

EXECUTIVE SUMMARY



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During the past few years, numerous citizens throughout Washington have complained that wetland protection programs are not working well in this state. Frequently mentioned problems include: poor coordination among different levels of government; unnecessary duplication among programs; failure to achieve the goal of "no-net-loss" of wetlands; and complexity of the permit process.

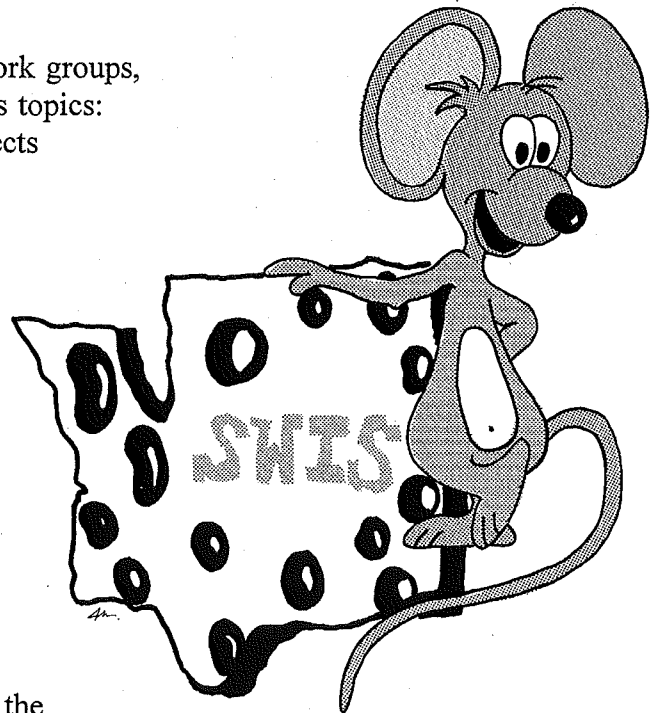
In response to these concerns, the departments of Ecology and Community Development (now Community, Trade, and Economic Development) jointly applied for and received a grant from the U.S. Environmental Protection Agency to develop the State Wetlands Integration Strategy (SWIS). The goal of SWIS is to "develop and implement a more effective, efficient, and coordinated system to better protect the wetland resources of Washington State."

The SWIS grant funded two separate components: 1) four local government demonstration projects; and 2) six work groups. The four local governments which received grant funding are the cities of Camas and Everett, Clallam County, and Whatcom County. Each jurisdiction is designing a different wetlands program tailored to meet their individual circumstances. These pilot projects will demonstrate creative and effective wetland management strategies that can be used around the state.

The second SWIS component involved six work groups, each addressing one of the following wetlands topics: Regulatory Reform, Planning, Technical Aspects of Wetlands, Economics, Education, and Non-Regulatory Actions.

The goal of these work groups was to achieve consensus on recommendations for change. Five of the groups achieved consensus on all of their respective recommendations. The sixth group, dealing with regulatory reform, reached consensus on a majority of issues.

The individual work group reports have been integrated into a single document which is supported by a majority of all work group members. This executive summary describes the key recommendations of the final document.



STATE WETLANDS POLICY

All state wetlands policies and mandates should be consistent.

To ensure consistency, the state agencies involved in wetlands management should develop a single wetlands policy statement, after evaluating all statutes, administrative rules, and policies. The Interagency Wetlands Review Board, comprised of the state agencies involved in wetlands management, should undertake this task.

In the long-term, wetlands planning should be conducted using a watershed context.

To facilitate effective watershed planning, SWIS work group members agreed that state and federal wetlands programs and staff should be organized by watersheds. Agency programs would then be better tailored to local needs and staff members would have a better understanding of local issues. Additionally, local governments should use a watershed approach in developing local plans and regulations.

There should be a single regulatory definition of wetlands used statewide.

A single wetlands definition is critical for effective management of the resource. Local governments should adopt the wetlands definition contained in the Growth Management Act, which is the same as the federal Clean Water Act definition. Additionally, the Shoreline Management Act should be amended to include this same definition of wetlands.

This recommendation is not intended to change the protection provided by the Shoreline Management Act. The current definition of wetlands contained in that act is really a definition of shoreland jurisdiction (200 feet from lakes, streams, and other waterbodies...); it's not a definition of a biological wetland. Work group members recommended that the existing definition be maintained, but the label be changed to something more accurate, such as "shoreland jurisdiction." Then the definition of "wetlands" contained in the GMA should be included in the SMA to make it clear that wetlands are defined in the same way under both laws.

There should be a single wetland delineation manual used statewide.

There are currently two federal wetland delineation manuals (the 1987 and 1989 versions) being used in Washington. Work group members agreed that there should be only one delineation manual and that it should be based on good science. However, as in other states, there was no agreement as to which manual should be used. The National Academy of Sciences is currently examining this issue and is expected soon to recommend a single scientifically valid method for wetland delineation.

The Governor should establish and fund a coordinated state program to manage wetlands information.

Washington does not currently have a reliable system for recording and monitoring wetland losses caused by regulated activities or illegal filling. Similarly, the state does not have a system for recording wetland acreage gains associated with creation, restoration, or mitigation activities. The Governor should establish a program which includes a Geographic Information System (GIS) format that is compatible among state agencies and, to the extent possible, appropriate federal agencies.

The state should also adopt protocols for collecting, managing, and disseminating technical information in a watershed context. These protocols should make it possible for wetland information gathered from local, state, and federal agencies and tribal governments to be entered into a consistent, coordinated spatial database.

WETLANDS PLANNING PROCESS

The Growth Management Act has a strong mandate regarding critical areas, including wetlands. It states that counties and cities "shall adopt development regulations that protect critical areas." However, this general language has resulted in a wide range of approaches to wetland protection statewide.

Standards for wetlands inventory and functional assessment should be developed.

This was a controversial recommendation because it raised concerns among about maintaining local flexibility. It should be made very clear that the recommendation does not suggest that local governments should adopt uniform standards for regulating wetlands. It simply states that there should be consistent standards for collecting wetlands information.

To ensure that these standards are practical and useful for local governments, work group members recommended that they first be developed for a selected area of the state, with extensive public and private input. Funding should be obtained to develop the standards as part of a local pilot project, before considering them statewide.

State and federal agencies should provide better technical assistance to local governments.

Few local governments currently have staff with wetlands expertise. This can make it difficult for them to manage local wetlands regulatory programs effectively. State and federal agency staff should make it a priority to provide this necessary technical assistance to local governments. In addition, identifying specific funding sources will help ensure that local governments receive adequate funding for wetlands planning.

A study should be funded to analyze and provide mechanisms for estimating the economic value of preserving and losing wetlands in Washington.

The study should specify techniques for determining the economic value of each of the following wetland benefits: flood and stormwater control, fish and wildlife habitat, water quality maintenance, groundwater recharge, prevention of soil erosion, commercial production in wetlands, and recreation. This study should also specify techniques for estimating a monetary value for wetland benefits that are difficult, if not impossible, to quantify: cultural and spiritual values, aesthetics, education and research, and endangered species habitat.

WETLANDS PERMITTING PROCESS

All state and federal agencies with wetlands permitting or commenting authority should meet on a regular basis to discuss permit applications.

The goal of these regular meetings should be to provide an opportunity for agencies to work together early in the permit process to provide a single, coordinated response to project proponents. Permit applicants would be invited participants at these meetings.

State and federal agencies should work with the public to draft guidelines for conducting wetland mitigation.

Permit applicants commonly complain that different agencies occasionally require different wetlands mitigation. Work group members believed that the agencies should work with the public to develop consistent guidance for conducting wetlands mitigation. These guidelines are intended to be just that: guidelines. They are not intended to be mandatory or binding on permit applicants, but, instead, should provide more consistent direction for developing wetland mitigation projects.

The Department of Ecology should adopt water quality standards that are specific to wetlands.

Wetlands are regulated by several state programs including the Shoreline Management Act, the Water Pollution Control Act, and the state programs implementing specific sections of the federal Clean Water Act. Because wetlands are currently classified along with other Class A streams and lakes, there is currently little guidance regarding how the water quality standards are specifically applied to wetlands in enforcement actions and permit decisions. Revised water quality standards for wetlands would make the existing regulatory process more streamlined and predictable.

A proposal for a General Permit, as provided under the federal Clean Water Act, should be completed by a local government on a pilot basis.

Under the authority of the federal Clean Water Act, the U.S. Army Corps of Engineers can issue General Permits on a state, regional, or nationwide basis. These permits can be issued for a category of activities when: (1) those activities are substantially similar in nature; or (2) the permit would result in avoiding unnecessary duplication of regulatory control. For both of these types, the impacts allowed by the permit must be individually and cumulatively minimal. The Corps of Engineers should work with a local pilot project to determine if federal permitting requirements can be better coordinated with a local planning program through the use of a General Permit.



Revenues from monetary penalties should be used directly to restore and protect wetlands.

Penalties resulting from wetland enforcement actions should be used directly either to restore the site of the violation or to enhance other wetland resources. Under current federal and state policy, this does not happen; monetary penalties assessed for wetlands violations are used for other purposes. Work group members agreed that these policies should be changed so that penalty monies can directly benefit wetlands.

State and federal agencies should work with the public to develop a statewide protocol for mitigation banking.

Mitigation banking involves restoring or creating wetlands at one site to compensate for wetlands losses at another site. Generally, before a project applicant impacts wetlands on a site, the applicant makes payments to the mitigation bank to purchase wetland "credits." Wetland mitigation banking has been used in a number of states as an alternative means of mitigating wetland impacts where on-site mitigation is not feasible, is of extraordinary cost, or would provide lower resource values.

NON-REGULATORY ACTIONS

Regulation, while being the foundation of most wetland programs, cannot by itself achieve no-net-loss of wetlands. To achieve no-net-loss, or net gain, requires significant effort beyond regulatory programs. Voluntary non-regulatory efforts, including both acquisition and restoration, are needed to effectively protect wetlands. State agencies should reallocate internal agency staff to assist with non-regulatory wetlands protection efforts. These efforts should include providing technical assistance, publishing guidance materials, and funding local demonstration projects.

Each local government should develop a comprehensive wetlands protection program that includes both non-regulatory, and regulatory components.

The non-regulatory program elements (preservation, restoration, and education) should be integrated with regulatory elements to maintain flexibility at the local level, provide cost effective methods, and coordinate with other watershed planning efforts.

Agencies and local governments should develop and promote partnerships with non-profit organizations and citizens to acquire and restore wetlands.

Agencies and local governments should work with groups such as cooperative extension offices, conservation districts, local land trusts, and others to provide technical expertise to landowners. Agencies should also work with tribal governments to establish stewardship programs on tribal lands to serve as non-regulatory models.

WETLANDS EDUCATION

A committee should be established to develop and implement collaborative wetland education strategies.

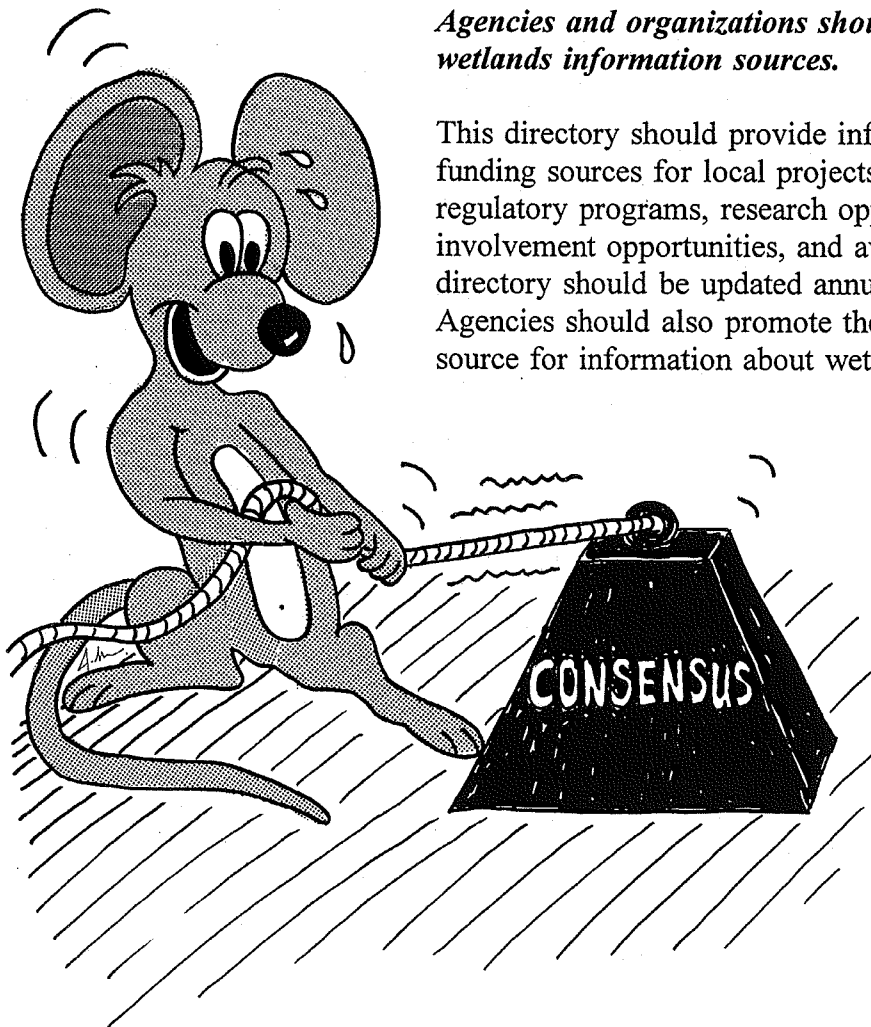
This education committee should include agencies, organizations, and citizens involved with wetlands education on a statewide basis. This committee should develop a wetland education strategy that focuses on watersheds, supports peer education, and promotes partnerships. The committee should meet periodically to coordinate, evaluate, and implement wetlands education efforts.

Wetland systems that have not been an education focus in the past (e.g., seasonal wetlands and forested wetlands) should receive priority for education efforts.

Adequate funding for wetlands education needs to be provided for all geographic regions in the state. Historically, wetlands in Western Washington, and specifically the Puget Sound area, have received the most attention. Special consideration should now be given to other areas and wetland systems to ensure that the importance of these other systems is well understood.

Agencies and organizations should develop a directory of wetlands information sources.

This directory should provide information concerning: funding sources for local projects, delineation training, regulatory programs, research opportunities; citizen involvement opportunities, and available publications. This directory should be updated annually and augmented locally. Agencies should also promote the EPA hotline as a general source for information about wetlands.



SUMMARY

A total of 47 recommendations were developed by the six work groups and are included in the final SWIS report. These recommendations require a variety of actions for implementation: a few require development of legislation or administrative rules, some require local government action, and several require action by state or federal agencies. Successful implementation of many recommendations also depends upon the active involvement of other groups such as agricultural interests, private business, environmentalists, and the general public.

The Interagency Wetlands Review Board is responsible for ensuring that the SWIS recommendations are implemented. This board is comprised of the directors (or designees) of the state natural resource agencies with wetlands responsibility, as well as the Washington Association of Counties, the Association of Washington Cities, and the Conservation Commission. The board is responsible for developing strategies and working with the appropriate groups and individuals to implement each recommendation.

The second component of SWIS, the four local demonstration projects, are currently being completed. The goal of these projects is to develop a variety of local wetlands planning approaches that can be used as models around the state. Recognizing that local jurisdictions have different needs, each of the four grant recipients has used different methods and techniques in developing a local wetlands program. Once these projects are completed, the results will be compiled into a single report and distributed across the state.

FOR MORE INFORMATION

To learn more about the State Wetlands Integration Strategy or obtain a copy of the final SWIS document, please contact:

**Department of Ecology
Shorelands and Water Resources Program
P.O. Box 47690
Olympia, WA 98504-7690**

**Phone: (360) 407-6600
Fax: (360) 407-6535**