

# Proposed Revision of the Hydraulic Code Rules

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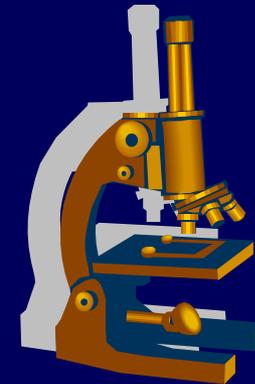
# Overview

- Mitigation requirements
- Work times in freshwater
- Freshwater habitats of special concern

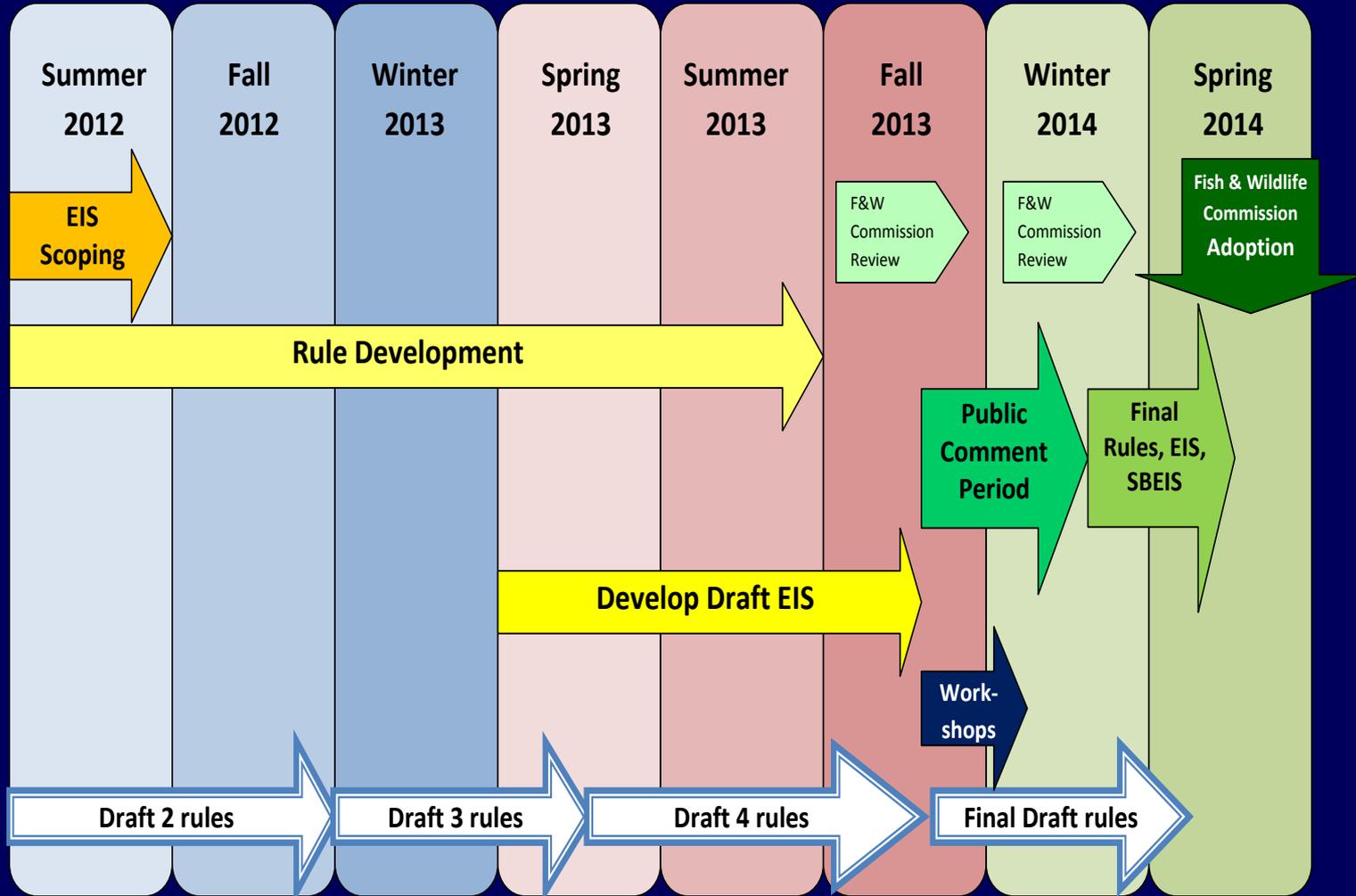


# Why Update the Rules

- Incorporate new laws and policies
- Incorporate science and best practices for construction projects
- Clarify content



# Timeline



“Mitigation” means sequentially avoiding impacts, minimizing impacts, or compensating for remaining unavoidable impacts

# Mitigation Requirements

- **Incorporate laws and policies**
  - Off-site Mitigation - RCW 77.55.241
  - Mitigation Plan Review - RCW 77.55.251
  - Aquatic Resources Mitigation - RCW 90.74
  - Washington Alternative Mitigation Policy Guidelines from Departments of Ecology and Fish and Wildlife (2000)
  - Interagency Regulatory Guide on Advance Permittee-Responsible Mitigation (2012)

# Mitigation Requirements

## Enhanced clarity

- Establishes a baseline for assessing impacts
- Explains mitigation requirements
- Clarifies when mitigation plans are required and what to include



# Freshwater Work Windows

- Reduce the risk of impacts to fish at critical life stages.
- Limit in-water work to non-critical periods of the year unless mitigation measures eliminate risk during critical periods.



# Freshwater Work Windows

## Clarifies considerations

- Life history of fish life present
- Construction best practices
  - In-water work area isolation
  - Sediment and erosion control
  - Construction wastewater management



# Freshwater Habitats of Special Concern

- Spawning habitats for state and federal listed fish species, and species of recreational, commercial or tribal importance.
- Other habitat types that serve essential functions for fish life.
- Important ecosystem processes that form and maintain freshwater habitats of special concern.

# Freshwater Habitats of Special Concern

- Improve understanding of how the project may be conditioned (project type, design, location, and timing).



# December Meeting

- Common construction requirements
- Artificial aquatic habitat structures
- Forage fish spawning habitat surveys
- Seagrass and macroalgae surveys



# Contact Information

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