

HCCC IN-LIEU FEE MITIGATION  
INTERAGENCY REVIEW TEAM (IRT) MEETING  
April 20, 2018  
10am – 4pm HCCC Office

IRT Participants

Suzanne Anderson, Army Corps of Engineers  
Chris Waldbillig, WDFW  
Steve Todd, Suquamish Tribe  
Cynthia Rossi, Point No Point Treaty Council  
Linda Storm, EPA  
Cyrilla Cook, DNR  
Randy Lumper, Skokomish Tribe (call in)  
Brittany Gordon, WDFW

Non-IRT Participants

Patty Michak, Hood Canal Coordinating Council – Sponsor

Review of Meeting Agenda

- Meeting Notes:
    - February 14, 2018 notes – IRT needs additional time to review
- ACTION ITEM: IRT comments due May 4, 2018; HCCC to post final notes to website.**

Receiving Site Updates & Credit Sale Status

- Receiving Sites
  - Little Dewatto – acquired on April 12, 2018. Total of ~31 acres of riparian and ~ 11.3 acres of tidelands (all subject to survey). Seller of lots 2 and 3 removed one of the shed structures, knock-down and removed portions of the platform over the hillslope that was a serious safety hazard, removed all RVs and equipment and all personal possessions except a couch and mattresses in the cabin. Access is gated and locked.
  - Big Beef – working on PSA and other agreements requested by landowner. Through the preliminary title report we have identified two water rights on the property, one for a groundwater well and one for a spring water source. There is also a water right agreement with an adjoining landowner that is valid and in-use which requires that the well house and possibly power on the property remain. The spring water source location is unknown at this time. HCCC has also been in contact with a firm that surpluses homes and they are interested in the cabins and have requested to inspect the cabins to see if they can reuse/repurpose the cabins. DNR has used this firm previously.
  - Little Anderson Bluff – tidelands have been surveyed and the acreage of tidelands is ~ 6 acres compared to ~3 acres on the tax parcel information. This is due to the surveyors locating the MLLW elevation (on that day of survey) to establish the waterward extent of the tidelands. HCCC has completed mapping weeds on the property and has identified ~0.12 acres, or 1.85%, of the riparian area contains weeds.
  - Irene Pond – weed control to occur within the buffer planting area. Contracting with Mason County Noxious Weed Control Board to implement herbicide spraying this spring targeting field bindweed.

- Question asked on risk to existing mitigation plantings – Yes, there is a risk for loss but there are no other control options for bindweed. The plantings will not thrive if we do not spray and try to control the bindweed, and it is spreading.
  - Myrvang Wetland – waiting on Mitigation Plan to implement plantings on-site. Plan at the Corps for review.
- Credit sales:
  - Navy: Land Water Interface
    - E-mail received from the Navy indicating that the credit sale may be completed by May 14.
  - Navy: Service Pier Extension
    - HCCC has received no documents from Navy to date for Use Plan development.

#### Review Service Pier Extension Project

- Corps review – requiring a June 2018 eelgrass/macro-algae survey be completed
- WDFW has some post-construction/monitoring survey information on EHW2 and will send to IRT.
- What else is being surveyed for baseline information?
- HCCC spoke with Ron Thom, PNNL and Si Simenstad, UW on assessment of impacts from large overwater structures in deeper water.
  - limited scientific literature on impacts occurring in deeper water; focus has been on nearshore and impacts to salmonid species
  - focus also on vegetation impacts from light reductions
  - four points to consider
    - transient effect of light on water column, not just at bed elevation; impacts to plankton possibly
    - predators of juvenile salmon concentrate under structures, possibly lead to impacts on juveniles [IRT added also impacts to other species i.e. forage fish]
    - piles create structure for sessile species which can result in shellhash from foraging seastars; juvenile Dungeness crab unnaturally concentrate in shellhash areas; piles can also create attraction for fish species and it is not clear if this is source or sink for fish populations. Are fish drawn in to areas artificially and then subject to increased predation or other negative impacts?
    - behavioral impacts – change in behavior from presence of structures – hard to assess
  - Physical changes in circulation; density of piles – what impacts? Effects on sediment transport, erosion, deposition.
- Impacts not approved yet, assessment not complete
- Comments on project should describe/characterize impacts, concerns
- USGS submitted an Near-term Action (NTA) for subtidal assessment – should look at NTA for assessment framework and if it might apply to our assessment of project impacts.
- Proposed impact area from pile footprints plus an offset area, with no inclusion of overwater coverage might be suggested by the Navy.
- What is the NOAA opinion on the project? HCCC to contact Jennifer Quan. Lisa Abernathy project manager for NOAA.
- Cumulative effects at Bangor, how to assess? HCCC to forward paper by Diefenderfer.
- NEPA documents and discussion of mitigation – NEPA just a disclosure, no opportunity to go back to what they disclosed or impacts.

- Possibly include language in the Use Plan or somewhere in project agreements that the agreed to impact footprint is not a precedent for others to use as an example of impact assessment.
- Can it be requested that research be conducted to validate impact assessment?
- Could it be monitoring pre and post project?
- Must be quantifiable; what to sample; define what is harmful

#### Non-credit generating site buffers

- HCCC provided images of Little Anderson Bluff and Olson Nearshore marine mitigation sites with buffers as determined at the February 14, 2018 IRT meeting.
- COE – buffers are all proposed/suggested
- Buffers to protect functions; width to ensure functions, consider:
  - what functions credited
  - what are the threats
  - what buffer width will protect
- COE – starting point is based on a Category 2 wetland buffer of 110 feet
- COE – must run the proposed buffers through the Statewide IRT
- Statewide IRT looking for consistency across ILF programs and Mitigation Banks
- Through mitigation banks, looking at upland riparian habitats
- Concern expressed with spending money on sites and then having non-credit generating areas
- Consider alternative of looking at zoning and applying a % of awarded credits within buffer areas
  - E.g. is site within Urban Growth Area – UGA? [Note: in Kitsap County there are no UGA's with the HC ILF Program Service Area. In Mason County there is one UGA in the Service Area, located in Belfair. Jefferson County no UGA's in Service Area.]
  - high development or industrial zone – 0%
  - RR – 1 in 5 acre – X% credits within buffer
  - RR 1 in 10 acre – XX% credits within buffer
- Or, consider distance to structures on adjoining parcel – tree height from structure
- Consider size of parcel, small parcel with large buffer = no credits; might impact what nearshore properties could be mitigation sites
- Buffer – sites sustainable forever, so buffer width must be of size to protect functions
- HCCC concerns with level of effort on this issue. IRT discussed at length the surrounding land uses, both current and potential, and landed on proposed buffers for Little Anderson Bluff and the Olson Nearshore property at the February meeting; and it was requested that a visual representation of the buffers discussed at that meeting be brought back to the IRT at this meeting. Suzanne, as Chair, will have the final approval of the proposed non-credit generating buffer. To ensure consistency with other mitigation programs Suzanne will seek advice from the Statewide IRT prior to approval.
- HCCC is investing time and funding into preparing the documentation of these buffers and then told they may not be the right size. Don't want to waste time/mitigation funds redoing this multiple times.
- COE/EPA express need for consistency between mitigation banks and ILF Programs but then also state sites will be looked at on a case by case basis.
- Little Anderson Bluff
  - Process: map buffer, HCCC ILF IRT review, to Statewide IRT
- Existing and future conditions must be accounted for
- Current zoning, maximum allowed use
- Within UGA?
- Most dense, highest intense use

- Outside threats – connect to functions
  - Per site documentation: critical areas, UGA, steep slopes, etc.
- Olson Nearshore
  - Move SE buffer to edge of hazard area
  - What is risk, intensity, land use, timber?

#### Marine credit

- HCCC provided a figure of potential crediting areas at Olson Nearshore within the riparian area; one alternative looked at distance from shoreline to determine level of credit awarded and the second approach looked at 200 foot riparian area and hydrologic resources and immediate supporting habitat (to top of creek ravine).
- IRT felt the appropriate approach was the second approach with hydrologic resources as the determining feature.
- Question on how credits would be allocated on Little Anderson Bluff; within 200 feet of MHW or other approach?
- HCCC proposes that credits would be awarded in the riparian area in two allotments; MHW to top of bluff and top of bluff to south property line. Top of bluff was thought to be a good break point as the active sediment and large wood movement is consistent from the top of bluff to the shoreline.
- Discussion on consistency between mitigation sites.
- HCCC stated that each site is unique in features and functions and the credit areas will need to be determined based on the site.

#### User's Guide

- Brief walk through of the status of the document and where we need to pick-up from the last review.
- Pushed discussion to next meeting to allow IRT members time to review and refresh where we last left the document.

#### Temporal delay

- Time from impact to mitigation project, but not mature, fully functioning
- Goal is to get mitigation sites on the trajectory to maturity
- Performance standards within mitigation plans, as met they lead to credit release; credit release schedule within mitigation plan
- Temporal lag 3 years in debits
- Credits for sites released over time.
- NMFS looked at credit releases over 30 years, but it is not feasible to hold sites open for only a few credits (or portions of a credit) as site matures and reaches the end of the establishment phase.

#### Review of Site Protection Documents

- Site protection documents discussed as to why they are needed and what requirements they address.

#### Future Meetings

- May 21, 2018 – set aside the majority of the meeting to work on the User's Guide.

**ACTION ITEM: IRT members to review Users Guide and refresh on where we left off review and prepare for discussion at the May 21 meeting.**