

# HCP Public Meetings Summary

Hydraulic Project Approval and Wildlife Areas Habitat Conservation Plans

Washington Department of Fish and Wildlife ■ July 2007



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## Hydraulic Project Approval and Wildlife Areas Habitat Conservation Plans

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## Appendices

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Appendix A: Public Meeting Agenda

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## Acronyms

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| WDFW  | Washington State Department of Fish and Wildlife |
| HCP   | Habitat Conservation Plan                        |
| HPA   | Hydraulic Project Approval                       |
| ESA   | Endangered Species Act                           |
| DNR   | Washington State Department of Natural Resources |
| USFWS | U.S. Fish and Wildlife Service                   |
| NOAA  | National Oceanic and Atmospheric Administration  |
| NMFS  | National Marine Fisheries Service                |

## Introduction

In late April and early May, 2007, the Washington Department of Fish and Wildlife (WDFW) held six public meetings throughout Washington state to introduce the Habitat Conservation Plan (HCP) development process for the Hydraulic Project Approval HCP and the Wildlife Areas HCP.

## Background

An HCP is a management plan that provides long-term certainty of Endangered Species Act (ESA) compliance while providing for conservation of species. WDFW is developing HCPs for land management activities occurring on state-owned and – managed Wildlife Areas and for activities authorized under the Hydraulic Project Approval (HPA) program. WDFW began development of the HCPs in 2006. The HCPs are expected to take approximately six years to complete.

In 2006, WDFW interviewed stakeholders and tribal staff to identify public involvement and outreach needs for development of the HCP. The results of this needs assessment contributed to the development of strategies to foster collaboration throughout the HCP development process, including tribal government coordination, stakeholder involvement, and public meetings.<sup>1</sup> WDFW is committed to conduct public outreach and stakeholder involvement activities to share information and provide multiple opportunities for input to those affected by the HCPs. These public meetings were the first step in the stakeholder and public involvement process for development of both HCPs.

## Meeting Outreach

The public meetings were advertised by WDFW through fact sheets and reminder postcards mailed to the Department's stakeholder database (approximately 1,400 contacts for the Wildlife Areas HCP and approximately 1,100 contacts for the Hydraulic Project Approval HCP). Stakeholders invited to attend the meetings included environmental and recreation interest groups; business and industry trade associations; federal, state, and local government agencies; public utility districts; irrigation districts; WDFW advisory committee and Wildlife Area citizen advisory group members; and other interested citizens. The meetings were also advertised on

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<sup>1</sup> Jones and Stokes. 2006. "Stakeholder and Public Involvement Strategies". Hydraulic Project Approval and Wildlife Areas Habitat Conservation Plans. Olympia, WA. Prepared for Washington Department of Fish and Wildlife.

the Department's Web site; by a general press release to area newspapers; and by e-mail and newsletter outreach from several stakeholder interest groups.

Tribal governments were also informed of the public meetings, although WDFW is also discussing the HCPs separately with the tribes on a government-to-government basis.

## Meeting Purpose and Format

The purpose of the meetings was to share information about the HCP development process, to answer questions, to identify concerns and suggestions of interested parties, and to understand the level of desired future involvement in the HCP development processes.

Each of the six meetings was scheduled from 7:00 to 8:30 pm. A sample agenda for the public meetings is included in Appendix A. Attendees were greeted and encouraged to sign in. They were asked to write down their most compelling HCP comment or question on an index card at the beginning of the meeting. The cards were collected for discussion later in the meeting. Melinda Posner of Jones & Stokes welcomed meeting attendees, provided an overview of the meeting purpose and format, and facilitated the question and answer session. Jennifer Quan, Wildlife Areas HCP Project Manager, presented a general overview of WDFW's habitat conservation planning process and the Wildlife Areas HCP development process. Marc Daily, Hydraulic Project Approval HCP Project Manager, presented an overview of the Hydraulic Project Approval HCP development process. Questions from meeting attendees were answered during and after each presentation. After the question and answer session, meeting participants were encouraged to review graphic display boards and other project materials and speak one-on-one with project team members.

Meeting attendees were asked where they heard about the meetings. The majority of those in attendance noted the direct mailing of the project fact sheets/meeting announcements as the key information source for the meetings. Others indicated that they learned of the public meetings by receiving an email, visiting the WDFW Web site, or reading an announcement in a local newspaper. One attendee indicated that he discovered the meeting by chance – he was in the library, saw the directional sign advertising the meeting, and decided to hear what was being discussed.

## Meeting Attendance

Approximately 82 people attended the six public meetings (not including WDFW staff). The meeting dates, locations, and approximate number of people attending each meeting included:

- April 30 - Yakima Library: 7 attendees
- May 1 - Cashmere Community Center: 11 attendees
- May 2 - Spokane Valley Library: 8 attendees
- May 8 - Skagit Valley College, Mt. Vernon: 25 attendees
- May 10 - Lacey Community Center: 25 attendees
- May 15 - Vancouver Library: 6 attendees

## Multiple Methods for Public Input

The public meeting format was designed to create a comfortable and stimulating environment for meeting participants to learn about the HCP development process, to openly share their thoughts and opinions, and broaden understanding about the HCPs. The meeting included a variety of methods to communicate project information, hear input, answer questions, and collect comments, including:

- “formal” overview presentation of both HCPs;
- verbal question and response time with all meeting participants;
- one-on-one discussions with project team members;
- local interest/issues mapping;
- written question and comment index cards;
- written questionnaire about HCP issues and ways to communicate/be involved;
- project comment cards;
- graphic display boards illustrating the types of activities and species that might be covered in the two HCPs; and
- handouts and reference materials including HCP fact sheets and white papers for the Hydraulic Project Approval HCP.

## Meeting Discussion and Questions

Questions from meeting attendees and responses from WDFW staff are provided below for the HCP development process in general, as well as for the Wildlife Areas HCP and the Hydraulic Project Approval HCP. The question and answer period included responses and discussion of the key compelling comments/questions captured on index cards at the beginning of the meeting. Questions (Q), comments (C), and answers (A) are summarized below.

## General HCP Questions

- Q. Why is WDFW developing these HCPs now?
- A. There have been a number of recent successes with HCPs in Washington State. The Washington Department of Natural Resources has completed two HCPs (and are working on a third). The timing is right, from the state and federal perspective, and funding is available – 75 percent federal funds and 25 percent state funds. In 1999, WDFW started this process for the Hydraulic Project Approval program, but did not complete it. The time is right to get it done.
- Q. Are these new plans? Didn't WDFW just face a budget cut?
- A. Yes, these are new plans. WDFW will continue with HCP development and implementation as funding is available. Much of the HCP planning funding has been provided by federal grants (approximately 75 percent of total costs), which has provided WDFW the resources to conduct this planning effort despite agency budget challenges.
- Q. Is WDFW working with USFWS and NOAA on development of the HCP? Do they have the authority to dictate what is included in the final plan?
- A. Yes, WDFW is meeting with USFWS and NOAA (collectively called “the Services”) for this process on at least a quarterly basis. In order to obtain an incidental take permit, WDFW has to come to agreement with the Services on the plan. However, the HCP is WDFW’s document and the Services cannot require WDFW to include or implement certain provisions if WDFW and the Services cannot reach agreement. If agreement cannot be reached on certain activities, then those activities may be excluded from the plan. If no agreement can be reached, an incidental take permit would not be issued.
- Q. Is WDFW working with the Indian nations in this process?
- A. Yes. The Department has a specific outreach strategy for coordinating with Washington tribes and will continue meeting with the tribes on a government-to-government basis. Further, WDFW has a tribal liaison that will assist with tribal involvement throughout HCP development.
- Q. Has WDFW learned anything from DNR’s HCPs?
- A. WDFW has been meeting with DNR monthly to discuss these HCPs and to understand lessons learned from previous DNR HCPs. Specifically, the Hydraulic Project Approval HCP staff has been coordinating with the DNR Aquatic Lands HCP staff, as these HCPs share similar activity types. WDFW and DNR want to ensure that work is not duplicated and that the two planning efforts will not result in management inconsistencies between the

agencies. In addition, DNR staff was contacted in 2006, as part of the stakeholder assessment, to understand their past experiences and suggestions for success.

- Q. How will the HCP affect lands or activities that are already included in another HCP? How does this HCP fit with the provisions of Forests and Fish?
- A. The WDFW HCPs cannot conflict with the provisions of another HCP. The WDFW HCPs are separate from the Forests and Fish agreement, but WDFW will need to make sure they do not conflict.
- Q. How will the HCPs streamline the Section 7 consultation process? How much will the HCP speed up the process (18-24 months is typical)?
- A. It will ultimately depend on the Services, but the process is expected to be somewhat streamlined, as the Services will have conducted a programmatic ESA review of Wildlife Areas and HPA activities, many of which also require a Section 7 consultation.
- Q. How can the Services sign off on a plan that includes species that are not listed?
- A. The Services encourage inclusion of non-listed species in HCPs. In their review of the HCP, the Services evaluate non-listed species as if they are listed. Therefore, if those species are listed in the future, WDFW will have already assured ESA compliance by including those species in the HCP.
- Q. The HCPs will cover dozens of activities. Has WDFW decided to include everything in one HCP or is there a possibility that several HCPs may be developed?
- A. There is potential for several HCPs. As the HCP process moves forward, WDFW will assess the costs and benefits of developing smaller HCPs for different geographies and/or activities levels. The decision whether to do this will be based upon whether it makes HCP planning or implementation more efficient. It is too early in the planning process to know whether such a separation of activities or geographic areas is prudent.
- Q. How much flexibility and adaptive management can be built into the HCPs?
- A. The HCPs will include an adaptive management system for elements for which there is uncertainty or a need to monitor and evaluate over time. Climate change is a good example of something that may need to be considered as more information becomes available. The adaptive management strategy included in the HCPs can help ensure resource protection for the duration of the plan, while providing WDFW with a level

of certainty of what will be required to implement the plan over 30 to 50 years.

- Q. How much is the HCP effort costing? Who is paying for it? Does WDFW have funding for the next couple of years? Is it already available?
- A. The HCPs are funded approximately 75 percent by federal grants and 25 percent by state funds. The HCPs are funded through federal grants that compete nationally with other HCP efforts. The Department received \$660,000 for the Hydraulic Project Approval HCP and \$545,000 for the Wildlife Areas HCP in 2006; similar funding has been secured for 2007 and 2008. WDFW will apply for the 2009 grant cycle in August 2007 and should know if they will receive grant funding by the end of 2007.
- Q. Do these grants take away money that would be used for other programs?
- A. No, this funding does not take away from other programs. The Habitat Conservation Planning Assistance grants are specifically for HCP development.
- Q. What is the timeline for the HCPs? How long will they be in effect?
- A. The HCPs are expected to require approximately six years to develop and are intended to cover a time period of 30 to 50 years.
- Q. How will cumulative impacts be addressed?
- A. WDFW will consider cumulative impacts in the HCPs, but it is too early in the process to be able to describe how cumulative impacts will be addressed.

## Wildlife Areas HCP Questions

- Q. Who owns the lands included in the HCP?
- A. Currently, the lands being considered for inclusion in the Wildlife Areas HCP are approximately 850,000 acres of land that are designated as WDFW Wildlife Areas. The Wildlife Areas are comprised of lands that are either owned by WDFW and/or are a mix of other federal and state-owned lands that WDFW manages through various agreements. Water access sites (e.g., fishing access, boat ramps) outside of designated Wildlife Areas are not being considered for inclusion at this time.
- Q. How is WDFW conducting the activities inventory? Where is the data coming from?
- A. Wildlife Area managers, biologists, and local experts are providing input to the inventory. Data comes from WDFW reports (e.g., hunter reports, game harvest reports), licenses, questionnaires, real estate documents, scientific

literature, and Wildlife Area management plans. WDFW uses the best information available. The HCP will include monitoring measures and an adaptive management component to adjust to new data over time.

Q. Who is on the citizen advisory committees? How are they chosen?

A. Membership varies across the state according to land types, but the committees generally include neighbors, user groups, conservation districts, and irrigation district members. Wildlife Area managers and their assistants originally organized these groups to write the Wildlife Area management plans.

Q. Will the inventories be available for public review and input before the draft plan is completed?

A. Yes, WDFW will be reviewing the inventories with the Wildlife Areas citizen advisory groups. Additionally, WDFW will post information about the inventories on the HCP Web site to provide an opportunity for the public to review and comment on the inventory lists compiled for the Services.

Q. Will the HCP guarantee a certain percentage of wildlife populations for protection? Of the 125 species potentially included in the HCP, would any constitute a Wildlife Area closure?

A. The HCP will likely quantify acres of habitat for protection and develop conservation measures in other areas. WDFW has not completed the risk assessments, but one of many potential outcomes could be the possibility that some access or timing could be limited.

Q. How does the HCP address wildlife habitat continuity and connectivity?

A. Through the HCP process, WDFW will evaluate how species use and depend on the lands the Department owns and manages, and then evaluate how that fits into the species needs in the larger landscape. WDFW will incorporate scientific concepts for landscape level planning. The Department will also rely on its Comprehensive Wildlife Conservation Strategy (CWCS) and subsequent biodiversity action plans which identify good habitats and opportunities for conservation benefits, including continuity and connectivity.

Q. Will the HCP development process involve surrounding landowners?

A. Yes, through existing citizen advisory committees. Neighbors and interested community members can get involved in the process.

Q. Will rivers be included in the Wildlife Areas HCP?

- A. Yes, those sections of rivers that run through the Wildlife Areas are under consideration for inclusion in the Wildlife Areas HCP.
- Q. Will fair value or assessments be used or is there a process or plan in place for land exchanges?
- A. Yes, the process is already in place. The Department conducts fair market appraisals on all land transactions including exchanges. Exchanges are conducted on a value for value basis.

## Hydraulic Project Approval HCP Questions

- Q. Do you anticipate all HPA activities to be covered by the HCP? Will there be any exemptions?
- A. At this point, WDFW is considering all activities that require an HPA for inclusion in the HCP. However, it is possible that some activities will not be covered. For example, the residential single-family marine bank protection law is quite specific and may limit HCP protection for those types of activities. As a result, these activities may be excluded from the HCP. If WDFW and the Services cannot reach agreement on the specific mitigation and minimization measures for a given activity type, that activity type may be excluded from the HCP.
- Q. Does WDFW have an idea of when or how many of the 52 fish species would be removed from the list? Will the HCP help to de-list any fish species?
- A. It is too early in the planning process to know how many of the 52 potentially covered species will be included in the HCP. The final decision of species to be covered will depend upon the level of information available about the species abundance, distribution, life history, and status and the information available on how HPA activities may adversely impact the species. The HCP will not include specific recovery targets for any of the species, but it will consider species recovery plans and how the HCP can contribute to conservation and recovery of listed species.
- Q. What is the percentage of marine vs. fresh water fish included in the HCP?
- A. Approximately 70 percent anadromous or marine species and 30 percent freshwater species.
- Q. Will the HCP change the way WDFW reviews restoration projects?
- A. The HPA program already has a streamlined process for issuing HPAs for fish restoration and enhancement projects. WDFW has heard from interested parties that the streamlined process may not be working as well as intended.

Through the HCP, WDFW will review the streamlined restoration and enhancement process to determine whether there are ways to improve permitting for such activities.

- Q. What activities will be covered in the next white papers?
- A. Seven hydraulic project types including: marinas, shoreline modification, habitat modification, channel modification, flow control structures, fish passage, and fish screens.
- Q. The white papers seem inconclusive. Will the HCP be based on their conclusions?
- A. The white papers are intended to provide a comprehensive literature review; however, information on aquatic resources is incomplete and can often be interpreted in multiple ways. Contractor recommendations included in the white papers represent their professional judgment and are not necessarily the positions of WDFW. The white papers are only a starting point and will be a tool used in developing the HCP, but they will not simply be inserted into the HCP. Further, the white papers are considered living documents and when new information becomes available, WDFW will assess how the new information relates to white paper findings and incorporate the information into the HCP as appropriate.
- Q. Will this HCP result in bigger setbacks?
- A. This HCP won't affect setbacks that are established by local shoreline management and critical areas regulations. For waters of the state, the HCP could suggest more stringent requirements, but only within the authority of the HPA statute.
- Q. Will the HCP eliminate or streamline the need for Section 7 consultation, Biological Assessments, and Biological Opinions issued by USFWS and NOAA?
- A. The HCP will not eliminate the need to conduct a Section 7 consultation when a project includes a federal permit, approval, or funding, but it would streamline the consultation process. Through review and approval of the Hydraulic Project Approval HCP, the Services will agree that as long as hydraulic projects are conducted in accordance with the HCP, then they are ESA compliant. If an applicant then has a hydraulic project that also has a federal nexus, the Section 7 consultation should be streamlined, as the Services will have already reviewed the project in a programmatic sense and agreed to the minimization and mitigation conditions that WDFW imposes on HPAs. The Services will likely be able to issue a letter of concurrence rather than preparing a full Biological Opinion.

- C. WDFW should be open-minded about considering certain activities through a programmatic Section 7 consultation process.
- A. The Section 7 consultation process is only for activities that have a federal nexus (federal permit, approval, or funding). As a state program, the HPA authority does not have a federal nexus; therefore a programmatic Section 7 consultation is not an option for WDFW. It is possible that proponents for specific hydraulic projects that include a federal permit, approval, or funding could seek a programmatic Section 7 consultation, but WDFW cannot for issuance of HPAs.
- Q. Will the HCPs facilitate “one-stop shopping” for ESA compliance?
- A. The HCP will have the approval of the Services. The need for Section 7 consultations will not go away, but should be streamlined. A USFWS staff person present at one of the public meetings also stated that they are developing potential streamlining tools that would improve Section 7 consultations.
- Q. What is the relationship between DNR and the HPA process?
- A. DNR acts as a landlord for state-owned aquatic lands. They lease or provide use authorizations for entities that wish to use state-owned aquatic lands. The HPA is a regulatory authority for activities that affect all waters of the state, regardless of whether the lands are publicly or privately owned.
- Q. Will the HCP affect any programmatic permits?
- A. It is possible through the HCP process that updated science may reveal that current programmatic HPAs need to be altered to fully minimize and mitigate for potential impacts. WDFW will work with the entities that hold programmatic HPAs to make any necessary changes.
- Q. How will the HCP affect the HPA application process?
- A. It is not expected that the HCP will have much impact on the permitting process, but it may affect minimization and mitigation conditions attached to certain types of HPAs.
- C. Compliance is a problem that needs to be addressed.
- A. In order to get the HCP approved, WDFW must demonstrate to the Services that they have the ability to enforce the HPA conditions. Therefore, compliance and enforcement will be specifically addressed in the HCP.
- Q. Approximately 5,000 HPA permits a year are issued. How does this relate to the recommendations of the Shared Strategy/Puget Sound Partnership?

- A. WDFW has met with the salmon recovery agencies, and will try to address specific actions through the HPA authority.
- Q. Why is WDFW spending money on HCPs when it is already enforcing the ESA?
- A. As a state agency, WDFW does not have the authority to enforce the federal ESA. The HCP is intended to ensure that HPAs are in compliance with ESA.
- Q. Last time WDFW tried this, the rulemaking processes got in the way. Rulemaking is a 12 to 16 month period. Can it be negotiated with the Services?
- A. Rulemaking, if determined to be necessary, can proceed concurrently with HCP development. WDFW will be working with the Services throughout the HCP development process. WDFW recognizes that it will be a challenge to prepare an HCP and conduct any necessary rulemaking simultaneously. However, rulemaking should not prevent WDFW from successfully completing the HCP and negotiating an agreement with the Services.
- Q. Is WDFW anticipating any changes in the Hydraulic Code as a result of this HCP?
- A. Any changes to the Hydraulic Code would need to be made by the Legislature. At this point, WDFW is not planning to request any statutory changes in association with HCP development.
- Q. Will Technical Advisory Committees for the HCP be developed for each project type? How many groups will there be?
- A. If the activities are not grouped together, the HCP could include as many as 18 discrete HPA project types. In formulating technical committees, WDFW will be looking to group similar activities, if possible, and create a process that is as efficient as possible.

## Comment Cards

Meeting attendees were invited to fill out comment cards for either HCP. Below is a summary of the additional questions (Q) and comments (C) received on each of the HCPs, followed by responses (A) from WDFW.

### Wildlife Areas HCP Comments

- Q. Are Wildlife inventories done on a seasonal basis (since some species are only present in winter or spring migration)? Example: swans at Snoqualmie Wildlife Area.

- A. The current method for inventory includes a compilation of scientific information, empirical data, existing survey data, modeled data, and expert opinion. The data collected for both the species and activities inventories will account for seasonal occurrence/presence. New or additional on-the-ground surveys are not currently part of the methodology for acquiring data.
- Q. How are you accounting for changes over time (e.g., increase/decrease or new use by a species)?
- A. Monitoring and adaptive management plans (both required in the HCP process) will be used to account and manage for changes over time. Changes could include: species occurrence, new scientific or technological findings, and budget/funding.
- C. Operation and maintenance is needed as several of your Wildlife Areas are languishing and habitat is compromised for supporting wildlife.
- A. Operation and maintenance (O&M) activities are funded by both state (legislature) and federal (Pittman Roberts (PR) grants) sources and dictate the extent of the Department's ability to implement O&M. For the state funded portions, it is intended that the HCP will provide additional information that supports and articulates continued and additional O&M funding needs for Wildlife Areas. For the federal funded portions, it is intended that the HCP streamline the federal ESA review process to assist in the timely release of PR funds and potentially extend the activities that the PR funds can be used for.
- WDFW also seeks grant funding to supplement traditional funding sources.
- C. Mining activities are not compatible with Wildlife Areas as they are for wildlife/fish.
- A. During the HCP process, mining activities, both recreational and larger scale, will be inventoried. If there is a potential for mining activities to impact federally listed species, and/or other species included in the HCP, WDFW will conduct a risk assessment to evaluate the extent of the impact(s) as well as methods for avoiding, minimizing, and/or mitigating those impacts.
- C. Please remember that the Citizen Advisory Groups worked hard on Wildlife Area management plans.
- A. WDFW agrees and is extremely thankful for all the contributions made by the Citizen Advisory Groups. The HCP process has already benefited from and will continue to use the Wildlife Area Management Plans in development of the HCP. It is intended that the Citizen Advisory Groups play an integral role in the public outreach and review process for the HCP.
- C. I suggest you consider:

- Covering (or offering to the fee owner) lands under lease, contract, or conservation easement – as well as fee lands. This enables you to really consider landscapes and may actually afford other owners opportunities for certainty not available to them otherwise. I suspect your HCP could cover 1.5 million acres under this option.
- A. This is a good suggestion. Not only would this have benefits to land owners, but could also benefit wide-ranging species that have landscape level needs. WDFW will investigate this possibility.
- Allowing lands to enter or leave the HCP in a manner similar to DNR’s trust land HCP; this allows flexibility in land transactions (or lease/easement negotiations) and seems to aid landscape consolidations more effective for HCP objectives.
- A. This is also a good suggestion. WDFW will coordinate with DNR to evaluate their process and its applicability to the Wildlife Areas HCP.
- C. Seems like you are doing well in the process.
- A. Thank you.

## Hydraulic Project Approval HCP Comments

- Q. How does this coincide with the special HPA WDFW has for landowners to clean up creeks? Is this a blanket permit that is little known?
- A. In planning for the HCP, WDFW will consider all activity and HPA types. Without more information, it is difficult to provide comment on the specific HPA to which this question is referring.
- C. I suggest your species list be very open versus restricted. Benthic organisms are probably under-rated in their consideration as part of a healthy system.
- A. WDFW agrees that it is important to consider benthic organisms. The current list of potentially covered species includes a number of benthic organisms, including California floater, western ridged mussel, and Olympia oyster.

## Questionnaire Comments

Meeting attendees were asked to complete a questionnaire at the public meetings. A sample questionnaire is included in Appendix B. The questionnaire included questions about the content of the HCPs, as well as questions about stakeholder involvement and public outreach methods. Many of the questions offered simple “yes” or “no” choices, while others offered an opportunity to check one or more boxes representing their preferences or relationship to the HCP subject areas.

Forty questionnaires were completed and submitted by meeting attendees. Most of the questionnaire respondents indicated that they would like to stay informed and be involved in either or both of the HCP development processes by receiving project information via e-mail, the WDFW Web site, and direct mail, or by attending public meetings. The largest number of respondents stated a preference for e-mail communication. Direct mail was stated as a preference by the second largest number of respondents. Many respondents indicated a preference for multiple forms of communication.

Nine respondents stated that they would like to participate in the Wildlife Areas HCP advisory/technical groups, while eleven respondents stated that they would like to participate in the Hydraulic Project Approval HCP advisory/technical groups. Approximately ten respondents noted that they would like to participate through existing WDFW advisory committees. Several respondents noted that they would like to participate in inter-agency meetings related to the HCPs.

Almost all of the questionnaire respondents stated that the meetings provided them with a sufficient understanding of WDFW's process and that they would participate in similar meetings in the future. Some comments stated that the meetings were "concise and complete" and "well done, very informative." One respondent noted that they appreciated the chance to ask questions. Other comments stated that "at this stage, the information was adequate" and "many parts are still vague." One respondent stated that they would like more detail on the results of the Hydraulic Project Approval HCP monitoring pilot studies. Almost all of the questionnaire respondents stated that they would participate in similar meetings in the future. One attendee noted that the meeting was a "great way/place to learn and interact with those interested" in the subject matter. Another attendee commented that face-to-face meetings are the best way to share information. Two meeting attendees indicated that they would not participate in future meetings, with one of those stating the reason as the subject matter "does not impact us."

When asked to identify individuals or groups for participation in the HCP technical and advisory groups, meeting attendees provided the following responses:

- Gold prospectors/gold miners
- Backcountry Horsemen of Washington
- Local watershed groups
- Environmental consulting/permitting firms
- Growers/irrigators
- Irrigation districts
- Bureau of Reclamation
- Public Utility Districts (PUDs)

- Wenatchee Sportsmen
- Disabled Sportsmen Association
- As many Audubon chapters as possible, especially Yakima Valley, Kittitas, and Central Basin
- Land trusts: The Nature Conservancy, Trust for Public Land, Chelan Douglas Land Trust
- WAG
- The Trumpeter Swan Society
- Friends of the San Juans
- Skagit-Snohomish Citizen Advisory Group
- Waterfront property owners
- Friends of the Cowlitz
- WA Department of Ecology
- Conservation groups
- Tribes
- Recreational fishers
- Permit applicants, including WSDOT; WSDOT should be involved in both
- WA Dept. of Ecology – Shoreline Program Staff
- Vancouver Audubon
- Fish First
- Vancouver Wildlife League
- WA Hunter Education Instructors

## Wildlife Areas HCP Questionnaire Comments

When asked to identify which category best describes their relationship to WDFW's Wildlife Areas, the largest number of respondents identified affiliations with hunting, fishing, bird/wildlife watching, hiking/camping, other recreation activities, and environmental interest groups, including Backcountry Horsemen of Washington, Wenatchee Sportsman's Association, North Central Washington Audubon Society, Trumpeter Swan Society, Washington Brant Foundation, Vancouver Audubon Society, Vancouver Wildlife League, and Washington Waterfowl Association. Other respondents identified affiliations with government agencies, including the Washington Department of Ecology and Inter-Agency Committee for Outdoor Recreation, and public utility districts, especially related to wildlife mitigation associated with hydropower projects.

Questionnaire respondents noted specific interest in all of the identified Wildlife Areas throughout all WDFW regions. Additional comments identified interest in Puget Sound shorelines and all Wildlife Areas adjacent to state highways. Meeting attendees indicated that all of the Wildlife Areas activities were of interest and concern to them. Hunting (deer, elk, bear, upland birds, and waterfowl), fishing, hiking/backpacking, camping, bird/wildlife watching, and habitat restoration for upland plants and animals were selected by the largest number of respondents.

When asked what they felt are the most important Wildlife Area issues that should be addressed in the HCP, meeting attendees provided the following responses:

- Recreation management/weed management
- Accessibility to mineral prospecting and mineral extraction
- Land development for the protection of wildlife
- Mitigation areas for hydropower projects are different from other WDFW land
- Highest priority: ESA species. All else takes the back seat (e.g., cows do not belong in sage grouse habitat)
- Providing recreation
- These are wildlife areas for fish and wildlife, not general recreation land for non-wildlife/fish activities
- Protection of existing habitat as well as finding new habitat to purchase/let it turn wild
- Accurate inventories
- Identify where and when non-habitat related activities like grazing and agriculture leases can occur without impacting habitat
- Allowances for the “public” good, not just for species preservation
- Aquatic pesticides, road maintenance, resource extraction
- Habitat quality and quantity; wildlife quality and quantity; human interaction/impact with both; access
- Loss of habitat and ecosystem functions for aquatic species. Many of the worst impacts are due to shoreline and upland land use
- Mining, agriculture, non-game species, migratory species (neo-tropical), birds in general, listed species
- Protection of habitat so as to sustain appropriate numbers of big game or birds
- Sustain or acquire more lands for use as habitat
- Continue to provide access to diverse user groups

## Hydraulic Project Approval HCP Questionnaire Comments

When asked which category best describes their relationship to the Hydraulic Project Approval program, the largest number of meeting attendees identified affiliations with government agencies and environmental interest groups, such as Washington Department of Natural Resources, Washington Department of Ecology, Washington State Department of Transportation, Skagit County Planning and Development Services, Kitsap County Surface and Stormwater Management, Lewis County, People for Puget Sound, Friends of the San Juans, and Friends of the Columbia Gorge. A smaller number of attendees represented the regulated community (private parties and businesses). Other attendees included representatives from public utility districts, conservation districts, irrigation districts, a non-profit fish restoration group, a consultant for ports, and interested citizens.

Each of the identified HPA activity types were selected by at least one questionnaire respondent as being of the most concern/interest to them, with the largest number of respondents selecting bank protection/shoreline modification, channel modifications, and habitat improvement projects.

When asked to identify the most important HPA issues that should be addressed in the HCP, meeting attendees provided the following responses:

- Timely response/programmatic approach
- Habitat improvement projects with small footprints
- The balance between environmental concerns and land and hydraulic uses
- Stream protection for fish
- Framework for “streamlining,” defining to what extent this is possible, and to what activities it applies
- The public need to have a process that provides a rapid reply (yes or no) on projects. The public right now ignores the process in many cases due to uncertainty
- Natural waters vs. manmade facilities not intended for fish
- Riparian habitat/streambed modifications and fish access/passage
- Water quality
- Communication between fish biologists and wildlife biologists to the public so the plan does not create fish against wildlife or unintended consequences
- Protection of endangered species habitat, including forage and spawning grounds (e.g., need eelgrass for herring, salmon, and orca whales)
- Loss of habitat
- Shoreline modification

- Practical approach on mitigation
- Incidental take permit
- Streamlining with the Feds would be a great benefit
- Paralleling regulations with Federal Services
- Make sure the processes of the HPA actually do harm fish and/or fish habitat before developing an HCP
- Roads/road maintenance, culverts, diking, diversions, dredging, weed control, species (fish) introduction/removal, extraction industries, fish blockages
- Adequate protection of endangered species
- Integration and coordination with other agency regulations and plans
- Protection of fish habitat – spawning, rearing, migration and macro- and micro-invertebrates
- How we can get needed work done in a timely manner
- Timing restriction for in-water work should be consistent with NOAA and USFWS
- All of those listed are important
- Undecided at this point
- Not sure!

## Additional Comments

At the end of the questionnaire, respondents were asked to identify any additional questions or comments. The following questions (Q) and comments (C) were provided, with WDFW responses (A).

### *Hydraulic Project Approval HCP*

- Q. Are aquatic plants in the HPA HCP?
- A. No aquatic plants are currently included on the list of potentially covered species. However, aquatic plants provide important habitat functions for many of the covered fish and invertebrate species. Therefore, by protecting the habitats of covered fish and invertebrates, aquatic plant species will indirectly benefit as well.
- C. I would like to be on a committee to develop the HCP and address shoreline interface (land and water); protection measures for habitat and ecosystems
- A. In the coming years, WDFW will convene a number of technical groups to help in the development of the Hydraulic Project Approval HCP. The

Department greatly appreciates individuals that are willing to assist in this effort.

### *Wildlife Areas HCP*

- C. Jennifer's presentation had no mention (that I can recall) of watchable wildlife – yet that is one of the most popular uses of Wildlife Areas, and growing.
- A. Wildlife watching is included in the current list of potential activities. Data regarding location and timing of watchable wildlife activities are being collected for analysis and potential inclusion in the Wildlife Areas HCP.
- C. The Inter-Agency Committee for Outdoor Recreation has funded acquisition of some WDFW land and have deed restrictions on the properties that limit the types of eligible land management activities.
- A. As part of the Wildlife Areas HCP process, WDFW will identify, take into account, and plan for the deed restrictions that affect land use and management which are currently in place for the lands that WDFW owns.
- C. Wiley Slough project – It's important to plan for and address the users/habitat areas that may be displaced.
- A. WDFW is in the process of assessing how the Wiley Slough project will affect Wildlife Area users and habitat that currently exists. That assessment will inform the mitigation needs and process for that project. For the HCP process, any potential change to land management/recreation access that would impact existing users and species habitat will take into consideration the impacts and mitigation needed for potential displacement.

### *General Comments*

- C. WDFW should try to ensure that its HCPs will not authorize activities that would violate the state's water quality standards and other environmental regulations.
- A. An HCP can only include activities that are otherwise lawful. At a minimum, WDFW expects to comply with all state and federally mandated standards and regulations. In some cases, the Department hopes to do better.
- C. My main issue is that policy is based on an ideal world and environment, and unfortunately we do not live in such.
- A. The context of this question is not clear. For the HCPs, WDFW will develop analyses and recommendations using best available science and information, taking into account and within context of the environmental baseline conditions. Policy decisions related to the HCPs will include the needs of applicants (Hydraulic Project Approval HCP) and users (Wildlife Areas

HCP) and will rely heavily on the public input WDFW receives. In the mixing/balancing of the science, environmental baseline conditions, and public input, the Department intends to develop goals, recommendations, and solutions that are achievable.

- C. I am interested in state agency coordination to discuss common issues and potential opportunities to partner.
- A. Throughout the HCP process, WDFW will continually look to improve effectiveness and statewide consistency. The Department is open to opportunities to partner, coordinate, and streamline.
- C. Kudos for beginning the public involvement from the beginning. Make sure to include outreach for diversity of feedback/involvement – age, gender, disability, race/ethnic, economic/landowner status
- A. Thank you. WDFW values and depends on a wide-range of stakeholder and public involvement and feedback. The Department will continue to seek this input throughout the HCP development process.
- C. Thank you for the informative public meeting – it was useful
- A. Thank you. This feedback helps in evaluation of the public meetings.
- C. Well-informed speakers
- A. Thank you.
- C. I was fairly ignorant of the process and goals of the program. I received a good presentation so as to understand what this process is all about
- A. Thank you.
- C. Thank you!
- A. You're welcome.

## Appendix A

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Public Meeting Agenda



**Washington State Department of Fish and Wildlife (WDFW)  
Habitat Conservation Plans  
Spring 2007 Public Meetings**

**Meeting Agenda**

|      |  |   |
|------|--|---|
| 7:00 | <b>Welcome &amp; Introductions</b>   | WDFW Staff                              |
| 7:05 | <b>Meeting Purpose and Format</b>  | Melinda Posner,<br>Jones & Stokes       |
| 7:15 | <b>HCP Overview Presentation</b> <ul style="list-style-type: none"><li>▪ Wildlife Areas</li><li>▪ Hydraulic Project Approval</li></ul> | Jennifer Quan, WDFW<br>Marc Daily, WDFW |
| 7:45 | <b>Questions &amp; Answers</b>   | All                                     |
| 8:00 | <b>Local Interests/Issues Mapping</b>  | All                                     |
| 8:30 | <b>Wrap-up &amp; Adjourn</b>   | Melinda Posner                          |



## Appendix B

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Public Involvement Questionnaire



# Washington State Department of Fish and Wildlife Habitat Conservation Plans Public Involvement

## Spring 2007 Public Meetings

### Questionnaire



Optional: Please provide contact information if you would like to be added to the mailing list and/or wish to participate in advisory/technical work groups.

Name \_\_\_\_\_  
Affiliation \_\_\_\_\_  
Address \_\_\_\_\_  
Email \_\_\_\_\_

How did you hear about this meeting?  Direct Mail  Newspaper  Web site  Other

The information collected in this questionnaire will be used for habitat conservation plan (HCP) development and additional outreach steps that may include: public and stakeholder meetings/workshops, fact sheets, advisory/technical committees, and other outreach opportunities.

1. To what extent would you like to be involved in either or both of the HCP development processes? (Check all that apply)

- Receive project information/documents via e-mail/direct mail
- Attend public meetings
- Participate in Wildlife Areas HCP advisory/technical groups (if you check this box, please provide a name so that we may contact you)
- Participate in Hydraulic Project Approval HCP advisory/technical groups (if you check this box, please provide a name so that we may contact you)
- Other \_\_\_\_\_

2. What is the best way to keep you informed about the two HCPs? (Check all that apply)

- Web page
- E-mail
- Direct mail
- Public meetings
- Participate through existing WDFW advisory committees
- Other \_\_\_\_\_

3. To develop the HCP, WDFW plans to convene technical advisory groups and use existing WDFW citizen advisory groups to assist in developing mitigation and conservation measures for each HCP activity type. Can you identify individuals or groups that you believe are important for participation in these technical and advisory groups?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Did this meeting provide you with a sufficient understanding of WDFW's HCP process?

- Yes
- No Why? \_\_\_\_\_

5. Would you participate in future meetings like this?

- Yes
- No Why? \_\_\_\_\_

### Hydraulic Project Approval HCP Questions

6. What category best describes your relationship to the Hydraulic Project Approval program? (Check the most applicable category)

- Regulated community (private party)
- Regulated community (business)
- Government agency
- Environmental interest
- Tribal
- Academia
- Other \_\_\_\_\_

7. What HPA activity types are of most concern/interest to you? (Check all that apply)

- Aquaculture
- Aquatic plant control
- Bank protection/shoreline modification (seawalls, rip rap, jetties, breakwaters)
- Boat and equipment access (boat lifts/launches)
- Buoys
- Channel modifications (dredging, gravel mining, sediment caps, channel change/alignment)
- Fish passage correction
- Fish screens
- Flow control structures (dams, dikes, diversions, outfalls, tide gates)
- Habitat improvement projects
- Logging
- Marinas
- Mineral prospecting
- Overwater structures (docks, piers)
- Water crossings (bridges, weirs, utility lines)
- Other \_\_\_\_\_

8. What do you feel are the most important Hydraulic Project Approval issues that should be addressed in the HCP?

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### Wildlife Areas HCP Questions

9. What category best describes your relationship to WDFW's Wildlife Areas? (Check the most applicable category)

- Hunter
- Fisher
- Bird/wildlife watching
- Hiking/camping
- Mountain biking
- Local/adjacent landowner
- Dog owner (walker/trials)
- Cattle grower/rancher
- Equestrian
- Government agency
- Environmental interest
- Tribal
- Academia
- Other: \_\_\_\_\_

10. What Wildlife Area(s) do you use or have specific interest in? See map for locations. (Check all that apply)

#### Region 1

- Chief Joseph-Asotin Wildlife Area Complex
- Sherman Creek-Le Clerc-Revere Wildlife Area Complex
- Swanson Lakes Wildlife Area Complex

#### Region 2

- Methow Wildlife Area Complex
- Scotch Creek Wildlife Area Complex
- Sinlahekin Wildlife Area Complex
- Wells-Chelan-Sagebrush Flats Wildlife Area Complex
- Columbia Basin Wildlife Area Complex

#### Region 3

- Oak Creek Wildlife Area Complex
- Colockum Wildlife Area Complex
- L.T. Murray-Wenas Wildlife Area Complex
- Sunnyside/Snake River Wildlife Area Complex

#### Region 4

- Whatcom Wildlife Area Complex
- Skagit-Snoqualmie Wildlife Area Complex

#### Region 5

- Cowlitz Wildlife Area Complex
- Klickitat Wildlife Area Complex
- Mount Saint Helens-Shillapoo Wildlife Area Complex

#### Region 6

- North Olympic Wildlife Area Complex
- Olympic-Willapa Hills Wildlife Area Complex
- South Puget Sound-Scatter Creek Wildlife Area Complex

11. What Wildlife Area activities are of most concern/ interest to you? (Check all that apply)

- Hunting: type(s) \_\_\_\_\_
- Fishing
- Hiking/backpacking
- Camping
- Bird/wildlife watching
- Walking
- Dog walking/trials
- Grazing
- Agricultural leasing (sharecropping)
- Weed control
- Habitat restoration for upland plants and animals
- Habitat restoration for aquatic plants and animals (e.g., fish passage)
- Habitat creation for game species
- Road maintenance
- Water control
- Game stocking (e.g., fish, turkey, pheasant)
- Fire management (suppression, prescribed burning)
- Timber thinning (non-commercial for habitat maintenance)
- Mineral extraction
- Other: \_\_\_\_\_

12. What do you feel are the most important Wildlife Area issues that should be addressed in the HCP?

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13. Is there anything else you would like to add?

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