

Regulatory Task Force *Update*

FFF IOC 2ND QTR MEETING

APRIL 2019



Work To Date: Status

- ✓ 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

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?

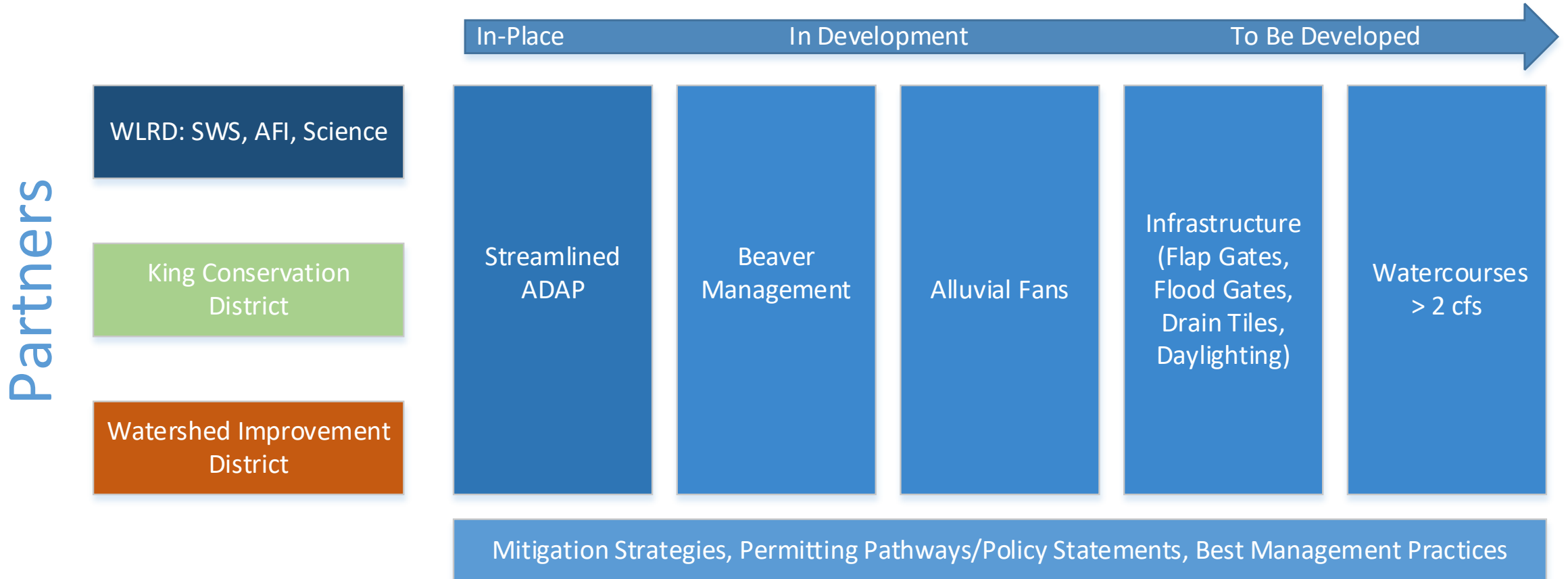
Comprehensive Drainage Assistance is...

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



Comprehensive Drainage Assistance

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

- 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

- 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

- 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§
- 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

- 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

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

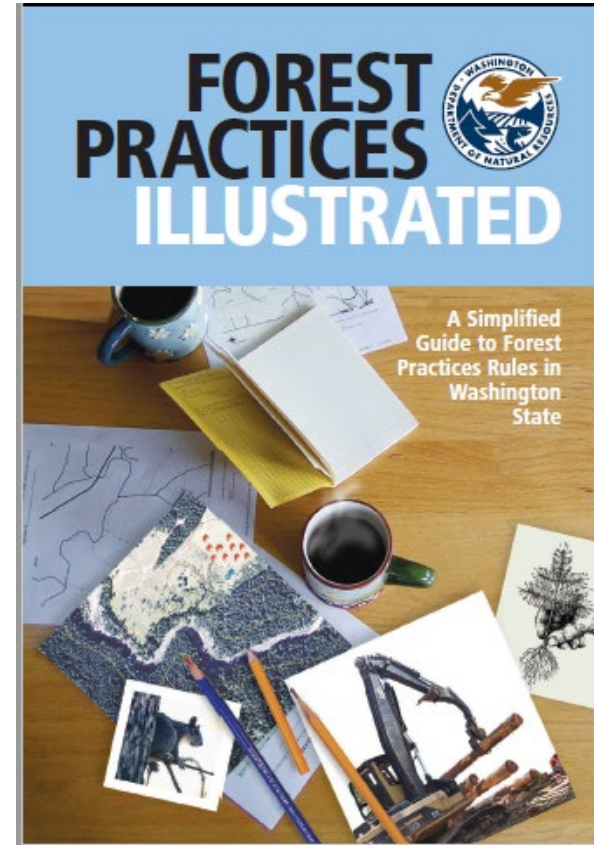
- WLRD Provides Engineering Review and Permitting Assistance

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

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