

# DPD

## Director's Rule 5-2007

<b>Applicant:</b>  City of Seattle Department of Planning and Development	<b>Page</b>  1 of 3	<b>Supersedes:</b>  N/A
	<b>Publication:</b>  2/5/07	<b>Effective:</b>  3/29/07
<b>Subject:</b>  Great Blue Heron Management Plan	<b>Code and Section Reference:</b> Seattle Environmentally Critical Areas Ordinance SMC 25.09.200.C	
	<b>Type of Rule:</b> Code Interpretation	
	<b>Ordinance Authority:</b> SMC 3.06.040	
<b>Index:</b>  Environmentally Critical Areas	<b>Approved</b>  (signature on file) Diane M. Sugimura, Director, DPD	<b>Date</b>  3/27/07

### BACKGROUND & PURPOSE:

Great blue herons can be vulnerable because of their tendency to aggregate during the breeding season. They are colonial breeders that nest in a variety of deciduous and evergreen tree species. Nests are usually constructed in the tallest trees available, presumably to reduce the risk of predation by mammals. The availability of suitable great blue heron breeding habitat is declining as human population increases. Great blue herons and their nests are protected under RCW 77.15.130 (Protected fish or wildlife -- Unlawful taking), and great blue heron nesting colonies are listed as a WDFW Priority Species.

Statewide, the Washington Department of Fish and Wildlife (WDFW) recommends a permanent, year-round buffer of 300 meters (984 ft) from the perimeter of the great blue heron colony. These management recommendations can be found in *Washington's Priority Species, Volume IV: Birds* prepared by the Washington Department of Fish and Wildlife. This can be viewed by going to <http://wdfw.wa.gov/hab/phs/vol4/gbheron.htm> or

by contacting Washington Department of Fish and Wildlife. The WDFW recommends that local land use planning should when possible protect existing great blue heron colonies using colony site-specific management plans that consider the colony size, location, relative isolation and the degree of habituation to human disturbance.

**Definitions:**

Great Blue Heron Nesting Season: February 1<sup>st</sup> through July 31<sup>st</sup>

Colony Nesting Areas: Areas that are known to be great blue heron nesting areas as determined by WDFW. For the Kiwanis Ravine and North Beach colonies this includes the entire ravine areas as mapped.

Great Blue Heron Management Area: All areas within 500 feet of a colony nesting area.

**RULE:**

As heron colonies within the City of Seattle are in part habituated to urban conditions, a 152 meter (500 ft) Great Blue Heron Management Area is considered appropriate by WDFW. Typically in Seattle it is not physically possible to greatly restrict development within these areas due to existing development and buildable lots in closer proximity to colonies. If development is proposed within a Great Blue Heron Management Area as mapped by WDFW and/ or the City of Seattle, the development conditions found in the appendix to this rule apply. Prior to development the applicant must have a Great Blue Heron Management Plan approved by DPD.

## GREAT BLUE HERON MANAGEMENT PLAN

### 1. Conditions:

Within the Great Blue Heron Management Area and Colony Nesting Area:

- Any clearing, grading or outside construction shall be done outside of the nesting season.
  
- All 22 inch diameter breast height (dbh) or larger screening trees shall be retained during the nesting season so as to block visual disturbance to the colony. Screening trees are those trees that are within direct line of sight of the nesting area or block line of sight to the structure.
  
- If the parcel abuts the colony nesting area there shall be a minimum 15 foot building setback. The setback shall be vegetated in a manner that screens activities on the parcel from the colony nesting area.

### 2. Alternative:

The Washington Department of Fish and Wildlife may be willing to approve an alternative site-specific plan. To request a site-specific plan contact the Washington Department of Fish and Wildlife Urban Biologist at (425) 775-1311.

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If the standard conditions set forth above in the Conditions section are acceptable, please sign below and this will serve as your Great Blue Heron Management Plan. Activities will be periodically monitored and failure to comply with the Plan constitutes a violation as set forth in the Environmentally Critical Areas Regulations (SMC Chapter 25.09).

I have read and understand the above conditions placed on parcel # \_\_\_\_\_  
(APN number)

located at \_\_\_\_\_  
(Property address)

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(Signature)

(Date)