

WETLANDS – MITIGATION

Although the County's wetland regulations require that all efforts be made to avoid disturbances to wetlands, given the historic division of land and requirements for buffers to protect water quality and habitat associated with wetlands, such disturbances may be unavoidable under some circumstances. To appropriately address those circumstances the County has created specific standards under which impacts to wetlands and wetland buffers will be reviewed. Below is a brief overview of the requirements established in County Code:

- Mitigation is required for alterations of wetlands and wetland buffers after the project has been reviewed and it has been determined that the alteration cannot be avoided, reduced (minimized) or restored.
- Mitigation shall include the review and approval of a professionally prepared Mitigation Plan. The specific requirements of such a plan are established in County Code and include monitoring and a contingency plan.
- Mitigation cannot be implemented until approved by the County and requires that the applicant provide staff with reasonable access to the site to allow for inspections throughout the monitoring period.
- Mitigation is typically required at a scale larger than the proposed alteration. Ratios for the various types of wetland mitigation are established in County Code with a preference on re-establishment and rehabilitation of existing disturbed wetlands and creation of new wetlands over enhancement or preservation.
- Monitoring of all mitigation efforts is required by the applicant and in the event that the monitoring identifies that the mitigation is failing to achieve the established goals the applicant will be required to implement the approved contingency plan. A contingency plan is considered a new mitigation effort and has the same goals and monitoring requirements.
- Conveyance of a deed or easement for a wetland or wetland buffer to a land trust or other conservation organization or government agency is encouraged to ensure the appropriate long-term management and protection of the critical area. Permanent protection of a mitigation site is required through a deed restriction, conservation easement or protective covenant.
- Mitigation is required to be implemented at an appropriate time of the year and when practical and reasonable shall be required to be implemented prior to initiating the activity that will cause the alteration.
- Mitigation shall be approved that creates an encumbrance on an adjacent property owner unless that owner consents in writing to allowing such an encumbrance or restriction.

- Offsite mitigation is where compensation for approved wetland and wetland buffer alterations are authorized to occur on a property other than where the alteration occurred. Such mitigation shall only be authorized when it has been determined that on-site mitigation is not feasible or not the most effective option at providing the highest ecological benefits. When approving offsite mitigation, priority is given to wetlands within the same contributing area and secondly to sites within the same watershed. Options may also be developed for an in-lieu fee, which would allow funds to be put towards a project that would result in greater ecological benefit. Additionally, wetland banking may be an option where the property owner proposing the alteration is allowed to purchase credits from an independent group that has developed an approved off-site mitigation project.
- Specific code requirements for wetland mitigation can be found in ICC 17.02A.070.

**ISLAND COUNTY PLANNING AND
COMMUNITY DEVELOPMENT**

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522 ■ from S. Whidbey (360) 321-5111
FAX: (360) 679-7306 ■ P. O. Box 5000, Coupeville, WA 98239-5000
121N East Camano Drive, Camano Island, WA 98292 ■ Phone (360) 387-7913 ■ FAX (360) 387-6161
www.islandcounty.net/planning