

**WAC 220-660-320 Saltwater habitats of special concern. (1) Description:**

(a) Saltwater habitats of special concern provide essential functions in the developmental life history of fish life. These habitats include:

- (i) Spawning areas for forage fish;
- (ii) Settlement and nursery areas for juvenile rockfish and lingcod;
- (iii) Migration, rearing, and feeding areas for juvenile salmon;
- (iv) Settlement areas for native shellfish;
- (v) Areas of native aquatic and riparian vegetation that supports fish life; and
- (vi) Feeder bluffs and other shoreforms that support geomorphic processes such as sediment delivery and movement that creates and maintains habitat that supports fish life.

(b) The presence of saltwater habitats of special concern or adjacent areas with similar characteristic may restrict project type, design, location, and timing. Department staff or a department-trained biologist may conduct a site visit to determine the location of such habitats. In addition, the department may consider maps, publications, and other available information to determine the location.

**(2) Fish life concerns:**

(a) The nearshore zone represents three critical edge habitats; the edge between upland and aquatic environments, the edge between the shallow productive zone and deep water, and the edge between fresh and marine waters. Variations in wave energy, sediment delivery and movement, sunlight, water depth, salinity, and location associated with nearshore edges create a broad range of physical conditions that support a wide diversity and abundance of fish life. Disruption of nearshore ecosystem processes and physical conditions can adversely affect ecological functions, which will in turn cause a loss of fish life.

(b) Hydraulic projects ranging from installing stairways across bluff faces to building docks and bulkheads to dredging may contribute to a loss of habitat in the nearshore zone. Ongoing activities increasingly fragment and degrade the remaining habitat that supports fish life. Saltwater habitats of special concern require a higher level of protection because they provide essential functions in the developmental life history of fish life.

**(3) Saltwater habitats of special concern:**

(a) A person may request information from the department about the location of saltwater habitats of special concern.

(b) Saltwater habitats of special concern are habitats that provide essential functions in the development of priority fish species, including the following:

(i) Pacific sand lance (*Ammodytes hexapterus*) spawning beds are located in the upper beach area in saltwater areas typically composed of fine to coarse sand and small gravel;

(ii) Surf smelt (*Hypomesus pretiosus*) spawning beds are located in the upper beach area in saltwater areas typically composed of sand and/or small gravel and shell material;

(iii) Pacific herring (*Clupea pallasii*) spawning beds are located in lower beach areas and shallow subtidal areas in saltwater areas. Spawning substrate may consist of seagrass, kelp and other macroalgae, and other structure such as subtidal worm tubes;

(iv) Lingcod (*Ophiodon elongatus*) nesting areas are located in high-relief rock;

(v) Lingcod (*Ophiodon elongatus*) settlement and nursery areas are located in beach and subtidal areas with sand, seagrass beds, subtidal worm tubes, and other materials;

(vi) Rockfish (*Sebastes* spp.) settlement and nursery areas are located in kelp and other macroalgae beds, seagrass beds, and pinnacles, boulders, and other structurally complex habitats;

(vii) Juvenile salmonid (family Salmonidae) migration corridors and rearing and feeding areas are common throughout estuarine, intertidal and shallow subtidal saltwater areas of the state;

(viii) Olympia oyster (*Ostrea conchaphila*) settlement areas are located in sheltered bays and estuaries near 0.0 feet MLLW;

(ix) Seagrasses (*Zostera marina*, *Ruppia maritima* and *Phyllospadix* spp.) beds;

(x) Kelp (order Laminariales) beds;

(xi) Macroalgae species Pacific herring use as spawning substrate;

(xii) Intertidal wetland vascular plant areas (except noxious aquatic weeds); and

(xiii) Native riparian vegetation zones.

**(4) Nearshore zone geomorphic processes that form and maintain saltwater habitats of special concern:**

(a) The location and construction of hydraulic projects should avoid impacts to geomorphic processes that create and maintain nearshore zone habitat. Geomorphic processes are difficult to replace or compensate for.

(b) The following are nearshore geomorphic processes that form and maintain saltwater habitats of special concern:

(i) Sediment supply and transport;

(ii) Beach and bluff erosion and sediment accretion;

(iii) Tributary channel migration; and

(iv) Tidal channel formation and maintenance.

[Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 15-02-029 (Order 14-353), § 220-660-320, filed 12/30/14, effective 7/1/15.]