

HCCC IN-LIEU FEE MITIGATION
INTERAGENCY REVIEW TEAM (IRT) MEETING
March 13, 2017
10am – 1pm HCCC Office
1pm – 4pm – Irene Pond and Northshore road

IRT Participants

Gail Terzi, Army Corps of Engineers
Suzanne Anderson, Army Corps of Engineers
Cynthia Rossi, Point No Point Treaty Council
Roma Call, Port Gamble S'Klallam Tribe
Steve Todd, Suquamish Tribe
Cyrilla Cook, DNR
Kathlene Barnhart, Kitsap County
Chris Waldbillig, WDFW
Brittany Gordon, WDFW
Linda Storm, EPA
Lee Corum, USFWS

Non-IRT Participants

Patty Michak, Hood Canal Coordinating Council – Sponsor

Review of Meeting Agenda

- Additions to agenda
 - Status of interim nearshore tool
 - HCCC looking at developing sideboards for users on how to determine conversion factors
 - COE staff did some comparison to the RPG 6, but more work is needed
 - Can a User's Guide be developed ?
 - Use of a conversion factor less than 1 – possible but a case-by-case review is needed
 - Subtidal impacts – difficult to find mitigation – what is an approach to deal with this?
 - Charge more per credit to allow more opportunities for mitigation?
 - Out of kind mitigation – increase mitigation needed?
 - Land Fee status? Land fees were updated in 2016 and applied to the one credit sale in 2016. The Land Fee change document provided to the IRT on July 26, 2016.
- Meeting Notes: August 31, 2016
 - Request by IRT for an additional two weeks to review and comment – comments due 3/27/2017

ACTION ITEM: IRT to provide comments to August 2016 notes to HCCC by March 27, 2017.

- Co-chair status and contacts
 - Ecology is no longer providing staff support to ILF programs. Ecology staff will review mitigation actions through regulatory responsibility 401 water quality basis. ILF programs will no longer have co-chairs; COE will chair the programs.

- COE legal and Ecology are working on an MOA to address this change without extensive revisions to each programs' Instrument.
- COE legal may consider this a major change which would require public notice.
- If this is the case it might be good to do all the Instrument changes needed.
- Until an MOA is in place for each program Ecology will continue to sign Spending Agreements.
- Gail's last day with COE is March 24
- Suzanne will be the Chair for the COE and the primary contact.
- Instrument amendments are still needed to reflect changes made in the development of the Pierce County Instrument. Inclusion of language that states that the Instrument is not a contract. COE to review other needed changes.

ACTION ITEM: COE to identified changes need to the HCCC Instrument to reflect the language developed in the Pierce County Instrument.

WRIA 15 Wetland Mitigation Sites Update

Myrvang Wetland update

- Myrvang Wetland Draft Mitigation Plan status – mitigation plan development was delayed while we negotiated with the adjoining landowner for a conservation easement on 4-5 acres of wetlands on their property. Hope to have a draft for IRT review in April.
 - Proposed activities on the site will include enhancement actions within the wetland for weed control. Primarily control in reed canary grass areas with dense plantings of willows; following the methodology of King County. Weed control and plantings in buffer areas will also be included in the mitigation plan.
 - IRT comments on presence of beavers on/off the property and how the mitigation plan will address changes as a result of beaver activity.
 - Mitigation plan will reflect current conditions and planned enhancement actions. Should the condition of the property change due to beavers then adaptive management of the new conditions will be explored.
- Secrest CE status – adjoining landowner determined that an easement on their property was not feasible at this time.

Irene Pond As-built credit release

- HCCC submitted the As-Built report to the co-chairs for the work done to date on the property.
- Site inspection will occur this afternoon.
- Question on partial credit release for vehicle and garbage removal from the eastern parcel. Need rationale for credit release for partial completion of the mitigation objective.

Marine properties status update

HCCC presented information on the three marine shoreline properties listed below:

- Northshore Road properties – 200 feet of shoreline property in Mason County on the Northshore Road. Two bulkheaded areas of 50 feet in width each occur with the property. Limited riparian area for mitigation due to the proximity to the Northshore Road. Uplands across the road have been perked for septic and contain developable areas.
- UW Warren Road Property – 391 feet of intact feeder bluff shoreline with ~ 6.66 acres of uplands and 3.1 acres of adjoining tidelands. Steep bluff on-site limits development footprint, but property is developable and there are two parcels included at this site that could be developed. Sand lance spawning document on the property. Access to tidelands limited, switchback trail with small

washouts. Property is in proximity to Kitsap County's Anderson Landing Preserve and tidelands at the farthest extent are adjoining,

- UW Big Beef Creek - Developed uplands - ~ 2.28 acreage, access established off Seabeck Highway. Existing home in poor condition, built in 1939 is a tear-down. Existing shoreline cabins (5), good condition, built in 1924. Site concerns for presence of asbestos and lead paint – survey will be required prior to demolition. Two tideland parcels adjoining upland property - ~9.7 acres; 393 feet of shoreline. Minor shoreline impairment with remnant creosote pile pier and concrete vault box. Invasive weeds present on site.

IRT discussion on properties:

The IRT supported the acquisition of all three properties. Of concern was the potential for shoreline erosion at the Northshore Road property. The IRT would like to see some type of agreement with Mason County on how erosion, should it occur, be managed on this site with consideration of the site being protected as a mitigation project. HCCC should consider the possible use of this site as a beach nourishment location for hillslope spoils that are disposed of by road crews.

A field visit of the site was completed in the afternoon.

ACTION ITEM: HCCC will follow-up with Mason County Public Works on site management and determine if an agreement can be developed for this property.

Navy Credit sale request for Land Water Interface (LWI) project – Use Plan status

A brief update was given on the status of the LWI project ILF Program Use Plan. HCCC has submitted two rounds of comments on the Use Plan to the Navy. The Navy has revised the Plan and provided responses to comments. The COE submitted an initial set of comments to the Navy and the Navy revised the Use Plan and provided responses. The COE has prepared a second set of comments and Gail thought that these comments had been submitted to the Navy; HCCC has not seen these comments. The timeframe for receiving a revised Use Plan is not known.

There was some concern expressed by IRT member that they were not receiving all iterations of the Use Plan and comments and responses even though they had been requested to be kept in the loop by the COE project manager.

Native Oyster restoration as a mitigation action – proposal from Puget Sound Restoration Fund organization

Provided a proposal from PSRF for native oyster restoration on tidelands at the Belfair State Park.

IRT concerns:

- mitigation requirement for permanent protection of mitigation sites
- shellfish harvest of restored natives – WDFW rules protect Olympia oyster harvest
- loss of harvest opportunities – Pacific oysters, clams – on State owned properties
- limitation to public use – will Parks support this?
- not protected from future development
- can possibly address site protection through the management plan for the park
- update management plan to include native oyster restoration for the purpose of mitigation
- management plan will need to be able to include protection of the mitigation footprint
- what is the currency for credit?

- Big Mission Creek delta current condition, ecological functions, species presences will need to be documented
- single species recovery – is it appropriate for mitigation?
- impacts to allowing cultch placed on tidelands and precedent setting with commercial aquaculture interests
- need sideboards so we don't set precedent
- unique action, limited opportunities to implement, negates protection needs to some degree

ACTION ITEM: IRT requested additional discussion on this topic. HCCC will follow-up PSRF for a presentation at a future IRT meeting. IRT also wanted the opinion of an independent biologist/ecologist to provide an opinion of the value and feasibility of the proposed action.

Afternoon Field Sites: Irene Pond; Northshore Road