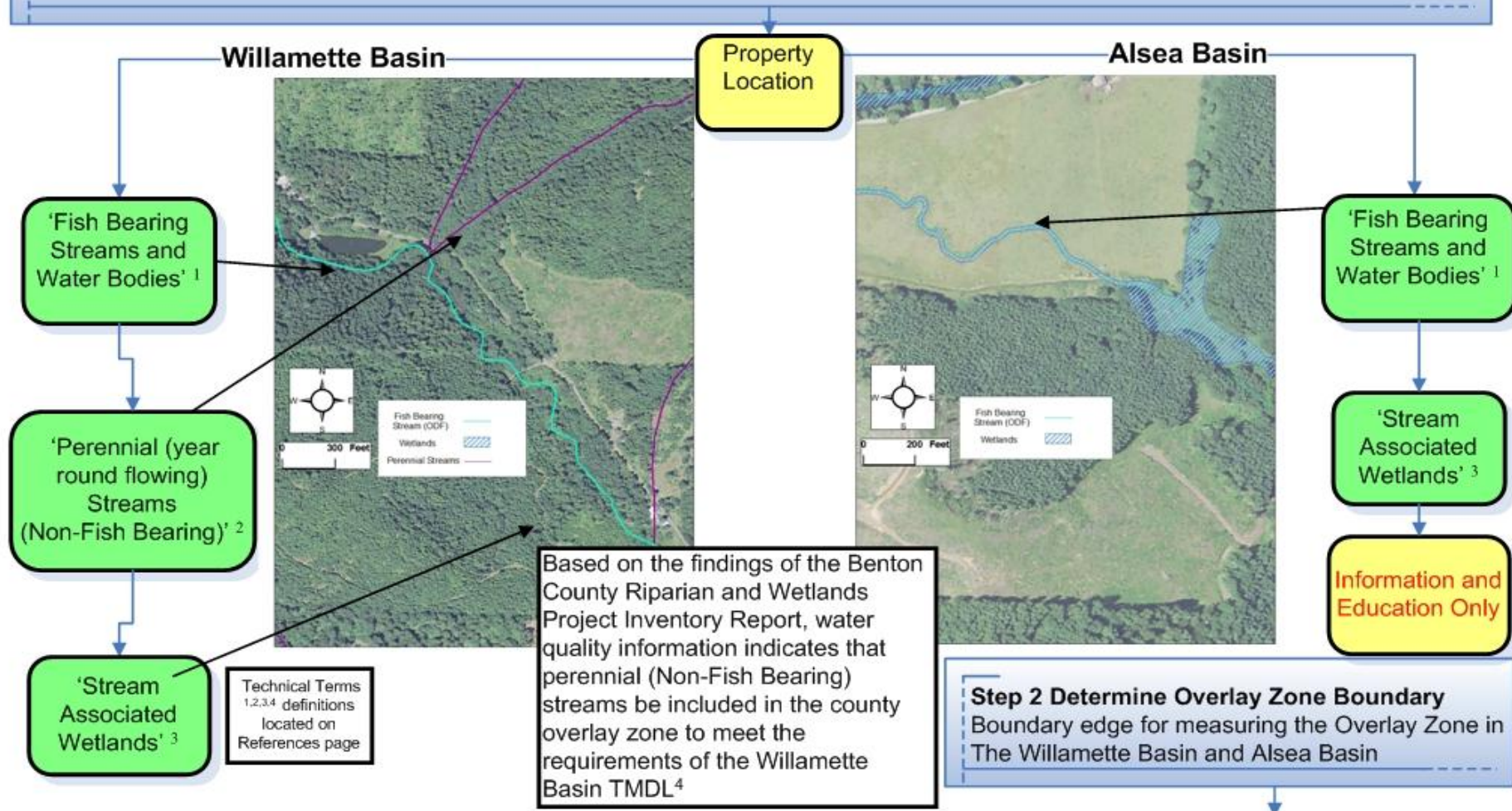


Benton County Stream and Riparian Protection Scenarios

The following are common scenarios for protection of stream and riparian resources. The following scenarios outline how Benton County Stream and Riparian Protection (SRP) Overlay Zone code amendments would be applied. The scenarios were developed from Local Landowner input at twelve (12) community meetings, and monthly meetings of the Riparian and Wetlands Advisory Group.

Step 1 Delineation of the Stream and Riparian Protection Overlay Zone

The Overlay Zone boundaries will be established differently for properties with applicable riparian/wetland resources



Benton County Stream and Riparian Protection Scenarios

Continued (pg 2 of 7)

Step 2 Determining the Overlay Zone Boundary in the Willamette Basin

The following scenarios apply to the portion of the Willamette Basin in Benton County

'Fish Bearing Streams and Water Bodies'

Riparian Corridor: The riparian area measured horizontally, inland, from the ordinary high water line are as follows

For the **Willamette River**, including bays and side channels: 75 feet;

For **all other fish-bearing streams and other fish-bearing water-bodies**: 50 feet;

See page 4 for description of how the ordinary high water line will be determined by Benton County.

'Perennial (year round flowing) Streams (Non-Fish Bearing)'

Riparian Corridor: The riparian area measured horizontally, inland, from the ordinary high water line are as follows

For all other **perennial streams** in the Willamette Basin: 50 feet

'Stream Associated Wetlands'

Stream-Associated Wetland: When mapped wetland extends beyond the edge of the SRP riparian corridor Overlay zone

DRAFT OPTIONS

25 foot buffer from mapped wetland edge if Oregon Dept of State Lands indicates that the proposed actions can impact jurisdictional wetlands and waters.

25 foot buffer for National Wetlands Index mapped wetlands

Other?

Step 2 continued Determining the Overlay Zone Boundary in the Alsea Basin

The following scenarios apply to the portion of the Willamette Basin in Benton County

Benton County Stream and Riparian Protection Scenarios

Continued (pg 3 of 7)

Step 2 Determining the Overlay Zone Boundary in the Alesea Basin

The following scenarios apply to the portion of the Alesea Basin in Benton County

'Fish Bearing
Streams and
Water Bodies'

'Wetlands'

Wetlands mapped by Department of State Lands, Private and Non-Profit organizations will be provided as information and education to landowners.

Riparian Corridor: The riparian area measured horizontally, inland, from the ordinary high water line are as follows

(A) **All fish-bearing streams and other fish-bearing water-bodies:** 50 feet;

See page 4 for description of how the ordinary high water line will be determined by Benton County.



Step 3 Determining the Ordinary High Water Line in the Alesea Basin and Willamette Basin

The following scenarios apply to the portion of the Alesea Basin and Willamette Basin in Benton County

Benton County Stream and Riparian Protection Scenarios

Continued (pg 4 of 7)

Licensed Civil Engineer or Surveyor

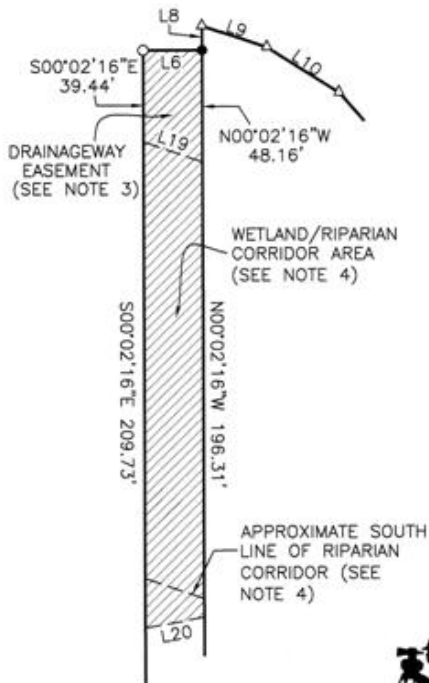
Site Assessment

Step 3 Determination of Ordinary High Water Line ⁵
 The ordinary high water line (as defined in DIVISION 141-085 Oregon Administrative Rules for waters of Oregon including wetlands

Site Assessment

County Planning Official/ Staff using available mapping, photos and other site evaluation techniques

Example of licensed survey to determine Ordinary High Water Line



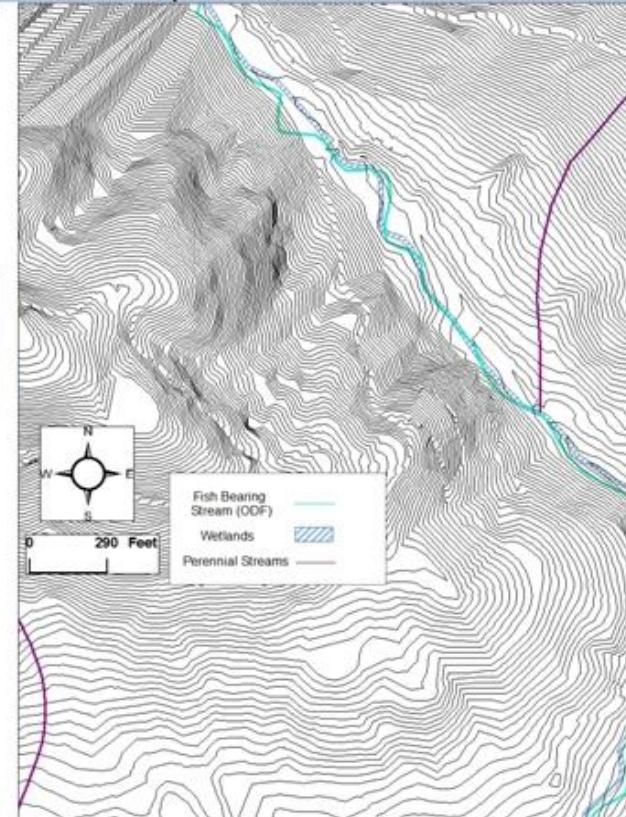
EASEMENT DETAIL
 SCALE 1"=50'



Photos and on-site visits

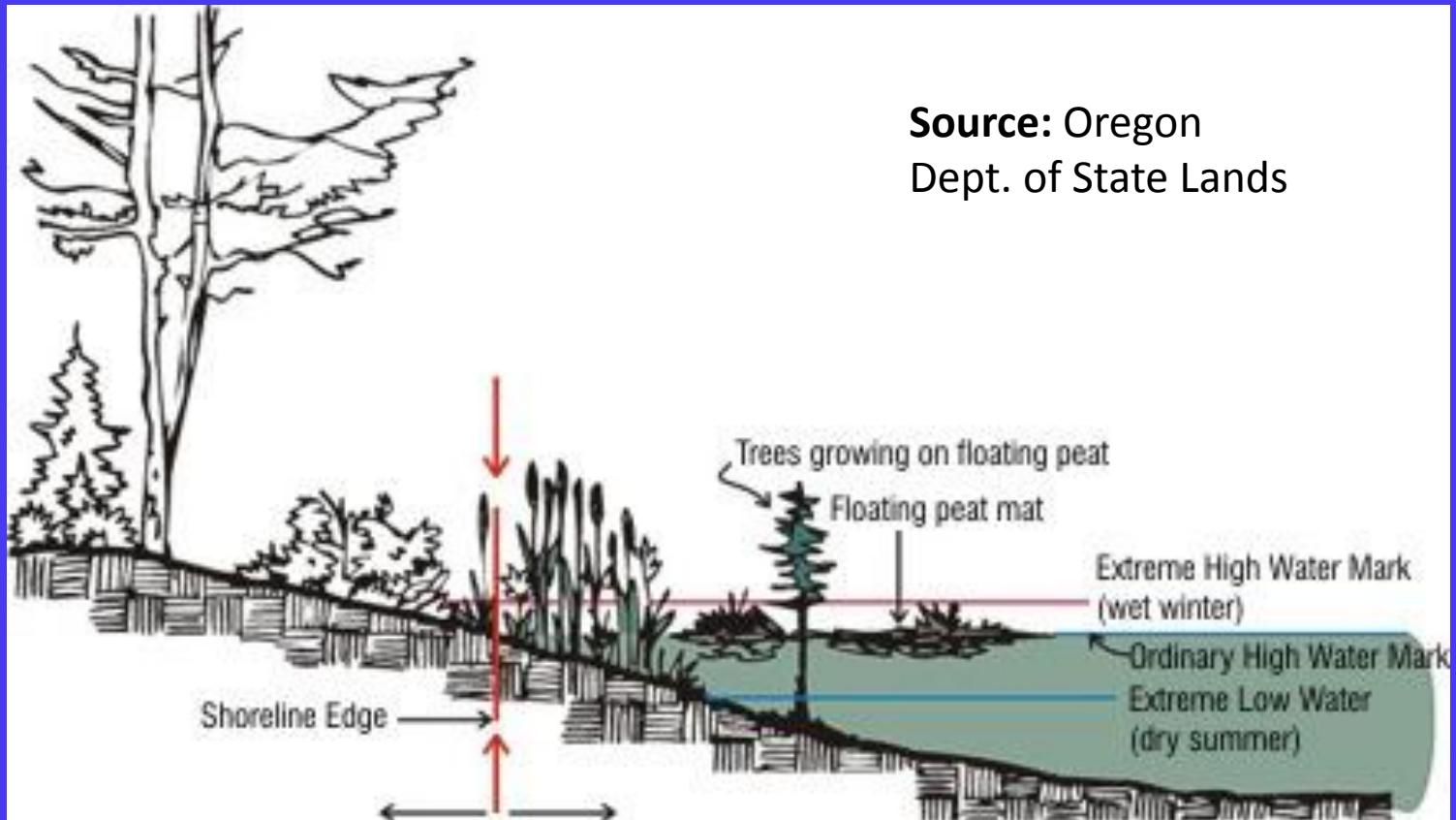


Examples of available County contour data available for determining top of bank
 With site photos, visits where needed



Ordinary High Water Line

Source: Oregon
Dept. of State Lands



Benton County Stream and Riparian Protection Scenarios

Continued (pg 5 of 7)

Step 4 Determine if Stream and Riparian Overlay Zone Rules Apply

Based on current or future landowner wants or concerns for delineated riparian corridor, details are provided on how riparian protection rules would be applied.

The following are the main categories of concerns provided by landowners.

Vegetation Removal

Vegetation removal not allowed under Low Impact Uses, and Exemptions

Existing Structure

Remodels, additions, other alterations to an existing structure that extend into the protection area.

New Structure

New structures that extend into the riparian protection area.

Stream Boundary Movement

The riparian protection area boundaries will not change if stream moves out of a riparian corridor

Low Impact Uses

Trimming vegetation, removing hazardous trees, Maintaining existing landscaping, and recreational uses currently occurring.

Exemptions

Forestry and Farming Activities pursuant to The Oregon Forest Practices Act and the Oregon Agricultural Water Quality Program.



Benton County riparian corridor vegetation protection rules will apply

Education, Voluntary Incentives and Information Sharing (no new rules will apply)



Oregon
Department
of Agriculture

Benton County Stream and Riparian Protection Scenarios

Continued (pg 6 of 7)

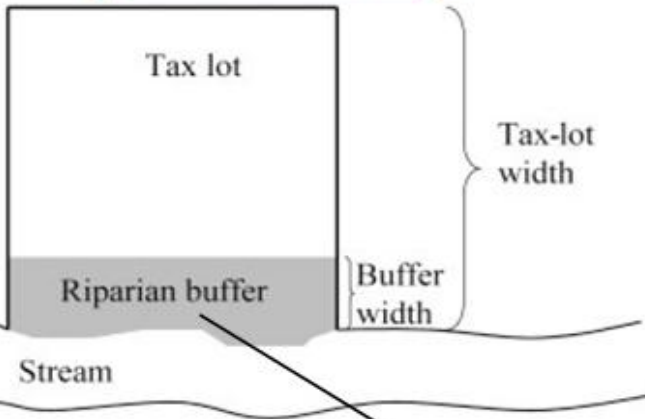
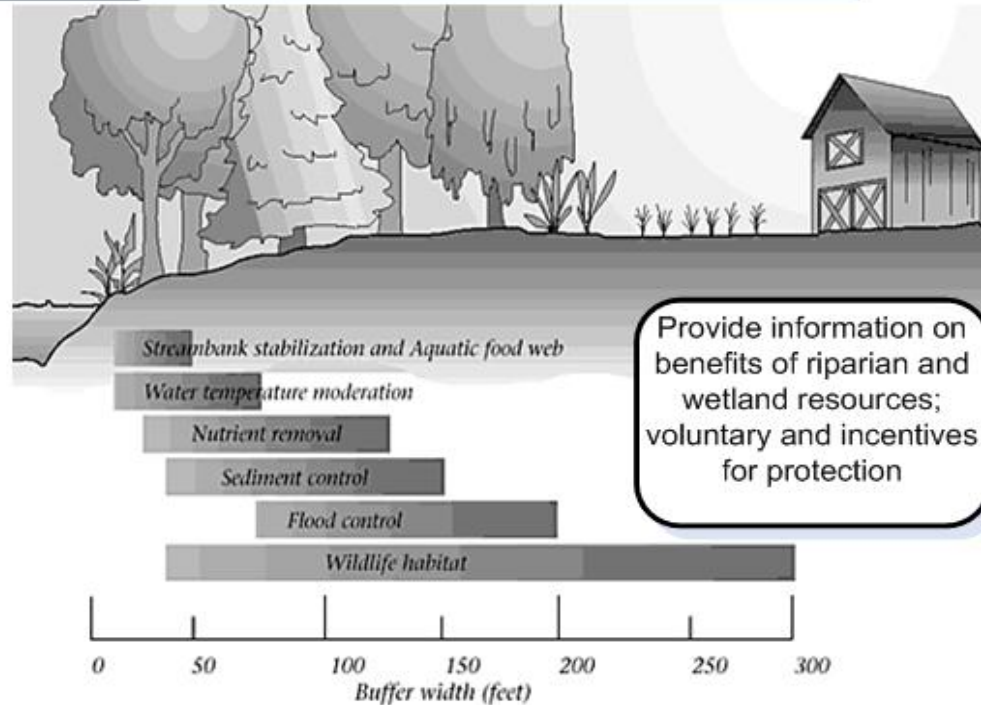
Step 5 Process for Reviewing and Implementing Stream and Riparian Overlay Zone Rule Requirements

Details on how riparian protection rules are applied to properties.

County Review and Requirements

***Note that Benton County Building Setbacks currently require 25 to 50 ft. setbacks from streams**

Known or Proposed Alterations to Riparian Vegetation within Riparian Corridor that are not exempt



**Minimize Vegetation Removal/Riparian Overlay Zone Disturbance;
Require replanting if area is disturbed;
Provide for Variance Process if requested
by landowner (see Draft Stream and Riparian Overlay Zone)**

Benton County Stream and Riparian Protection Scenarios References

Continued (pg 7 of 7)



- 1. Fish Bearing Lakes:** When a fish bearing stream has seasonal connectivity with a natural or human constructed water body.
- 2. Fish Bearing Streams:** a stream inhabited at any time of the year by anadromous or game fish species, or fish that are listed as threatened or endangered species under the federal or state Endangered Species Act.
- 3. Stream-Associated Wetland:** A mapped wetland documented on current wetland mapping resources utilized by Benton County, with a portion of the mapped area of the wetland located within the riparian corridor.
- 4. TMDL (Total Maximum Daily Load):** is a calculation of the maximum amount of a pollutant that a waterbody can receive and still safely meet water quality standards.
- 5. Ordinary High Water Line:** Means the line on the bank or shore to which the high water ordinarily rises annually in season (ORS 274.005). This excludes exceptionally high water levels caused by large flood events (e.g. 100 year events). OHWL is indicated in the field by the following physical characteristics:
 - (a) Clear, natural line impressed on the shore;
 - (b) Change in vegetation (riparian (e.g. willows) to upland (e.g. oak, fir) dominated);
 - (c) Textural change of depositional sediment or changes in the character of the soil (e.g. from sand, sand and cobble, cobble and gravel to upland soils);
 - (d) Elevation below which no fine debris (needles, leaves, cones, seeds) occurs;
 - (e) Presence of litter and debris, water-stained leaves, water lines on tree trunks; and/or
 - (f) Other appropriate means that consider the characteristics of the surrounding areas.