
Chapter 16C.11
UPLAND WILDLIFE HABITAT CONSERVATION AREAS

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16C.11.010 Purpose and Intent.

(1) Wildlife habitat conservation means land management for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean cooperative and coordinated land use planning is critically important (WAC 355-190-080(5)).

(2) It is the intent of these provisions to classify seasonal ranges and habitat elements with which federal and state listed endangered, threatened and sensitive species have a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

(3) It is the purpose of these provisions to protect and conserve natural habitats of upland wildlife species.

(Ord. 2-2009 § 2 (Exh. A (17) (part)), 2009).

16C.11.020 Protection Approach.

(1) To maintain viable populations of upland wildlife species, there must be adequate environmental conditions for reproduction, foraging, resting, cover, and dispersal of animals at a variety of scales across the landscape. Key factors affecting habitat quality include fragmentation, the presence of essential resources such as food, water, and nest building materials, the complexity of the environment, and the presence or absence of predator species and diseases. As a method of linking large habitat areas, migration corridors offer a means by which to connect publicly protected lands and other intact habitat areas. Yakima County protects habitat for upland species using the Upland Wildlife Habitat Conservation Area and associated protection measures described below.

(2) Yakima County has a very high proportion of federal, state and other publicly and tribally owned land. These lands are generally managed for the conservation of wildlife habitat. Consequently, one of Yakima County's approaches to protecting all wildlife habitat types is to rely on the management of these lands by the responsible entity (i.e.,

U.S. Forest Service, U.S. Bureau of Land Management, U.S. Department of Defense, Washington Department of Fish and Wildlife, Washington Department of Natural Resources, Yakima Nation, etc.). The protection of Larch mountain salamander (*Plethodon larselli*) (State Sensitive, Federal Species of Concern) and spotted owl (*Strix occidentalis*) (State Endangered, Federal Threatened) habitat is accomplished through this approach, since their habitat of primary association is located within Federal ownership.

(3) To aid in upland wildlife protection on private lands, Yakima County followed a methodology utilizing Gap Analysis Program (GAP) data to map wildlife habitat. Comparison of the map to public lands shows that a small percentage of the mapped area is within private ownership. An analysis of the privately owned lands showed they are largely in remote areas that are undeveloped with no cultivated agriculture. The predominate land use on these private lands is forest and rangeland. Consequently, part of Yakima County's approach to protect upland wildlife on private land is to rely on the large lot/low density provisions of the Remote (40 acre minimum), Forest (80 acre minimum) and Agriculture (40 acre minimum) zoning districts.

(4) Through the wildlife habitat analysis, habitat for listed state and federal threatened, endangered and sensitive species was assessed and incorporated for upland species. Consequently, Yakima County's approach to protect habitat for listed state and federal threatened sensitive upland species is to require approval of a standard development permit, the submittal of a habitat assessment, and where necessary, development of a management plan as outlined in Sections [16C.11.060](#) and [16C.11.070](#). Protection measures for bull trout (*Salvelinus confluentus*) (State Candidate, Federal Threatened) and steelhead (*Oncorhynchus mykiss*) (State Candidate, Federal Threatened) are accomplished by the standards in Chapter [16C.06](#).

(Ord. 2-2009 § 2 (Exh. A (17) (part)), 2009).

16C.11.030 Functional Properties.

(1) Wildlife habitat consists of the arrangement of food, water, cover, and space required to meet the biological needs of an animal. Different wildlife species have different requirements, and these requirements vary over the course of a year. Wildlife habitat generally includes one or more of the following functional properties:

- (a) Reproduction and/or nesting;
- (b) Resting and refuge;
- (c) Foraging for food;
- (d) Dispersal and migration.

(Ord. 2-2009 § 2 (Exh. A (17) (part)), 2009).

ARTICLE I – DESIGNATION AND MAPPING

16C.11.040 Upland Wildlife Habitat Conservation Areas.

(1) Upland Wildlife Habitat Conservation Areas are those areas within which state or federally designated endangered, threatened, or sensitive species have a primary association. State listed species are those native fish and wildlife species legally designated as Endangered (WAC 232-12-014), Threatened (WAC 232-12-011) or Sensitive (WAC 232-12-011) by the Washington Fish and Wildlife Commission. Federal listed Threatened, Endangered or Sensitive species means all species of wildlife listed as such by the United States Secretary of the Interior or Commerce.

(2) Upland Wildlife Habitat Conservation Areas include State Natural Area Preserves and Natural Resource Conservation Areas.

(3) Upland Wildlife Habitat Conservation Areas include Species and Habitats of Local Importance. These are habitats or species that due to their declining population, sensitivity to habitat manipulation or other values make them important on a local level. Habitats of Local Importance may include a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

(a) Species and Habitats of Local Importance may be identified for protection under this title. State or local agencies, individuals or organizations may identify and nominate for consideration specific species and habitats, or a general habitat type, including streams, ponds or other features;

(b) Review of a Species and/or Habitat of Local Importance application is a legislative action, and shall be processed during the Comprehensive Plan amendment cycle;

(c) Species and/or Habitat of Local Importance applications shall be docketed for official action with the Planning Commission in accordance with Section [16B.10.090](#) (Development Regulation Amendments) with no fee requirements;

(d) The Planning Commission may convene a best available science committee to ensure the Species and/or Habitat of Local Importance application conforms to RCW 36.70A.172 and WAC 365-195-900 through WAC 365-195-925;

(e) Species and/or Habitats of Local Importance shall be adopted as appendices to this title;

(f) Species and/or Habitats of Local Importance shall be reviewed for conformance with subsections (g) and (h) below;

(g) Applicants for Species and/or Habitat of Local Importance shall present evidence concerning the criteria set forth in subsection (h) below, including maps to illustrate the proposal and habitat management recommendations for use in the administration of this chapter; and/or

(h) The review of nominated habitats and habitats for species of local importance shall consider the following:

- (i) A seasonal range or habitat element which, if altered, may reduce the likelihood that the species will maintain or reproduce over the long term;
- (ii) Areas of high relative density or species richness, breeding habitat, winter range, and movement corridors;
- (iii) Habitat with limited availability or high vulnerability to alteration;
- (iv) Whether these habitats are already identified and protected under the provisions of this or other county ordinances or state or federal law.

(Ord. 2-2009 § 2 (Exh. A (17) (part)), 2009).

16C.11.050 Mapping.

(1) The approximate location and extent of upland wildlife habitat conservation areas for Endangered, Threatened and Sensitive species are shown on the County's critical area map titled, "Upland Wildlife Habitat Conservation Areas of Yakima County." This map is to be used as a guide for the county and may be updated as more detailed data become available. This map is a reference and does not provide a final critical area designation.

(2) The Upland Wildlife Habitat Conservation Area map utilized GAP (Gap Analysis Project) and Department of Fish and Wildlife data. GAP data is derived from satellite imagery and modeling of vegetation and species presence. The wildlife habitat analysis methodology was chosen to protect wildlife from a regional perspective rather than a species-specific perspective, to identify areas of high biodiversity for long-term species survival. The methodology:

- (a) Uses the richest habitat areas;
- (b) Includes some habitat for all species;
- (c) Focuses on large habitat areas that are most remote from human development;
- (d) Uses publicly owned lands;
- (e) Provides corridor links between blocks of habitat areas using streams, and steep ridge slopes;
- (f) Considers WDFW Priority Habitat and Species and Wildlife Heritage data to test accuracy; and
- (g) Covers threatened endangered and sensitive species on public lands.

(Ord. 2-2009 § 2 (Exh. A (17) (part)), 2009).

16C.11.060 Permit and Critical Areas Report Requirement.

(1) Developments proposed within an upland wildlife habitat conservation area with which state or federally endangered, threatened, or sensitive species or a species of local importance has a primary association may be required to submit Critical Areas

Identification Form and site plan as per 16C.03.02(1). The Administrative Official shall require a habitat assessment to be submitted if it is determined that the development proposal could impact the UWHCA. A habitat assessment is an investigation of the project area to evaluate the presence or absence of such species, and areas with which such species have a primary association.

- (2) In addition to the critical area report requirements of Section [16C.03.17](#), habitat assessments and habitat management plans must be prepared by a qualified professional. Critical area reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area.
- (3) If the habitat assessment determines that such species or habitat area is present on site, and is likely to be impacted by the development proposal, then a standard development permit and management plan are required.
- (4) If a standard development permit and management plan are required, as determined by the habitat assessment, it may follow published federal, state, or local management recommendations, as applicable, that have been developed for species or habitats located on or adjacent to the project area. Management plans developed by an independent third party shall be provided for review by the Department of Fish and Wildlife or the responsible federal agency. The Administrative Official may consult with the appropriate agency and consider their comments through the review process.

(Ord. 1-2011 § 2 (Exh. A (3)), 2011; Ord. 2-2009 § 2 (Exh. A (17) (part)), 2009).

16C.11.070 Upland Wildlife Habitat Conservation Area Development Standards.

Projects located within an Upland Wildlife Habitat Conservation Area as designated in Section [16C.11.040](#) shall meet the following standards listed below, rather than the development standards in Sections [16C.06.10](#) through [16C.06.23](#) for Hydrologically Related Critical Areas, unless review is also needed for Hydrologically Related Critical Areas.

Projects shall be designed using management recommendations established for the species or habitat by federal and state agencies, or those adopted for Species and Habitats of Local Importance by Yakima County. The department shall consider the extent such recommendations are used in its decision on the proposal, and may consider recommendations and advice from the agencies with expertise.

Upland Wildlife Habitat Conservation Areas

**Exhibit B
Ordinance 2-2009**

-  Upland Wildlife Habitat Areas
-  City Limits
-  UGAs

Map Produced: October, 2009



1 inch = 31,081 feet



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This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product.

