

FAQ'S about Restoration Planning

FROM THE Department of Ecology WEBSITE:
http://www.ecy.wa.gov/programs/sea/sma/st_guide/SMP/restoration/QandA.html

Notations in parentheses are staff notes directing you to specific portions of the DRAFT RESTORATION PLAN. (Page # / line #) References to SMP are noted as Section 22.XX.XXX

1. What does the term “restoration” mean under the Shoreline Management Act?

“Restoration”¹ means the reestablishment or upgrading of impaired ecological and shoreline processes² or functions³. It does NOT mean that shorelines must be returned to pristine conditions. However, it is important to remember that almost all shoreline reaches, including those located within highly developed areas, retain some opportunity for improved ecological functioning. **(Section 3 and specifically page 3 line 13)**

2. How does restoration fit within the larger story of Shoreline Management?

Shoreline management is implemented, in the broadest sense, through two major efforts: Planning and regulation. Restoration is clearly part of the planning side of shoreline management. **(1 /21)**

3. Is restoration required?

Local governments are required to do “meaningful” restoration planning⁵ as an element of the new SMPs, but specific restoration projects are voluntary. Because actual implementation projects are voluntary, it is particularly important that each restoration plan is developed through broad participation of local citizens, stakeholders and local elected officials. **(2 /26)**

4. When must restoration planning be done?

Restoration planning must be completed as an element of any comprehensive rewrite of a shoreline master plan. Identification of degraded areas should emerge through your process of inventory and characterization. **(TABLE 2, page 17)** Identification of restoration goals and objectives should emerge through your understanding of shoreline processes and ecological functions. **(TABLE 1, page 8)** How you prioritize sites and projects will evolve over time, as you observe trends and as willing participants and funding sources come forward. **(5 / 43 AND TABLE 3, page 28)**

5. How is “restoration” different from “mitigation”?

Mitigation is authorized by the regulatory side of shoreline management. Mitigation may be required of a developer only to compensate for identified adverse impacts to shorelines of the state caused by a particular project or activity. Mitigation may only be

required to the extent that there is “nexus and proportionality” to the adverse impacts caused by that project or activity. **(SMP; Section 22.08.100; page 106)**

Alternatively, restoration is a non-regulatory effort to see and understand opportunities to enhance degraded shoreline areas and systems. The purpose of restoration planning is to prioritize goals and establish policies which facilitate and coordinate existing and potential non-regulatory policies and programs. For example, government habitat grants and citizen volunteer efforts would both be more effective if implemented in the context of a thorough analysis of how one project or site could best accomplish agreed-upon goals. **(Section 4, page 4 / 30)**

6. What is the legal authority for shoreline restoration?

The first legislative finding in the Shoreline Management Act states: “The legislature finds that the shorelines of the state are among the most valuable and fragile of its natural resources and that there is great concern throughout the state relating to their utilization, protection, restoration, and preservation.”⁶ (emphasis added)

The current regulations to implement planning under the SMA provide the following guidance on restoration:

- One of the major policy goals of the SMA is “Protection and restoration of the ecological functions of shoreline natural resources.”⁷.
- “Master programs shall include goals and policies that provide for restoration of impaired ecological functions”.⁵
- **(Section 2, page 2, line 24)**

7. What are examples of shoreline restoration?

Examples of types of restoration activities can be found in the Guidelines ¹:

- Re-vegetation
- Removal of structures
- Removal or treatment of toxic material
- **(Whatcom Creek estuary and Holly Street landfill upstream of Holly Street Bridge and Marine Park are examples of shoreline restoration.)**

8. What do you mean by the term “ecological function”?

Any ecological system is composed of a wide variety of interacting physical, chemical and biological components. These are interdependent in many ways and at many scales, and produce the landscape and habitat at any given time. Ecological functions are the work performed or role played, individually or collectively within ecosystems by these components.⁴ **(Section 1, page 1, line 18 and the following website: <http://www.ecy.wa.gov/pubs/0406020.pdf>)**

9. What if our analysis indicates that the relevant processes and functions have causes or impacts outside of shoreline jurisdiction or in a neighboring jurisdiction?

Processes, functions and influences often extend beyond local government jurisdictional boundaries. This is specifically recognized in the planning domain of the SMA⁸ and in the Guidelines⁹.

In such cases, counties, and especially cities should consider influences from beyond their boundaries through a watershed or sub-basin analysis. Whenever possible, all jurisdictions should coordinate to integrate such analysis and to avoid duplication of time and cost. **(3 / 40)**

10. Jurisdictions vary greatly in terms of size and resources, what factors should be used to determine the appropriate scope of a restoration plan?

At a minimum, the Guidelines¹⁰ states that you should consider:

- Size of the jurisdiction,
- Extent and condition of shorelines,
- Availability of grants, volunteer programs, etc.,
- Nature of the ecological functions to be addressed.

11. What aspects of a restoration plan need to be in the Shoreline Master Plan?

At a minimum, goals, priorities, objectives and opportunities should be analyzed at an appropriate scale (of reach or sub-basin) in the SMP. Specific projects need not be in the body of the SMP, but could be located in a referenced appendix, for ease of modification over time as opportunities arise and projects are completed. **(1 / 30)**

12. What specific subjects must be addressed in an SMA restoration plan?

The most specific statement from the guidelines on restoration is the requirement that "Master program restoration plans shall consider and address the following subjects": (See question 14 below)

1. Identify degraded areas, impaired ecological functions, and sites with potential for ecological restoration;
2. Establish overall goals and priorities for restoration of degraded areas and impaired ecological functions;
3. Identify existing and ongoing projects and programs that are currently being implemented, or are reasonably assured of being implemented (based on an evaluation of funding likely in the foreseeable future), which are designed to contribute to local restoration goals;

4. Identify additional projects and programs needed to achieve local restoration goals, as well as implementation strategies including identifying prospective funding sources for those projects and programs;
5. Identify timelines and benchmarks for implementing restoration projects and programs and achieving local restoration goals; and
6. Provide for mechanisms or strategies to ensure that restoration projects and programs will be implemented according to plans and to appropriately review the effectiveness of the projects and programs in meeting the overall restoration goals.

13. Are some of these requirements more important than others?

Closer examination reveals that these six subjects are not of equal importance. It is clear that the final four can be meaningfully done only AFTER the first two are done well.

14. Can you provide more detailed guidance for these six tasks required in WAC 173-26-201 (2) (f)?

1. Identify degraded areas, impaired ecological functions, and sites with potential for ecological restoration:

- Opportunities for restoration may be described in terms of areas, functions or sites.
- Opportunities should be identified during and as an integral part of characterization and inventory⁵.
- Opportunities should be identified based on your understanding of processes and functions which affect particular shoreline areas. They should not be expressed as general policy goals.
- A sub-basin or reach analysis is often more meaningful than a mere project description.
- Linking to maps is strongly recommended.
- Opportunities should be described in terms of impact on shoreline processes and ecological functions.
- **(TABLES 1 and 2)**

2. Establish overall goals and priorities for restoration in the SMP

- Goals can be more general. E.g. “improve water quality”.
- Goals should be prioritized:
 1. Through understanding of ecological functions and processes
 2. May need to articulate a hierarchy of processes and functions

3. Which types of restoration projects will get the most “bang for the buck”
4. Better not to rank in strict order of priority, but to group (At a minimum identify high priority.
5. **(4 / 30)**

3. Identify existing and ongoing projects and programs.

- Prefer established track record and current funding
- Emphasize public-private cooperation
- List public funding opportunities (provide links)
- Provide notice for one group to learn of the restoration efforts of other groups to encourage coordination and synergy
- People feel better about their particular restoration project when they know that they are being effective and are part of a larger effort.
- **(have asked various groups – received nothing in return)**

4. Identify additional projects and programs.

- Potential funding or expressed interest in jurisdiction is OK
- Help address needs.
- **(TABLE 3)**

5. Identify timelines and benchmarks

- Short term (weeks to months), e.g. Native re-vegetation or remove barriers to fish passage
- Long term a year or longer) e.g. Reestablishing topography or hydrology, controlling pollution runoff, control on invasive plants.
- **(Page 6, line 45. Majority of not all of the opportunities & projects are directly related to resource availability. The overall goal is to show improvement to shoreline ecological function at the time of the next SMP update, scheduled to begin in 2011.)**

6. Identify mechanisms and strategies to assure implementation

- Ultimate mechanism is 7-year review of the goals and objectives of the SMP
- Monitoring in various forms?
- **(5 / 38 and 17 / 23)**

'RCW' is Revised Code of Washington (laws)

'WAC' is Washington Administrative Code (how to implement laws)

Footnotes:

1. Defined in WAC 173-26-020 (27).
2. Defined in WAC 173-26-020 (12).
3. Defined in WAC 173-26-020 (11).
4. WAC 173-26-186.
5. WAC 173-26-186 (8) (c).
6. RCW 90.58.020.
7. WAC 173-26-176 (3)(c).
8. RCW 90.58.340.
9. WAC 173-26-186 (6).
10. WAC 173-26-201 (2) (f).
11. WAC 173-26-201 (3) (c) (iii) and WAC 173-26-201 (2) (c).