

RESOLUTION NO. 194

A Resolution relating to the listing of salmonid species including Puget Sound Chinook Salmon and Bull Trout as "threatened" under the Endangered Species Act; establishing policy objectives for evaluating the City's contributions to species recovery and related watershed protections and restoration activities; and directing participation in regional species recovery activities.

WHEREAS, Puget Sound Chinook Salmon and Bull Trout have been listed as "threatened" under the Endangered Species Act, and similar listings of other salmonid species in our region may follow; and

WHEREAS, the Endangered Species Act requires all citizens, and all property owners, including the City, to meet the requirements of the law, although these requirements have not been thoroughly defined to date; and

WHEREAS, Chinook and other species of salmonids are known to inhabit waters within and bordering areas of the City for a portion of their life cycles, and

WHEREAS, recovery of Chinook Salmon and Bull Trout, and other salmonid species will require concerted action by all citizens, businesses, and other institutions in Woodinville, as well as by other citizens of the region and state, governmental jurisdictions and private entities on the local, regional, state-wide, and national levels; and

WHEREAS, the task of conserving salmonid species in the Northwest will require major adjustments in management of a wide variety of human activities including activities related to fish habitat, that local governments have control over; and

WHEREAS, the City has responsibility to address the need for natural resource protection and restoration in watersheds within the City as it works toward growth and development goals consistent with the Growth Management Act, the City's Comprehensive Plan, and other applicable legal requirements; and

WHEREAS, while the City and other jurisdictions have made significant effort to work with the National Marine Fisheries Service to understand the federal regulatory requirements surround ESA, a remaining lack of clear direction from NMFS has made it difficult for the City to create rational salmon investments that will satisfy NMFS with any certainty; and

WHEREAS, NMFS intends to complete its recovery plan for the Puget Sound Chinook Evolutionary Significant Unit (ESA) by the end of 2002, and this plan should establish goals and objectives that may be useful for all participants in recovery efforts and may help define City priorities; and

WHEREAS, in spite of this uncertainty, the City of Woodinville has in good faith made significant investments to protect, preserve, and restore fish habitat and water quality; and

WHEREAS, the City of Woodinville previously adopted Resolution Number 167 addressing Early Action strategies for City response to the Chinook listing; and

WHEREAS, the City of Woodinville is committed to continuing its own efforts towards conservation of Chinook and other salmonids, notwithstanding the outcomes of the Tri-County negotiations with the National Marine Fisheries Service and the US Fish and Wildlife Service and other partners.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODINVILLE, THAT:

Section 1. Completion of Early Action Program and Other On-going Investments for Species Protection.

The City has made a wide range of investments in recent years on behalf of species protection and enhancement, both through its Early Action Strategy, which was pursued during the course of the Tri-County negotiations with NMFS, and through its response to related mandates of other environmental statutes. Some of these investments, both completed and ongoing, are described in the matrix titled Early Actions with Salmon Benefits, attached as Exhibit A. The following general types of activities have been especially high priorities:

1. Habitat preservation or restoration projects, both within the City and within the Greater Lake Washington Watershed.
2. Regulations to reduce potential adverse impacts on habitat from land use activities.
3. Staffing and regulatory process enhancement to allow better inspection of proposed land development activities and better enforcement of regulations.
4. Adherence to and enhancement of fish-friendly best management practices in City operations.
5. Environmental education and outreach programs.
6. Participation in regional planning groups developing cooperative solutions to ESA concerns.

Section 2. Policy Approach.

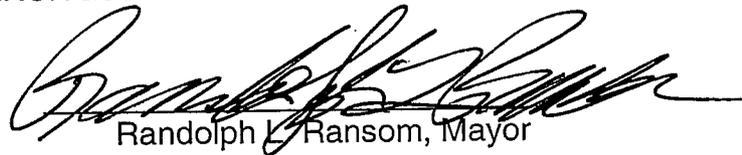
In implementing salmonids conservation activities in the future, City departments will continue to be guided by the following:

1. **Policy Goals.** The City is committed to the conservation of sustainable, healthy, harvestable salmonid stocks throughout Puget Sound. The City recognizes the importance of protecting and restoring necessary habitat function both within the City and outside the City if conservation is to be achieved, and the City seeks to contribute its fair share regionally toward salmon conservation. The City intends to use a variety of strategies such as habitat restoration and acquisition, and regulations to achieve these goals and to work in partnerships with other stakeholders to develop proposals for applying these strategies where there are significant benefits to salmonids based on sound science. The City also recognizes the need to manage legal risk to the City.
2. **Geographic Focus.** The City acknowledges that salmonid recovery will occur through the successful integration of actions occurring over different geographical areas, including the entire Puget Sound region, and regional watersheds such as the Greater Lake Washington Basin and individual jurisdictions, which may include sub-basins such as the Sammamish River Basin. The larger regional areas such as the Puget Sound are important for setting long-term fish population and recovery goals and for coordinating certain infrastructure investments, such as water supply, in order to maximize benefits for fish and people. The area within the City limits, and the regional watershed should be the primary focus areas for Woodinville's investments in habitat protection and conservation.
3. **General Strategies.** The group of policy makers and staff known as the Salmon Task Force, and City departments, in seeking to contribute to sustainable salmonid recovery and related watershed protection and restoration activities, should pursue the following general strategies;
 - a. Recommend regulatory programs that provide reasonable certainty
 - b. Develop scientifically sound actions focused on specific salmon needs.
 - c. Work toward sustainable watershed action plans.
 - d. Reduce potential liability
 - e. Inform and engage the public
 - f. Seek to develop sustainable collaborative partnerships

Section 3. Regional Activities.

- a. The City Council recognizes the significant contributions to salmonid recovery planning made by the Tri-County process over the past two years. City staff are directed to continue to work with those regional partners to develop watershed based salmon recovery plans.

ADOPTED BY THE CITY COUNCIL AND SIGNED INTO AUTHENTICATION OF ITS PASSAGE THIS 19th DAY OF MARCH 2001.


Randolph L. Ransom, Mayor

ATTEST:


Sandra C. Steffler
City Clerk/CMC

City of Woodinville Endangered Species Act – Interim Response Strategy

On September 13, 1999, the City of Woodinville adopted an Endangered Species Act Early Action Compliance Strategy. This strategy outlined a course of action for the City of Woodinville prior to the completion of the Tri-County Framework and the Final 4 (d) Rule adopted by the National Marine Fisheries Service.

In January, the National Marine Fisheries Service published the Final 4(d) Rule. Negotiations between the Tri-County and the National Marine Fisheries Service to adopt a series of allowed exemptions are on hold waiting for completion of a habitat assessment of the proposed Tri-County 4(d) Rule Framework. The City's Early Action Strategy is insufficient to give the City coverage under the Final 4(d) Rule. An Interim Response Strategy (Strategy) will keep Woodinville positioned to meet current and future recovery goals established by the National Marine Fisheries Service.

This Strategy combines a regional focus on watershed-based salmon recovery planning with Woodinville's continued implementation of significant investments within the City for salmon habitat preservation and conservation. The Strategy provides the City needed flexibility to phase in programs over time as appropriate for the City's physical environment. The Strategy allows the City to develop a coordinated salmon/water resource strategy as other initiatives and mandates are evaluated, such as the new state stormwater and shoreline regulations, and Clean Water Act NPDES II requirements. The Strategy will enable the City to evaluate funding needs identified in the watershed planning efforts.

The City of Woodinville is committed to continuing its efforts to protect natural resources. These efforts include:

- Acquisition of sensitive areas and open space.
- Capital investment in habitat enhancements, such as re-vegetation projects, erosion control, and culvert removal and weir renovation for easier salmon passage.
- Adoption of regulations to protect the function of Woodinville's streams and wetlands.
- Studies and analysis of salmon habitat used to guide future decision-making about restoration and acquisition actions.
- Monitoring capital improvements.
- Biological assessments on projects with a federal nexus as part of a Section 7 review.
- Participation in Greater Lake Washington watershed planning efforts.
- Education and outreach efforts to assist the community in understanding and assisting in long-term salmon conservation efforts.