

Proposal by Jim James

Determining relief for landowners who have more than 10% of their property parcel impacted by riparian areas.

Determination if Landowner Must Apply New Riparian Rules

When on a parcel basis, the acres contained in all the riparian area boundaries (100 feet both sides of a Large Stream, 70 feet both sides of a Medium Stream, and 50 feet both sides of a Small Stream) exceed 10% of total forest acres in that parcel, the landowner will apply riparian rules prior to September 2017 on all riparian acres and not be subject to the September 2017 rules.

When on a parcel basis, the acres contained in all the riparian area boundaries (100 feet both sides of a Large Stream, 70 feet both sides of a Medium Stream, and 50 feet both sides of a Small Stream) is less than 10% of total forest acres in that parcel and SSBT streams are located on that parcel, the landowner will apply new September 2017 riparian rules to the lower portions of SSBT streams until the 10% threshold is met as follows:

- The acres added to riparian areas for SSBT streams will be the difference between acres in the existing riparian rules and 10% of the total acres of forest in the parcel. The lineal feet of stream using the SSBT buffers will be calculated using the following factors:
 - 570 lineal feet of Small Stream for every available acre to reach the 10% threshold
 - 480 lineal feet of Medium Stream for every available acre to reach the 10% threshold
 - Example: If a landowner needed 0.4 acres to reach 10% of their parcel, the additional lineal feet of SSBT riparian area buffers would be $(0.4 \times 570 = 230 \text{ feet})$ for a Small SSBT Stream and $(0.4 \times 480 = 190 \text{ feet})$ for a Medium SSBT Stream
- New September 2017 requirements will be applied to Medium SSBT Streams before applied to Small SSBT Streams
- When there is more than one Small or Medium SSBT Stream, the lineal feet of SSBT requirements will be applied proportional to all SSBT Streams. Example: If three Small SSBT Streams with a total of 600 feet of SSBT requirements, each stream would get 200 feet of SSBT requirements on the lower sections of each stream.
- Main stem non-SSBT stream requirements above a SSBT stream will not apply when a landowner has met the 10% of parcel obligation.

Calculation of acres associated with the lineal feet of SSBT Streams.

- For a Small SSBT Stream the additional total width of buffer is 76 feet. $(1 - 40/110) \times 120 = 76 \text{ feet}$. For a Medium SSBT Stream the additional total width of buffer is 90 feet. $(1 - 80/184) \times 160 = 90 \text{ feet}$.
- Lineal feet of stream equating to one acre of additional riparian area in the September 2017 riparian rules is:
 - 570 feet $(43560/76)$ for a Small SSBT Stream
 - 480 feet $(43560/90)$ for a Medium SSBT Stream

Example 1: Landowner has a 40 acre parcel with a 1320 foot Small Fish Stream running through the middle of the parcel. The riparian acres are $1320 \times 100/43560 = 3.0$ acres. 10% of 40 acres = 4 acres. Landowner is obligated to use SSBT buffers on the lower one acre (570 lineal feet) of SSBT Stream. Main stem non-SSBT stream requirements above a SSBT Stream will not apply to the remainder of the SSBT streams.

Example 2: Landowner has a 40 acre parcel with a 1320 foot Medium Fish Stream running through the middle of the parcel. The riparian acres are $1320 \times 140/43560 = 4.2$ acres. Riparian area exceeds 10% of parcel so pre-September 2017 riparian rules will not apply.

Example 3: Landowner has a 60 acre parcel with 1320 feet of a Medium Fish Stream that is also a SSBT Stream running through the middle of the parcel with two 300 foot tributary Small Fish Streams, one is a SSBT Stream and the other is not. If the riparian area exceeds $(60 \times .1)$ 6 acres, the landowner will receive relief from the SSBT requirements. The acres within the riparian area are $1320 \times 140/43560 = 4.2$ acres + $300 \times 100/43560 = 0.7$ acres + $300 \times 100/43560 = 0.7$ acres for a total of 5.6 acres. The landowner is obligated to provide 0.4 acres of SSBT riparian buffers. There is $480 \times 0.4 = 190$ lineal feet of Medium SSBT buffer needed to meet the 0.4 acre SSBT obligation. The lower 190 feet of Medium Stream would get the SSBT riparian buffers. Main stem non-SSBT stream requirements above a SSBT stream will not apply to the remaining SSBT Streams in the parcel.