



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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SUBJECT: WDFW COMMENTS ON MARDEE LAKE REZONE AND COMPREHENSIVE PLAN AMENDMENT (RZ-22-00005 & CP-22-00005)

Dear Ms. Bacon,

Thank you for the opportunity to comment on the Mardee Lake Rezone and Comprehensive Plan application. The proposal is requesting that the land be rezoned from Rural Working Land Use to Rural Recreation. Washington Department of Fish and Wildlife (WDFW) has substantial concerns over rezoning these parcels to a zoning that would allow for more intensive recreation. These concerns stem from multiple critical areas on the property (see Figure 1) and the likelihood that more intensive recreation is incompatible with protection of these critical areas.

Critical Areas on the Property with Connection to Fish and Wildlife Habitat

- **Streams:** Coal Creek and its tributaries flow through these parcels. Within these parcels, Coal Creek is a Shoreline of the State. Coal Creek is used by a variety of fish species, but notably as foraging and rearing habitat for Bull Trout which is listed under the Endangered Species Act (ESA). The Gold Creek Bull Trout population which uses Coal Creek is in decline and at risk of local extinction if restoration is not accomplished in this watershed. Coal Creek is a tributary of Gold Creek.
- **Bull Trout rearing habitat:** Coal Creek is currently occupied juvenile Bull Trout rearing habitat and has already been degraded by upstream development. Coal Creek represents ~13% of all the historically accessible tributary rearing habitat of all the tributaries to Lake Keechelus. Protecting and restoring the riparian area and associated floodplain here is critical to the Bull Trout recovery efforts. Further development in any of the riparian area or the floodplains would have a significant negative effect on any recovery efforts for Bull Trout in the Gold Creek watershed.
- **Wetlands:** There is a large wetland complex that covers much of the parcels associated with the application, see Figure 2 showing the large wetland complex. That picture was taken as part of the I-90 East EIS. The extent of the currently mapped wetlands (Figure 1) is likely less than the actual extent (Figure 2). The wetland complex supports a wide diversity of wildlife and is key to the wildlife connectivity piece. Any infrastructure impacts on the wetland are likely to degrade its habitat condition and thus impact on the overall quality of habitat.

- **Wildlife Connectivity Area:** These parcels are part of a larger wildlife connectivity/migration area in the Gold Creek Valley. Large wildlife bridges on I-90 at Gold Creek were built to facilitate animal movement in this area. From 2014 (when structures were installed)-2021, 7000+ successful wildlife crossings have occurred by animals at the Gold Creek crossing structures. Use of animals by these structures ensured successful population connections and reduction of animal vehicle collision.

This connectivity area is mapped as a Biodiversity Area and Corridor under WDFW Priority Habitats and Species (PHS). Wildlife, especially species more sensitive to human presence such as predators, will not utilize this corridor to the current extent with increased human recreation in this area and thus permitting more intensive recreation within this corridor is likely to undermine the function and values of the wildlife connectivity structure that WSDOT and partners have invested millions of dollars of public funds on. Any increase in recreation density within this corridor is likely to reduce the viability of the wildlife crossing structures.

Potential Water Withdrawal on Coal Creek

Coal Creek and the adjacent Gold Creek are already flow limited (areas of dewatering or flows low enough to endanger fish in the dry season by precluding fish passage and reducing production potential of rearing habitat) and the instream flow limitations are having impacts on ESA listed Bull Trout and other aquatic life. Depending on the proposed recreation associated with this rezone, it will likely need to have additional associated water usage. Due to current instream flow limitations to fish and wildlife, any additional water withdrawals/usage proposed from the watershed of either Coal or Gold Creek is a concern. Any additional water would have to be from sources proven to not be in continuity with surface waters on Coal Creek or the Gold Creek watershed.

Public Investment into the Gold Creek Valley

As part of the Yakima Basin Integrated Plan, substantial (millions of dollars) investments have been made into the Gold Creek Valley for aquatic and terrestrial habitat restoration. Increased recreation in and around Coal Creek and next to Gold Creek has the potential to significantly undermine these prior habitat restoration and wildlife connectivity investments. For successful recovery of fish and wildlife in the Gold Creek watershed, restoration of this area is needed, not further impact on the valley, creeks, or wetlands.

A rezone of this property to allow additional more intensive recreation would be incompatible with the issues raised above. Once the property is rezoned, the permitting pathway for additional high density recreation infrastructure is opened. Additional recreation infrastructure in this area is likely to have a substantial impact on the critical areas identified in this letter. In the case of several of the critical areas; including wildlife connectivity, riparian and instream, appropriate mitigation is unlikely to occur on site. Offsite mitigation would not adequately compensate for the loss of critical habitat function for these localized areas.

WDFW Recommendation on SEPA Determination

WDFW does not agree with the SEPA determination of a Determination of Non-significance (DNS) and based on the critical areas discussed in this letter, a rezone here is likely to have substantial impact on the environment.

WDFW requests that before a decision or the public hearing on this rezone application, a critical area report is necessary to identify the extent of critical areas referenced in this letter. The critical area report should also address potential impacts in or near the critical areas of any potential future development associated with this rezone. The critical areas report should also identify how the proposed application proposes to avoid impacts to the critical areas. WDFW requests as a technical expert on these critical habitat areas to review and comment on the report prior to the public hearing.

This report and review should be conducted before any consideration of approval of the rezone and the associated public hearing on the proposal. If the critical areas report demonstrates that there are critical areas on the property that cannot be mitigated as indicated in this letter, the proposal should be changed to a Determination of Significance. The SEPA checklist also needs to be revised to include the information outlined in this letter as it does not describe Bull Trout or Wildlife Migration routes in the SEPA checklist.

Thank you again for the opportunity to comment and look forward to reviewing the habitat assessment. Please contact me at 509-607-3578 or Scott.Downes@dfw.wa.gov with concerns or questions regarding the above comments.

Sincerely,



Scott Downes
Area Habitat Biologist

Cc:

Elizabeth Torrey, WDFW
Dan Carlson, Kittitas County CDS

Figure 1 showing known critical areas around the Mardee Lake parcels (outlined in light blue). Based on the aerial photos and the photo in Figure 2, the wetlands at Mardee Lake are likely larger than are mapped under the National Wetlands Inventory (NWI).



Figure 2. Mardee Lake wetland complex, looking south towards I-90. Picture is from the I-90 East EIS.

