

# Regulatory Task Force *Update*

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FFF IOC 2<sup>ND</sup> QTR MEETING

APRIL 2019

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# Work To Date: Status

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## ✓ Clarify when artificial channels need permit§

- Develop drainage specific farm plan to coincide with Public Rule update (2020)

## ✓ Examine Defishing and bypass requirements

- Revising protocols; incorporate water quality monitoring and biological review of reach length

## ✓ ESA coverage for ADAP

- Initiated discussions with NOAA for Section 10 Incidental Take Permit. In-lieu mitigation is an option

## ✓ Onsite Mitigation: Understand requirements§

- In discussions with DLS-PD on memorializing findings in a “Policy Memo”

## ✓ Beaver management§

- Code language being reviewed by DLS-PD to allow landowners to remove beaver dams <1 yr. old without a County permit

## ✓ Alluvial Fan management options

- Stormwater engineers report due to DLS-PD 12/2019

§ Include in “Farm Practices Illustrated”

# Current Regulatory Task Force Work

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Review Stormwater Services actions for ADAP 2.0.

- Identify areas where code revisions or inter-agency agreements are necessary to implement the program
- Reach agreement on scope, scale and deliverables from the program

Mitigation Strategies

- Build upon the findings/recommendations from the On-Site mitigation work

*WHY NOT TRY A COMPREHENSIVE APPROACH?*

# Comprehensive Drainage Assistance is...

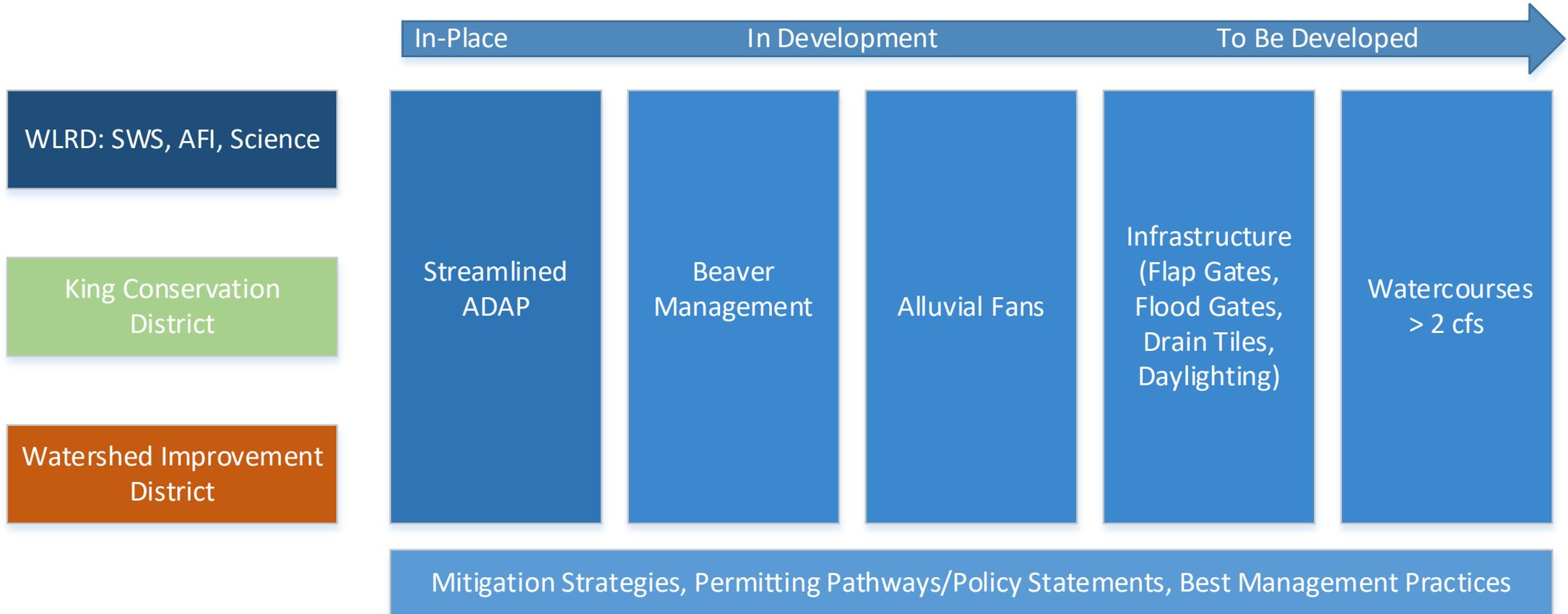
Integrate Farm 2 Actions into a cogent, funded program

- Basin Planning
- Mitigation Strategies
- Regulatory, Permitting & Process Improvements

Farm 2 Actions	ADAP [2012-present] (less than 4" pump ~ 2cfs)		ADAP 2.0 (>4" pumps, >2, <20 cfs)	
	Waterway channel type- <u>modified</u>	Waterway channel type- <u>artificial</u>	<u>Modified</u> channel type- larger waterways* (e.g. AMES, Tuck)	Waterway channel type- <u>natural</u>
Typical dredging and culverts	Current program		WLRD Provides Permitting Assistance Engineering Support BMP Development	Not adding
	Increased Funding from Council			
Tiles new/old	WLRD provides Permitting Assistance, Operational support by WID			Not adding
Beavers- D16 a,b,d (not c!)	Code Change, Permitting Pathways			Not adding
Alluvial fan	Code Change, Engineering Support, Permitting Assistance			Not adding
Flood gates and pumps (assuming < than 10)	WLRD provides Engineering Support, Permitting Assistance & will assist responsible parties in pursuing funding/finding partners			Not adding
Daylighting	WLRD Provides Engineering Support, Permitting Assistance			Not adding

# King County Comprehensive Drainage Assistance Program

Partners



# Comprehensive Drainage Assistance

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Integrates Drainage related FFF Priority Issues and Collective Actions with

- King County Stormwater scope of service
- Service Districts projects
- Non-FFF King County efforts

Approaches Mitigation strategies as integral to the program.

- Can yield synergies e.g. ITP
- Off-site and In-Lieu mitigation require substantial program work

Increases cooperation

- Budget development: WLRD and Service Districts coordinate funding streams
- Staff and resource allocation: Partners can fill traditional King County roles

# Streamlined ADAP

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- Program scope remains the same, procedural changes made
- Defishing processes revisions include
  - Operational scale water quality monitoring: Dissolved Oxygen, Temperature
  - Revisions to fish handling protocols
    - submitted to WDFW early April
    - in place when work begins summer 2019
- Planting protocols to include
  - Revisions to site prep, species selection, maintenance procedures
  - Effectiveness monitoring
  - Offsite/alternate mitigation

# Additional Waterways

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- Identify waterways that meet criteria
  - >2 cfs, <20 cfs
  - Classes as “modified” under the ADAP schema
  - Likely 4-5 in the Snoqualmie Valley

Review likely requirements for drainage maintenance work waterway

- Landowners/land use
- Existing drainage infrastructure/network
- Environmental Considerations
- Develop Best Management Practices suitable to these systems
- Check with DLS-DP if ADAP exemption applies
- Requires Individual Hydraulic Project Approval

# Beavers

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- County Beaver Working Group
  - Proposed KC Code changes: allows dam removal without a permit if the dam is less than a year old, coincides with the WDFW HPA requirements
  - Good Neighbor Policy
  - Set of Best Management Practices<sup>§</sup>
- King Conservation District
  - “Proof of concept” project on Deer Creek in 2019
- Watershed Improvement District
  - Trapper on retainer
- Tulalip Tribes
  - Nuisance beaver relocation program

# Alluvial Fans

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- Code Change necessary to allow work on these landforms
- WLRD Stormwater Services writing report on management approaches to mitigate damage to ag lands from Alluvial Fans
- Report Due to DLS-DP end of 2019
- Based on the findings of the report, Code change may be initiated
- Transmittal to council is planned for early summer 2020

# Drainage Infrastructure

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## Flap Gates, Flood Gates

- Inventory of existing structures
- Scoping a Flood Gate repair Capital Project
- WLRD Provides Engineering Review and Permitting Assistance

## Drain Tiles

- Permitting requirements for installing new tiles
- WLRD Provide Engineering Review for tile outfalls
- WID likely project manager for construction

## Daylighting

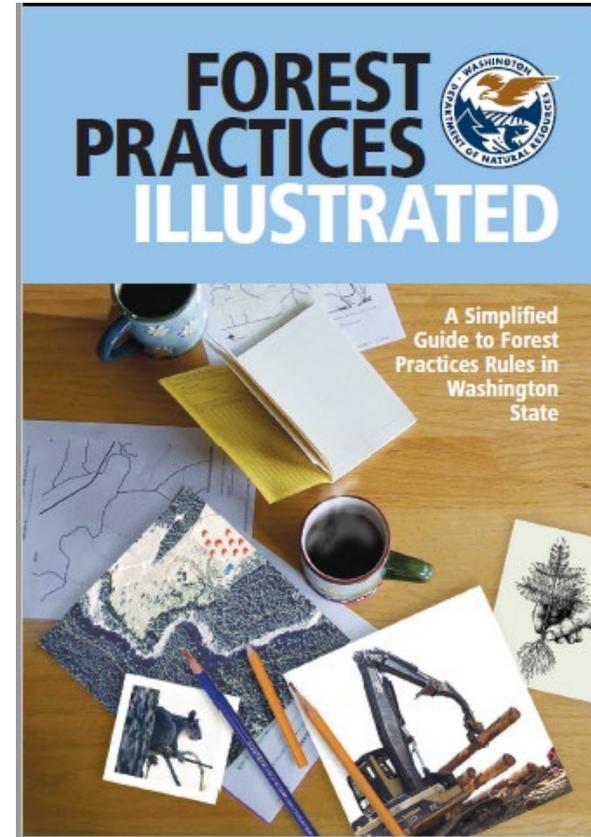
- WLRD Provides Engineering Review and Permitting Assistance

# Farm Practices Illustrated

Modeled on WA DNR Forest Practice Illustrated

- Provides a comprehensive, plain spoken guide for landowners
- Permit Requirements for Common ag activities
  - Exempt or no permit required
  - Type of permit, where to get it, cost, process
- Best Management Practices
- Technical Support Resources

Summaries of findings from the Regulatory Task Force are included in the guide



# Upcoming Regulatory Task Force Topics

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April 30, 2019

## **Comprehensive Drainage Assistance**

Reach agreement on scope, scale and deliverables from the program

Identify areas where code revisions or inter-agency agreements are necessary

## **Mitigation Strategies**

Hear from Megan Webb, Mitigation Reserves Program Manager

Evaluate the requirements for “Off-site”, “Area Wide” or “In-Lieu” mitigation

June 11, 2019

## **Mitigation Strategies**

Develop recommendations

## **Cultural Resources**

Hear from Tribal and County Cultural Resource Staff on current processes

Discuss opportunities to reduce cost for review of low impact projects

July 30, 2019

## **Comprehensive Drainage Assistance**

Develop recommendations to further the program

## **Flood Code: outcomes of the recent FEMA audit**

Hear from Mitch Paine, Program Manager, River and Floodplain Management