

**Stockdale, Erik**

**From:** Stockdale, Erik  
**Sent:** Monday, June 12, 2000 10:33 AM  
**To:** 'Kelley, Jim (Parametrix)'; 'Leavitt, Elizabeth (Port of Seattle)'  
**Cc:** Luster, Tom; Hellwig, Raymond; Marchioro, Joan (ATG); 'Schneider, Phil (WDFW)'  
**Subject:** Wildlife Hazard Management Plan consistency with Aquatic Resource Mitigation Plan

June 12, 2000

**TO:** Jim Kelley, Parametrix  
**FM:** Erik Stockdale  
**RE:** Wildlife Hazard Management Plan (WHMP) June 9, 2000 Conversation

*• These need to be approved by the airport's wildlife people.  
 • Elizabeth agrees next step is a revised, complete document.*

Hi Jim:

In an effort to reach resolution on the outstanding issues on the Wildlife Hazard Management Plan, I'd like to summarize our conversation on June 9, 2000. The items we spoke about are as follows:

1. Ecology's main interest in the WHMP is to ensure that it is consistent with the Natural Resource Mitigation Plan (NRMP) and not conflict with the 401. This is an important element of "reasonable assurance." Without consistency and integration, I will not be able to recommend approval of the 401.
2. For example, Section 3.4.3 (streamside vegetation, the placement of rock to replace undesirable vegetation) conflicts with the NRMP and expected provisions in the 401. Section 3.3.2 should reference the 401. The placement of rock to replace streamside vegetation will require consultation with the agencies.
3. Please provide a placeholder appendix in the WHMP to contain the 401 (when a decision is made). This will reduce ambiguity in implementation of the hazard plan. You may also want to insert key elements of the Natural Resource Management Plan (such as maps, showing buffers and mitigation areas).
4. I have mentioned several times that the WHMP needs to define "sideboards" that clearly indicate which activities can occur to manage for hazardous wildlife without consultation with the resource agencies. One sideboard is defining what can occur without violating permits issued for the project. The other sideboard is CLEARLY DEFINING which actions will trigger consultation with the agencies.
5. The "One Strike Your Out" title on the Feb 2000 version of the plan should be replaced with a title that is more neutral. I think the title is inappropriate.
6. Ecology does not have an interest in dictating what the airport manager needs to do in the case of an emergency. Protection of public safety is a paramount responsibility the airport is charged with. However, **what constitutes an emergency needs to be clearly defined.** Dumping fuel from an incoming aircraft in distress is clearly an emergency. Filling or draining wetlands is not, as well as other activities detrimental to the goals of the aquatic resource mitigation plan. The use of a mitigation area by waterfowl is not an immediate emergency that empowers the airport manager to fill the area or immediately drain the wetland. These activities clearly require consultation (and permitting) with Ecology and other agencies. Regardless of what the airport manager believes, permits are and will be required to modify or alter the mitigation sites. As part of the final negotiations on the 401, Ecology will seek clear indications that the the airport manager understands what is required of the Port to remain in compliance with the permit. I say this now, and on the record, so that there is no misunderstanding in the future that we identify this as an area of continued concern.

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7. I understand you are adding footnotes to Figure 1 that address habitat alteration and hydrologic modification.
8. Second page of fax you sent: There are many terrestrial wildlife that do not pose a threat to aircraft and airport operations. I think this section needs to reflect this.
9. Same page, regarding vegetation management. This area needs to more clearly define what is considered exempt, and WHO will make the determination. I suggested this be tied to the vegetation performance standards. Modification of vegetation communities that retard achievement of performance goals will clearly extend the monitoring and maintenance requirements of the 401. I also suggested that the Port's consultants are most qualified to make these determinations. Such modifications should be reported as part of the yearly monitoring reports to the agencies.
10. Same page, regarding vegetation replacement. I presume you are referring to native vegetation.
11. Third page, add a bullet that states that the removal of vegetation, and replacement with fill (rock, gravel, other materials detrimental to mitigation area) will require permitting and consultation.
12. Ecology and Port attorneys still need to address the question of pre-emption of state law, perceived and actual.

Please call me if you have any questions. I will be out of the office June 15-16, and 19-20.

Thanks,

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