

Skagit Audubon Conservation Notes

June 7, 2022

The first four items below were on the agenda for the June 7, 2022 Skagit Audubon board meeting.

1. Skagit County Public Works DeBay Advisory Group

Skagit Audubon is participating in the DeBay Advisory Group convened by Skagit County Public Works as the department examines the potential for restoring salmon rearing habitat at DeBay Slough. Emily Derenne, Habitat Restoration Specialist for Skagit County, organized the group's first meeting, which took place May 24th. Participants included landowners adjacent to Washington Department of Fish & Wildlife's (WDFW) Johnson-DeBay Swan Reserve and representatives of county, state, and non-governmental organizations. Martha Jordan, Executive Director of the Northwest Swan Conservation Association and board member of Pilchuck Audubon, participated. Tim Manns represented Skagit Audubon. The county's principal partner in this project is Washington Department of Fish & Wildlife (WDFW), represented by Bob Warinner, Assistant Regional Habitat Program Manager.

The 2006 Skagit Wildlife Area Management Plan (page 26) describes Johnson/DeBay Swan Reserve:

“This 331-acre reserve is located on the north side of Francis Road, southwest of Sedro-Woolley and northeast of Mount Vernon. The property was bought in 1995-97 to provide a non-hunted upland reserve for trumpeter and tundra swans where they can feed and rest during the winter. It contains forest, a backwater slough of the Skagit River and managed agricultural fields. Corn is planted for swans; cereal grains for ducks.”

Hundreds of swans rest on DeBay slough on winter nights and feed in the planted field. An adjacent area of WDFW land to the east of the reserve is open to hunting.

The Puget Sound Salmon Recovery Plan of 2005 is a plan for recovering threatened Chinook, listed under the federal Endangered Species Act, and other species of salmon throughout Puget Sound. The Skagit Chinook Recovery Plan is the portion of the Puget Sound plan for the Skagit Watershed. ([Resources for County Departments \(skagitcounty.net\)](https://www.skagitcounty.net/resources))

DeBay Slough is an oxbow of the Skagit River. For some period before the 1930's the Skagit River flowed through what is now the slough. The slough is no longer connected to the river at the upper end, but there is a small, beaver-controlled connection downstream that can dry up in summer. In the Skagit Chinook Recovery Plan at section “10.3.5 Sterling Reach Restoration,” the following statement appears:

“Debay's slough is publicly owned but currently managed as a Swan reserve. Efforts to re-establish flow within this relic oxbow would counter current management techniques that favor quiescent waters. Replacement lands would be required to meet wildlife objectives.”

“Quiescent” waters are key to meeting swans' requirements for a nighttime resting spot. Skagit County and WDFW have convened the advisory group as they begin to explore the possibilities of restoring DeBay Slough to support recovery of salmon populations. Emily

Derenne’s meeting notes from May 24th summarize the project: “The overall purpose of the study is to evaluate if there are restoration opportunities to improve juvenile chinook rearing habitat in the context of the site, its neighbors, and all species that depend on DeBay Slough ... If the team determines that there are possibilities, they will advance them to conceptual design, then preliminary design and permitting, then final design, then construction. If things go smoothly, a project could get built in 2027. Current funding only goes through conceptual design phase.” Fisheries scientists long ago determined that one of the important limiting factors in chinook and other salmon recovery is the lack of sufficient habitat away from the river’s main channel where the young fish can rest and gain size before continuing to the ocean.

The project website ([DeBays Slough Restoration Project \(skagitcounty.net\)](http://DeBays Slough Restoration Project (skagitcounty.net))) states:

“The objective of this project is to support juvenile Chinook rearing by redesigning the culvert under DeBays Island Road and improving the connection of the slough to the Skagit River. This project is being led by Skagit County with Washington Department of Fish and Wildlife as a key partner. A feasibility study is currently underway. If proposed actions are determined to be feasible, the next step will be to create alternatives for evaluation. Approximately three alternatives will be examined and ranked by cost, feasibility, preservation of swan habitat, Chinook recovery, farmland impacts, and other metrics. The preliminary design will be created and used to request funding to construct the project.”

At the May 24th meeting and elsewhere it was stated that there is no intention to reconnect the slough to the Skagit River at the slough’s upper end; that is, reestablishing flow through the slough is not the goal. Restoring the slough to a state supportive of salmon would not necessarily be incompatible with having the “quiescent” waters favored by swans.

The next meeting of the advisory group will be in August. As of this writing in early June, the May 24th meeting minutes are not on the project website. If you would like to read them, contact Tim Manns (bctm@fidalgo.net).

2. Skagit County’s Shoreline Master Program

On May 23rd, Skagit County Planning & Development Services (PDS) staff and contractor Dan Nickel from the Watershed Company briefed the County Commissioners on proposed modifications to the draft Shoreline Master Program (SMP) to address the public demand for considering climate change impacts, particularly sea level rise. This followed an earlier briefing at which the Commissioners reacted to strong public input by directing PDS to modify the draft revision and periodic update of the SMP. The SMP covers policies and regulations on river, lake and marine shoreline use and development in the unincorporated parts of Skagit County. Skagit Audubon submitted comments earlier about the lack of attention to sea level rise, inadequate attention to preventing and removing hard armoring of shorelines, and several other problems. At the May 23rd meeting, Dan Nickel outlined five fairly minor policy changes calling for sea level rise “to be considered” in shoreline management decisions, for certain measures to be taken “when feasible”, etc. Nickel and the PDS staff propose these minor improvements at this stage so that the completion of the long-overdue update of the SMP can be completed and passed on to the Department of Ecology for its review and approval. They propose that, rather than waiting for the required

next 8-year update of the SMP, staff apply for a Department of Ecology grant to fund the study and analysis needed for more comprehensively incorporating sea level rise considerations in the SMP. Nickel said that this process and the necessary public involvement would take several years. Addressing sea level rise was a major point in the comments from Skagit Audubon Society, other conservation groups, and the Swinomish Tribe though there were other important improvements needed as well. The Department of Ecology review will include another opportunity for public comment on the draft Shoreline Master Program and another chance to emphasize the importance of seriously addressing sea level rise as other counties and municipalities have already done.

3. **Carbon Capture Foundation tree planting project**

Building on experience with the Carbon Capture Foundation this past fall and winter, Skagit Audubon will work with the foundation to encourage other Audubon chapters west of the Cascades to participate in this tree planting initiative. Here's background from the April Conservation Notes:

“Late last year the Carbon Capture Foundation (<https://www.thecarboncapturefoundation.org/>), based in Longview, WA, contacted Skagit Audubon offering to donate trees to landowners willing to plant them to sequester carbon. Skagit Audubon extended this offer to its members and anyone else interested. For this first round, ten property owners participated and received 375 trees of six native species including several selected specifically for providing food for birds. Discussions with the foundation led to introductions to Skagit Fisheries Enhancement Group and Skagit Land Trust, which then received approximately 1500 trees donated by the foundation to use in their large planting projects. This is enabling restoration plantings which otherwise had no funding source. We anticipate another call later this year for people interested in receiving trees to plant on their property. We will also help introduce the Foundation to other Audubon chapters. National Audubon has for some years had an active program encouraging chapters to encourage planting native species to provide food and habitat for birds and to combat climate change. The Carbon Capture Foundation provides one avenue for advancing this Audubon goal.”

4. **Osprey nest platform on MJB property in Anacortes**

An osprey pair is nesting on the platform erected at the northeast corner of the land belonging to MJB Properties LLC being developed along the Anacortes waterfront. As certain other birds, ospreys take readily to nesting opportunities people provide whether deliberately or inadvertently. A half century ago a pair of 100-foot towers were built on this property to illuminate nighttime construction of modular housing. These housing units were then shipped to Alaska to accommodate workers building the Trans-Alaska Oil Pipeline System. For many subsequent years, ospreys nested atop the towers and became a familiar sight to observant Anacortians. Decades later, development plans called for removing the towers. The demolition permit which the city issued to MJB Properties in 2020 required erecting a replacement nest platform without specifying when or where. Last fall the towers came down and concern grew that the replacement nest site would not be erected before the ospreys returned this spring. Maybe it was MJB's plan all along or maybe it was the result of many Anacortians contacting the developer and the city government, but suddenly there was a platform atop a pole in the northeast corner of the

property with an osprey pair in residence. There is a good view of the nest platform from the Thrive Community Fitness parking lot and a distant view from the dock at Seafarers' Park. You will see the platform atop a pole close to the south side of the Northwest Educational Service District building. Thank you to all who helped achieve this outcome just in time for the ospreys' return.

More Issues of Interest to Skagit Audubon

1. Grip Road gravel mine hearing July 11

Please see the April 2022 Conservation Notes, page 5, item number 4 for background on this issue. This proposed mine has real potential to degrade the Samish River and its tributaries and the habitat they provide for salmon, birds, and other wildlife. There are also very significant concerns related to safety on the area roads the gravel trucks would use. From the website of Central Samish Valley Neighbors:

“The Public Hearing for the Mining Special Use Permit is now scheduled for July 11, and it may be continued on to July 12, if necessary. This hearing is very important – the County needs to hear from you! Please plan on attending. This will be the last opportunity to express your concerns about the mine. The hearing will be before the Skagit County Hearing Examiner, and he will decide what kind of limitations to put on the mining activities and gravel trucking, based on information he hears from the County, the applicant (Miles Sand and Gravel) and us, the public!”

See the Central Samish Valley Neighbors website for more information and suggestions of how you can help ([Central Samish Valley Neighbors \(wordpress.com\)](https://www.centalsamishvalleyneighbors.com)).

2. March Point Heronry Cameras

The webcam system in the March Point heronry has been upgraded to three cameras which are now streaming live on Skagit Land Trust's website: [Land Trust News - Skagit Land Trust https://www.skagitlandtrust.org/news.aspx?postid=6496](https://www.skagitlandtrust.org/news.aspx?postid=6496). The Trust protects almost all of this largest West Coast heronry either through ownership in fee or via conservation easement. Volunteers with the Trust are using the cameras, which they are able to redirect to over 300 nests, to gather information about Great Blue Herons behavior. Skagit Audubon and its members as well as those of other Audubon chapters have supported the Trust's efforts to add to the protected acreage and to install this advanced camera system. Please note that to avoid disturbing the nesting birds, the heronry is closed to entry.

3. North Fork Stillaguamish Landscape Analysis

Skagit Audubon joined Pilchuck Audubon, the next chapter to the south, in signing a detailed scoping comment letter on the U.S. Forest Service's proposed "North Fork Stillaguamish Landscape Analysis." This analysis, or plan, calls for a variety of commercial and non-commercial forest management activities on 61,692 acres of the Mount Baker-Snoqualmie National Forest. Of these acres in the Stillaguamish watershed, 97% lie in Skagit County. Much of the area has been logged in the past and is in various stages of regrowth.

The Forest Service proposes to prepare an Environmental Assessment (EA) of the Landscape Analysis to meet the requirements of the National Environmental Policy Act (NEPA). The main point of the joint comment letter is that the scale and controversial nature of what is proposed indicates that complying with NEPA requires doing an Environmental Impact Statement (EIS). An EIS involves a more in-depth analysis of potential environmental and other impacts than does an EA and requires considering alternatives to the proposed action.

This issue matters to Skagit Audubon because the large block of forest habitat that is the focus of the plan (i.e. the “Analysis”) includes habitat for Spotted Owl, Marbled Murrelet, and many other species. The plan also has implications for climate change given the opportunity for carbon sequestration, which isn’t addressed, by not cutting older trees and allowing trees that are eventually to be harvested to grow for a longer period.

The part of the national forest on which the Analysis focuses is part of the Finney Adaptive Management Area (AMA). The 1994 Northwest Forest Plan, written to among other things ensure the survival of the Spotted Owl and Marbled Murrelet, designated AMAs as places where new approaches to forest management could be tried. In 2013 Skagit Audubon commented in detail on the environmental assessment for a planned thinning and harvesting plan on a different part of the Finney AMA. That plan and the North Fork Stillaguamish Landscape Analysis are underlain by an intent to provide commercial timber harvest opportunities while at the same time achieving various ecological objectives. A major purpose of AMAs is to develop ways of hastening the succession of second-growth forest to old growth conditions that will support Spotted Owls, Marbled Murrelets, and other old-growth dependent species. Whether this is feasible remains a subject of contention among forest ecologists.

4. The following website has the background information for the North Fork Stillaguamish Landscape Analysis: [Forest Service \(usda.gov\)](https://www.usda.gov/land-management/forests/land-use-planning/landscape-analysis).

5. Proposed amendments to Skagit County’s Comprehensive Plan

A. Fully Contained Communities

From the June 2022 *Skagit Flyer* newsletter:

“The Growth Management Act requires a yearly call for proposed amendments to county and city Comprehensive Plans (CP). Since 2015, Bellingham-based developer Skagit Partners has repeatedly submitted proposals to change our county’s CP to allow misleadingly termed Fully Contained Communities (FCC). These multi-thousand home developments would be built on rural land outside the county’s incorporated towns and their adjacent, designated Urban Growth Areas. The impacts to habitat and to agricultural and forested resource lands would drastically change Skagit County forever and devastate the bird diversity and numbers Audubon members so value.

“Last year when the Board of County Commissioners (BOCC) hinted support for an end run by Skagit Partners around the 2002 agreement among county, cities, and towns on how

major development policy decisions are to be made, an unprecedented coalition formed among farming interests and conservation groups, including Skagit Audubon ([Right Growth, Right Place \(rightgrowthrightplace.org\)](#)). The upshot was a January 2022 BOCC resolution to abide by that long-standing agreement and defer further consideration of FCCs until the Growth Management Act Steering Committee (GMASC) deliberated the issue. The GMASC consists of the county commissioners and the mayors with the mayors' votes population-weighted. At present, enough mayors oppose FCCs to protect Skagit County from this threat.

“Skagit Partners yet again submitted an FCC-related proposed amendment (LR22-02; see [2022 Comprehensive Plan Amendments \(skagitcounty.net\)](#)) for the 2022 Comprehensive Plan docket. Skagit County’s Planning & Development Services Department is recommending the BOCC ‘defer’ this proposal rather than simply excluding it. Skagit Audubon sees no reason to defer this renewed proposal and remains strongly opposed to ever allowing FCCs in Skagit County.”

Skagit Audubon submitted comments to this effect. In June or July, the County Commissioners will decide which of the proposed amendments to docket. Docketing does not mean final approval. PDS staff further study docketed proposals, on which the Planning Commission then deliberates before sending a recommendation on approval or rejection to the County Commissioners.

For more background on FCCs see the Conservation Notes on the Skagit Audubon website: [Skagit Audubon Society - Home](#) under the Conservation tab at the top of the page.

B. Small Scale Wind Turbines

Among the PDS staff proposed 2022 amendments to the county’s Comprehensive Plan is one which would simplify permitting requirements for small scale wind turbines for producing electricity.

“C22-1 Wind Turbine Use Amendment

“Summary: The petition would add wind turbines as an allowed use in the code. Wind turbines are included by reference in the definition for net metering systems; however, wind turbines are not an allowed use in any zone in the code. Wind turbines would be an accessory use to a residential property, with only one wind turbine allowed per property. The wind energy consumed would only be for personal use by the property owner.”

(p.11 in

[2022 Planning Docket BOCC StaffReport_04252022_wAttachments.pdf](#))

National Audubon supports the use of wind turbines to produce electricity where siting can minimize effects on birds ([Wind Power and Birds | Audubon](#)). Studies of wind turbines’ adverse effects on birds generally have to do with large commercial installations. Skagit Audubon’s comments to the County Commissioners and PDS staff urged them to research the literature on potential impacts from small scale turbines rather than assuming there would be none, as implied by one of the County Commissioners. Skagit Audubon’s

comments cited studies and manuals that could help the PDS staff develop regulations that consider and minimize adverse effects on birds.

6. Vaux's Swift Migration

Volunteers watched for Vaux's Swifts at several Sedro-Woolley migratory roost sites in May. Again this season, swifts were not seen at the tall stack at the former Northern State Hospital, now the Port of Skagit's SWIFT Center (Sedro-Woolley Innovation for Tomorrow). One evening around sunset, seven hundred swifts entered the chimney above the former Vic's 66 antique store in downtown Sedro-Woolley (now occupied by a different business). The number was 250 birds the following day. It was also discovered that Vaux's Swifts try to roost in the chimney above the greenhouse at the Washington State University Research Station on Memorial Drive west of Mount Vernon. About 80 swifts were seen repeatedly entering and leaving the stack, probably in reaction to the coming on and turning off of the greenhouse heating system. The research station director was informed and said that in the next year the heating system will be replaced, and the chimney will no longer be connected to it. This could provide a useable migratory roost site in future years.

Other Issues of Interest to Skagit Audubon

For other issues Skagit Audubon has followed or is currently tracking, see earlier issues of Conservation Notes on the Skagit Audubon website: [Skagit Audubon Society - Home](#) under the Conservation tab at the top of the page.

Issues needing action:

Audubon members can advocate for regional and national protection of birds and other wildlife and their habitat by responding to action alerts from Washington Audubon and National Audubon. Sign up for Audubon Washington's Action Network at [Join Our Action Network | Audubon Washington](#) (overwrite with your name and address). The National Audubon website ([Advocacy & Action | Audubon](#)) has abundant information on Audubon's numerous current conservation campaigns. Sign up there to receive national alerts. Also see the Audubon Washington blog for information about a variety of interesting and important issues: [AduBlog | Audubon Washington](#).