

Proposed Policy for WRIA 9 Salmon Habitat Plan Implementation Regarding Mitigation and Habitat Recovery Targets

Background

In 2014, King County and City of Tukwila entered into discussions with the owner of two parcels on the Duwamish River adjacent to the Duwamish Gardens project site, known as Chinook Wind, regarding purchasing the properties for restoration. The site is within the Duwamish transition zone, which is the highest priority area for creating juvenile salmon rearing habitat. The appraised value for the 5.8 acre site was approximately \$5.1 million. The total (rough) estimated cost of the Chinook Wind project is \$13 Million (including purchase, site preparations, cultural and environmental treatments, and restoration). King County had allocated almost \$1.95 million in Conservation Futures Tax grant money towards this purchase, but King County and WRIA 9 were not able to identify any additional funds that would be immediately available. The property owner was planning to improve the property and put the parcel on the market in spring of 2015 if King County did not make an offer (which likely would have increased the price).

Michael Murphy in his role with the King County Mitigation Reserve Program had been in discussions with the program's oversight committee, the Interagency Review Team (IRT), about using \$6 million in forthcoming Sound Transit mitigation funds to help with the purchase and site preparation of Chinook Wind. IRT members from the Muckleshoot Indian Tribe had reservations about using mitigation funds for restoration and then counting that towards restoration goals, because there would not be an overall net benefit to habitat. However, any one program or jurisdiction alone cannot come up with the entire project cost in a short enough amount of time to satisfy the requirements for timely replacement of habitat (under the Mitigation Reserve Program) or to satisfy WRIA grant programs that want projects completed in three years.

WRIA staff agreed that we would create a policy to limit how mitigation-funded projects are counted towards restoration goals. Since that agreement was made, King County has signed a Purchase and Sale Agreement with the owner of the Chinook Wind parcels for \$6.2 million; King County can purchase the property if this policy can be agreed upon, contingent on cultural and environmental investigations, which are underway.

We are seeking Forum approval for the concept that the portion of the project paid for with mitigation funds would not count towards recovery goals stated in the 2005 Salmon Habitat Plan (including the recently adopted Duwamish Blueprint). The proposed policy language is as follows:

Proposed measures for ensuring mitigation and restoration work in tandem

- **Increase the acreage targeted for recovery, and be clear that mitigation-funded projects don't count towards recovery targets in the Duwamish transition zone**
 - The WRIA 9 salmon habitat plan called for 26.5 acres of shallow water habitat in the Duwamish transition zone by 2015, and only about 6 acres has been built since

2005. Because we fell short of this target, we set a higher target of 40 acres of new shallow water habitat in the Duwamish transition zone between 2015 and 2025. This target has already been approved by the WRIA 9 Forum as part of the [Duwamish Blueprint](#).

- If mitigation and restoration funding are used for Chinook Wind, WRIA 9 would not count the portion of the project paid for by mitigation funds towards that recovery target. For example, if the Mitigation Reserve Program contributes \$5 million towards the project, and the total project cost is \$13 million, that is 38% of the cost. In that case, 38% of the shallow water habitat area would not be counted towards meeting the 40 acre goal.
- King County Mitigation Reserve Program projects will be tracked separately from those funded by salmon recovery funds. WRIA 9 and the Mitigation Reserve Program will coordinate closely in their respective efforts to track habitat improvement projects in the Duwamish transition zone.
- For purposes of this policy, “mitigation” includes projects implemented through the Mitigation Reserve Program, inclusive of projects occurring under the federally authorized in-lieu fee program.