

**WAC 463-62-040 Fish and wildlife.** The council's intent is to achieve no net loss of habitat functions and values by maintaining the functions and values of fish and wildlife habitat in the areas impacted by energy development.

(1) The council encourages applicants to select sites that avoid impacts to any species on federal or state lists of endangered or threatened species or to priority species and habitats.

(2) Standards.

(a) An applicant must demonstrate no net loss of fish and wildlife habitat function and value.

(b) Restoration and enhancement are preferred over creation of habitats due to the difficulty in successfully creating habitat.

(c) Mitigation credits and debits shall be based on a scientifically valid measure of habitat function, value, and area.

(d) The ratios of replacement habitat to impacted habitat shall be greater than 1:1 to compensate for temporal losses, uncertainty of performance, and differences in functions and values.

(e) Wetlands shall be replaced at ratios following the wetland standard established by the council in WAC 463-62-050.

(f) Fish and wildlife surveys shall be conducted during all seasons of the year to determine breeding, summer, winter, migratory usage, and habitat condition of the site.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, § 463-62-040, filed 10/11/04, effective 11/11/04.]