

ISLAND COUNTY FISH AND WILDLIFE HABITAT CONSERVATION AREAS UPDATE

Technical Advisory Group (TAG) Meeting Summary February 18, 2014

Room 131, Law & Justice Building, Coupeville | 1:30-4:30 pm

Attendees: Sarah Cassat (Whidbey Island Conservation District), Robin Clark (Whidbey Watershed Stewards), Alex Cohen (BERK – Island County’s consultant), Lowell Dickson (teleconference) (Washington Department of Natural Resources), Steve Erickson (Whidbey Environmental Action Network), Lisa Grueter (BERK – Island County’s consultant), Jamie Hartley (Planner - Critical Areas), Tim Hyatt (Skagit River System Cooperative), Brad Johnson (Island County Senior Planner, Land Use & Shorelines), Sarah Sandstrom (Watershed Company – Island County’s consultant), Sarah Schmidt (Whidbey Audubon), Doug Thompson (Washington Department of Fish and Wildlife)

Welcome, Introductions, and Project Status

- Brad Johnson welcomed the group.
- Round table introductions were made.
- The County will re-send the link to the Best Available Science & Existing Conditions Report completed in January 2014, and post the product to the website as appropriate.

Review Draft Audit and Policy/Regulation Framework and Code

The consultant team presented the Review Draft Audit and Policy/Regulation Framework and Review Draft Code, February 14, 2014, and TAG members made comments. Topics included:

- Policy, Regulatory, and Program Approaches to FWHCA Protection
- Stream Typing
- Riparian Buffers
- Habitats and Species of Local Importance
- Exemptions

TAG members made the following comments:

1. Concerned about upland critical area protection in shoreline jurisdiction.
2. Stream typing – not exact translation.
 - a. I-5 not always equal to DNR water typing
3. Buffer purpose includes wildlife habitat – microclimate/dispersal
4. Buffer increases not implemented in practice

5. Buffers farther from stream have less function – should be explicit that functional buffer area be included in averaged buffer
6. Buffer reduction
 - a. There should be a demonstration of need
 - b. Discretionary implementation
 - c. Strong requirements for enhancement/improvement
 - d. Type II decision – all critical areas and buffers
 - e. Director's discretion + test
 - i. Format major/moderate examples
 - ii. Retention/detention pond removal
 - f. Applicability – be sure alterations are included, not just development
 - g. Need clear definitions – use word to encompass activities
 - h. Monitoring requirements
 - i. Stream typing – how to approach for unknown streams
 - i. Assume fish use unless otherwise documented or rationale provided
 - ii. Definitions important
 - iii. Site by site determination
7. Species of Local Importance
 - a. Pileated Woodpecker
 - i. Protection and Implementation
 - b. Keep it simple
8. PHS Species Inclusion?
 - a. Policy recommendation
 - b. Include prairies? Why not now?
 - c. What would be regulated, and what is appropriate mechanism?
 - d. Mapping challenge/use site-specific criteria
 - e. Residential = key impact
 - f. Need better mechanism
 - g. Examine SEPA application for exemptions
 - h. Keep it a regulation
 - i. Require a complete application
9. Agricultural Exemption / Defining Watercourses
 - a. Work in Progress
 - b. Maintenance period – does it encourage more frequent disturbance?

- c. Natural v. Artificial
 - i. Consider connection to downstream
 - ii. Modified streams
 - 1. Subset of natural
 - iii. Isolated ditch would be considered differently (wetland)
 - d. Serviceable? Repair and reconstruction?
 - i. Time limit?
 - ii. Need definitions.
 - iii. Maintain level of function?
 - iv. Establish criteria.
 - e. Show suggested language following meeting (e.g. in meeting summary)
 - f. Issue with potential disincentive to improve associated development (e.g. fish passage at culvert)
 - g. "Existing" not applicable if alternative would improve FWHCAs
10. Utilities Exemption
- a. Provided that...if less impactful alternative is available
11. Clear definition of tree cutting; limits for dbh?
12. Area limit for invasive species treatment
- a. 2. C – would apply
 - b. If greater size criteria, then subject to Director's review
 - c. Equipment (hand equipment)
13. Definitions to Cover
- a. Development
 - b. Ditch
 - c. Maintenance (more specific)
 - d. Operations
 - e. Repair
 - f. Remodel?
 - g. Rehabilitation (for structures)

Round Table

TAG members offered some round table comments at the end of the meeting:

- 14. Buffers and standards appear pretty good; concerned about exemptions undoing the good standards

15. Habitats and Species of Local Importance – add Harriers
 - a. Anticipated more rapid changes to populations
16. Final BAS/Existing conditions –ensure it is posted