



Bush Prairie HCP Stakeholder Meeting #7

April 21, 2023 | Port of Olympia

Attendees:

BUSH PRAIRIE HCP STAKEHOLDERS:	
Name	Organization
Janet Witt	Olympia resident
Don Moody	CBRE
Bonnie Blessing	Tumwater resident
Jeff Pantier	Hatton Godat Pantier
Elizabeth Rodrick	Black Hills Audubon Society
Ilon Logan	FAA
Linda Krippner	
Mel Murray	Tumwater School District
Sara Wattenberg	
Sean Williams	Washington State Dept. of Fish and Wildlife
Agnes Fisher	
Jessica Bryant	WDF Washington State Dept. of Fish and Wildlife
Madeline Bishop	
Katrina Van Every	Thurston Regional Planning Council
BUSH PRAIRIE HCP APPLICANTS:	
Mike Matlock Brad Medrud Erika Smith-Erikson Austin Ramirez	City of Tumwater
Warren Hendrickson	Port of Olympia
BUSH PRAIRIE HCP CONSULTANT TEAM:	
Jared Haney	ICF
Drue Nyenhuis	Cascadia Consulting Group

Arrival and Welcome

- Meeting began at 9:05 AM with introductions of presenters and instructions for asking questions in the hybrid meeting.
- Stakeholders are encouraged to provide feedback on the HCP Draft that is on the website.
- This meeting is intended to provide a full review of the project.

HCP Draft Introduction

- Current status of the Habitat Conservation Plan
 - We have completed the working draft.
 - We are now working to get the document ready for the application.
 - In this meeting, we are going to review the background and fundamentals of the HCP.
 - We will walk through the key elements of the working draft.
- Why did we begin the HCP process?
 - To protect unique south Puget Sound prairie species, several of which are endangered.
 - To plan for and mitigate the effects of encroachment from development and overgrowth on their habitat.
 - The Olympia pocket gopher was the impetus for beginning to consider an HCP.
 - It is the most widespread of the prairie species and its habitat is entirely inside the Olympia city limits.
 - Also, will protect the Streaked Horned Lark, Oregon spotted frog, and Oregon vesper sparrow.
- Impact of ESA listing
 - Endangered Species Act requires that any action that meets the level of a “take” must apply for a permit.
 - It is a costly and challenging permit to pursue.
 - The City and Port took it upon themselves to get that permit for the entire city.
- Purpose of the HCP
 - To provide developers and regional airport with the ability to get permits.
 - This provides benefits over individual-project level HCPs:
 - Far more cost effective
 - Efficiency for the development community: instead of needing to prepare their own HCP, they can simply pay the City for permit coverage and utilize the city’s permit immediately.
 - It is a 30-year plan based on projected growth, which provides a lot of security for development.
 - Operations and maintenance activities at the Port can also affect the species, and can be limited by the lack of a Federal permit.
 - Overall, the HCP will streamline and facilitate development.
- Funding sources
 - We have received Federal grants from the Fish and Wildlife Service
 - These were matched by the City and Port.
 - The grants are managed by the local branch of Fish and Wildlife, the Washington State Department of Fish and Wildlife Service (WDFW).
- About the working draft



- This is an informal public review process.
- Comments will be accepted through May 21, 2023.
- There will be a formal review later this year through the NEPA and SEPA process.
- Comments can be given orally or via email.
- In the NEPA and SEPA process, all comments must be responded to in writing.

HCP Draft Review

- Chap 1 - Permit
 - The city and the port will hold the permit as co-permittees.
 - The requested term is 30 years.
 - It covers all 4 species.
 - 3 are already listed by the Federal ESA
 - All 4 are listed by the State ESA
 - The expectation is that the Oregon vesper sparrow will be added to the federal list within the next 30 years.
 - Including the vesper sparrow now provides security; we won't have to apply for another ESA for the sparrow when it is federally listed.
 - Geographic scope: two boundaries
 - "Permit area" is the smaller area, which is the city's urban development area. This captures where the city expects to grow in the future.
 - The "plan area" includes the permit area and covers the full potential range of the pocket gopher where conservation efforts will occur.
 - Recently, we made a change in the permit area to give more options for conservation of the streaked horn lark.
 - The horned lark only occurs on the airport, so added a section to the permit area adjacent to the airport for specific conservation for that species.
 - The area corresponds to the south Puget Sound lowland habitat that needs to be conserved as mitigation for the lark.
- Chap 2 - Environmental Setting
 - What's out there today that is relevant to the species?
 - To find out, we performed habitat distribution models for each of the species.
 - Olympia Pocket Gopher:
 - The model predicts where they occur or where they are likely to occur.
 - This was important because we know that the occurrence data is very incomplete for this species.
 - Absent accurate data, we must predict where they are likely to occur.
 - We used a binary flow chart that led to predictions for areas.
 - Model took into account the specific soil and tree cover needs of the gopher and the configuration of habitat.
 - Within 200 meters of area that is known habitat, there are likely to be more areas of habitat because 200 meters is the dispersal area for the juvenile gophers.
 - 3 types of habitat defined: currently occupied habitat, high likelihood of occupancy, lower likelihood of occupancy.
 - Oregon Spotted Frog
 - Area defined as known habitat based on occurrences, plus habitat that is hydrologically connected.
 - Streaked Horned Lark
 - Occurs only at the airport.



- Requires specific meadow areas.
 - Very sensitive to disturbance so there is a 100-meter buffer for building areas and treed areas (not individual trees).
 - Oregon Vesper Sparrow
 - Only known occurrences at the airport
 - Other potential habitats nearby.
- Chap 3 - Covered Activities
 - Only covers the types of projects that need take authority:
 - Covers urban development
 - Operations and maintenance activities
 - Aeronautical activities at airport
 - Partially or fully funded by aviation administration
 - Operations and maintenance of air infrastructure
 - Includes air show
 - EXCLUDES: Daily flights of private planes
 - Non aeronautical activities at the airport.
 - Other properties of the airport that are not used for flight
 - Conservation implementation needs, as some habitat is often damaged in process.
- Chap 4 - Effects Analysis
 - We have estimated urban growth that may occur in the next 30 years and the development potential for the airport.
 - We removed areas that will already have developed by the time the HCP is approved.
 - Then, we overlaid areas that are likely to develop with the species habitat model to understand the potential impact on the habitat.
 - Tables shown display the maximum allowable take limit for each species.
 - The plan could be amended to increase this limit if growth exceeds our expectations.
 - GOPHER: 21% expected total loss.
 - FROG: only 20 acres of expected loss (less than 1%) due to very strict limits on growth in the wetlands and critical areas ordinance.
 - LARK: 43% of suitable habitat acres expected to be lost
 - SPARROW: 22% habitat loss
- Chap 5 - Conservation Strategy
 - The conservation strategy seeks to minimize and mitigate the impacts of development.
 - We must minimize to the extent possible.
 - We cannot stop the take from occurring, but the impact must be mitigated.
 - Mitigation response is based on size of habitat lost and the size of the population.
 - Biological goals and objectives are important metrics to be monitored for each species (shown on slides)
 - 5 overall conservation actions defined.
 - 1. Establish and manage a prairie and wetland reserve system
 - Offset the areas that will be lost with protections of new areas.
 - If full build out occurs as expected, a similar or more land will be acquired for conservation.
 - Areas for each species might overlap.
 - We will also manage the land to support each of the species better than before via restoration.
 - For comparison, functional acres were calculated by Thurston county's HCP for the same species, but they also counted habitat quality.
 - Bush Prairie is counting only occupancy because we will do restoration.



- 2. Restore prairie habitat
 - By the end, acres in the reserve system will be native or high quality native prairie environments to create more resilient local populations.
 - Will plant, mow, etc. to encourage expansion of native species on the property
- 3. Minimize adverse effects in wetlands for Oregon spotted frog
 - 2 to 1 restoration of effected lands in accordance with existing ordinances.
- 4. Fund translocation research
 - The pocket gopher travels a lot, but there will be places that are too far for them to move.
 - If colonization can't happen on its own, translocation of individuals to the new areas could happen to populate the reserve.
 - For first 10 years, City and Port will fund experimental translocation if needed.
- 5. Best practices implementation
- Chap 6 - Monitoring and Adaptive Management
 - We will track if the City and Port are doing what they said they would.
 - We will also conduct effectiveness monitoring and have an adaptive management program with defined success criteria.
 - The table shows percentages of types of habitat wanted for each species.
 - There are defined trigger rates for habitat to address uncertainties.
- Chap 7 - Implementation
 - The HCP defines the roles and responsibilities of each organization involved.
 - It also defines the application process for developers.
 - There are annual reporting requirements.
 - The land acquisition process is well defined.
- Chap 8 - Cost and Funding
 - Cost have been categorized:
 - Plan administration
 - Land acquisition
 - Land management
 - Monitoring
 - Olympia pocket gopher research
 - Endowment
 - We've made a cost estimate for each of these categories, which will be updated for inflation. The estimate in 2021 dollars is just under \$90 million.
 - With expected loss of 1,529 acres, the cost per acre is just under \$59k, which will be the Habitat Conversion Fee.
 - Land on property that is not on modeled habitat will not pay.
 - If a developer wants to dedicate land on their own site to conservation they can reduce or remove their fee.
 - Fee calculation varies by construction:
 - No habitat affected = no fee
 - Addition or accessory structure = fee based on actual size of habitat disturbed
 - 1 acre or less = will be considered total loss
 - Greater than 1 acre = minimum 1 acre, multiplied by actual habitat acres lost
 - Fee is expected to pay for all HCP costs.

Next Steps

- Comments on the working draft are due by May 21, 2023. City and Port will review comments.



- We are coordinating with WDFW on the upcoming NEPA and SEPA process this fall, which they will be leading.
- During that process we will release the official HCP and receive your comments. Formal public review expected in Summer and Fall.
- Comments in that process will be replied to in writing.

Comments and Questions

Bonnie Blessing - Tumwater resident

- People appreciate the lands these habitats are in. Hoping Tumwater goals can be switched to contribute to recovery of the species, which will be challenging. The City is relying on existing Critical Areas Ordinances (CAO). The Oregon Spotted Frogs are using ditches for habitat and have adopted these areas and need connectivity corridors. I hope you'll maintain water flow in the ditches. Beaver dams provide winter habitat for the Oregon Spotted Frog. Please work with others who permit wetland activities to change codes to improve habitat using the best available science to minimize takings and preserve habitat.
 - Response: CAOs are intended to protect existing wetlands and habitat areas. For the Oregon Spotted Frog, the areas it occupies in breeding and non-breeding seasons change over time. Our ordinance already keeps us out of those areas and we have established mitigation measures if/when work needs to be done in those areas.
- How do CAO and stormwater management plans contribute to species conservation?
 - Response: Current stormwater plan manages water levels and how we handle those areas. Wetlands protection says that we have one area we have to manage in a certain way to keep them at a certain level otherwise we directly impact the species. Upland impacts are minimized and kept under control.
 - Response: Confident that existing structure and HCP will address affected species.
- It is reasonable and possible to identify high/low quality habitat for weighting fees. Protect those high quality areas.
 - Response: Comment taken and recorded.

Jeff Pantier - Hatton Godat Pantier

- There is confusion on how the County is implementing the HCP and its extension to lands without any habitat (e.g., forested parcel) that might have soil type for gopher activity but not the vegetation that promotes gopher activity. Please confirm that lands without gopher habitat won't be subject to the HCP.
 - Response: We will use the GIS model to determine the extent of gopher habitat on particular lands. The first threshold is the likelihood of gopher occupancy. We'll overlay the model over the parcel/area in review and identify which lands within that parcel/area have the habitat features. HCP and fees only apply to those areas modeled for habitat. E.g., if developing 10 acres and only 5 acres have habitat, the HCP and fees would apply to those 5 acres and not the full parcel.
- Is there going to be human evaluation to confirm modeling information?
 - Response: GIS model is expected to be accurate but there is an opportunity for applicants to correct/confirm it through a certified evaluation/survey.
- Cost seems fixed/well researched but we have concerns about funding. The current fee is pretty big (not saying it isn't needed) but would encourage the Port/City to have open mind on funding. May have to get creative. Property owners and developers that need to mitigate are



saddled with current fee and they might go elsewhere to develop. If that happens, no mitigation will occur and the land will just sit there. Suggests checking what suburban residential land is valued at today to ensure that fee doesn't equal/come close to actual cost of land. E.g., if the fee is \$60,000 and land is valued at \$60,000 there is an incentive to develop elsewhere. Would also like you to consider dual uses of these habitat areas for activities that would be more appropriate in these areas such as walking trails, passive parks, and stormwater management facilities.

- Response: We are exploring creative funding. The fee is primary funding tool but open to alternatives. We would need community support to spread cost beyond development community and ensure the community okays that change of funding sources. The primary need is to have certainty in funding to ensure the services are covered.
- Response: We have seen lost development when there is no HCP in place, but not so much related to costs. If fees/costs become too high and developers opt to go elsewhere, that could be seen as a win because the lands would not be developed and instead preserved for the species.
- Response: Fee weighting based on species introduces level of complexity that we have chosen to avoid. The Thurston County HCP had complex formulas to determine equivalent level of habitat. We've taken this approach to keep it simple without species weighting.
- The lands occupied by the Oregon Spotted Frog is probably not as good as lands occupied by the pocket gopher. Can we draw conclusions that frog-occupied land may have different value than gopher-occupied land because there is less frog habitat than gopher habitat?
 - Response: Interesting idea. Exploring all options but modeling accurate habitat for all species.
- Please recap timeline to bring this HCP to culmination/adoption/implementation. Best estimate, we know it's a moving process.
 - Response: We are taking comments on the working draft through May 21, 2023. We are coordinating with WDFW on the upcoming NEPA and SEPA process this Fall, which they will be leading. During that process we will release the official HCP and receive your comments. Formal public review expected in Summer and Fall.

Elizabeth Rodrick - Black Hills Audubon Society

- Our organization is dedicated to protecting ecosystems in Thurston County for the future.
- Effects assessment methodology: greatest impacts of development are on pocket gopher and the species is entirely within the HCP area. High quality areas are located in Tumwater's urban growth area and threatens the species and sub species. This needs to be emphasized in the HCP.
- Table 4-3: modeled land dilutes the magnitude of the take. Combined, totals a 34% loss. When you account for likelihood of occupancy, that reduces to ~20%. This level of habitat take could lead to extinction. Need to be more transparent about this. Most of the 676 acres of ESA designated habitat is in the airport area - the proposed take is 21%. This area should be protected and could be a mitigation area.
- Streaked Horn Lark - 519 acres of suitable habitat in planned area - all in the vicinity of the airport. Proposed take is 43% of the area. Even with existing MOU, 43% loss of habitat could lead to local extirpation. Request a reduction in proposed take of habitat.
- Conservation strategy - land acquisition to habitat loss is only 1:1 for the pocket gopher. Less expensive to avoid the impacts altogether.
- Will submit more detailed comments by May 21 deadline



- Response: Comments taken and recorded. HCP team received the Black Hills Audubon Society's letter sharing these and additional comments/questions on April 20, 2023 and will respond to the letter separately.

Janet Witt - Olympia Resident

- Agrees with comments submitted by Black Hills Audubon Society
- Has the HCP been submitted to WDFW?
- Development of the Costco warehouse caused a lot of tree removal and all of the pocket gophers were killed and not translocated. The habitat plan for that area was west of I-5 and on that land trees were destroyed. Concerned about net loss of trees with these plans.
- Airport land has prime pocket gopher habitat and is very rare. Concerned that you are not looking at soil compatibility and transferring species.
- 95 acres being developed for bottling facility that would threaten multiple species with extinction. Port has contributed to the environmental degradation of the area and I propose the Port of Olympia set aside these 95 acres for pocket gopher preservation. It would save money and enable Tumwater to not have as much trouble finding mitigation lands. This would best assure the survival of these species.
 - Comments taken and recorded.
 - Working draft of HCP was sent to WDFW and they have been involved in the drafts and our progress along the way. The goal of these meetings is to give the public a chance to see our progress and get an idea of the work we are doing and issues we are addressing since it's been 3 years since we last met. We will have formal public review and comment opportunities in the future.

Meeting concluded at 10:30 AM

