



Legislation Text

File #: 2009-0367, **Version:** 3

AN ORDINANCE requiring the adoption of rules addressing procedures for establishing large wood emplacements in rivers or streams.

STATEMENT OF FACTS:

1. Public agencies, development and habitat restoration project proponents and private landowners have increasingly made use of large wood emplacement in recent years, as a means of enhancing fisheries and aquatic habitat values, reducing erosion and scouring to river banks, deflecting flows to minimize impacts to river banks, offsetting the impacts of development projects and protecting shorelines.
2. Public safety concerns have emerged regarding the potential hazard presented by some of these emplacements to recreational boaters, floaters and other water users.
3. Based on these concerns, the King County council directed that the department of natural resources and parks prepare a report on the circumstances associated with large wood emplacements, addressing means of mitigating against public safety hazards.
4. That report was prepared and presented to the council, noting, among other findings, certain procedural approaches to large wood emplacements that are generally observed by the department of natural resources and parks.
5. Those procedural approaches have not been adopted as administrative rules and are not readily available to the public.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1.

A. By March 31, 2010, the executive shall adopt rules addressing the procedures that the King County department of natural resources and parks shall follow when installing large wood emplacements in rivers or streams.

B. The rules shall require the department of natural resources and parks to:

1. Develop a conceptual design of the wood emplacement for each proposed project. The project-specific conceptual design shall address proposed location, size, shape and anchoring of the wood; whether wood recruitment, which is the intentional accumulation of wood, floating down the river, at the installed emplacement site, is proposed; whether wood is intended to remain fixed or is intended to be moveable; and how the emplacement is to function to meet project goals;

2. Include in each conceptual design a description of how public safety considerations have been incorporated into the project's design;

3. Provide timely notice by the department of natural resources and parks to recreational water users, environmental interests, the neighboring community and others indicating an interest, about a proposed project and how interested parties may comment on the conceptual design;

4. Involve interested parties, who commented on the conceptual design, in a discussion and outreach to revise and refine the wood emplacement design for a proposed project, including:

a. identifying the type and extent of recreational use in the project area;

b. identifying public concerns related to the conceptual design; and

c. considering ideas for reducing or eliminating concerns regarding public safety, to the extent possible; and

5. Provide for periodic independent monitoring and inspection of large wood emplacements by an appropriate third-party provider. Reports of such inspections shall be provided to the department and to all councilmembers. Eleven copies of any inspection report made under this subsection shall be filed with the clerk of the council for distribution to councilmembers.

C. The rules shall include reference to the Guidelines for Bank Stabilization Projects in Riverine Environments in King County and the State of Washington's Integrated Streambank Protection Guidelines as the guide for project design for wood emplacements. At least every three years, the department of natural resources and parks shall convene a group of stakeholders, including but not limited to river residents, recreationalists, tribes, river boating interests, appropriate regulatory agencies, King County sheriff office representatives, and water resource inventory area representatives, to review the department's large-wood emplacement rules and update them as needed. The department shall report to the chair of the physical environment committee, or its successor, any changes to the rules resulting from this review process. Two copies of any report made under this subsection shall be filed with the clerk of the council, for distribution to the chair of the physical environment committee, or its successor.

D. The adopted rules are intended to support the department of natural resources and parks' process to evaluate various strategies for location and design of wood emplacements, to maximize project benefits and to minimize risks to public safety.

E. The rules shall apply over all rivers within the jurisdiction of the department of natural resources and parks.

F. In implementing the rules, the procedures and design options affording the greatest safety for river users shall be of primary consideration in design concerns involving a balancing of important public purposes as the county addresses safety issues in large wood emplacements and other in-stream designs.

G. The rules are supplemental to applicable provisions of the Revised Code of Washington and Washington Administrative Code.