

From: Steve Hatton SteveH@hattonpantier.com
Subject: FW: Contact with Thurston County
Date: May 20, 2016 at 7:46:54 AM
To: mark user772574@aol.com

Latest info I have is that DFW has APPROVED the habitat management plan and so informed Thurston County.

From: Jessica Stone [<mailto:jstone@landauinc.com>]
Sent: Friday, November 13, 2015 8:57 AM
To: Jeff Pantier
Subject: FW: Contact with Thurston County

Jeff,

Please see below. Darric has informed Tony with Thurston County that he approves of our habitat management plan, but hasn't received a reply.

Please let me know if you hear anything from Thurston County as well.

Thank you,

Jessica Stone - Senior Scientist

Landau Associates, Inc.

950 Pacific Avenue, Suite 515, Tacoma, WA 98402

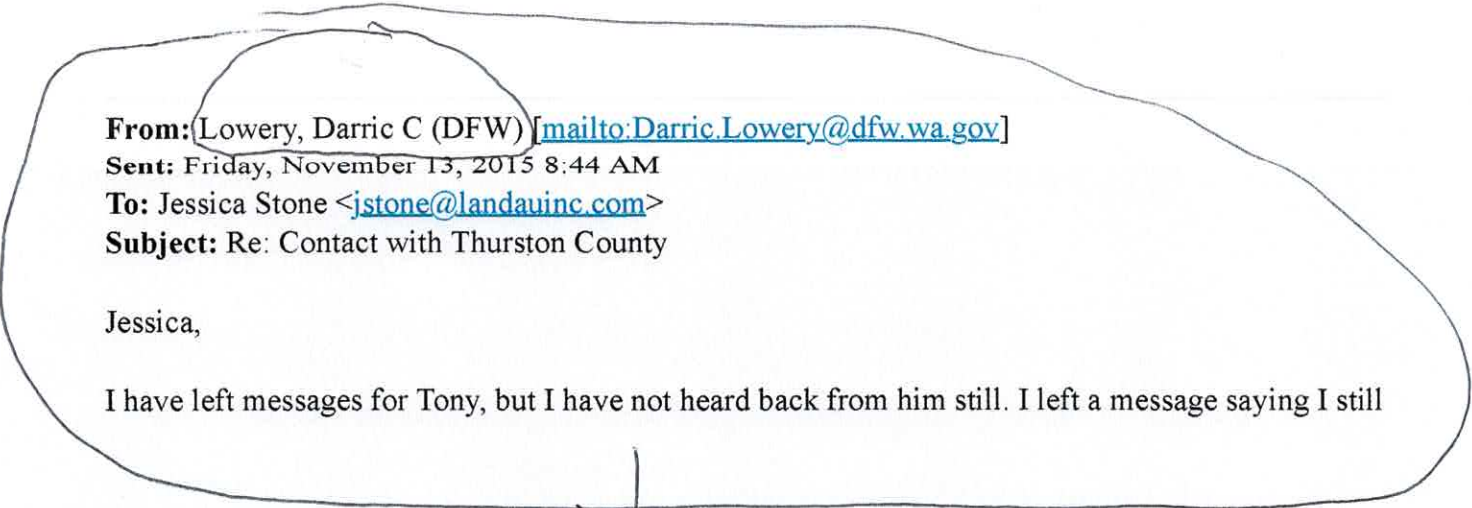
direct (253) 284-4877 " main (253) 926-2493

cell (253) 820-5359 " fax (253) 926-2531

jstone@landauinc.com " www.landauinc.com

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From: Lowery, Darric C (DFW) [<mailto:Darric.Lowery@dfw.wa.gov>]
Sent: Friday, November 13, 2015 8:44 AM
To: Jessica Stone <jstone@landauinc.com>
Subject: Re: Contact with Thurston County

Jessica,

I have left messages for Tony, but I have not heard back from him still. I left a message saying I still



approve the habitat management plan so he may have taken my input without acknowledging my response. I will give it another try.

Cheers,

Darric Lowery
WA Department of Fish and Wildlife
Region 6- Habitat Biologist
1111 Washington St SE
Olympia, WA 98501
360-902-2425 (office)
360-628-2198 (cell)
Darric.Lowery@dfw.wa.gov

On Nov 12, 2015, at 3:15 PM, "Jessica Stone" <jstone@landauinc.com> wrote:

Hi Darric,

I just wanted to check in and see if you have contacted Thurston County regarding the Oak Springs (Conwell) property.
Thank you.

Jessica Stone - Senior Scientist

Landau Associates, Inc.

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From: kantast@co.thurston.wa.us,
To: hburgess@phillipsburgesslaw.com,
Cc: user772574@aol.com,
Subject: RE: Oak Springs Plat/Proj #2013104463
Date: Wed, Feb 21, 2018 9:23 am

Attachments:

Hi Heather,

It appears the Public Works Department is the only Department that has not made a recommendation. Once all Departments have found that the plat complies with the codes they administer I will be able to issue SEPA within 2 weeks, depending on current work load at the time. I can only issue on Tues and Thurs.

Tony Kantas, Associate Planner

Thurston County

2000 Lakeridge Drive

Olympia, WA 98502

360-786-5472

kantast@co.thurston.wa.us

From: Heather Burgess [mailto:hburgess@phillipsburgesslaw.com]
Sent: Wednesday, February 21, 2018 6:20 AM
To: Tony Kantas <kantast@co.thurston.wa.us>
Cc: Mark Conwell <user772574@aol.com>
Subject: Oak Springs Plat/Proj #2013104463

Hi Tony,

I've been working with Mark Conwell on this plat now for a couple of years because of significant issues with Marvin Road concurrency. Last fall, we met with Travis Burns, Scott Davis, Kevin Hughes, and others from Dev Rev regarding Mark's options to proceed. Scott followed up with a letter indicating that some projects may be in place by year end that would alleviate the issue. Last Friday, I contacted Scott for an update so that Mark could make a final decision. Scott replied that he would meet with his team and provide one.

To the best of my knowledge this project has been on hold because no final conditions were provided to you from Dev. Rev. I understand from Mark that all other department comments have been responded to. I'd like to

move the project forwards promptly once we get Scott's update. Can you let me know the status of the remainder of the application? Will SEPA be ready to issue if we resolve the concurrency issue?

Thanks in advance for your assistance.

Best,

Heather

Heather Burgess

Attorney

hburgess@phillipsburgesslaw.com [website](#) [v-card](#)

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From: user772574@aol.com,
To: kantast@co.thurston.wa.us,
Subject: Re: Oak Springs Plat
Date: Wed, Oct 25, 2017 9:11 am

Thanks Tony. Mark

Sent from my iPad

> On Oct 25, 2017, at 8:31 AM, Tony Kantas <kantast@co.thurston.wa.us> wrote:

> Per the permit system it looks like Public Works is the only Department that has not signed it off.

> Tony Kantas, Associate Planner

> Thurston County

> 2000 Lakeridge Drive

> Olympia, WA 98502

> 360-786-5472

> kantast@co.thurston.wa.us

> -----Original Message-----

> From: mark [mailto:user772574@aol.com]

> Sent: Tuesday, October 24, 2017 5:05 PM

> To: Tony Kantas <kantast@co.thurston.wa.us>

> Subject: Oak Springs Plat

> Hi Tony. Can you check to see if we have everything you need done for the project, we are still working on the traffic, I just want to make sure everything else is done. I know we went over it in 2016 when we met in the permit center and we had everything done but I just want to be sure so we do not waste time moving forward. Thanks Tony.

> Mark Conwell

> Sent from my iPad

January 26, 2015

Hatton Godat Pantier
3910 Martin Way East, Suite B
Olympia, Washington 98506

Attn: Jeff Gonzalez

**RE: OAK TREE HABITAT ASSESSMENT
CONWELL PROPERTY
THURSTON COUNTY, WASHINGTON**

Dear Mr. Gonzalez:

Landau Associates has prepared an Oak Habitat Evaluation technical memorandum (Landau Associates 2013) to address Oregon white oak (*Quercus garryana*) habitat (oak habitat) at the Conwell Site located at 2415 Carpenter Road Southeast (parcel 11825240000) in Thurston County, Washington (subject property). The subject property location is shown on the attached Figure 1. As requested by Thurston County (County) the technical memorandum includes an oak habitat evaluation using the Washington State Department of Natural Resources (DNR) Natural Heritage Program (Rocchio 2011) as guidance where applicable. Habitat conditions and the proposed mitigation measures were reviewed at the subject property on January 12, 2015 by Landau Associates (Jessica Stone), the Washington Department of Fish and Wildlife (WDFW; Theresa Nation and Darric Lowery) and Thurston County (Tony Kantas). This letter summarizes the County's review and provides proposed measures to improve oak habitat conditions post development to mitigate for the removal of selected oak trees.

To assist with oak management at the subject property, four habitat areas (Stands A, B, C, and D) were identified on the subject property as described in detail in the technical memorandum (Landau Associates 2013). As presented in the technical memorandum, the oak habitat on the subject property was evaluated in general accordance with the DNR guidance. In general, the oak habitat performed poorly regarding site condition primarily due to invasive species such as Scotch broom (*Cytisus scoparius*) and dense cover of Douglas-fir (*Pseudotsuga menziesii*) and tall native shrubs which are overtopping and suppressing oak growth. Conditions at each of these four habitat areas are summarized below and shown on the attached Figure 2.

- Stand A is approximately 1.1 acres in size and consists of mixed Douglas-firs, Oregon white oaks, Pacific madrones (*Arbutus menziesii*), and big leaf maples (*Acer macrophyllum*) with native shrub and herbaceous understory.

- Stand B is approximately 59.2 acres in size, 0.5 acre of which is located on the subject property and is dominated by Oregon white oaks.
- Stand C is approximately 0.9 acre in size and consists of a single, large, multi-stem Oregon white oak, adjacent Douglas-fir, and Scotch broom. Based on canopy and the stem diameters, this is the largest Oregon white oak tree observed on the subject property.
- Stand D is approximately 14.3 acres and primarily contains Douglas-firs with some scattered small Oregon white oaks with very tall, dense, native scrub-shrub understory.

Stand D was determined to not meet the definition of “oak woodland” or “degraded habitat” in Chapter 24.03.010 of the Thurston County Code (TCC; Thurston County website 2014). In a letter from the County to Hatton Godat Pantier (Thurston County 2014), it was stated that County staff consider individual oak trees to be important habitats, based on TCC 24.25.065(B)(4)(c). The County considers all the oak trees on the subject property to be subject to regulation under the County’s Critical Areas Ordinance, as these trees are ecologically associated with the oak trees on the adjacent property to the south (identified as Stand B).

As evaluated in the technical memorandum, Stands A and C are degraded oak habitat, and Stand D is not considered to meet the “oak woodland” or “degraded oak habitat” definitions per TCC 24.03.010; however, some oak trees are present. Stand D is dominated by mature Douglas-firs, mixed deciduous trees, and a dense layer of tall native shrubs; the few oak trees present are suppressed, within a single-age class, and lacking oak rejuvenation. The large oak tree located in Stand C is being overtopped by Douglas-firs along its northern edge. The oak trees present within the oak woodland in Stand A are being suppressed by Douglas-firs and big leaf maples; their crowns are dying back and it is anticipated that there will be oak mortality due to overtopping. It is anticipated that the oak trees will be further suppressed and the existing degraded oak woodland habitat will eventually be eliminated and replaced by mixed forest habitat dominated by Douglas-fir and other fast-growing tree species.

Under the current development plans, all vegetation within Stand D and select oak trees located within residential lots at the edge of Stand A will be removed. All oak trees within Stands B and C will be preserved and protected at the subject property. To mitigate for the proposed oak tree removal, we are proposing onsite mitigation to improve the health and vigor of oak trees within Stands A and C, reduce the oak mortality in Stand A, and provide a post-development habitat corridor between Stands A and B. The conceptual mitigation plan is shown on the attached Figure 2 and described below.

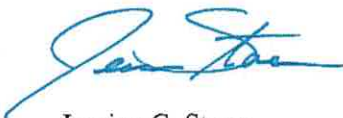
- Conducting an oak release within Stand A in accordance with oak management practices (Harrington and Devine 2006). This will consist of removing Douglas-fir and select big leaf maple stems from Stand A to release the oak trees from competition from the faster growing trees, which will allow the oak trees to develop a fuller crown. Oak release will also result in increased acorn crops for wildlife, and an increase in oak seedlings. Additional wildlife habitat will be created in Stand A by girdling select Douglas-fir to create snags and using limbs from felled trees to create brush piles. Mature stems of the big leaf maple which provide wildlife habitat, such as nesting cavities, will be retained.

- Remove the Douglas-fir suppressing the northern side of the large oak tree in Stand C. This will prevent additional crown die-back and allow the oak tree to develop a fuller crown.
- Create a 30-ft wildlife corridor between the oak woodland in Stand A and Stand B located on the adjacent property to the south. This will include removing the existing access road to the subject property and enhancing the roadway footprint with native vegetation.
- Remove the Scotch broom [which is listed as a Class B Noxious Weed by the Washington State Noxious Weed Control Board (NWCB website 2015)], which degrades oak habitat, from the subject property in and adjacent to Stands A and B and from Stand C. Remove English holly (*Ilex aquifolium*) [on the Washington State Noxious Weed Control Board monitor list (NWCB website 2015)] from Stand A.
- Enhance herbaceous vegetation within Stands B and C by applying a native seed mix, which will include native bunch grasses and wildflowers associated with oak prairies.

This mitigation plan will improve the health and condition of the protected oak trees and ensure the long-term success of oak habitat at the property. The result will be a net gain for the oak habitat and species utilizing the oak habitat at the subject property, and adequate mitigation for removal of the oak trees within Stands D and select trees within residential lots from Stand A.

We appreciate the opportunity to work with Hatton Godat Pantier on this project. Please contact me if you have any additional questions or comments.

LANDAU ASSOCIATES, INC.



Jessica C. Stone
Senior Scientist

BNG/JCS/jrc

REFERENCES

Harrington, C.A. and Devine, Warren D. 2006. *A Practical Guide to Oak Release*. General Technical Report PNW-GT-666. U.S. Department of Agriculture, Forest Service, and Pacific Northwest Research Station. February.

Landau Associates. 2013. Draft Technical Memorandum: *Oak Habitat Evaluation, Conwell Site, Thurston County, Washington*. From Jessica Stone, Landau Associates, to Jeff Pantier, Hatton Godat Pantier. October 16.

NWCB website. 2015. *Noxious Weed Control Board*. <http://www.nwcb.wa.gov/> Washington State Noxious Weed Control Board. Accessed January 26.

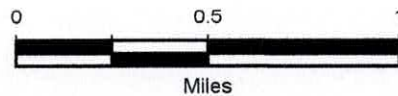
Rocchio, J. 2011. *Ecological Integrity Assessment: North Pacific Oak Woodland*. Washington State Department of Natural Resources, Washington Natural Heritage Program. February 25.

Thurston County. 2014. Letter: *Preliminary Plat Application No. 2013104463 (13 112596 ZJ) for the Plat of Oak Springs Oak Springs remains on-hold with Further Information Needed to Address Particular Aspects of Proposal. (Tax Parcel No. 11825240000)*. From Tony Kantas, Associate Planner, Thurston County, to Steve Hatton, Hatton Godat Pantier. October 2.

Thurston County website. 2014. Thurston County, Washington, Code of Ordinances. <https://library.municode.com/index.aspx?clientId=16720&stateId=47&stateName=Washington>. Accessed: October 2.

Attachments: Figure 1: Vicinity Map
Figure 2: Conceptual Mitigation

Y:\Projects\1382001\010\Figure1\VicinityMap.mxd 7/22/2013 NAD 1983 StatePlane Washington North FIPS 4601 Feet



Data Source: Esri 2012

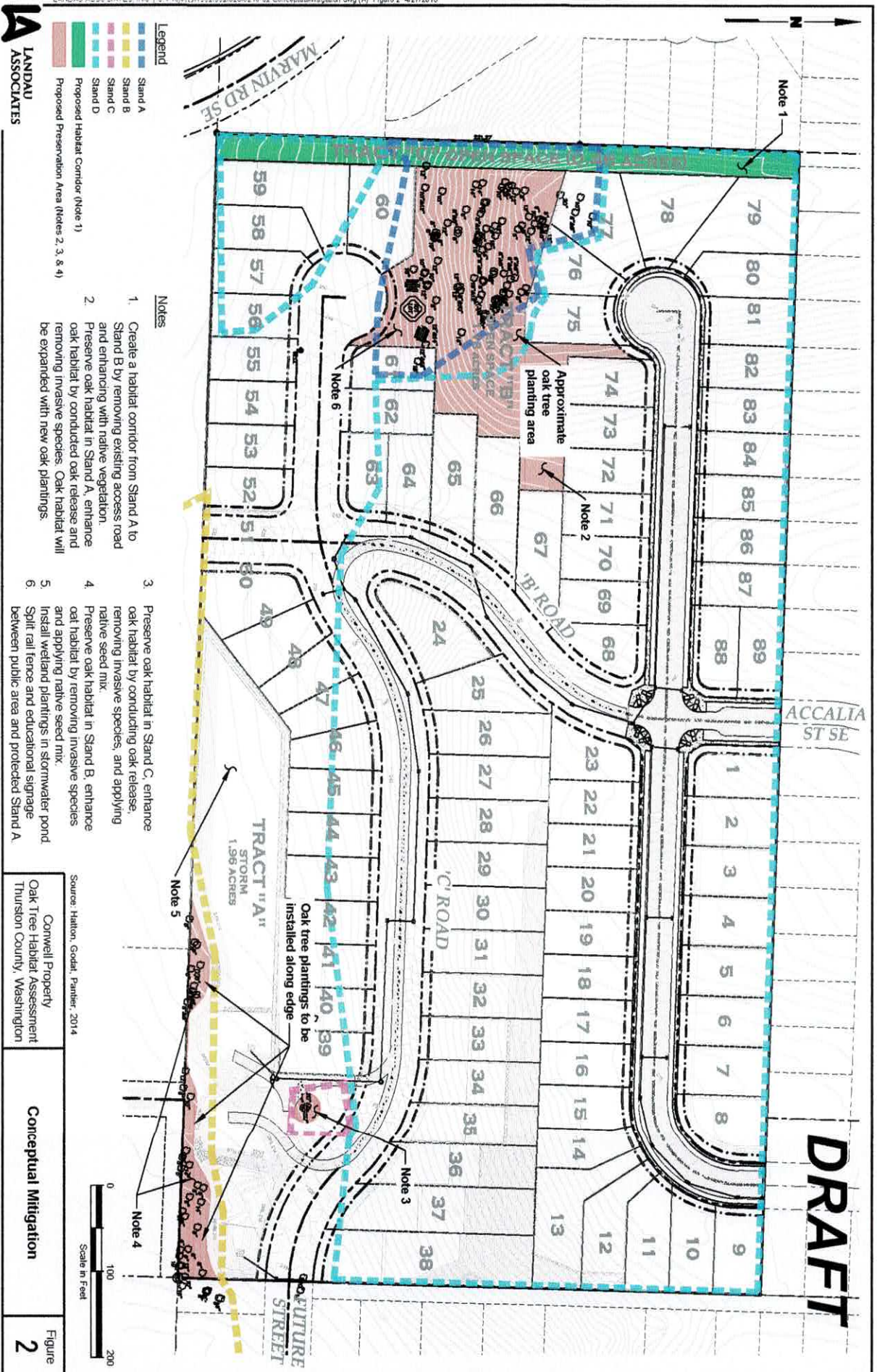


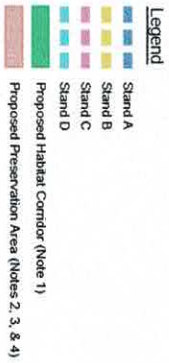
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Conwell Property
Oak Tree Habitat Assessment
Thurston County, Washington

Vicinity Map

Figure
1





- Notes**
1. Create a habitat corridor from Stand A to Stand B by removing existing access road and enhancing with native vegetation.
 2. Preserve oak habitat in Stand A, enhance oak habitat by conducting oak release and removing invasive species.
 3. Preserve oak habitat in Stand C, enhance oak habitat by conducting oak release, removing invasive species, and applying native seed mix.
 4. Preserve oak habitat in Stand B, enhance oak habitat by removing invasive species and applying native seed mix.

Source: Halton, Godt, Painter, 2014

Conwell Property
Oak Tree Habitat Assessment
Thurston County, Washington

Conceptual Mitigation

Figure
2

