

**Mullen, Mike**

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**From:** Stadler, Mark  
**Sent:** Thursday, July 07, 2011 4:14 PM  
**To:** Mullen, Mike  
**Cc:** Ritchie, Sandy  
**Subject:** RE: IWWH stats

OK, I appreciate your thoughts...as you know, I find this deeply discouraging...let's carry on as discussed Tuesday...mark

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**From:** Mullen, Mike  
**Sent:** Thursday, July 07, 2011 3:56 PM  
**To:** Stadler, Mark  
**Cc:** Ritchie, Sandy  
**Subject:** RE: IWWH stats

Initial thoughts are

1. there is no point in considering the amount of low value IWWH, it was never meant to be regulated
2. the Committee wanted predictability so using avoidance and minimization isn't that predictable and
3. although we do this some, PBR is a horrible process to determine if someone has avoided and minimized given the 14 day turn around.

The state has lived without regulating this large amount of area under NRPA for many years. True, some of it was shoreland zoned. But the recent remapping effort lead to a lot of new area being off limits due to resource protection under SLZ. Obviously, as we heard at the Legislature, bad timing. In my opinion, you would have to make a compelling argument that duck and wading bird populations are plummeting and the areas need the most stringent form of protection. We'll talk more but I don't think your proposal would satisfy the committee.

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**From:** Stadler, Mark  
**Sent:** Thursday, July 07, 2011 10:06 AM  
**To:** Mullen, Mike  
**Cc:** Ritchie, Sandy  
**Subject:** IWWH stats

Mike,

...follow-up to our Tuesday meeting...below are a few stats:

~High value IWWHs make up only 6% of all IWWH areas (and only 17% of total IWWH acreage);

~Moderate value IWWHs make up 32% of all IWWH areas (and 54% of total IWWH acreage); and

~Low value IWWHs make up 62% of all IWWH areas (and 46% of total IWWH acreage); our classification system already filters out over half of the wetland areas and total wetland acreage from NRPA regulation!

...if I've done the math correctly, allowing PBRs for single family structures in moderate IWWHs will affect 73% of the total 250' upland habitat acreage around all H/M IWWHs...doesn't this seem excessive? And I find myself asking, what is the point of designating a significant wildlife habitat if the designation provides little habitat protection?

And then, going from a 250' setback to a 150' setback is a 40% reduction in upland habitat width.

So given all of this, is there an option to structure the PBR such that

"Construction of single-family residential structures should not be located within 250' feet horizontal distance of the upland edge of a wetland associated with an Inland Waterfowl and Wading Bird Habitat, **EXCEPT** that such a structure may be allowed by PBR within the 250' habitat area provided that there is no reasonable alternative to locating the structure

outside of the 250' habitat area **AND** the structure is located as far back as possible within 250' feet horizontal distance of the upland edge of a wetland **BUT** no closer than 150 feet horizontal distance of the upland edge of a wetland.

The total footprint of a single-family residential structure, all associated structures, parking areas, and other non-vegetated surfaces will not exceed 20% of the lot or a portion thereof, including land area previously developed.

No activity will occur within 250' feet horizontal distance of the upland edge of a wetland during the period from April 15 through July 31."

Thoughts? --mark