TO: City Council

FROM: Brian Hurley, Fire Chief

DATE: September 6, 2022

SUBJECT: Ordinance No. O2022-018, Habitat Conservation – Prescribed Burning

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1)   Recommended Action:

      Adopt Ordinance No. O2022-018 regulating habitat conservation prescribed burns and establishing an emergency.

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2)   Background:

      The City was contacted by representatives of two property owners requesting permission to conduct prescribed burning on lands designated for habitat conservation. To meet the standards outlined in their federally approved Habitat Conservation Plans, they need to do prescribed burning which would eliminate non-native plants and allow native seed to be planted in its place. The City is also in the process of working with the Port of Olympia to develop a Habitat Conservation Plan, which may require prescribed burning as part of the plan. Ordinance No. O2022-018 is proposed to amend Chapter 8.16 *Fire Safety* of the Tumwater Municipal Code to establish a permit process for approving prescribed habitat burning.

      In addition, due to the time constraints to complete the required burns for an approved habitat conservation plan in the 2022 burn season, staff is requesting that the City Council find a public emergency exists to allow the Ordinance No. O2022-018 to take effect and be in force immediately upon unanimous passage by the City Council.

      The Public Health and Safety Committee held a briefing on the proposed code amendments on August 9, 2022.

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3)   Policy Support:

      Strategic Priorities and Goals 2023 – 2024
          B. Be a Leader in Environmental Sustainability
              9. Complete and Implement Habitat Conservation Plan

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4)   Alternatives:

      ❑ Modify and approve Ordinance No. O2022-018 without an emergency declaration and allow for the standard effective date of thirty days after passage, approval, and publication as provided by law.

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5)   Fiscal Notes:

      This is an internally funded work program task.

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6) <u>Attachments</u>:

    A. Ordinance No. O2022-018
    B. Request letter, including maps of proposed burn areas