

NOTICE OF PROPOSED RULEMAKING ACTION
SNOHOMISH COUNTY
DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES (PDS)

Pursuant to Snohomish County Code (SCC) 30.82.030 (Rulemaking), PDS proposes action on PDS Director's Rule 18-04 to establish protection requirements for species listed under SCC 30.62A.410. Rules, as authorized by SCC 30.82.010, are intended to provide detail or specificity for existing code sections or requirements.

Notice Date: June 5, 2018

Rule Title: Rule 18-04, to establish protection requirements for specific species and habitats listed under SCC 30.62A.410.

Rule Summary: The intent of this rule is to implement the requirements as authorized under SCC 30.62A.430, to establish minimum protection requirements for the protection of critical species and habitats that are listed under SCC 30.62A.410.

1. This rule applies to all species that are listed under SCC 30.62A.410 unless there is a more specific rule adopted by PDS that applies to a particular species, primary association area or critical habitat.
2. Minimum protection requirements for all species that have a primary association area or critical habitat area that consists of streams, lakes, marine waters, or wetlands include all applicable regulations under Chapter 30.62A SCC.
3. Minimum protection requirements for all other species that are not protected under sections one and two of this rule, the following applies:
 - a. Primary association areas or critical habitat areas for individual species shall be identified by maps provided by the U.S. Fish and Wildlife Service, the U.S. National Oceanic and Atmospheric Administration Fisheries Service or the Washington State Department of Fish and Wildlife; and
 - b. If a project proposal is within a primary association area or critical habitat area for a species that is listed under SCC 30.62A.410, then the applicant shall utilize resources provided by U.S. Fish and Wildlife Service, the U.S. National Oceanic and Atmospheric Administration Fisheries Service or the Washington State Department of Fish and Wildlife and utilize the management recommendations made available by the agency to establish and apply minimum protection measures pursuant to SCC 30.62A.450.
4. If a project proposal is within a state natural area preserve, natural resource conservation area, or a state wildlife area (collectively known as "state natural habitats") the minimum protection requirements shall include all applicable regulations under chapter 30.62A SCC. Additionally, all project proposals shall comply with the latest edition of the state wildlife management plan that applies to the site of the project proposal.

Request for Review and Comment: Comments on the proposed rulemaking action are requested from interested citizens.

Comment Period: Comments regarding the proposed rulemaking action must be submitted in writing by 5:00 p.m. on, or before Tuesday, June 26, 2018. All comments received prior to adoption of the final action will be considered prior to making a decision.

Where to Submit Comments: Comments should be submitted to the contact person at the mailing address or e-mail listed below.

Contact Person: Troy Holbrook, Principal Planner (425) 388-6257 (TTY 425-388-3700).

Mailing Address: Snohomish County Planning and Development Services,
3000 Rockefeller Ave. M/S 604 Everett, WA 98201- 4046.

E-mail: Troy.Holbrook@snoco.org

Review Process: This notice was filed with the clerk of the Snohomish County Council and was posted at the PDS Customer Service Center. After reviewing and considering the comments submitted in response to this notice, the PDS Director may approve proposed Rule 18-04, with or without changes. The PDS Director will provide notice of any action taken with respect to the proposed rulemaking action by submitting a copy to the clerk of the County Council, giving public notice in the County newspaper of record (*The Herald*), and sending copies to any person who submitted written comments on the proposed rule.

HOW TO USE THIS NOTICE

To Learn More About the Proposed Rulemaking Action: Call the contact person listed above to obtain a copy of the proposed rule under review or request a copy at the PDS Customer Service Center (CSC) of the Robert J. Drewel Building, 3000 Rockefeller Ave., Monday through Friday between the hours of 8am and 4pm, except Thursdays when the CSC is closed between 8am and 10am.

ADA Notice: Snohomish County strives to provide accessible facilities and services to all members of the public. Sign language interpreters and communication materials in alternative forms will be provided on request. Call the Main Desk at (425) 388-3311, or TTY (425) 388-3700.