

VEAL EXHIBIT 2

Chair Snodgrass referred to the issue of clearing and grading, Policy NE-50, and commented that the Commission takes the wording "...maintain and update clearing and grading regulations to minimize..." to be mandatory. Mr. Yoder said that satisfies his concern.

Mr. Yoder said he understands the importance of streamlining the permitting process for clearing and grading, but stressed the need for some input from the public when it comes to enforcing the regulations. If cuts and fills, and landmark exceptions, are not spelled out in the noticing, the public will not be fully informed.

Commissioner Parnell asked Mr. Yoder why the pileated woodpecker should be used as measure of habitat connectivity. He answered that the presence of the great blue heron is an indicator of the health of the salmon population. Counting the great blue herons in Redmond is something that could become a community event. The same is true of the pileated woodpecker; it can fly from one corridor to another, but their numbers are an indicator of the health of the corridors.

Chair Snodgrass allowed that because the pileated woodpecker is a protected species under state law, its presence would be a trigger event for the management requirements. The critical area ordinance being recommended will require compliance with management recommendations for any area that contains a protected species. Seeking a permit or land use change would cause the protections to kick in. As such the species will be protected in Redmond. Mr. Yoder allowed that while the state Department of Fish and Wildlife is charged with protecting and perpetuating fish and wildlife species, it has very limited authority over the habitat on which animals depend. Protections are generally achieved through the voluntary actions of landowners and the planning processes of local governments. The pileated woodpecker should be listed as a Species of Local Importance. Such a listing should not generate much conflict for developers.

Commissioner Allen noted that even if the pileated is not listed as a Species of Local Importance in Redmond, it will still be protected under the proposed rules as a state protected species. Any development that involves the species will have to address its presence.

Commissioner Query thanked Mr. Yoder for the compassion he has shown throughout the process. She said his commitment to the city and willingness to address difficult issues is laudable.

Mr. John Morrow, 1617 Boylston Avenue, Suite 201, Seattle, spoke representing the Livable Communities Coalition. He praised the Commission for the many positive changes it is seeking to implement. The elimination of the threshold exemption for wetlands is an excellent recommendation. He said his organization fully supports Alternative 3 as a way to rate buffers. He recommended against allowing any reductions to the mitigation replacement ratios. He asked the Commission to consider extending the prohibition on alterations to Type I wetlands to include Type II wetlands because of their significant ecologic importance. The Commission was urged to take another look at the Department of Ecology standards for riparian corridors buffers; it is clear that such buffers are important and their width bears a direct correlation to their effectiveness. Support was indicated for the Department of Natural Resources (DNR) lettering system for stream typing; locally adopted codes are admirable and for the most part fairly protective, but gaps sometimes occur when there is not consistency with other jurisdictions and

the state. The stream typing system other jurisdictions are planning to adopt should be reconsidered by Redmond. Inclusion of the precautionary principle in the code language, as other jurisdictions have done quite painlessly, would indicate the intent of the city to be as protective as possible.

Commissioner Dunn allowed that the recommended stream classification uses numbers and has an additional category for fish habitat. She asked if it would help at all just to use letters instead of numbers. Mr. Morrow said he is recommending consistency with the state system.

Chair Snodgrass asked which two issues are of most concern to Livable Communities Coalition. Mr. Morrow said he would list stream buffer distances and the stream classification system.

Absent anyone else wishing to address the Commission, Chair Snodgrass declared the public hearing closed and initiated the study session.

Ms. Beam made sure each Commissioner had a copy of an email from Chair Snodgrass regarding language changes related to the issue of low-impact development; an email from Commissioner Parnell with recommended language for the section related to corridors; and information from Commissioner Allen relating to policies and regulations of the wildlife habitat section.

Chair Snodgrass noted that his proposed language revision to move the word "engineering" to follow "technology" does not change either the intent or the effect of Policy NE-X, which Ms. Beam noted will follow Policy NE-9.

Commissioner McCarthy suggested moving the clause "...through incentives and flexibility and application of regulatory requirements..." to the end of the policy to make it read better. His suggestion was accepted.

With regard to adding the pileated woodpecker to the list of Species of Local Importance, Commissioner Petitpas asked what the definition of the category is and what the city's goal is in listing any such species. Ms. Beam referred to the regulations which reads "Habitats and Species of Local Importance are those identified by the city of Redmond, including those that possess unusual or unique habitat warranting protection because of qualitative species, diversity or habitat system health indicators. The City Council shall formally designate habitats and Species of Local Importance, if any, through the Development Guide Amendment process." Species added to the list can be culturally or iconically based rather than scientifically based.

Chair Snodgrass allowed that the great blue heron clearly fits the definition because of its habitat needs. There is no need to revise the definition, even though it is rather open-ended, allowing for the possibility of listing nearly any species.

Commissioner Dunn asked what the term "qualitative species diversity" means. Chair Snodgrass suggested that the term refers to a limited population in a given area. Species that are abundant elsewhere may be limited locally, making them candidates for inclusion on the list.

Commissioner Parnell indicated support for having the community annually involved in counting the number of great blue herons or other species that serve as indicators of the health of habitat in the city.

Ms. Beam said she has not encountered a groundswell from the community in favor of listing the pileated woodpecker as a Species of Local Importance. She allowed, however, that the question has not been put directly to the public.

Chair Snodgrass pointed out that the regulations in place do establish certain protections for pileated woodpeckers and their habitat. The policies are adequate. He said he was not particularly supportive of adding the species to the list at the present time. He added that if the species were not otherwise protected by the state he might seriously consider it.

Commissioner Allen reminded the Commission that the issue was previously discussed and voted down.

There was consensus not to add the pileated woodpecker to the list of Species of Local Importance.

With respect to stream typing, Commissioner Allen asked staff to reiterate why Redmond's system should be different. Ms. Beam said the DNR stream typing system was developed for forested rural areas and does not fit perfectly in an urban context. Staff carefully considered the DNR approach. The proposed system for Redmond includes two categories for fish habitat – salmonid potential, non-salmon potential – which together equate to the DNR Category F. The two systems are not quite parallel, but are very close to being consistent in that both cover all of the categories.

Commissioner Parnell questioned whether the fallback position should be to the DNR classification in cases of conflict or ambiguity. Ms. Beam suggested that because a biologist will conduct the study to determine the classification, it is highly unlikely that there would be any ambiguity.

Answering a question asked by Commissioner Allen, Ms. Beam said the King County system is very similar to the DNR system. Snohomish County uses a system that uses numbers instead of letters. Kirkland uses letters, but Bothell and Woodinville use a numbered system.

Commissioner McCarthy said he could see no compelling reason to make a change to the recommendation.

Commissioner McCarthy recognized that the imposition of fines is a punitive action jurisdictions can take when rules are broken, and, taking into account the value of land, suggested that the established fines may not offer enough of a deterrent. He allowed that the Commission may not be the right body to review the fines structure but suggested that someone should.