

HCCC IN-LIEU FEE MITIGATION
INTERAGENCY REVIEW TEAM (IRT) MEETING
October 5, 2017
10am – 3pm HCCC Office

IRT Participants

Suzanne Anderson, Army Corps of Engineers
Cynthia Rossi, Point No Point Treaty Council
Steve Todd, Suquamish Tribe
Linda Storm, EPA
Lee Corum, USFWS
Kathlene Barnhart, Kitsap County (morning only)

Non-IRT Participants

Patty Michak, Hood Canal Coordinating Council – Sponsor
Brian Hooper, USACE

Chris Stevenson, US Navy
Dael Gibson, US Navy
Mary Anderson, US Navy
Stephanie Sleeman, US Navy

Review of Meeting Agenda

- Revisions to agenda
 - postpone Interim Nearshore Tool Credit User's Guide draft review due to lack of IRT members able to attend
- Meeting Notes: July 25, 2017
 - Final and post to HCCC website

ACTION ITEM: HCCC to post July 25, 2017 notes to website.

Out-of-Kind mitigation

Discussed opportunities for marine mitigation actions will primarily be found within the intertidal and riparian habitat classes. Subtidal ownership is primarily held by the State of Washington.

- policy call of how willing to give up deepwater habitats
- threshold of loss – not replaced – how measure?
- is subtidal habitat a limiting factor???
- how look at cumulative impacts at Bangor

Justification for out-of-kind debit factor should not be based on uniqueness of habitat class, or comparison of habitat classes against each other, but on ability and opportunities to mitigate in-kind

- program can demonstrate that there are limited to no opportunities in the subtidal habitat classes and therefore need to apply an out-of-kind debit factor
- it is not whether or not subtidal is more or less valuable or unique than intertidal habitat; it is about opportunity and the lack of opportunity result in out-of-kind mitigation regardless of function/value comparison of the two habitat classes

ACTION ITEM: HCCC to continue to work on this issue. HCCC to send debit/credit worksheet to IRT (attached).

Navy Project Service Pier Extension – IRT review discussion prior to Navy presentation

IRT discussed general understanding of the project and possible concerns for mitigation and crediting.

Potential issues included:

- Lighting impacts
- Dredging for boat access
- Impacts to Geoduck and current survey
- Marine Vegetation surveys old; need to be updated
- Effects of wave dampening from structure and wave screen – onshore and offshore
- Impacts to fish migration and predation
- Consistency of information across reviewing entities
- Ability of program to mitigate for subtidal impacts and out-of-kind mitigation

Navy Project Service Pier Extension – Navy presentation and IRT discussion

[Navy presentation link](#)

- Two in-water work windows for the project
- Pile driving to occur in both windows
- Eelgrass surveys 2007 and 2012
 - New survey for eelgrass before construction contract ~ June 2018
 - How capture in mitigation credit sale if survey conducted just before construction?
 - Amend credit sale should additional vegetated area be found?
- Lighting – down-facing, < 10ft from pier, <1 ft candle
- Anchors pulled and relocated – net change would be 1 less anchor
 - IRT requested Navy to provide very clear information on anchors to be removed and on anchors to be placed (number, location and size of impact area).
- Area of overwater coverage is net of old removed and new constructed.
 - IRT requested Navy to provide very clear information on structures to be removed and on structures to be placed (number, location and size of impact area).
- Temporary impacts – persistence of impact > 1 year would be considered a permanent impact
- Geoduck
 - Surveys not current
 - Surveys are very intensive and geared toward setting a level of harvest
 - Navy will not be updating surveys
 - Assume Geoduck's present

- Navy will not compensate DNR for loss of resource as no nexus; under legal review currently
- Navy suggesting a 5% factor to account for functional loss for overwater structure
 - As per EHW2
 - Deepwater shading would only have a 5% loss of functions
 - Navy staff received feedback from many members of the IRT that they were not comfortable with the 95% discount of impacts and functional loss for the overwater structures. Many were present on the IRT during the EHW2 credit sale and felt that the 5% overwater impact utilized was not founded in science.
 - HCCC expressed concern with this approach as well and was surprised that this discount of impacts was not present to the Board of Directors in April 2017 or discussed in the NEPA process.
 - Navy staff were told that there was no support for this approach from the IRT present and HCCC staff.
- Draft Use Plan by end of 2017 possible

	Permanent Subtidal Non- vegetated	Temporary Subtidal Non- vegetated	Permanent Subtidal Vegetated (eelgrass, kelp)	Temporary Subtidal Vegetated (eelgrass, kelp)	Permanent Tidal Wetland (tidal swamp, low marsh, high marsh, scrub-shrub, forested)	Temporary Tidal Wetland (tidal swamp, low marsh, high marsh, scrub-shrub, forested)	Permanent Intertidal Vegetated (eelgrass, algae dominated sites, vegetated berm)	Temporary Intertidal Vegetated (eelgrass, algae dominated sites, vegetated berm)	Permanent Intertidal Non-vegetated (mudflats, oyster beds, tidal flats/channels, low tide terrace, beach face, berm, rocky or sandy ramp/platform)	Temporary Intertidal Non- vegetated (mudflats, oyster beds, tidal flats/channels, low tide terrace, beach face, berm, rocky or sandy ramp/platform)	Permanent Riparian (terrestrial edge, bluff/rock face, supralittoral, and alluvial floodplain)	Temporary Riparian (terrestrial edge, bluff/rock face, supralittoral, and alluvial floodplain)	Total
v.2016													
Area of Impact in Acres	0.5	2	0.25	0.25	ENTER	ENTER	ENTER	ENTER	ENTER	ENTER	ENTER	ENTER	3
Degree of Impact (DOI) Factor	1.2 to 2.0	0.4 to 0.66	1.2 to 2.0	0.4 to 0.66	1.2 to 2.0	0.4 to 0.66	1.2 to 2.0	0.4 to 0.66	1.2 to 2.0	0.4 to 0.66	1.2 to 2.0	0.4 to 0.66	
Duration (1/2 of DOI)	1	0 to 0.33	1	0 to 0.33	0 to 1.0	0 to 0.33						0 to 0.33	
Intensity (1/3 of DOI)	0.67	0 to 0.22	0.67	0 to 0.22	0 to 0.67	0 to 0.22						0 to 0.22	
Cumulative (1/6 of DOI)	0.33	0 to 0.11	0.33	0 to 0.11	0 to 0.33	0 to 0.11						0 to 0.11	
Total for DOI Factor (Permanent Impacts or 1.2, whichever is greater; Temporary Impacts or 0.4, whichever is greater)	2	0.66	2	0.66	0	0	0	0	0	0	0	0	
Risk Factor	1.2 to 3.0	0.4 to 1.0	1.2 to 5.0	0.4 to 1.67	1.2 to 3.0	0.4 to 1.0	1.2 to 5.0	0.4 to 1.67	1.2 to 2.0	0.4 to 0.67	1.2 to 3.0	0.4 to 1.0	
Type of Habitat (1/2 of Risk)	1.5	0 to 0.5	2.5	0 to 0.83	0 to 1.5	0 to 0.5						0 to 0.5	
Quality of Habitat (1/6 of Risk)	0.5	0 to 0.17	0.83	0 to 0.28	0 to 0.5	0 to 0.17						0 to 0.17	
Habitat Connectivity (1/6 of Risk)	0.5	0 to 0.17	0.83	0 to 0.28	0 to 0.5	0 to 0.17						0 to 0.17	
Imperiled Species (1/6 of Risk)	0.5	0 to 0.17	0.84	0 to 0.28	0 to 0.5	0 to 0.17						0 to 0.17	
Total for Risk Factor (Permanent Impacts or 1.2, whichever is greater; Temporary Impacts or 0.4, whichever is greater)	3	1	5	1.67	0	0	0	0	0	0	0	0	
Out-of-kind Subtidal only	1.1 to 1.3	1.05	1.1 to 1.3	1.05									
Out-of-kind	1.1	1.05	1.1	1.05									
Total for Out-of-kind Factor	1.1	1.05	1.1	1.05									
Total Number of Habitat Class Debits (Area X DOI X Risk)	3.3	1.386	2.7500	0.289	0	0	0	0	0	0	0	0	7.7253275
Debit Ratio no Out-of-kind Factor	6	0.66	10	1.10									
Debit Ratio with Out-of-kind Factor	6.6	0.69	11	1.16									