Chapter 11 → Environmental Element

The City of Oak Harbor recognizes the value of its natural environment and supports environmental protection and enhancement. The community recognizes that total preservation may not be feasible in an urban area. Rather, the City should seek to implement environmental goals within the context of planned growth. This approach acknowledges and accepts the demand for growth, and suggests that urbanization can be sensitive to those resources found to be valuable to the community.

Along with the Land Use Element, the Environmental Element is one of the central components of the comprehensive plan. While the Land Use Element is the cornerstone for the Capital Facilities, Utilities, Housing, Economic Development and Open Space elements of this Plan, the Environmental Element is the key for planning the protection and enhancement of the City's natural environment. The Environmental Element goals and policies and the critical areas designations shown on the Critical Areas Maps are important for planning appropriate land uses and establishing meaningful open space areas and corridors. The Environmental Element is closely coordinated with the Land Use Element so the City can meet its land use, housing and economic development goals, while protecting and enhancing the natural environment. The Environmental Element is also coordinated with the City's Shorelines Master Program (SMP) to ensure that shoreline uses are consistent with protection of these valuable environmental resources.

The SMP applies to all shoreline areas under the jurisdiction of the City. Management of shorelines is mandated by the State's Shoreline Management Act (RCW 90.58). Mapped shorelines include Oak Harbor Bay and Crescent Harbor. The SMP provides goals, policies, and regulations for shoreline areas, generally described as aquatic environments and tidelands of Oak Harbor Bay, and land areas within 200 feet of the ordinary high water mark. Crescent Harbor lies within federal jurisdiction and as such is governed by the Naval Air Station. The Naval Air Station has developed the Integrated Natural Resources Management Plan to guide activities at the base. The following policies serve as general goals for shoreline use of Oak Harbor Bay, as identified by the Master Program.

Existing Environmental Conditions

The City has a rich natural environment that shapes the land uses and development patterns in the City. The City's natural environment includes critical areas, shorelines, and cultural resources. Each of these features contributes to the health and special character of Oak Harbor. These natural resources include tidal flats, wetlands, fish and wildlife habitat conservation areas (including species and habitats of local importance such as Garry Oak), geologically sensitive areas, frequently flooded areas, and aquifer recharge areas. Urban forest areas are also found in the City.

A key amenity of Oak Harbor's natural environment is the visual and physical association with the marine waters of Puget Sound. The marine shoreline is addressed in greater detail under the City's Shorelines Master Program. The unique marine relationship, critical areas, and other environmental values such as air and water quality, are discussed below. Inventories and mapping of these critical areas and

environmental features within the City of Oak Harbor and the Urban Growth Area (UGA) are included in this Element.

- Tidal flats are found along the shoreline of Oak Harbor Bay.
- Wetlands are found throughout the UGA, with one large wetland system associated with the shoreline.
- Frequently flooded areas associated with several of the wetland and tidal areas are also mapped.
- Geologically sensitive areas are primarily associated with the bluffs along the shoreline and other steep slopes. Potential liquefaction areas exist in the downtown area and Maylor Point.
- Fish and wildlife habitat conservation areas primarily include marine resources such as eelgrass communities, shellfish, forage fish spawning areas, great blue heron, and bald eagle habitats. Of local significance, areas of Garry Oak habitat are also included.
- Critical aquifer recharge areas are mapped based on the susceptibility of current or possible future potable water supplies to pollution.

Goals and Policies

Growth Management Act Goals

RCW 36.70A.020 sets forth fourteen Planning Goals for use by jurisdictions in developing comprehensive plans. These goals are not stated in any order of priority. One of those goals, as shown below, directly addresses the environment:

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

Implementing this goal, the City of Oak Harbor finds that it is in the public interest to protect critical areas from adverse impacts to preserve public health, safety, and welfare. The State's Growth Management Act mandates designation and protection of environmentally critical lands and their functions and values.

City of Oak Harbor Goals and Policies

The goals and policies address protection and enhancement of the natural environment features found in Oak Harbor. These features include shorelines and tidal flats, wetlands, fish and wildlife habitat conservation areas (including species and habitats of local importance such as Garry Oak), geologically hazardous areas, frequently flooded areas, and critical aquifer recharge areas, urban forests, surface water quality, air quality, stormwater management, and cultural resources.

Goal 1 - To protect the public health, safety and welfare by preventing adverse impacts to critical areas, their functions and values

Policies:

1.a. Update and implement regulations for the protection of critical areas consistent with state law.

1.b. Update and maintain inventories of all critical areas within the City and its UGA.

1.c. Coordinate with Island County to jointly prepare a critical areas field reconnaissance study for proposed transportation and utility corridors in the Enterprise Area.

1.d. A monitoring and management program should be developed to prevent adverse impacts to the environment and critical areas from noxious, invasive and non-native plant and animal species.

Goal 2 - Encourage alternative methods of resource protection and stewardship

Policies:

2.a. Encourage acquisition by public agencies and non-profit organizations that have the benefit of long-term preservation and direct control over the resource.

2.b. In all but the most extreme cases, acquisition should occur with the voluntary participation of the property owner.

2.c. Financial incentives such as reductions in property taxes have the advantage of reduced public costs for acquisition and maintenance and represent a more collaborative approach between private owners and the City.

2.d. Encourage regulatory options, such as zoning and subdivision controls and incentives such as density bonuses for clustered development, to reduce public costs for acquisition and maintenance of resources.

2.e. The method of resource preservation should be based on the public benefit derived from preservation, resource sensitivity, maintenance requirements, and related planning goals and policies.

2.f. Designate existing and potential open space areas on land use, park and recreation, and open space plans. Open space may include public and private parks, greenbelts, corridors, and critical areas.

2.g. Work with the Navy and other agencies to acquire open space lands in a coordinated regional effort to preserve open space.

2.h. Continue to pursue advanced acquisition of park lands within the UGA, ahead of development pressures.

2.i. Provide incentives to promote conservation of open space on private land, such as tax incentives, density credits, and various alternatives in the city's development regulations.

2.j. Promote Island County's Public Benefit Rating System to provide tax incentives.

Goal 3 - Preserve and enhance water quality in conformance with the Puget Sound Partnership's Action Agenda for Puget Sound and other Clean Water Act and Growth Management Act requirements

Policies:

3.a. Use a comprehensive system of drainage facilities (and public education) to control the quality and quantity of storm water runoff.

3.b. Update the Comprehensive Storm Drainage Plan to incorporate appropriate guidance and information from The Stormwater Management Manual for Western Washington (2012).

3.c. Update the Oak Harbor Municipal Code to incorporate low impact development best management practices as the required method of stormwater treatment.

3.d. Coordinate with Island County to protect water quality when stormwater drainage affects both jurisdictions.

3.e. Approve erosion and sediment control plans for construction activities that include approved best management practices, control sedimentation of waterways, tracking of sediment onto public roads, erosion of denuded soils, and runoff damage to adjacent properties.

3.f. Include storm water management facilities to protect water quality and limit maximum discharge to pre-development rate conditions in new developments and substantial redevelopment projects.

3.g. Maintain natural drainage patterns and discharge locations to the maximum

extent practicable, while protecting functions and values of wetlands.

3.h. Provide regulations to guide corrective actions necessary to mitigate or cleanse those discharges that pollute waters of the state.

3.i. Meet National Pollution Discharge Permit requirements for sanitary sewer discharge.

3.j. Be prepared to respond to toxic spill incidents, including monitoring cleanup and assisting permitting agencies with enforcement of related laws. Require large developments and industries to maintain Spill Prevention and Contingency Plans to effectively respond to any spill incidents.

Goal 4 - Maintain and improve air quality in the Oak Harbor Area

Policies:

4.a. Cooperate with the Northwest Clean Air Agency and federal agencies in efforts to implement regional air quality standards.

4.b. Prohibit open burning associated with land clearing and encourage chipping and use of woody material on-site wherever possible.

4.c. New developments should address air quality and establish mitigation measures to avoid significant impacts. Prior to approval of industrial emissions, the City shall coordinate with the Northwest Clean Air Agency and other affected agencies.

4.d. Prohibit land uses which create excessive amounts of point-source pollution.

4.e. Consider land use and transportation linkages in planning decisions to reduce air quality impacts.

Goal 5 - To conserve the urban forest to enhance air quality, energy conservation, noise abatement, community aesthetics, wildlife habitat, and the general quality of life appropriate to a small urban community.

Discussion - The urban forest includes the interconnected system of trees and shrubbery on public or private property within the City and the UGA. Components of this system may include remnant forest lands, parks, street trees, forested ridge lines, private open space tracts within subdivisions, greenbelts between land use districts, arterial landscape buffers, landscaping on residential lots, landscaping within parking areas, individual Garry Oaks and hedge rows and trees of significant size or historical importance.

Policies:

5.a. Increase community awareness about the importance of the urban forest and the positive impact trees and shrubs have upon the environment.

5.b. Provide adequate funding to assure safe, well-maintained, and healthy trees and shrubs on public property.

5.c. Promote public and private tree planting as well as replacement and preservation programs to sustain and improve the urban forest.

5.d. Require retention or planting of trees and shrubs with new development and substantial redevelopment projects.

5.e. Encourage City departments, other agencies, and the public to work together to identify opportunities for cooperative projects to enhance the urban forest.

5.f. Continue to work together with Island County to implement a program for greenbelt protection around the UGA.

5.g. Require developers to submit and receive City approval of erosion control and limits-of-clearing plans, as applicable, prior to release of land clearing permits.

5.h. Prevent indiscriminate removal or destruction of trees and ground cover on undeveloped and partially developed property.

Goal 6 - Protect, preserve and restore significant historical and cultural resources in the City to the maximum extent practicable

Policies:

6.a. Protect areas of known historic and cultural value from incompatible development and ensure that newly discovered areas are documented by the appropriate experts and authorities.

6.b. Develop an inventory of potential historical and cultural resource sites for City reference.

6.c. Use the following preferences to address identified historical and cultural resources:

1. Avoid adverse impacts to the historical or cultural resource.
2. Protect the historical or cultural resource to the maximum extent possible.
3. Inventory the historical or cultural resource prior to development activity through archaeological surveys and subsurface testing.
4. Monitor the resource during development activity.

6.d. Coordinate with the appropriate Native American Tribe(s) or Nation for identified Native American cultural resources prior to development activity.

6.e. Encourage voluntary protection of significant historical and cultural resources, using acquisition, incentives, conservation easements, transfer of development rights, and alternative re-use of structures.

6.f. Develop educational materials as appropriate to educate the public and increase awareness and appreciation for historical and cultural resources.

6.g. Incorporate the preservation of historical and cultural resources into development permit and land division reviews.

Goal 7 - Include "Best Available Science" in the process of designating critical areas and developing environmental regulations

Policies:

7.a. Include the best available science in developing policies and regulations to protect the functions and values of critical areas and shorelines.

7.b. Identify the best available science (science obtained through valid and reliable scientific process) used in developing the regulations.

7.c. Identify any non-scientific information used as a basis for departing from science-based recommendations for policy and regulations. The reasoning for use of non-scientific information shall be specified.

7.d. Where scientific information is lacking or non-scientific information is used in developing policies and regulations, implement a precautionary or "no-risk" approach or an adaptive management and monitoring program to monitor the protection of the functions and values of the critical area or resource.

Goal 8 - Integrate and streamline the environmental review process with the development review process

Policies:

8.a. Use the Comprehensive Plan and its supportive environmental impact statement to assess the environmental impact of development proposals to the greatest extent possible.

8.b. Review and amend existing regulations to integrate and streamline the environmental review process.

8.c. Coordinate with Island County on development policies and regulations to optimize predictability for development and environmental reviews in the UGA.

Wetlands Goal

Goal 9 - Protect wetlands from a net loss in functions, values and acreage

Policies:

9.a. Designate, classify, and regulate wetlands based on functions, values and acreage.

9.b. Establish standards for wetland protection including use limitations and buffers based on wetland classification and habitat value.

9.c. Allow for variances based on potential impacts.

9.d. Establish a mitigation sequence reducing impacts to wetlands and their buffers which range from impact avoidance to compensation and monitoring.

Fish and Wildlife Habitat Conservation Areas Goal

Goal 10 - To protect fish and wildlife habitat conservation areas from loss or adverse impacts

Policies:

10.a. Designate and classify critical fish and wildlife areas based on type and/or association with priority species.

10.b. Identify priority species based on Federal or State status or based on local importance.

10.c. Maintain standards for buffers and timing or activity restrictions based on the habitat class and priority species use.

10.d. Establish a mitigation sequence reducing impacts to critical habitat functions and values which range from impact avoidance to compensation and monitoring.

10.e. Develop conservation or protection measures necessary to preserve or enhance anadromous fish habitat.

Geologically Sensitive Areas Goal

Goal 11 - Prevent hazards resulting from incompatible development being sited on geologically sensitive areas

Policies:

11.a. Designate and classify areas on which development should be prohibited or limited due to danger from geologic hazards, based on level of hazard or risk.

11.b. Regulate significant geologic impacts resulting from development by avoiding or mitigating impacts to identified critically geologically sensitive areas.

Frequently Flooded Areas Goal

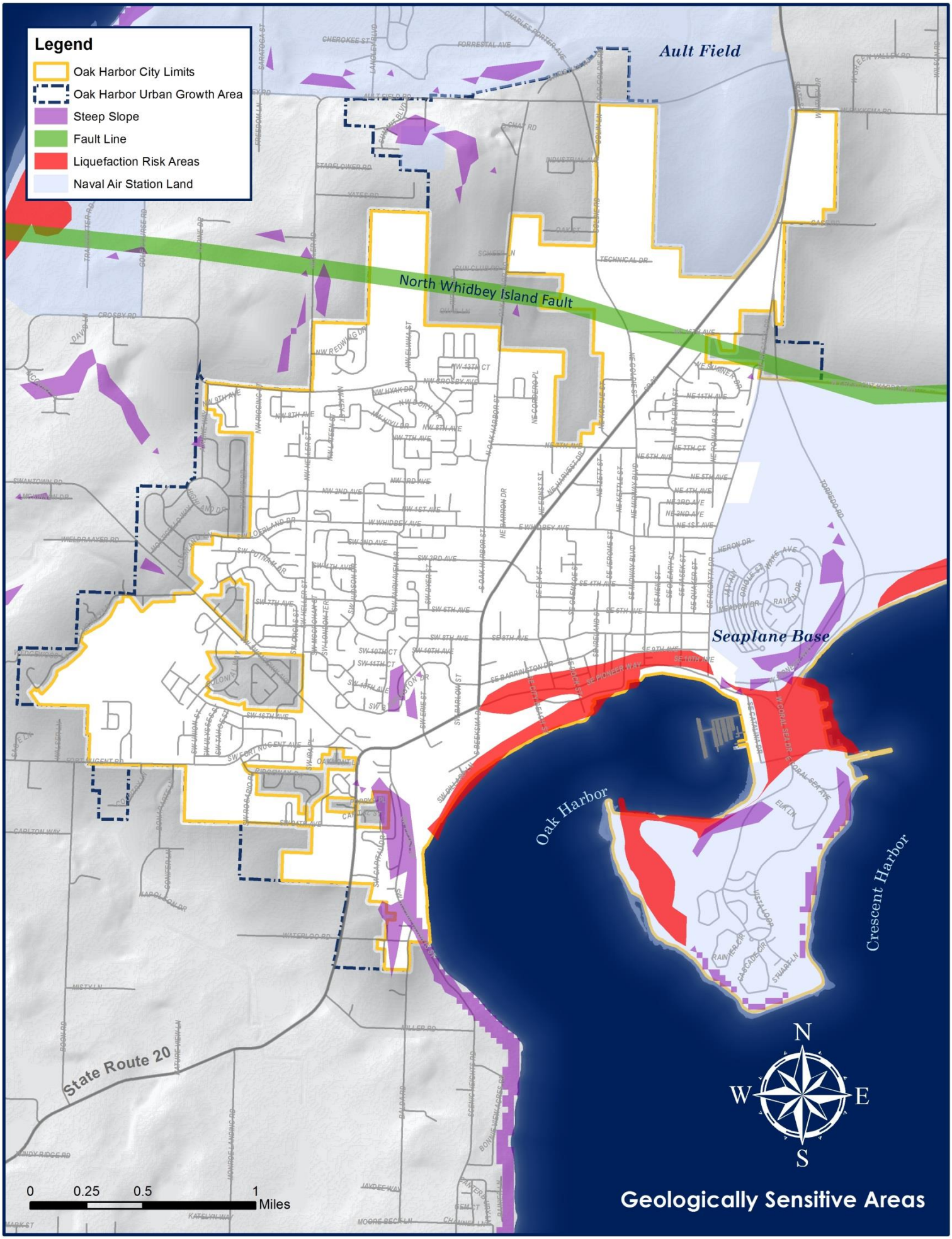
Goal 12 - Minimize public and private losses due to flood hazards

Policies:

12.a. Designate those areas subject to frequent flooding or inundation as flood hazard areas.

12.b. Protect the important hydrologic role of frequently flooded areas by preventing or mitigating disruption of frequently flooded areas, which may result in hazards to safety or property.

12.c. Limit/restrict development within flood hazard areas to reduce flood control and disaster relief costs.


Legend
Oak Harbor City Limits
Oak Harbor Urban Growth Area
Steep Slope
Fault Line
Liquefaction Risk Areas
Naval Air Station Land
Ault Field
North Whidbey Island Fault
Seaplane Base
Oak Harbor
Crescent Harbor
State Route 20
0 0.25 0.5 1 Miles
N
W
E
S
Geologically Sensitive Areas

Critical Aquifer Recharge Areas Goal

Goal 13 - Protect critical aquifer recharge areas from contamination and maintain long-term recharge potential

Policies:

13.a. Designate and classify critical aquifer recharge areas.

13.b. Regulate activities that could have negative impacts on ground water quality and or recharge potential within critical aquifer recharge areas.

13.c. Limit impervious surfaces to reduce stormwater runoff by incorporating low impact development best management practices into new developments.

Shoreline Goal

Goal 14 - Conserve, protect, and enhance shoreline resources through implementation of the Oak Harbor Shoreline Master Program

Policies:

14.a. Assure protection of the unique character of the City of Oak Harbor and its shoreline environment while providing for compatible use of the shoreline.

14.b. Evaluate proposals for economic development along the shoreline or over the water with regard to the degree to which the natural environment and the social qualities of the city will be enhanced and/or affected. Evaluate such proposals with a preference for long-term benefits over short-term benefits. Evaluate development proposals with a preference for proposals that concentrate development in areas where current development already exists.

14.c. Ensure safe, convenient, and diversified public access to the water and shoreline, while protecting the natural environment and maintaining quality of life.

14.d. Designate, protect and enhance forage fish spawning areas, eelgrass, shellfish areas and shoreline areas used by bald eagles or great blue herons as fish and wildlife habitat conservation areas.

14.e. Ensure efficient movement of people, with minimum disruption of the shoreline environment and minimum conflict between different types of uses, through transportation systems developed along the shoreline.

14.f. Encourage diverse, water-oriented recreational opportunities that are compatible with and appropriate to the shoreline locations on which they are planned without degrading the shoreline environment.

14.g. Conserve natural resources unique to the shoreline for the benefit of existing and future generations. Utilize the following prioritized mitigation sequence in addressing potential impacts to the natural resources associated with the shoreline when evaluating development proposals:

1. Avoid impact by not taking certain action or parts of an action.
2. Minimize impact by limiting the degree or magnitude of action by use of technology or other means.
3. Rectify impact by repair, rehabilitation, or restoration.
4. Reduce or eliminate impact over time by preservation and maintenance operations.
5. Compensate for impact by replacing, enhancing, or providing substitute resources.
6. Monitor the impact and compensation project, taking appropriate corrective measures.

14.h. Protect and/or restore shoreline or water areas that have educational, scientific, archaeological, historic, or cultural value.

14.i. Recognize that areas lying seaward from the line of extreme low tide of Oak Harbor Bay as shorelines of statewide significance and manage the uses along these shorelines with the recognition of their regional importance.

Opportunities and Challenges

As is the case with several other plan elements, there are specific areas that present opportunities for future action and challenges which may have to be overcome. Below are the opportunities and challenges pertinent to the Environmental Element.

The appropriate agency to acquire open space lands depends upon management objectives, available resources, and various land use considerations. For example, management of wildlife habitat may best be accomplished by a land trust, wildlife agency or conservation organization, while the City or a parks district may be the appropriate steward of recreational lands. Island County's Open Space Public Benefit Rating System may be a useful tool in helping to prioritize the specific open spaces to be acquired or protected. This system was originally developed following extensive public input, including input from residents of Oak Harbor.

Greenbelt protection may include clustered development incentives, critical areas regulation, educational support for agriculture and forestry uses through the Washington State extension service, and transfer of development rights as administered by Island County. The City should work with the County to implement the interlocal agreement that allocates a portion of Conservation Futures funds generated from Oak Harbor toward open space preservation in the Joint Planning Area or UGA. Where practical, valuable open space areas outside the UGA should be considered for acquisition or protection to benefit future generations.