

Critical Areas Regulations

VDC 6.04

6.040. Critical Area, CR, district.

Purpose and Intent: The Critical areas special district overlay identifies areas known to have steep slopes, wetlands, fish and wildlife habitat, floodplains or other characteristics meeting the Washington State requirements as critical areas, RCW 36.70A.060 and 36.70A.172. The purpose of this section is to provide for reasonable protection of the natural environment and the general public health, safety and welfare, to implement the City of Vader Comprehensive Plan, and to comply with mandated federal and state requirements for critical area protection. This section incorporates best available science in determining appropriate measures to protect the functions and values of critical areas and the preservation of anadromous fisheries.

6.041 Applicability: All areas within the City and the Vader Urban Growth Area (UGA) meeting the definition of one or more of the following critical areas, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this Section:

- A. Critical aquifer recharge areas as designated subsection 6.042;
- B. Frequently flooded areas as designated subsection 6.043;
- C. Geologically hazardous areas as designated in subsection 6.044; and
- D. Fish and wildlife habitat conservation areas, including wetlands and riparian habitat management areas, as designated in subsections 6.044-.048.

The City shall process permits and approvals within the Vader UGA in accordance with this section.

6.041.1 Reference maps and information. Critical areas defined in this Section are displayed in general form on a variety of reference materials. These materials do not depict detailed information about the type, size, and specific location of critical areas, but will be relied on for planning purposes and for regulatory purposes in the absence of more detailed information on a specific site. Reference materials include but are not limited to:

- A. The City of Vader Comprehensive Plan maps (floodplains, soil types, slopes over 30%, streams, critical aquifer recharge areas, streams, and wetlands), as amended;
- B. Lewis County Public Works GIS Map Library (includes aerial photos);
- C. FEMA Flood Insurance Rate Maps (1976);
- D. FEMA Flood Boundary and Floodway Maps (1976);
- E. US Fish and Wildlife Service National Wetlands Inventory;
- F. Washington State Department of Fish and Wildlife Priority Habitats and Species Maps;
- G. US Geological Survey topographic maps.

6.041.2 Critical area review required. The City shall not grant any permit or approval required by this Title or under the building code or subdivision regulations to alter the condition of land, water, or vegetation on a parcel or project site that includes an identified critical area or critical area buffer, or is likely to affect an identified critical area according to best available science, prior to fulfilling the requirements of this section. Such permits or approvals include, but are not limited to: building permits, conditional use permits, shoreline permits required under the Lewis County Shoreline Master Program, variance, subdivisions and short subdivisions, or rezones. As part of all permit applications, the City shall require the following information to be submitted by the applicant:

- A. The nature, type, and size of any critical areas and buffers located on the project site, if any;
- B. Whether the development proposal is consistent with this section;
- C. Whether proposed alterations to critical area is necessary;
- D. What mitigation may be required to offset potential impacts to an identified critical area;
- E. Any additional information required by the specific critical area subsection, below.

The City may establish fees to cover the costs of review of projects including critical areas. Critical area review will occur according to the same timeline required for the associated permit review, or 120 days, whichever is shorter.

6.041.3 Protection of Critical Areas- Best Available Science. Any action taken pursuant to this Section shall result in equivalent or greater functions and values of the critical areas associated with the proposed action, as determined by the best available science. All actions and developments shall be designed and constructed to avoid, minimize, and restore all adverse impacts. Applicants must first demonstrate an inability to avoid or reduce impacts, before restoration and compensation of impacts will be allowed. No activity or use shall be allowed that results in a net loss of the functions or values of critical areas.

6.041.4 Relationship to Other Regulations.

- A. This Section shall apply as an overlay and in addition to other regulations in this Title and other regulations adopted by the City.
- B. Where multiple buffers or overlays are present (e.g., if one critical area is adjacent to or concurrent with another critical area), or where other setbacks or regulations provided in this Title occur with critical areas standards, the most restrictive standard shall apply.
- C. These critical areas regulations shall apply concurrently with review conducted under the State Environmental Policy Act (SEPA), as locally adopted. Any conditions required pursuant to this Section shall be included in the SEPA review and threshold determination.
- D. Compliance with the provisions of this Section does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Shoreline Substantial Development Permits, Hydraulic Permit Act (HPA) permits, Section 106 of the National Historic Preservation Act, U.S. Army Corps of Engineers Section 404 permits, National Pollution Discharge Elimination System permits). The applicant is responsible for complying with these requirements, apart from the process established in this Section.

6.041.5 Exempt activities. The following activities are exempt from review under this section provided that they are otherwise consistent with the provisions of this Title and other local, state, and federal laws and requirements:

- A. **Emergencies.** Those activities necessary to prevent an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for compliance with the requirements of this Section. Emergency actions must be designed to have the least possible impact to the critical area or its buffer. The State Department of Fish and Wildlife requires a verbal or written Hydraulic Project Approval (HPA) before taking emergency action that could change the natural flow or bed of waters of the state; notice should be given to the 24-hr HPA hotline number, 360-902-2537 prior to taking action. In

addition, the person or agency undertaking such action shall notify the City within one (1) working day following commencement of the emergency activity. If the City determines that the action was taken beyond the scope of emergency actions allowed in this subsection, the City will determine what enforcement provisions may be required. After the emergency, the person or agency undertaking the action shall fully fund and conduct necessary restoration and/or mitigation for any impacts to the critical area and buffers resulting from the emergency action. A mitigation plan shall be reviewed by the City, and all mitigation must be completed in a timely manner.

- B. **Existing and ongoing activities and related maintenance or repair.** Operation, maintenance, or repair of existing structures, utilities, public or private roadways, railways, dikes, levees, or drainage systems within the existing use area, that does not further encroach upon an identified critical area, and that utilizes best management practices. This does not include widening or upgrading existing roadways or stream crossings.
- C. **Passive recreation, education, and research.** Recreation, education, and scientific research activities that do not degrade the critical area, including fishing, hiking, and bird watching. Trails in Fish and Wildlife Habitat Conservation Area buffer must be permeable and for pedestrian use only, or as otherwise required by management recommendations from the Department of Fish and Wildlife. Trails will only be permitted in the outer 25% of riparian and wetland buffers.
- D. **Forest Practices.** Forest practices regulated and conducted in accordance with the provisions of Chapter 76.09 RCW and forest practices regulations, Title 222 WAC, and those that are exempt from City's jurisdiction.
- E. **Existing and ongoing agriculture.** Parcels or portions of parcels that have been in use for existing and ongoing agricultural activities from July 1, 2000 may continue, subject to best management practices, without requiring additional critical area review under this ordinance. This exemption does not include crop conversions that would alter flood storage capacity or conveyance, significant increase in the number of livestock using the critical area, or any activity that would require a new building permit or other permit or approval under this Title.
- F. **Removal of hazard trees.** Removal of dead or dying trees or vegetation that present a windfall hazard posing potential risk to the public or subject property.
- G. **Stormwater retention.** Retention/detention and biofiltration facilities for improving surface water quality to the extent permitted by federal and state law is permitted in the outer 25% of Category III or Category IV wetlands, as defined in this section. Stormwater facilities are not otherwise permitted in Fish and Wildlife Habitat Areas or buffers.
- H. **Boundary and survey markers or site investigative work.** Provided that disturbance shall be minimized and disturbed areas shall be immediately restored.

6.041.6 Reasonable use exception. If the application of this section would deny all reasonable use of the property, development may be permitted consistent with the protection of public health and safety, and to the minimum disturbance necessary to permit the use. An application for a reasonable use exception must be filed with the City and shall be heard by the Planning

Committee with legal advice from the City Attorney. The Planning Committee shall make a recommendation to the City Council, who shall issue the final decision. An approved mitigation plan shall be required as a condition of the reasonable use exception.

6.041.7 Variance. Variance procedures are available in accordance with Section 13.000. However, no variance may be considered from this section until all efforts have been made by the applicant to meet the standards of this section. The City may consult with appropriate state agencies to ensure that impacts to critical areas functions and values are avoided, minimized, and/or appropriately mitigated when considering the granting of a variance from this section.

Critical Aquifer Recharge Areas

6.042 Classification of critical aquifers: There are no sole source aquifers or wellhead protection areas within the City of Vader, and the City's public water supply does not come from aquifer sources. However, the potential for groundwater contamination to affect private wells or wildlife habitat is a concern, and therefore the City has classified critical aquifer recharge areas as those areas identified as "severe" by Lewis County Public Works Department based on soil classification and depth to groundwater. High vulnerability aquifers are considered Critical Aquifer Recharge Areas. This designation is assumed based on information about soil type and topography, but due to the lack of specific hydrogeologic studies for Vader, this assumption may be challenged through a hydrologic report submitted as part of a development application.

6.042.1 Requirement for hydrologic report. In critical aquifer recharge areas, the following activities shall require a hydrologic report prepared by a geologist or hydrogeologist or professional with experience preparing such reports:

- A. Underground or above ground storage tanks
- B. Mining
- C. Wood preserving/treatment
- D. Auto wrecking or junk yards
- E. Auto repair or maintenance facilities
- F. Car wash
- G. Processing, storage, disposal of hazardous waste
- H. Landfills and solid waste handling facilities
- I. Parking lots or motor pools
- J. Gas stations
- K. Golf courses
- L. On site septic systems
- M. Cemeteries
- N. Cement/concrete plants
- O. Sawmills

6.042.2 Contents of hydrologic report. The report must contain information on the vulnerability of the aquifer relative to the proposed use. The report must include:

- A. Data sources using best available science
- B. Geologic setting
- C. An assessment of background water quality
- D. Location and depth to perched water tables
- E. Location of drinking water wells within 1,000 feet of the site

- F. Recharge potential of the site
- G. Surface water location and recharge potential
- H. Discussion of the effects of the proposed project on the groundwater resource, including a list of materials to be used, stored, or transported within the proposed activity area,
- I. Additional information as may be required by the City.

Only those uses for which a hydrologic report shows that the use would not cause contaminants to enter the aquifer shall be permitted.

6.042.3 Conditional permits: The City may condition activities within Critical Aquifer Recharge Areas with the requirement that the activities employ AKART (all known, available, and reasonable treatment) to ensure the highest degree of protection is afforded to the aquifer.

6.042.4 Requirements for all other uses: Uses located within critical aquifer recharge areas shall minimize the extent of impervious surfaces on the site.

Frequently Flooded Areas

6.043 Frequently flooded areas. Frequently flooded areas include those lands within the floodway and 100 year floodplain as determined by the most current mapping by the Federal Flood Emergency Management Act (FEMA) on the Flood Insurance Rate Map (FIRM).

- A. Permitted Uses and Structures. Uses are as permitted in the underlying district provided they conform to the City of Vader Floodplain Management Ordinance which requires the first habitable floor of structures to be elevated or flood proofed to an elevation of one foot above the base flood elevation.
- B. Development prohibited. No development activity is permitted within the floodway, which is defined as the channel of the stream and that portion of the flood fringe and adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot (1’).
- C. Applicant may provide information. As part of the review process, the applicant may provide more detailed information which indicates that the mapping of the flood insurance program is in error or that their activities can be accomplished and will not raise the flood elevation more than one foot. A letter from FEMA supporting the map change or activity is required before a permit may be issued.
- D. The Shoreline Master Program shall further determine additional restrictions on uses and activities within the 100-year floodplain.

Geologically Hazardous Areas

6.044 Geologically Hazardous Areas- Definitions. Geologically hazardous areas because of their susceptibility to erosion, sliding, earthquake, or other geological events are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. The City of Vader has identified the following Geologic Hazard Areas:

- A. Erosion Hazard areas are those areas characterized by the USDA Soil Classification System for Lewis County as having soil types subject to severe erosion when disturbed.
- B. Landslide hazard areas are those areas subject to mass movement due to a combination of geologic, topographic, and hydrologic factors, and include:
 - a. Any area with a combination of:
 - i. Slopes of 15% or steeper, and

- ii. Impermeable subsurface material, or
 - iii. Springs or seeping groundwater from November to February.
 - b. Steep slopes of 30 % or greater;
 - c. Any areas located on an area of known previous landslides to the Holocene Epoch movement (within 10,000 yrs); or
 - d. Any area potentially unstable as a result of rapid stream incision or stream bank erosion.
- C. Volcanic hazard areas are those areas identified under the Lewis County Hazard Mitigation Plan as potentially influenced by volcanic activity from Mt. Saint Helens. The City of Vader lies within a volcanic hazard area where the primary threats from volcanic eruption is disturbance to the public water supply from damage to the water intake structure from a mud flow on the Cowlitz River, and potential ashfall from an eruption. The City will follow the recommendations of the Lewis County Hazard Mitigation Plan, as amended, and local emergency management plans in the event of an eruption.

6.044.1 Permitted uses-geotechnical reports: All proposed activities within erosion hazard areas are subject to section 11.000, Erosion Control. All uses permitted by the underlying zoning district are permitted within volcanic hazard areas. For a site containing a landslide hazard area, a geotechnical report is required with submittal of any building application as follows:

- A. Geotechnical report requirements:
 - a. Site plan, including existing improvements, proposed improvements, and location of existing landslide hazard area and any other critical areas;
 - b. Location and results of any test holes or excavations used to evaluate the existence of a landslide hazard;
 - c. Certification by a geotechnical engineer or geologist preparing the study that:
 - i. The risk of damage from the project, both on- and off-site is minimum;
 - ii. The project will not increase the risk of occurrence of the hazard; and
 - iii. The specific measures incorporated into the design and operation of the project to reduce the risk of damage from the hazard.

Fish and Wildlife Habitat Conservation Areas and Wetlands

6.045 Identification of Fish and Wildlife Habitat Conservation Areas. Fish and Wildlife Habitat Conservation Areas are defined as those areas necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created as designated by WAC 365-190-080(5). In the City of Vader, these areas include riparian habitat areas and wetlands, as well as the species and habitat areas listed under section 6.047, below. Fish and Wildlife Habitat Conservation Areas are not specifically mapped, except in the case of streams and wetland locations, which are shown in the Comprehensive Plan. However, this map is intended as a guide only. Applicants must rely on best available science to provide information on the known locations of fish and wildlife habitat conservation areas.

6.045.1 Riparian and Wetland Buffer Widths. Widths shall be measured outward in each direction, on the horizontal plane, from the ordinary high water mark, or from the top of bank, if the ordinary high water mark cannot be identified, or from the edge of the wetland. For purposes of measuring the width of a riparian management area from a stream located in a ravine or with a bank sloped 30% or more, the management area width will be measured from the ordinary high water mark, up the bank slope, and then horizontally from the top of the bank for a distance not less than twenty-five feet, for a total management area width at least as wide as the required buffer area, and possibly wider.

6.045.2 Riparian Vegetation Buffer Averaging. The City may allow a buffer defined in section 6.045.3(A) to be reduced in accordance with a habitat management plan only if:

- A. The width reduction will not reduce stream or habitat functions, including those of nonfish habitat;
- B. The width reduction will not degrade the habitat, including habitat for anadromous fish;
- C. The proposal will provide additional habitat protection;
- D. The total area contained in the riparian habitat area of each stream on the development proposal site is not decreased;
- E. The recommended riparian habitat area width is not reduced by more than twenty-five percent (25%) in any one location;
- F. The width reduction will not be located within another critical area or associated buffer; and
- G. The reduced riparian habitat area width is supported by the best available science.

6.045.3 Riparian Vegetation management area buffers. The following buffers are required to protect habitat areas on both sides of streams (for purposes of this section, stream typing is in accordance with WAC 222-16-031):

- A. Riparian Vegetation Buffers (based on Riparian Habitat Area widths recommended by WDFW):

Stream Type	Buffer Width
Types 1 and 2	250 feet
Type 3, 5-20 feet wide	200 feet
Type 3, less than 5 feet wide	150 feet
Types 4 and 5	150 feet

- B. Within riparian buffers, the following additional restrictions apply:
 - a. Any existing riparian vegetation shall be retained in natural state as much as is reasonably possible.
 - b. No development activity that would require a permit under this section, except for passive recreation uses and those uses exempted under section 6.041.5, are permitted within riparian vegetation management buffers. Exempted activities are still subject to the requirements of this subsection for vegetation management.
 - c. Any modification to riparian vegetation shall require review under this section and include a habitat management plan by a qualified biologist acceptable to the City. See subsection 6.048 for required contents of the habitat management plan.
 - d. If vegetation requires removal for public health and safety purposes, or to control invasive species, methods nontoxic to salmonid species shall be preferred such as mechanical weed control without chemicals, or retaining tree canopy over lawn area for temperature control and or innovative approaches consistent with best available science to protect salmonid habitat.
 - e. Upon City owned land (parks, public facilities, ditches) only mechanical vegetation control or non-toxic pesticides may be applied within 175 feet of creeks and tributaries.
 - f. The City shall encourage restoration, mitigation and enhancement when proposed and monitored by a certified habitat biologist.

6.045.4 Alternative riparian buffers.

The applicant may provide a site development plan with alternative buffers to those proscribed in

section 6.045.3, and include appropriate mitigations and enhancements of the riparian area to protect the critical values and functions of the riparian area. This plan must be created by a qualified professional biologist (as defined in section 15.365) and the plan must be reviewed and approved by the Washington State Department of Fish and Wildlife prior to submittal to the City. The plan must also meet the requirements of section 6.048, below.

6.045.5 Other riparian vegetation management area regulations. The Lewis County Shoreline Master Program (SMP) shall govern the uses permitted along these shorelines in the City of Vader. In addition, the City may require a habitat management plan to be submitted for any project adjacent to a stream with priority habitat or species identified by the Washington State Department of Fish and Wildlife.

6.046 Wetland identification. “Wetland” or “wetlands” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lines swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

The known location of wetlands in the City of Vader are mapped in the Comprehensive Plan according to the National Wetlands Inventory. However, this map shall be used only as a guide, and wetlands discovered in the course of site investigation for a permit or approval required by this Title are subject to review under this subsection.

6.046.1 Wetland classification/categorization. All wetlands shall be classified in accordance with the Washington State Wetland Rating System for Western Washington (August 2004), as amended.

6.46.2 Wetland buffers. It is the responsibility of the applicant to provide information from a qualified biologist or wetland specialist as to the class of the wetland using the most current wetland rating system in use by the State of Washington as described in section 6.046.1. The following buffers are established based on the category of wetland and the impact of the proposed land use:

Category of Wetland	Low Intensity Land	Moderate Intensity	High Intensity Land
	Uses: Forestry (not including roads), passive recreation, unpaved trails, utility corridor (without associated road)	Land Uses: Residential development with net density 1 unit/acre or less; Active recreation; New or converted moderate intensity agriculture (orchards, hay fields, etc.), Paved trails or logging roads; Utility corridors with associated access and	Uses: Commercial, Industrial, or Institutional development; Residential net densities greater than 1 unit/acre; New or converted high intensity agriculture (dairies, nurseries, greenhouses, annual crop tilling, livestock, etc.)

		maintenance roads	
I	150 feet	225 feet	300 feet
II	150 feet	225 feet	300 feet
III	75 feet	110 feet	150 feet
IV	25 feet	40 feet	50 feet

No development activity is permitted within these buffers, except those activities exempted under subsection 6.041.5 or as permitted through a variance or reasonable use exception. Removal of vegetation in these buffers is prohibited, except as part of an approved habitat management plan or mitigation plan.

6.046.3 PUD required. A planned unit development (PUD) in accordance with Section 6.050 is required for development proposals, excluding building of single family homes on existing lots or activities otherwise exempted under section 6.041.5, on development sites containing Class I and II wetlands. A wetland delineation by a qualified wetlands biologist will be required as part of the PUD review.

6.046.4 Wetland buffer averaging. The width of a wetland buffer may be reduced in one area and increased proportionally in another area if such averaging will not impair or reduce the functions and values of the wetland, e.g., for erosion control, groundwater recharge, or habitat protection, and provided that the buffer is in no location reduced by more than 25%. However, a wetland buffer may not be reduced in any area to less than 25 feet.

6.046.5 Wetland mitigation. Avoidance of wetland impacts is required as a first approach to development near a wetland. If, via a reasonable use exception or variance, alteration or loss of a wetland function or value does occur, the project proponent must submit a mitigation plan by a qualified wetland biologist to replace the functions and values lost by the wetland. This mitigation plan must include annual project monitoring for a period of 10 years, with reports to the City in years 1, 2, 3, 5, 7, and 10. Mitigation must include either restoration of the disturbed area, or creation or enhancement of wetland areas to compensate for wetland losses. A mitigation plan that relies on replacement of wetland areas either on site or within the City limits must justify its mitigation ratios by best available science and apply the following wetland replacement ratios (expressed in terms of acres):

Category I: 6:1
 Category II: 3:1
 Category III: 2:1
 Category IV: 1.5:1

The above ratios must be doubled for mitigation that relies on enhancement of wetland areas. For example, the ratio for enhancement in a Category II wetland would be 6:1.

6.047 Other fish and wildlife habitat areas. In addition to wetlands and riparian areas, the City and UGA may have, or may have in the future, the following fish and wildlife habitat areas:

- A. Areas with which endangered, threatened, and sensitive species have a primary association;
- B. Habitas and species of local importance (see Section I, below);
- C. Commercial and recreational shellfish (e.g., crayfish) areas;
- D. Smelt spawning areas
- E. Naturally occurring ponds under twenty acres and their associated submerged aquatic beds

- F. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; or
- G. State natural area preserves and natural resource conservation areas.
- H. Subdivisions, commercial, or industrial development projects or any activity requiring a permit under this ordinance, on sites where the areas listed above are located, or where priority species and habitat areas are identified by the State Department of Fish and Wildlife, or which are identified by the City as a habitat or species of local importance, shall be subject habitat management plan requirements. A habitat management plan must be prepared by a habitat specialist or biologist and submitted with the development application.
- I. A habitat or species of local importance may be designated by the City after review by the Planning Committee and a public hearing. Habitats and species of local importance are those including but not limited to those habitats and species that, due to their population status or sensitivity to habitat manipulation, warrant protection. Habitats may include a seasonal range or habitat element with which a species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. Individuals may nominate habitat or species of local importance through a Comprehensive Plan Amendment process. Nominations must include recommendations for habitat or species protection based on Best Available Science.

6.047.1 Marking of Fish and Wildlife Habitat Conservation Areas. The outer perimeter of the habitat conservation area or buffer (in the case of wetlands or riparian areas, or species points on the WDFW Priority Habitat and Species list) and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and verified by the City prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs or fencing, if required at the discretion of the City, are in place. Markers shall be placed to minimize disturbance to the habitat area.

6.048 Contents of a habitat management plan. Where, in Section 6.040 and its subsections, a habitat management plan is required to be submitted as part of critical area review, the plan must be prepared by a qualified biologist or habitat specialist, and must contain the minimum:

- A. Site description, including a site map of a scale no smaller than 1" = 200', showing existing vegetation, critical areas, and existing and proposed structures or development areas;
- B. Current aerial photograph of the site;
- C. An inventory of priority habitats and species as listed by the Washington State Department of Fish and Wildlife;
- D. A detailed description of the proposed development activity and potential impacts to identified priority habitats or species;
- E. Proposed mitigation or management approaches consistent with the Washington State Department of Fish and Wildlife Management Recommendations for Priority Habitats and Species.

The City may require the applicant to provide proof of consultation with the Washington State Department of Fish and Wildlife in the development of a habitat management plan.