City of Stevenson
Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: **Planning Commission**
FROM: **Ben Shumaker, Planning Director**
DATE: **April 2nd, 2018**

SUBJECT: **2018 Critical Areas Update—Fish & Wildlife Habitat Conservation Areas**

Introduction

This memo initiates discussion about the Critical Areas Ordinance regulation of Fish & Wildlife Habitat Conservation Areas or FWHCAs. This discussion is intended to provide more upfront Planning Commission and public input toward the staff draft update. This memo will explain the currently stated purpose of FWHCA regulations and the structure of those regulations as they currently exist as well as some very limited amendments based on previous decisions made within the Wetlands portion of the Critical Areas Ordinance. The memo goes on to explain the guiding principles staff intends to use during the initial drafting process. Where decision points are anticipated based on this memo, they are specifically highlighted, however, no decision should be considered final based on the review at this meeting.

Background

While local communities like Stevenson assign varying degrees of importance to environmental regulations, the State places a great value on protection of environmental resources and the functions they perform. Fish & Wildlife Habitat Conservation Areas (especially those related to anadromous fisheries) are one such resource and 1 of the 5 types of Critical Areas Stevenson is required to plan for and regulate under the Washington Growth Management Act. In the course of developing local responses to this requirement, the State provides the direction to incorporate "Best Available Science". Doing so results in fairly predictable approaches to the regulations, thereby creating a reasonably level playing field for investments statewide.

For additional information see the general background on the Critical Areas Ordinance now available on the City website.

Regulatory Structure

The City's current regulations cover 8 pages and are structured into 8 sections as follows

Current SMC 18.13.095 Critical Area-Fish and Wildlife Habitat Conservation Areas

A. Purpose
B. Classification & Designation
C. Report Guidelines
D. Habitat Buffer Standards
E. Habitat Buffer Widths
F. Habitat Buffer Reductions
G. Habitat Mitigation
H. Director Discretion

Initial Proposed Changes to SMC 18.13.100 Critical Area-Fish & Wildlife Habitat Conservation Areas

A. Purpose (Unchanged tonight)
B. Classification & Designation (Unchanged tonight)
C. Report Guidelines (Unchanged tonight)
D. **Habitat Buffer Standards** (**Removed/redundant**)
E. Habitat Buffer Widths (Unchanged tonight)
F. **Habitat Buffer Reductions** (**Shortened/redundant**)
G. **Habitat Mitigation** (**Modified/shortened/redundant**)
H. Revocation (Unchanged)

Modifications to Regulations

The draft presented as Exhibit S, contains initial modifications for which staff is seeking agreement. If agreed to, the next Planning Commission review can focus on only the remaining 6 pages of regulatory text, instead of the current 8 pages. In general, staff sees this proposals as clean-up based on decisions made during the Wetland discussion and not policy changes related to FWHCAs for which additional discussion is necessary. The following changes are based on staff's "say something once, why say it again" principle.

1. The existing Section D is repeated almost word for word in Exhibit J, attached. This exhibit was moved forward as part of the discussion on wetlands. Two minor changes have been made to the draft reviewed at the March meeting.
2. Changes to the existing Section F are also related to Exhibit J. The first change provides the appropriate reference to that new section. The second change removes the language for planting and maintenance which are redundant to those in Exhibit J.
3. Similarly, some changes to the existing Section G are made based on nearly word-for-word repeats in the new Exhibit K which was developed as part of the Wetlands discussion.

The second type of changes are made in order to align the regulatory programs for different types of critical areas.

4. Section G is the best example of this, where the language describing wetland mitigation plans has been used to organize what might be required for habitat mitigation plans. This organization results in a proposed change to the current Section H. If discussion on this topic stalls progress, staff recommends focusing solely on the general text of G and leaving discussion of the bullet points to a future meeting.

Decision Point # 1- Are these structural changes to the regulations acceptable?

Decision Point #2- If the structural changes are acceptable, are the minor changes to Exhibit J acceptable to move forward for final policy-related discussions?

Decision Point #3- Are the structural and bullet point changes to Section G acceptable? If the bullet point changes are not, are the structural changes acceptable?

Commission Guidance for Regulatory Policy Review

Staff is seeking guidance from the Planning Commission in advance of the staff draft regulatory changes, and hopeful that the Commission will set 3 general directives:

- Continue striving to achieve the currently stated purpose of the City's Fish & Wildlife Habitat Conservation Area regulations ("to protect environmentally distinct, fragile, and valuable fish and wildlife habitat conservation areas…").
- Incorporate greater flexibility into the existing regulation.
- "Better is good"; amend the regulations as possible based on Best Available Science, but accept that perfect may not be achievable during this review.

Decision Point #4- Are these 3 guiding principles acceptable as staff prepares a proposed draft amendment?

Discussion and Next Steps

Staff welcomes all comments from the Planning Commission on these draft. Any specific changes will be presented as part of the next draft of these amendments. As we enter into the final phases of the staff review, the duties of the Commission will increase. These duties will involve listening to public comments on the proposals and comparison between those comments and what's possible for the City.

A more complete regulatory proposal for Fish & Wildlife Habitat Conservation Areas will be presented at the May meeting. This proposal will include an evaluation of regulatory effectiveness based on permits issued since 2008. That meeting is also anticipated to include a more complete review of the exemption and permitting requirements of the regulations. Decisions at that meeting will be difficult.

Prepared by,

Ben Shumaker

Attachments

1. Exhibit S- SMC 18.13.095 Fish & Wildlife Habitat Conservation Areas (8)
2. Exhibit J- SMC 18.13.057 Buffer Standards (2)
3. Exhibit K- SMC 18.13.059 Monitoring Standards (1)

Stevenson Critical Areas Code

SMC 18.13 Critical Areas & Natural Resource Lands

SMC 18.13.095 Critical Area – Fish and Wildlife Habitat Conservation Areas.

A. Purpose. The purpose of this section is to protect environmentally distinct, fragile, and valuable fish and wildlife habitat conservation areas. Fish and wildlife conservation areas are generally defined as those areas with which anadromous fish, threatened and endangered species, priority species, and species of local importance have a primary association.

B. Classification & Designation.

1. Classification. Fish and wildlife habitat conservation areas are divided into four basic categories as outlined below:
   a. Riparian areas-
      i. Overwhelming evidence exists to support the use of riparian buffers of adequate size to maintain healthy, productive fish and wildlife habitat. Although riparian areas comprise only a small portion of the surface landscape, approximately 90% of Washington's land based vertebrate species prefer, or are dependent upon, riparian habitat for essential life.
      ii. Riparian habitat areas are those areas immediately adjacent to rivers, streams, and waterways that contain elements of both aquatic and terrestrial ecosystems that mutually influence each other.
      iii. Water types are defined and mapped based on the stream classifications in WAC 222-16-031. Based on WAC definitions, Type S streams typically include shorelines of the state and have flows averaging 20 or more cubic feet per second; Type F streams are non-Type S but still provide fish habitat; and Type N streams do not have fish habitat and are either perennial (Np) or seasonal (Ns). Erosion gullies or rills and streams which are man-made, less than 6 inches wide or do not have a defined bed and/or bank, are not included and are therefore not regulated as riparian habitat areas.
   b. Threatened or Endangered Species-
      i. Areas that have a primary association with federally listed endangered, threatened, or sensitive species of fish or wildlife and which if altered may reduce the likelihood that the species will maintain and reproduce over the long term.
      ii. Point source areas are lands where species designated as endangered or threatened have a primary association with that land. Point locations are the specific sites (nests, dens, etc.) where critical wildlife species are found. Many of these sites have been identified and mapped by WDFW. Development of such lands shall be controlled in accordance with a site-specific fish and wildlife management plan formulated from WDFW's Priority Habitats and Species management recommendations and prepared by a qualified professional.

WDFW should be consulted to provide a technical review and an advisory role in the decision making process.

c. Priority Habitat Species (PHS) Areas-
   i. WDFW has identified habitats and/or species considered to be priorities for conservation and management. Priority habitat types have unique or significant value to many species. Priority species require protective measures and/or management guidelines to ensure their perpetuation. WDFW has identified PHS areas within the city limits of Stevenson that if altered may reduce the likelihood that the species will maintain and reproduce over the long term. Maps showing the locations of PHS areas are on file at the City.
   ii. Fish and wildlife habitat conservation areas may include commercial and recreational shellfish; smelt spawning areas; naturally occurring ponds under 20 acres and submerged aquatic beds that provide fish or wildlife habitat; water of the state; lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; and state natural area preserves and natural resource conservation areas.

d. Local Species and Habitats of Importance-
   i. Species of local importance are those species that are of local concern due to their population status or their sensitivity to habitat manipulation or that are game species.
   ii. Habitats of local importance include a seasonal range or habitat element with which a given species has a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. They might also include habitats that are of limited availability or high vulnerability to alteration such as cliffs, talus, and wetlands.
   iii. Local habitat areas include those areas specifically identified as local habitat areas in the City's adopted Critical Areas Map Inventory and background maps used to prepare the map inventory. The City Planning Director keeps the Critical Areas Map Inventory on file.

2. Designation- The City will maintain a habitat map inventory for planning purposes. The approximate locations of habitats present within the City's boundaries are detailed in this inventory. The City consulted the following sources to identify critical fish and wildlife habitat areas:
   a. Water Type Reference Maps, Washington Department of Natural Resources,
   b. Natural Heritage Data Base, Washington Department of Natural Resources,
   c. Priority Habitats and Species Program and Priority Habitat Species Maps, Washington Department of Fish and Wildlife,
   d. Water Resource Index Areas (WRIA), Washington State Department of Ecology,
   e. Field studies performed by qualified natural resource specialists.

C. Report Guidelines.

1. Preliminary Assessments- In order to determine the extent of the appropriate buffers on a site when the nature of the fish and wildlife habitat conservation area is unclear, the applicant may submit a preliminary habitat assessment report as prepared by a qualified professional. This report shall suffice for the purpose of the development application if no habitat buffer impacts are proposed. The report should use scientifically valid and professionally recognized and accepted methods and studies or BAS in the analysis of critical area data and field reconnaissance and reference the source of science used. The report also should contain the following information at a minimum:
    a. The name and contact information of the applicant, and the name and address of the qualified professional who prepared the report,
    b. The dates, names, and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site,
    c. A narrative of the general character of the property, describing:
        i. Location,
        ii. Existing developments,
        iii. Vegetation types,
        iv. Adjacent land uses,
        v. Past land uses on the property (if available),
    d. A detailed description of the critical area in question and a qualitative analysis of its general condition,
    e. Recent photographs of the property, including detailed photographs of the habitat resource in question,
    f. A confirmation or correction of the classifications for the fish and wildlife conservation area and/or stream type as defined in this Chapter,
    g. An outline of standard buffer widths, available buffer reductions, or potential opportunities for enhancement/mitigation.

D. ~~Habitat Buffer Standards.~~

~~1. Demarcation. The outer edge of the buffer area shall be clearly staked, flagged, and fenced in the field and maintained throughout the duration of any construction activities. The markers shall be clearly visible, durable, and posted in the ground.~~

~~2. Fencing from Farm Animals- Permanent fencing shall be required along the outer edge of riparian habitat buffers when farm animals are introduced on a site.~~

~~3.~~1. ~~Permanent Marking of Buffer Area- A permanent and perpetual physical demarcation along the outer boundary of the habitat buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedgerow, wood or wood like fencing, or other prominent physical marking approved by the Planning Department. In addition, signs (minimum size 1 foot x 1 foot and posted 3.5 feet above grade) shall be posted at an interval of one per lot or every 150 feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the habitat buffer and worded substantially as follows: WILDLIFE HABITAT BUFFER – PLEASE RETAIN IN A~~

~~NATURAL STATE. For highly visible areas or areas located along a public right-of-way, interpretive signs may be required in lieu of other signage.~~

4. ~~Covenants. A conservation covenant shall be recorded in a form approved by the City Attorney as adequate to incorporate the other restrictions of this section and to give notice of the requirements for engaging in regulated activities within a habitat area or its buffer.~~

   a. ~~In the cases of plats, short plats, and recorded site plans, the boundary of the habitat area and its buffer and a reference to the separately recorded conservation covenant provided for in subsection 4., above shall be included on the face of such instrument.~~

E. Habitat Buffer Widths. Fish and wildlife habitat area buffer widths are detailed in tables 18.13.095-1 and 18.13.095-2 below. Buffers associated with riparian areas shall be measured perpendicularly outward from the OHWM as determined by a qualified professional.

Table 18.13.095-1 Riparian Habitat Buffer Areas

Stream Types	Examples	Riparian Buffer (feet)
Type S (Fish Bearing)	Columbia River and Rock Cove	150
Type F (Perennial or Fish Bearing)	Rock Creek, Foster Creek, and Kanaka Creek	125
Type Np (Perennial, Non-Fish Bearing)	Vallett Creek	75
Type Ns (Intermittent, Non-Fish Bearing)		50

Table 18.13.095-2 Priority Habitat and Species Buffer Areas

Habitat Type	Critical Zone	Protected Buffer
Local Habitat	Delineated	Use BAS for Species
Non-Riparian Priority Habitat and Species	Delineated	300 Feet or threshold based on consultation with WDFW
ESA Species Points	Delineated	Use BAS for species up to 1,300 foot review threshold distance

F. Habitat Buffer Reductions. Due to the limited amount of land available for development within the City, applicants demonstrating to the satisfaction of the Planning Director that all reasonable efforts have been examined to avoid or minimize impacts to critical areas may reduce habitat buffer widths. Other than functionally isolated buffers, no combination

of the techniques listed below can be used to reduce the base buffer width by more than 67%. Applicants requesting a reduction in base buffer widths must submit a habitat mitigation plan as described in this section. All proposals involving FWHCA buffers shall be subject to SMC 18.13.057 – Protective Buffers—Standards.

1. Functionally Isolated Buffers- The buffer of a river or stream shall not extend landward beyond an existing substantial improvement such as an improved road, dike, levee, or a permanent structure which in effect functionally isolates or limits the effectiveness of the outer portions of the buffer.
    a. If existing developments cause the width of the remaining buffer to be less than 50% of the base buffer, both of the following conditions shall apply:
        i. If the reduced buffer exists in a degraded condition, the reduced buffer shall be enhanced in accordance with 18.13.095.F.3.a. unless the area in question is utilized for activities consistent with water dependent uses.
        ii. The buffer cannot be further reduced through enhancement or averaging.
2. Non-Riparian Buffers- Each case involving the reduction of buffers for endangered species points, habitats of local importance, and priority habitats and species will be handled individually. In general, applications for a buffer reduction shall include a habitat mitigation plan that demonstrates:
    a. The suggested buffer setbacks or best management practices to protect the specific priority species or habitat as described in the scientific literature,
    b. A detailed description of the limitations of the property, proposed project, or other regulations that necessitate a departure from the suggested buffer or best management practices.
    c. An analysis, based on BAS, that demonstrates that the proposed project will not negatively impact the fish and wildlife habitat conservation area.
3. Riparian Habitat Buffers- In certain circumstances, the base riparian habitat buffers can be reduced through enhancement of degraded buffers, though a buffer averaging plan, and/or through off-site mitigation. These activities must be presented in a habitat mitigation plan consistent with this section.
    a. Buffer reduction through enhancement- Riparian habitat buffers that exist in a degraded condition can be reduced up to 30% through the enhancement of the remaining portions of the buffer.
        i. Buffers will be considered degraded if they meet the definition in 18.13.010.
        ii. Enhancement of the buffers will be consistent with the requirements listed below.
        iii. The applicant must enhance the entire buffer in order to take advantage of the relevant reduction in buffer width.
        iv. The applicant must demonstrate that the proposed reduction in buffer width will not decrease the existing buffer functions.
        ~~v. To ensure the success of mitigation measures that include the enhancement of vegetative buffers, the following guidelines shall be followed:~~
        ~~a) Only native plant material should be utilized in buffer enhancement projects.~~

~~b) The minimum plant density for the purpose of enhancement shall be seven trees and 20 shrubs per 1,000 square feet of enhancement area.~~

~~c) Bare root plants at least 24 inches long and/or containerized stock at least 1 gallon in size may be used during enhancement planting. Live stakes at least 36 inches long may be used for willow, dogwood, and cottonwood species.~~

~~d) The base of each plant will be mulched at least 3 inches deep for a radius of at least 1 foot to inhibit weed growth, conserve water, and moderate soil temperatures.~~

~~e) A temporary irrigation system sufficient to apply 1 inch of water to the entire enhancement area will be installed and maintained.~~

~~f) The enhancement area must receive at least 1 inch of water once a week from April 15 to September 15 for the first 2 years of the monitoring period.~~

b. Buffer reduction through averaging- Base or enhanced riparian habitat buffers can be reduced through buffer averaging if all the following conditions are met:
   i. The averaging does not cause a net loss of buffer area on the site,
   ii. The buffer reduction and compensation areas are similar in vegetation and character so that the averaging plan would not cause a reduction in buffer functions,
   iii. The maximum amount of buffer width reduction via buffer averaging equals 10% of the base buffer width.

c. Buffer reduction through off-site mitigation- Base riparian habitat buffers can be reduced to 33% of the base buffer area through off-site mitigation subject to the following:
   i. The reduced on-site buffer shall be enhanced in accordance with this section;
   ii. Off-site mitigation shall only be allowed for locations within the City of Stevenson Urban Area and preference will be given to locations within the same drainage sub-basin as the proposed development site;
   iii. A mitigation ratio of 2.5:1 shall be required for all off-site mitigation located within one-half (1/2) mile of the proposed development site. The first number of this ratio specifies the area of replacement habitat, and the second specifies the area of altered habitat;
   iv. A mitigation ratio of 5:1 shall be required for all off-site mitigation located farther than one-half (1/2) mile from the proposed development site;
   v. Conservation covenants shall, and performance bonds may, be required as a part of all off-site mitigation.
   vi. To aid in the implementation of off-site mitigation, the City may develop a program which prioritizes habitat corridors for use as mitigation and/or allows payment in lieu of providing mitigation on a development site. This program shall be developed and approved through a public process and should address:
      a) The identification of sites within the City of Stevenson Urban Area that are suitable for use as off-site mitigation. Site suitability shall take into account

hydrologic and biologic functions, potential for habitat fragmentation and degradation, and potential for urban growth and service expansion, and

b) The use of fees for mitigation on available sites that have been identified as suitable and prioritized.

G. Habitat Mitigation. ~~Any development proposal that impacts a habitat area or habitat buffer shall not beallowed without an approved habitat mitigation or enhancement plan consistent with this section. The following conditions shall apply to the review, approval, and monitoring of mitigation plans.~~When a project involves FWHCA or FWHCA buffer impacts, a Habitat Mitigation Plan by a qualified professional shall be required. At a minimum, the Habitat Mitigation Plan must contain the following information:

~~1. The City shall consult with state and federal resource management agencies and, in order to protect wildlife habitat or natural resource values, shall attach such conditions as may be necessary to effectively mitigate identified adverse impacts of the proposed development activity.~~

~~2. A habitat mitigation plan is required when an activity is proposed within a critical area or buffer that is not specifically exempt. Where required, a habitat mitigation plan shall be prepared by a qualified professional and include all of the information required in a preliminary assessment as well as the following:~~

1. Baseline Information. All the information required in the FWHCA Report prepared under SMC 18.13.095(C)

~~a.~~2. Site Plan.~~-~~ A copy of the site plan for the development proposal showing identified critical areas, buffers, and dimensions and limits of any areas to be cleared. This plan should include the proposed construction sequencing, grading and excavation details, erosion and sedimentation control features, and detailed site diagrams and any other drawings appropriate to show construction techniques or anticipated final outcome.

~~b.~~3. Avoidance and Minimization of Impacts.~~-~~ A description of the specific efforts made to avoid and minimize impacts to the habitats areas and their buffers shall be included.

~~c.~~4. Regulated Activities.~~-~~ The mitigation plan shall include a brief narrative of the proposed activities subject to this Chapter and include specific citations of the applicable chapter sections.

~~d.~~5. Project Impacts and Mitigation.~~-~~ The anticipated impacts to the habitat areas or buffer, the proposed mitigation actions, and the purposes of the compensation measures shall be described. The mitigation section should include a discussion of the BAS supporting the proposed mitigation.

~~e.~~6. Goals and Objectives.~~-~~ The mitigation plan shall include the environmental goals and objectives of the proposed mitigation and the goals and objectives must be related to the functions and values of the impacted critical area.

~~f.~~ Monitoring and Maintenance Program.~~-~~ A proposed Monitoring Program compliant with SMC 18.13.059 – Performance & Monitoring Standards. ~~The mitigation plan shall include a program for monitoring the construction and maturation of the mitigation/enhancement project, and to ultimately asses the success or failure of the proposed mitigation measures. Mitigation/enhancement projects shall be monitored~~

~~for a minimum of 5 years. Monitoring programs for the project shall include the following at a minimum.~~

~~i. Establishing vegetation plots to track changes in plant species composition and density over time,~~

~~ii. Using photo stations to evaluate vegetation community response,~~

~~iii. Establishing data collection dates during the first, second, third, and fifth years of the monitoring period,~~

~~iv.~~7. A bond estimate for the entire mitigation project, including the following elements: site preparation, plant materials, construction materials, installation oversight, maintenance twice per year for up to 5 years, annual monitoring field work and reporting, and contingency actions for the monitoring period established under SMC 18.13.059 – Performance & Monitoring Standards.~~Where woody vegetation is the intended result, the minimum monitoring period shall be 10 years with additional data collection dates occurring during the seventh and tenth years.~~

~~g. Performance Standards- The mitigation plan shall include measurable performance standards for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and whether or not the requirements of this Chapter have been met. They may include water quality standards, vegetation abundance indices, species richness and diversity targets, habitat diversity indices, or other appropriate information.~~

~~h. Contingency Plan- This section identifies potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards have not been met.~~

~~3. In order to ensure the completion and success of the planned mitigation, the City may require a performance and or maintenance bond to be posted as detailed in 18.13.060.~~

H. ~~Director~~ Administrator Discretion.

1. The ~~City shall~~ Administrator may consult with state and federal resource management agencies and, in order to protect wildlife habitat or natural resource values, shall attach such conditions as may be necessary to effectively mitigate identified adverse impacts of the proposed development activity.

~~1.~~2. The ~~City~~ Administrator may waive specific requirements of the habitat reports where less information is sufficient to adequately address the impacts to the critical area in question or where existing information is on file with the City that addresses the impacts.

~~2.~~3. The ~~Director~~ Administrator may require additional information that is necessary to determine compliance with the standards of this Chapter.

Stevenson Critical Areas Code

SMC 18.13.057 Protective Buffers--Standards.

Whenever protective buffers are required by this chapter, the following standards apply:

A. Construction Staking. The outer edge of the buffer area shall be clearly staked, flagged, and fenced in the field and maintained throughout the duration of any construction activities. The markers may be combined with temporary erosion control fencing and shall be clearly visible, durable, and posted in the ground.

B. Notice on Deed. A conservation covenant shall be recorded in a form approved by the City Attorney ~~shall be recorded~~ as adequate to incorporate the restrictions of this chapter and to give notice of the requirements for engaging in regulated activities.

1. In the case of plats, short plats, and recorded site plans, the boundaries of critical areas and any protective buffers and a reference to the separately recorded conservation covenant shall be included on the face of such instrument.
2. At the Administrator's discretion, a deed notice in a form approved by the City Attorney may be accepted in lieu of a conservation covenant.

C. Permanent Demarcation.

1. A permanent and perpetual physical demarcation along the outer boundary of the ~~wetland~~ buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedgerow, wood or wood like fencing, or other prominent physical marking approved by the Planning Department.
2. In the case of plats or short plats, the administrator may require that critical areas and buffers be placed in a separate tract which may be held by an appropriate natural land resource manager, such as a land trust.
3. Permanent signs along the boundary of a buffer are required.
   a. Permanent signs shall be made of an enamel-coated metal face and attached to a metal post or another non-treated material of equal durability. Sings must be posted at an interval of one every 50 feet, or one per lot if the lot is less than 50 feet wide, and must be maintained by the property owner in perpetuity. The signs shall be worded as follows or with alternative language approved by the Administrator: "Protected Area. Do Not Disturb. Contact the City of Stevenson Regarding Uses, Restrictions, and Opportunities for Stewardship."
   b. The signage provisions above may be modified as necessary to assure protection of sensitive features or wildlife. For highly visible areas or areas located along a public right-of-way, interpretive signs may be required in lieu of other signage.

D. Fencing.

1. The applicant shall install a permanent fence around a critical area or buffer when domestic grazing animals are present or may be introduced on site.
2. Fencing installed as part of a proposed activity or as required in this section shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to critical areas.

E. Planting. Whenever planting is required within a protective buffer, the following standards shall apply:

1. Native plant material should be used unless a qualified professional recommends a suitable, noninvasive alternative that provides functions equal to a native species.
2. The minimum plant density shall be 2 trees and 5 shrubs per 400 square feet.
3. Bare root plants at least 24 inches long and/or containerized stock at least 1 gallon in size are preferred for mitigation planting. Live stakes at least 36 inches long may be used for willow, dogwood and cottonwood species. Hydroseeding may be used as an alternative when the above planting methods are demonstrated to be unadvisable.
4. The base of each plant shall be mulched at least 3 inches deep for a radius of at least 1 foot to inhibit weed growth, conserve water, and moderate soil temperature.

F. Maintenance.

1. Except as otherwise specified or allowed in accordance with this Code, buffers shall be retained in an undisturbed or enhanced condition. In the case of compensatory mitigation sites, removal of invasive non-native weeds is required for the duration of the monitoring period.
2. Unless waived by the Administrator, a temporary irrigation system shall be installed for newly planted buffer areas. Such areas shall receive at least one inch of water once a week from April 15 to September 15 for the first 2 years of the monitoring period.

Stevenson Critical Areas Code

SMC 18.13.059 Performance & Monitoring Standards

Whenever monitoring is required by this chapter, the following standards apply:

A. Performance Standards. Measureable standards for success or failure of critical areas permits shall be established in accordance with a plan prepared by a qualified professional. Such standards should be quantitative in nature and may include water quality standards, survival rates of planted vegetation, species abundance and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria as appropriate.

B. Maintenance Plan. A qualified professionals shall provide a discussion of ongoing management and maintenances practices, including a schedule of actions proposed by year to protect the critical area after a development project has been implemented.

C. Monitoring Plan. The success or failure of any proposed mitigation action under this Chapter shall be monitored according to a Monitoring Plan prepared by a qualified professional. Monitoring Plans shall include the following, at a minimum:

1. Data collection dates during the first, second, third, and fifth years of the monitoring period.
2. Photo station locations to evaluate changes over time and vegetation community response.~~,~~
3. Vegetation plots to track changes in plant survival, species composition, and density over time.~~,~~
4. Hydrologic monitoring stations within any wetland creation areas to verify if wetland hydrology has been successfully created~~,~~.

D. Contingency Plan. The monitoring program shall also include a Contingency Plan which identifies potential courses of action and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

E. Monitoring Period.

1. All projects requiring monitoring shall be monitored for a minimum period of 5 years.
2. At the Administrator's discretion and where woody vegetation (forested or scrub-shrub wetlands) is the intended result, the monitoring period may be increased to 10 years with additional data collection dates occurring during the seventh and tenth years.
3. If the mitigation goals are not obtained within the initial monitoring period, the applicant remains responsible for the success of the approved mitigation action, and the monitoring period shall be extended until the mitigation goals agreed to in the mitigation plan are achieved.