

# Thurston County Board Briefing

<b><u>Briefing Date/Time:</u></b>	Wednesday, September 4, 2019 / 8:30 – 9:30am
<b><u>Office/Department &amp; Staff Contact:</u></b>	<p>Community Planning &amp; Economic Development (CPED) – Community Planning Division</p> <p>Chris Chaput, CPED Senior Planner: x5486  Brad Murphy, CPED Interim Planning Manager: x4465  Joshua Cummings, CPED Director: x4995</p>
<b><u>Topic:</u></b>	Habitat Conservation Plan (HCP) – Update and Next Steps
<b><u>Purpose:</u></b> (check all that apply)	<input type="checkbox"/> Information only <input checked="" type="checkbox"/> Decision needed <input checked="" type="checkbox"/> Follow up from previous briefing <div style="float: right; text-align: right;"> Optimal Time Frame for Decision is:  (dd/mm/yyyy) </div>
<b><u>Synopsis/Request/Recommendation:</u></b> <i>(One or two sentences identifying your primary objective for this session)</i>	
<p>This briefing is to update the BoCC on the work accomplished in revising the Habitat Conservation Plan (HCP) to better meet U.S. Fish and Wildlife Service (USFWS) perspective on a legally sufficient plan. CPED staff will review with the BoCC potential next steps, and seek direction from the BoCC on how to proceed.</p>	
<b><u>Background</u></b>	
Brief timeline:	
May 27, 2016	County submits first draft of HCP to USFWS
July 26, 2018	County submits second draft of HCP to USFWS
August 2018	CPED and USFWS staff begin BoCC approved HCP technical review meetings
July 17, 2019	USFWS provides County letter formalizing final items for clarification
<p>Thurston County submitted a second draft of the HCP to USFWS on July 26, 2018. Shortly thereafter, CPED and USFWS staff began meeting to review the submitted HCP, and work towards revisions that would meet USFWS perspective on issuance criteria under the Endangered Species Act of 1973 (ESA).</p> <p>Technical review meetings took place over the last twelve months, and identified (9) distinct topics that USFWS required further clarification on:</p>	
<b>Item</b>	<b>Status</b>
Readability Issues	Resolved
Guild construction and use	Resolved
Covered activities and incidental take	Resolved
Questions about take analysis	Resolved
Habitat quantification tools	In progress

Conservation strategy	In progress
Financing plan	Resolved
30 / 60 project footprint	In progress – proposed resolution requires more discussion
10% mitigation methodology	Requires BoCC direction

During the technical review meetings consensus was achieved that has resulted in an overall reduction of the total functional acres needed to meet issuance criteria:

- May 2016 draft: 7,560 functional acres / 16,866 acres
- July 2018 draft: 6,369 functional acres / 12,296 acres
  - 636 functional acres / 1,229 acres (10% methodology applied)
- Technical review consensus: 5,215 functional acres / 9,221 acres

This reduction was achieved by:

- **Covered species refinement:**
  - o USFWS provided guidance to address the impacts to species individually, rather than in guilds of species with similar habitat needs
  - o A reassessment of the data known for each of the species was completed
- **Refinement to Take model analysis**
  - o Reduction to projected regional build-out
  - o Updated avoidance information
  - o Habitat suitability
  - o Accounting for mitigation lands

Items from USFWS July 2019 letter requiring further discussion:

- 30 / 60 project footprint
- 10% mitigation methodology

**Documents Attached:**

- Species Revaluation Process
- Residential Impact Model Analysis Modifications for MPG Species

**Summary & Financial Impact:**

The County submitted second draft of the HCP, marked the restart in the conversation with USFWS that the Thurston Board of County Commissioners is committed to completing an HCP which is balanced for citizens, and takes into account future economic development and care for the natural environment of Thurston County in service to citizens. This led to technical review meetings with clearly defined goals.

**Affected Parties:**

*E.g. County residents, community organizations, other County offices/departments, etc.*

**Options with Pros & Cons:**

*Below ~ List all viable options. Begin with underlined option title, then add pros and cons, financial impact of each, as well as affected parties (e.g. County residents, community organizations, etc.)*

**1. Option Title:**

Revise HCP with technical review team updates for acreage reduction, and maintain 10% methodology

Pro: Further reduces overall Take amount.

Con: Would not meet USFWS Incidental Take issuance criteria.

**2. Option Title:**

Revise HCP with technical review team updates for acreage reduction, and remove 10% methodology

Pro: May meet USFWS issuance criteria.

Maintains current pace to complete HCP for submittal by end of year 2019.

Con: May not address all the BoCC fiscal concerns.

**3. Option Title:**

Revise HCP with technical review team updates for acreage reduction, further discuss cost accounting

Pro: May further reduce overall Take amount.

Con: May extend submittal of revised HCP into 2020.

**Board Direction:**

**Next Steps/Timeframe:**

*Based on the Board's recommendation, describe the next steps required in order to bring this item to conclusion. Include the time frame for each step, and when the Board should expect to see this issue before them again.*



John Hutchings  
District One

Gary Edwards  
District Two

Tye Menser  
District Three

**COMMUNITY PLANNING &  
ECONOMIC DEVELOPMENT DEPARTMENT**

Joshua Cummings, Director

*Creating Solutions for Our Future*

**MEMORANDUM**

**TO:** Board of County Commissioners  
**FROM:** Community Planning and Economic Development (CPED)  
**DATE:** September 4, 2019  
**SUBJECT:** Habitat Conservation Plan – Species Reevaluation Process

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This memorandum describes the process used to re-evaluate species proposed for coverage under the Thurston County Habitat Conservation Plan (HCP) and identifies the proposed changes of the covered species.

**Background Information**

Species were evaluated in 2013 and 2014 which was prior to beginning the process of developing the Thurston County Habitat Conservation Plan (HCP). At that time, Thurston County staff engaged with a technical team made up of agency and the environmental industry species specialists. This team provided technical data and information about a number of species being considered at that time for inclusion in the HCP. Public comment was taken in the Scoping meeting held April 6, 2013. Based on the knowledge of the species and a methodology to group species with like habitat, a proposed list of species for coverage in a habitat-based HCP, was included in the Contract with the Consultants signed in June 2014. This list was further refined as the project progressed.

Based on the feedback the US Fish and Wildlife Service (USFWS) has provided to address the impacts to species individually, rather than in guilds of species with similar habitat needs. A reassessment of the data known for each of the species was completed.

**Review Criteria**

The species proposed for coverage in the HCP have been re-evaluated using the four criteria listed below. Species that meet all four criteria are recommended for inclusion in the HCP. The assessment for each species and recommendation relative to inclusion in the HCP is summarized in Table 1.

**1. Status.** The HCP is a document required to obtain a federal incidental take permit to allow the County and its permittees to incur incidental impacts to federally listed threatened or endangered species while completing otherwise lawful activities. Priority species for inclusion in the HCP therefore fall into one of the following categories:

A) Listed under the federal Endangered Species Act (ESA) as threatened or endangered

B) Have an appreciable probability of becoming listed under the federal ESA during the proposed 30-year HCP permit term, based on current listing status, consultation with experts and wildlife agency staff, evaluation of species population trends and threats, and best professional judgement.

**2. Range/Distribution.** Priority species for inclusion are known to occur or are expected to occur within the HCP permit area (e.g., area where the County has jurisdiction, and where the HCP Covered Activities will occur). This criterion was evaluated based on a review of species range and known occurrence (data provided by the Priority Habitats and Species Program (PHS)), a review of available literature, and input from species experts.

**3. Impacts from HCP Covered Activities.** Priority species for inclusion have a substantial risk for incidental take due to covered activities. This assessment was based on professional judgement and current knowledge of the County's buildout potential and spatial extent of areas where covered activities are projected to occur over the 30-year HCP permit term.

**4. Knowledge/Feasibility.** For inclusion in the HCP, sufficient scientific data have to exist on the species' life history, habitat requirements, and occurrence in the permit area to adequately evaluate impacts on the species and to develop conservation measures to mitigate these impacts, thus meeting the federal regulatory requirements. Additionally, the overall feasibility and potential cost of including each species in the county HCP was considered. Other compliance pathways, including an individual/project specific HCP developed separately with the USFWS or a Section 7 consultation may be more appropriate where covered activities may rarely affect a given species, or where its distribution is poorly understood.

Table 1. Re-evaluation of species considered for coverage in the Thurston County Prairie Habitat Conservation Plan.

<b>Species &amp; Status (Federal/ State)</b>	<b>Range</b>	<b>Thurston County distribution</b>	<b>Data Sources</b>	<b>Impact from HCP Covered Activities</b>	<b>Knowledge/ Feasibility</b>	<b>Recommendation</b>
<b>Olympia Pocket Gopher</b> Threatened/ Threatened	Thurston County	Tumwater south to just north of Scatter Creek	USFWS, 2015; USFWS, 2016; USFWS, 2018	All Activities.	High Feasibility: Known locations plus soil suitability/preference and dispersal information.	Include for Coverage: Federally listed, known occurrences/areas.
<b>Tenino Pocket Gopher</b> Threatened/ Threatened	Thurston County	Rocky Prairie Area	USFWS, 2015; USFWS, 2016; USFWS, 2018	All Activities.	High Feasibility: Known locations plus soil suitability/preference and dispersal information.	Include for Coverage: Federally listed, known occurrences/areas.
<b>Yelm Pocket Gopher</b> Threatened/ Threatened	Thurston County	Rochester, Scatter Creek, Lacey, Yelm, (all outside OPG and TPG)	USFWS, 2015; USFWS, 2016; USFWS, 2018	All Activities.	High Feasibility: Known locations plus soil suitability/preference and dispersal information.	Include for Coverage: Federally listed, known occurrences/areas.
<b>Streaked Horned Lark</b> Threatened/ Endangered	Western Oregon and Washington	Recent breeding areas are at Olympia airport, (JBLM in Pierce County)	Anderson & Pearson, 2015, WDFW personal communication H Anderson (2018) One sighting near lower Weir Prairie 2014. Evaluated PHS data provided March 2019.	Possible from New Residential Development, Commercial Development.	Low feasibility: No consistent known species locations to project impacts or implement mitigation.	Do not include for coverage. Should the need arise, address with site and project specific planning.
<b>Taylor's Checkerspot</b>	In WA, currently found in San	Glacial Heritage Preserve, Scatter	Technical Advisory Team:	This species is known to occur	High Feasibility: Sufficient knowledge	Include for Coverage: Federally

Endangered/ Endangered	Juan and Island Counties, coastal Clallam County, Thurston and Pierce County, and Western Grays Harbor County.	Creek Wildlife Area (South), (JBLM in Pierce County)	Potter (WDFW) personal Communication (2015, 2018); Thomas (USFWS) 2015. Evaluated PHS data provided March 2019.	only on protected lands. At the far end of its dispersal range, may intersect the following activities: New Residential Development, Added Accessory Structures, Septic, Transportation projects/maintenance, Trails Dev/Maintenance	of location, needs, to assess impacts and develop conservation measures.	listed, known occurrences/areas.
<b>Oregon Spotted Frog</b>	Oregon, Washington and	Dempsey Creek, Salmon Creek,	Annual Surveys. Oregon Spotted	Residential Development,		Include for Coverage: Federally

Threatened/ Endangered	California - in WA: Lower South Fork Nooksack River (Whatcom Co.), lower Chilliwack River (Whatcom Co.), upper Samish River (Whatcom & Skagit Cos.), upper Black River (Thurston Co.), lower Trout Lake Creek (Klickitat and Skamania Cos.) and Conboy Lake in Outlet Creek (Klickitat Co.)	Bloom's Ditch, Black River Floodplain, Allen Creek, Beaver Creek. - this extent included in OSF Habitat Screen.	Frog Recovery Plan-WDFW 2013. Habitat screen developed with Personal communication Michelle Tirhi, Lisa Hallock (WDFW) and Teal Waterstradt (USFWS). USFWS Critical Habitat. Obtained all 2018 Data, and all detections are within OSF Habitat screen (one error to be corrected by WDFW).	Added Accessory Structures, Septic/Oil Tank, Commercial/Industrial, Landfill/Waste Mgmt, Transportation Projects and Maintenance, Water Resources Management, County Parks, Trails, Land Management	High Feasibility: Draft HCP coverage is on survey by survey basis.	listed, known occurrences/areas.
<b>Puget Blue</b>						



None/ Candidate	Thurston and Pierce Counties, Mason and Jefferson Counties, north to British Columbia.	Rocky Prairie NAP, Scatter Creek Wildlife Area, West Rocky Prairie Wildlife Area, (JBLM in Pierce County)	Technical Advisory Team: Potter (WDFW) personal Communication (2015, 2018); Thomas (USFWS) 2015. Evaluated PHS data provided March 2019, records not yet up to date.	This species is known to occur only on protected lands. At the far end of its dispersal range, may intersect the following activities: New Residential Development, Added Accessory Structures, Septic, Transportation projects/maintenance, Trails Dev/Maintenance.	High Feasibility: Sufficient knowledge of location, needs, to assess impacts and develop conservation measures.	Do not include for coverage. Currently lacks appreciable likelihood of federal listing.
<b>Hoary Elfin</b> None/ None	Found in low-elevation grasslands (Pierce and Thurston counties) and open, heath woodlands (Mason and Kitsap counties) in the south Puget Sound region.	Bald Hill NAP, Mima Mounds NAP, Tenalquot Prairie, Scatter Creek Wildlife Area, JBLM	Technical Advisory Team: Potter (WDFW) personal Communication (2015, 2018); Thomas (USFWS) 2015. Not part of the PHS program.	This species is known to occur only on protected lands. At the far end of its dispersal range, may intersect the following activities: New Residential Development, Added Accessory Structures, Septic, Transportation projects/maintenance.	Low Feasibility: Data for this species are not compiled in PHS.	Do not include for coverage. Currently lacks appreciable likelihood of federal listing.
<b>Oregon Branded Skipper</b>	Low-elevation grasslands in south Puget	Mima Mounds, Scatter Creek, West Rocky	Technical Advisory Team: Potter (WDFW)	This species is known to occur only on protected	Low Feasibility: Data for this species are not compiled in PHS.	Do not include for coverage. Currently lacks appreciable

None/None	Sound, the San Juan Islands and southern Vancouver Island	Prairie Wildlife Area,	personal Communication (2015, 2018); Thomas (USFWS) 2015. Not part of the PHS program.	lands. At the far end of its dispersal range, may intersect the following activities: New Residential Development, Added Accessory Structures, Septic, Transportation projects/maintenance.		likelihood of federal listing.
<b>Mardon Skipper</b>	Found in Washington, Oregon, and California. South Puget sound is the northern extent (Thurston and Pierce Counties).	Scatter Creek Wildlife Area, JBLM	Technical Advisory Team: Potter (WDFW) personal Communication (2015, 2018); Thomas (USFWS) 2015. Evaluated PHS data provided March 2019, records not yet up to date.	This species is known to occur only on protected lands. At the far end of its dispersal range, may intersect the following activities: Residential Development, Added Accessory Structures, Septic, Transportation projects/maintenance.	High Feasibility: Sufficient knowledge of location, needs, to assess impacts and develop conservation measures.	Do not include for coverage. Currently lacks appreciable likelihood of federal listing. Was recently petitioned for listing and USFWS found listing was not warranted.
None/ Endangered						
<b>Valley silverspot butterfly</b>	Found in Thurston, Pierce, Grays Harbor	Mima Mounds, Glacial Heritage, Scatter Creek,	Technical Advisory Team: Potter (WDFW)	This species is known to occur only on protected	High Feasibility: Sufficient knowledge of location, needs, to	Do not include for coverage. Currently lacks appreciable

None/ Candidate	Counties in WA, and British Colombia.	West Rocky Prairie, Wolf Haven, Rocky Prairie, Bald Hill NAP, (JBLM in Pierce County).	personal Communication (2015, 2018); Thomas (USFWS) 2015. Evaluated PHS data provided March 2019, records not yet up to date.	lands. However, it disperses the largest distance of the butterflies proposed for coverage, and may intersect the following activities: New Residential Development, Added Accessory Structures, Septic, Commercial Development, Transportation maintenance, Trails/Parks.	assess impacts and develop conservation measures.	likelihood of federal listing.
<b>Slender-billed white-breasted nuthatch</b>	Western Oregon and Washington.	Functionally extirpated from south Puget	Slater & Altman, 2006; Altman, 2011; Altman	Possible impacts from activities	Low feasibility: No consistent known species locations to	Do not include for coverage. Should the need arise,

None/ Candidate		sound (Altman, 2018)	Personal Communication 2018. WDFW staff (Buchanan) 2018 Personal communication - this species has not elevated to level of priority for surveys. Not part of the PHS program.	removing trees, if species is present	project impacts, or to benefit from mitigation.	address with site and project specific planning.
<b>Western gray squirrel</b>	Pierce and Thurston counties; foothills of the Cascades in Klickitat, Yakima, and Skamania counties; and in Chelan and Okanogan counties	Primarily JBLM in Thurston County - Arboreal - associated habitat oak/ponderosa pine or oak/Douglas fir. 6 detections in PHS data outside JBLM (since 2000)	WDFW Species Profile, Technical advisory team. Evaluated PHS data provided March 2019.	Possible impacts from activities removing trees, if species is present.	Low feasibility: Limited consistent known species locations to project impacts, intent of HCP not to cover timber forest habitat of this species.	Do not include for coverage. Should the need arise, address with site and project specific planning that includes forest habitat.
None/ Threatened, previously determined not listable entity by USFWS.						
<b>Oregon Vesper Sparrow</b>	Breeding: Southwestern	Breeding Season: Scatter	WDFW Species Profile, Technical	All Activities.	Moderate Feasibility. Sufficient knowledge	Include for coverage,

None/Candidate with high potential for USFWS listing	BC through western WA, western OR, and into NW tip of CA Wintering Central CA to NW Baja CA, Mexico. WA: Remnant prairies in Thurston and Pierce Counties and grasslands on San Juan Island	Creek, Mima Mounds, West Rocky Prairie, Weir Prairie, Johnson Prairie, Tenalquot Prairie, the Olympia airport, Glacial Heritage north of Bucoda, Goodard Road SW, and unspecified sites in Grand Mound, Rainier, Lacey, Nisqually Tumwater.	advisory team. Consultation with Bob Altman. Most current PHS data is 2015 (Olympia Airport), or 2014 (West Rocky Prairie). Evaluated PHS data provided March 2019.		of location, needs, but may want to include potential habitat areas as many areas are unsurveyed.	appreciable likelihood of listing.
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**COMMUNITY PLANNING &  
ECONOMIC DEVELOPMENT DEPARTMENT**

*Creating Solutions for Our Future*

Joshua Cummings, Director

**MEMORANDUM**

TO: Board of County Commissioners  
FROM: Community Planning and Economic Development (CPED)  
DATE: September 4, 2019  
SUBJECT: Residential Impact Model Analysis Modifications for MPG Species

Current proposal includes modification to the take model for the Mazama pocket gopher subspecies. Included in the proposed changes are several variables. Many of which focus on the covered activity of new residential development, as it accounts for about 80% of the total impacts in the proposed HCP. The areas of adjustments to reduce projected take for Mazama pocket gopher are as follows:

- **Buildout:** Reduce to 70% from 88%
- **Avoidance:** If habitat on-site is < 30% from (<10%) of a 5 ac or larger parcel avoidance is assumed. In addition, assume a 5% reduction in impacts overall for the financial incentive to avoid.
- **Habitat Suitability:** Assume only 90% of non-forested habitat is in fact suitable instead of 100%, due to forest encroachment and other suitability factors not captured.
- **Account for Mitigation Lands:** Assume ~11% of Reserve Priority Area (RPA) land is acquired for mitigation purposes, and no development impacts occur.
- **Forested Parcels:** MPG soil with forested habitat not suitable. No change
- **Account for MPG soil preference and MPG proximity.** No change