

RESOLUTION No. 222

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, ADOPTING THE REGIONAL ROAD MAINTENANCE ESA PROGRAM GUIDELINES.

WHEREAS, in 1973 the Federal Government passed the Endanger Species Act (ESA) for the protection of endangered and threatened species; and

WHEREAS, in 1999, Puget Sound Chinook salmon were listed as a threatened species by the National Marine and Fisheries Serves (NMFS); and

WHEREAS, all agencies with surface runoff entering waters with Puget Sound Chinook salmon must adhere to strict road maintenance guidelines to protect this species; and

WHEREAS, the road maintenance guidelines must be approved by NMFS prior to implementation; and

WHEREAS, in 1999, a Regional Road Maintenance Technical Work Group was formed to develop the Regional Road Maintenance ESA Program Guidelines (Guidelines); and

WHEREAS, in 2002, NMFS approved the Guidelines for adoption by government agencies; and

WHEREAS, the City has water courses with Puget Sound Chinook salmon habitat and must have a road maintenance plan to meet or exceed the Guidelines; and

WHEREAS, on 4 March 2002, the City Council directed staff to proceed with the adoption of the Guidelines as the road maintenance guideline for the City; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Purpose

Tri-County ESA Response Effort, representing King, Snohomish, and Pierce County, identified a number of government agency program areas with the potential to contribute to conservation of the listed endangered and threatened species. Road Maintenance was one of the program areas.

Section 2. Road Maintenance Guidelines

Guidelines were developed to serve as a model program for local jurisdictions to adopt and implement in order to qualify for a “take limit” under the ESA 4(d) rule for threatened salmonids.

Guidelines consist of three parts:

- *Part 1. Description of the basic model program consisting of ten program elements. Implementation of each of the ten program elements is required for a local agency to obtain 4(d) coverage.*
- *Part 2. Details the Best Management Practices (BMP) for road maintenance crews, supervisors, environmental support staff, engineering design personnel and managers.*
- *Part 3. Individual agency application for 4(d) coverage under the model program. Part 3 is a document that demonstrates how a specific jurisdiction will comply with the ten program elements contained in Part 1.*

Section 3. Implementation

1. *The City must complete an application and submit for review and approval by Washington State Department of Transportation (WSDOT), NMFS, and U.S. Fish and Wildlife Service.*

The Application has the following four sections.

- **Section 1: Letter of Commitment to Implement the Regional Program.** *This section is a letter of commitment requesting the Services to approve for the City to use Parts 1 and 2 of the Regional Program to receive a 4(d) take limit from NMFS and/or a reduction or elimination of the take prohibition on threatened species from USFWS for road maintenance.*
- **Section 2: Commitment to Part 1 and Part 2 of the Regional Program.** *This section contains the ten elements in the Regional Program. The City must commit to complying with all Regional Program elements at both the regional and local levels to obtain a take limit from NMFS and/or a reduction or elimination of the take prohibition on threatened species from USFWS under the 4(d) rule.*
- **Section 3: General Procedures.** *This section contains the general procedures of the City. It outlines organizational structure and processes for maintenance selection, BMP selection and implementation, checklists, and adaptive management.*
- **Section 4: Exceptions from the Regional Program.** *This section contains any exceptions from the Regional Program including the following:*

- Any agency programs not included in the Regional Program.
 - Any deviations.
 - Any additional maintenance categories not listed in Part 1 of the Guidelines.
 - Checklist process(es) if they differ from those in the Guidelines.
 - Any additions or changes outside of the Guidelines.
2. Maintenance staff must attend series of Guideline training courses.
 3. Maintenance staff must follow Guideline procedures during all road maintenance tasks.

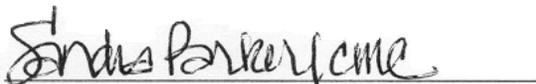
ADOPTED BY THE CITY COUNCIL OF THE CITY OF WOODINVILLE THIS 1st DAY OF APRIL 2002.

APPROVED:



Scott Hageman, MAYOR

ATTEST/AUTHENTICATED:



Sandra Parker/CMC
City Clerk