



Douglas County Critical Areas Monitoring and Adaptive Management

April 25, 2018

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Certified Code Enforcement Officer



Encouraging Behavior Change

Video: Coffee Pot Etiquette

<https://youtu.be/ROiid4RpLUI?t=7>



Encouraging Behavior Change

Video: Motivating on Recycling

https://youtu.be/kHzR8W-FU_k?t=7



Monitoring and Adaptive Management Steps

1. Articulate reasons for Monitoring
 2. Identify Key Study Questions/Objectives
 3. Design Monitoring Program
 4. Determine Monitoring Time Frame
 5. Evaluate Results and Make Recommendations
- How did Douglas County arrive at Monitoring?
- 2004 to 2008 Development boom
 - 2009 DCRSMP Adoption
 - 2010 Enforcement & Monitoring
 - Common Elements



Step 1: Articulate Reasons For Monitoring

1. Monitoring is not required statutorily under GMA or SMA
2. Enforcement **IS required** statutorily, RCW 90.58.210 (SMA of 1971), and adopted by Douglas County SMP
3. What is the difference?

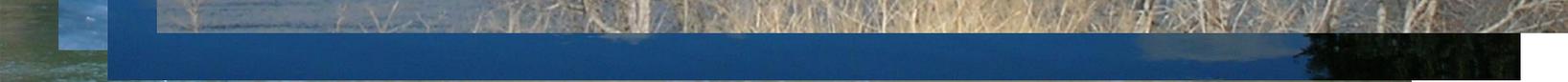
Douglas County SMP Definitions:

“Monitoring” means evaluating the impacts of development proposals over time on the biological, hydrological, pedological, and geological elements of such systems and/or assessing the **performance** of required mitigation measures throughout the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features, and includes gathering baseline data.



Step 1: Articulate Reasons For Monitoring

Some reasons for monitoring in Douglas County





Step 1: Reasons – Problem Solving Process

Define the Problem - - - - -	Reasons for Monitoring
Gather the Facts - - - - -	Identify Key Objectives
Develop COA's - - - - -	Design Monitoring Program
Choose a COA - - - - -	Determine Monitoring Program
Supervise - - - - -	Evaluate Results, Make Recommendations



Step 1: Reasons – Problem Solving Process

Video: Kid Snippets “Math Class”

<https://youtu.be/KdxEAt91D7k?t=2>



Step 2: Identify Key Study Questions/Objectives

1. No Net Loss
 - a. Permit without it?
2. Permit Compliance
3. Performance Assurance
Compliance (Fiscal
Responsibility)

1. Reason for monitoring
(Define the Problem)
2. Monitor / Supervise
3. Monitor / Supervise



Step 3: Designing A Monitoring Program

1. Permits
 - a. All tracked through a software system
 - b. Conditions require Performance Assurance Devices
2. PERF's
 - a. All tracked through a software system
 - b. "Child" of Permit
 - c. Financial "set-aside" = 125% of project cost
 - d. Very specific document, Financially vested, Incentive
3. Enforcement of Monitoring Requirements & Reports
 - a. Must be submitted by Qualified Biologist of Record
 - b. Sequential Release of Funds
 - c. Permit revocation, or execution of improvements



Step 3: Designing a Monitoring Program

EXHIBIT B TO PERFORMANCE ASSURANCE AGREEMENT

ASSIGNMENT OF BANK ACCOUNT AS SECURITY

For and in consideration of the granting of a development permit which is conditioned upon public improvements and repair of damages to public property, and/or improvements to private property necessary to obtain an occupancy permit, the undersigned hereby assigns all right, title and interest in and to the bank account described below to Douglas County as security for the full and timely performance of all required improvements, any necessary repairs and the eighteen (18) month warranty on workmanship and materials, pursuant to the foregoing Performance Assurance Agreement.

Work

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Grette
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Biolo

<u>Bank Account Description:</u>		<u>Assignors(s):</u>	
<u>WHEATLAND BANK</u>		<u>Jerry Van Winkle</u>	
<u>Bank Name</u>		<u>Name</u>	
<u>1114 N. Mission St., Suite 2</u>		<u>Yvonne M. Van Winkle</u>	
<u>Street Address</u>		<u>Name</u>	
<u>WENATCHEE, WA 98801</u>		<u>12 B Van Winkle Rd.</u>	
<u>City</u>	<u>State</u>	<u>Street Address</u>	<u>City</u>
<u>Zip</u>		<u>Orondo</u>	<u>WA 98843</u>
<u>Account Number</u>	<u>Assigned Amount</u>	<u>State</u>	<u>Zip</u>
<u>2 [REDACTED]</u>	<u>\$2,964.74</u>		

Douglas County File No. BPR-09-111

Project Name: VanWinkle Dock

Work Description:

SUBT

Installation of irrigation, mitigation plantings, topsoil and seeding per the Mitigation Plan submitted by Grette and Associates for Shoreline Permit # SP-08-16/SCUP-08-04. Biologist monitoring visits/reports (3).

DCC

TOTA

The security interest in the assigned monies shall be released by Douglas County, in writing, after full and timely performance of all required improvements and necessary repairs and the expiration of the warranty on labor and materials (eighteen months from the date of final acceptance by Douglas County). Douglas County may, in its sole discretion, direct partial release of assigned monies on satisfactory progress towards completion, subject to a ten percent (10%) retainage. In the event of breach by the Owner and/or Developer, the Bank shall, on the written direction of Douglas County, deliver to Douglas County so much of the assigned monies as may, in the sole discretion of Douglas County, be necessary to perform the obligations of Owner and/or Developer under the Performance Assurance Agreement.

Assignment Accepted by Bank:

Sequ
years

<u>[Signature]</u>	<u>VP</u>	<u>7/9/09</u>	<u>Jerry Van Winkle</u>	<u>7/9/2009</u>
<u>Bank Authorized Signature</u>	<u>Date</u>	<u>Date</u>	<u>Assignor Signature</u>	<u>Date</u>
			<u>Yvonne M. Van Winkle</u>	<u>7/9/09</u>
			<u>Assignor Signature</u>	<u>Date</u>



Step 4: Monitoring Time Frame

1. Monthly Compliance Check Report generated by software
2. 5 year monitoring period (0, 1, 3, 5-Year Reports)
3. Perpetual monitoring
4. Retroactive – past PERF's overdue can “catch up”



Step 5: Evaluation and Recommendations

1. Report to compare completed Shoreline Permits to Completed PERF's (future)
 - a. Biologist's assurance of no net loss
 - b. Open PERF = potential net loss
2. Permit Process: when to execute PERF?
3. Monitoring Period: Is 5 years long enough? Or too long?
4. How to enforce non-compliant PERF's: Revoke permit? Enter property and complete the improvements?
5. Continued routine monitoring
6. Difficulties



Permit Monitoring and Adaptive Management

PROBLEM SOLVING SUPERVISION =
ADAPTIVE MANAGEMENT = NO NET LOSS

Help is needed:

- Firewise or Fire Adapted Community, VS. Critical Areas Regulations
- Accessibility / Barrier Free Construction in Shorelines of Significance



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