

Riparian Protection and Restoration Initiative

Briefing to the Strategic Initiative Leads and partners, August 27th, 2020

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Shorelands and Environmental Assistance Program



What we'll be discussing

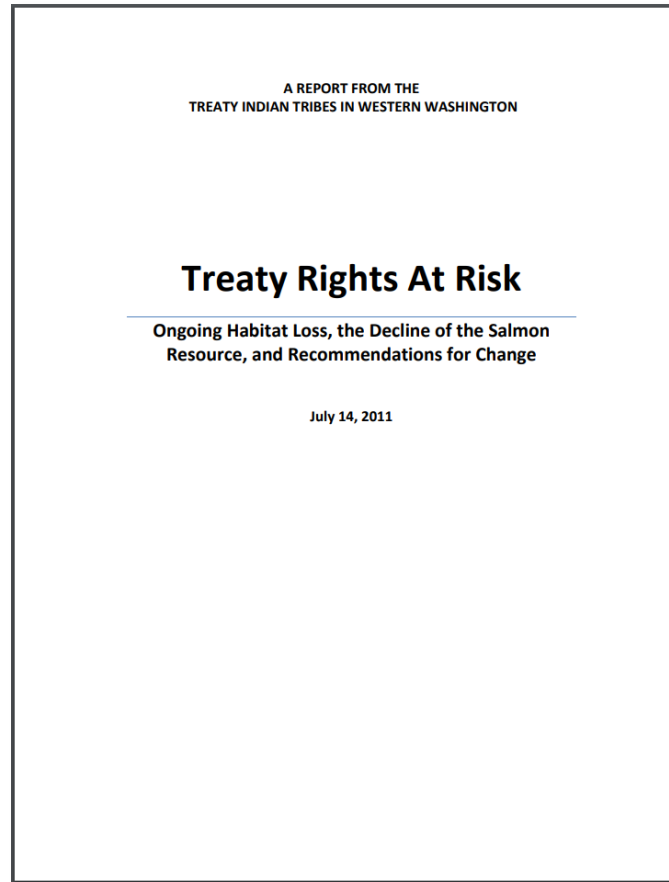
- Watershed Lead Organization Structure and Priorities
- Setting up the Riparian Protection and Restoration Initiative
- Reach-scale Planning Phase
- Implementation Phase
- Outputs/Outcomes of the grant investments
- Lessons Learned
- Considerations for future NEP investment in Riparian P&R
- Discussion

The Watershed Lead Organization

- One of the “Eco-LOs” under the previous NEP funding model
- Co-managed by Ecology and Commerce
- Ramped up in 2011
- Heavy emphasis on technical assistance to sub awardees

Developing the Riparian Grant Program

- Tribal Treaty Rights at Risk initiative - Need to accelerate progress!
- Assure WQ/Salmon Habitat investments are adequate - NMFS Buffer Width T&C
- NEP Watershed Lead Organization charged with developing new Riparian Protection and Restoration grant program for EPA
 - \$5.8 Million investment
 - Focus on salmonid habitat in agricultural landscapes
 - Focus on permanent protection – easements preferred



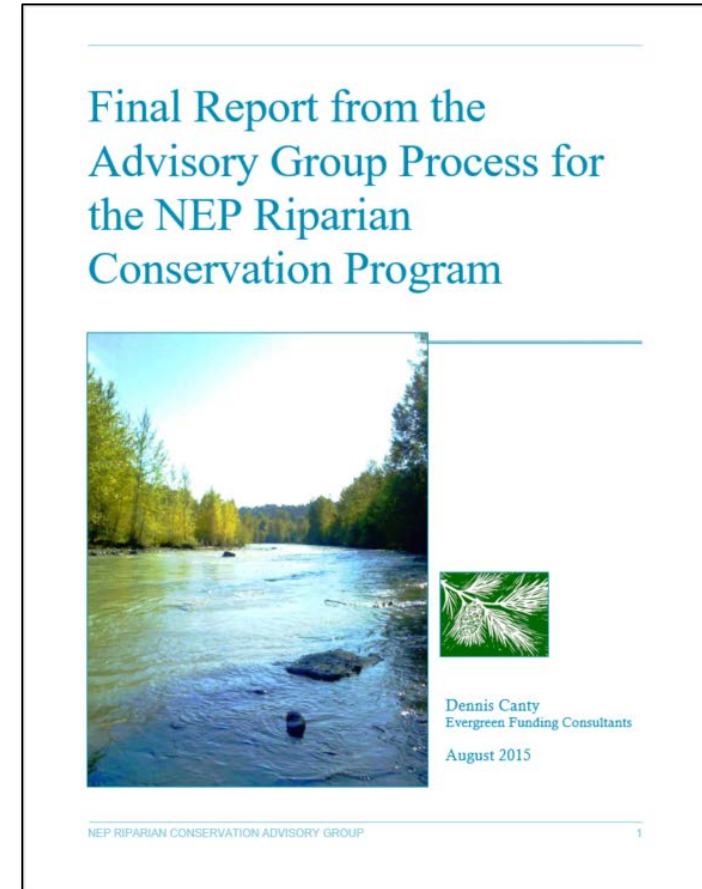
Interim Riparian Buffer Recommendations for Streams in Puget Sound Agricultural Landscapes November 2012 (Originally proposed as federal Option 3 for the Agriculture Fish and Water (AFW) Process, March 2002)				
Channel Type	Habitat Functions	Composition	Buffer Width	Comments
Class I Constructed ditches; small non-fish bearing streams	Water quality protection; shade; sediment filtration	Grasses, trees or shrubs; may only need woody vegetation on one side of channel	As wide as necessary to meet water quality standards; can be determined by NRCS Field Office Technical Guide (FOTG)	Channels constructed for purpose of draining farmland. If dredged, dredging should occur when fish are absent or at lowest densities
Class II Fish bearing streams; natural and modified natural watercourses that are incised and cannot move	Water quality; LWD for cover, complexity; litter fall; shade	Site potential vegetation; trees where they will grow	2/3 Site potential tree height; 50 ft. minimum to 180 ft. maximum	Portions of natural watercourses that can no longer migrate laterally
Class III Fish bearing; natural unconfined channels	Same as above, but structural LWD essential	Same as above	3/4 Site potential tree height	Highly desirable to buffer entire channel migration zone (CMZ)
Class IV fish bearing streams confined by dikes or other hardened man-made feature	Water quality; complex cover; litter fall; shade	Trees and shrubs	Face of levee, from top of dike to Ordinary High Water (OHW) mark	
Class V Fish bearing intertidal and estuarine streams and channels	Water quality; food inputs; habitat complexity	Site potential vegetation (salt-tolerant sedges, shrubs, trees)	35-75 ft.; varies according to adjacent land use	

Key Questions We Wanted to Explore

1. Can we focus the work in key areas to make more rapid progress on protecting and restoring riparian areas?
2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Advisory Group

- 25 person advisory group process informed program approach and design guiding principals:
 - Planning and strategy development important to fund in some areas
 - Concentrate investments to demonstrate progress
 - Use flexibility of NEP \$ to leverage and coordinate with other programs and funders (e.g. CREP) for greater effect

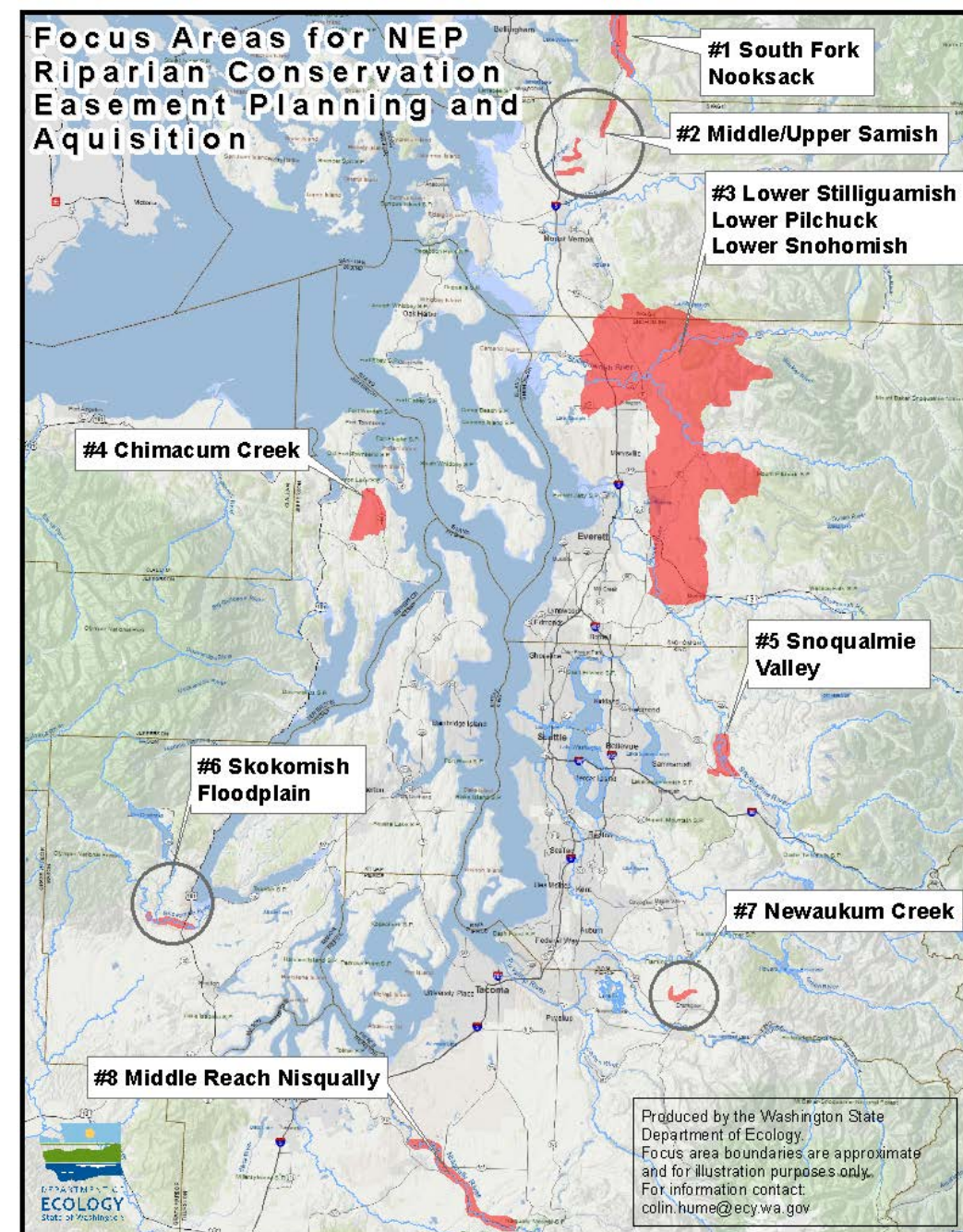


Grant Program Design

- Phase I Planning - Competitive solicitation to conduct reach-scale planning (up to \$120K) for a focus area
 - Priority salmonid habitat in agricultural landscapes of PS basin
 - Partnerships which demonstrate habitat restoration, landowner recruitment and acquisition expertise
- Phase II Implementation – On-the-ground protection and restoration actions
 - Eligible for additional implementation \$ upon completion and approval of reach-scale plan
 - Total award including phase I not to exceed \$550K unless additional \$ becomes available
 - Propose projects identified in or justified as strategic by reach-scale plan
 - Provided flexibility to propose projects as landowner willingness comes and goes

8 Focus Areas

- **South Fork Nooksack River** – Nooksack Tribe
- **Middle/Upper Samish River** – Skagit Land Trust
- **Lower Stillaguamish, Pilchuck, Snohomish Rivers** – Snohomish Conservation District
- **Chimacum Creek** – North Olympic Salmon Coalition
- **Snoqualmie Valley Southern APD** – King County
- **Newaukum Creek** – King County
- **Skokomish Floodplain** – Mason Conservation District
- **Middle Reach Nisqually River** – Nisqually Land Trust



Program Design

Planning phase

Implementation

Lessons

Future NEP Work

Grant Program Design...Adaptive Management

- Phase III – Implementation
 - Focused competitive process across 7 sub awards to spend down remaining \$
 - 2 “calls for proposals” as more money became available from pre-allocated phase II budgets and other non-riparian sub awards closed out.
- Administratively challenging...acquisitions are risky.

Reach-scale plan development

Phase I funded activities differed by focus area

- Planning related actions depended on the needs of sponsoring organization and context
- Wide variety of activities conducted
- Each plan different
- Plans required to cover and document some common elements



Program Design

Planning phase

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Future NEP Work

Action Identification

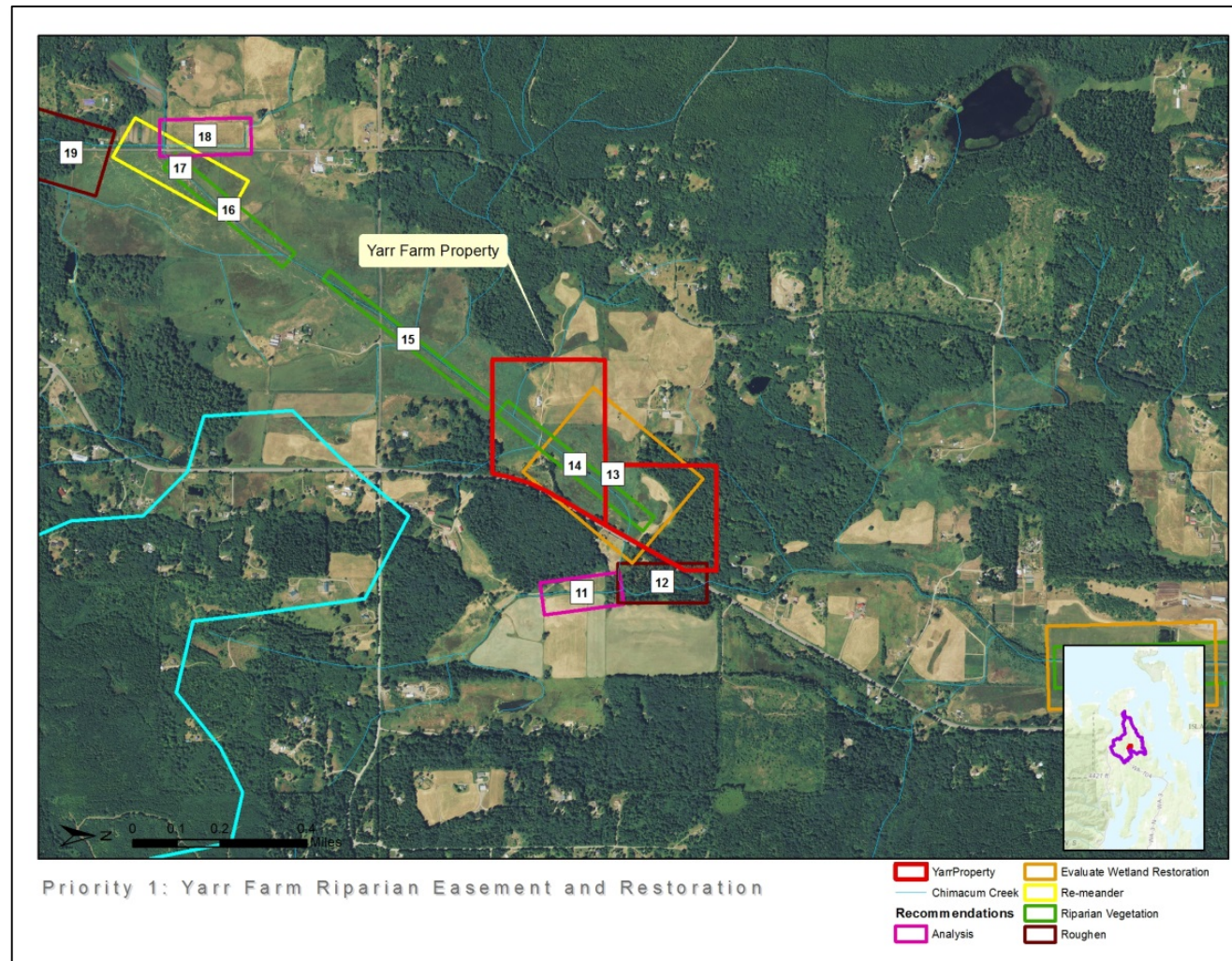
- Protection needs and opportunities
- Restoration needs and opportunities

Identifying protection and restoration actions at reach -> parcel scale

Approaches included:

- Conducting partner workshops to review data/maps, categorize types of activities which are needed at reach/parcel scale
- EMDS logic modeling of riparian function and “farmability” -> landowner workshop
- Geomorphic and land cover analysis to determine where restoration is primary need or protection.
- Use of predefined suite of actions, e.g. –
 - Skokomish Floodplain – USACE projects
 - Watershed Plan and TMDL in the South Fork Nooksack

Project Highlight – Chimacum creek



Program Design

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Project Highlight – Chimacum Creek

REC #	TYPE	RM	LOCATION	RECOMMENDATION CATEGORY	RECOMMENDATION	PRIORITY	CONSIDERATIONS
14	Restoration	7.4-7.8	Main stem	Riparian Vegetation	Establish riparian vegetation along ditched reach.	High	
15	Protection	7.9-8.3	Main Stem	Riparian Vegetation	Protect and enhance riparian vegetation planted during previous restoration efforts; 2015 imagery suggests very small plants.	High	Note that there are existing beaver dams, and the low lying portion of the valley adjacent to the right bank could possibly become inundated.
16	Restoration	8.4-8.8	Main Stem	Riparian Vegetation	Establish riparian vegetation along ditched reach.	High	
17	Restoration	8.6-8.9	Main Stem	Re-meander	Re-meander and/or roughen channel in this reach through wood placement; some suggestion of relict channel features from the REM map.	Low	Additionally recommend 2-D hydraulic modeling to assess activation flows and changes in inundation from roughening.
18	Data Gap	8.8	West Valley tributary-ditch and unnamed tributary-ditch at left bank	Analysis	Investigate inflow from <u>unvegetated</u> west valley tributary ditch and from partially vegetated unnamed tributary ditch.	High	Water quality exceedances in both tributary ditches; establish or enhance riparian vegetation along ditches if inflow is substantial.
19	Restoration	9.0-9.4	Main stem, confined reach	Roughen	Improve habitat complexity by adding roughness; opportunity to re-engage flood plain.	Low-Medium	Additionally recommend 2-D hydraulic modeling to assess activation flows and changes in inundation from roughening.
20	Restoration	Trib.	<u>Barnhouse Creek</u>	Riparian Vegetation	Establish riparian vegetation along ditched reach.	High	Water quality exceedances at confluence of <u>Barnhouse Creek</u> and <u>Chimacum Creek</u> .

Program Design

Planning phase

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Priorities and Sequence

- Greatest potential for ecological lift
- Intact habitat at threat from development
- Landowner dynamics and opportunities

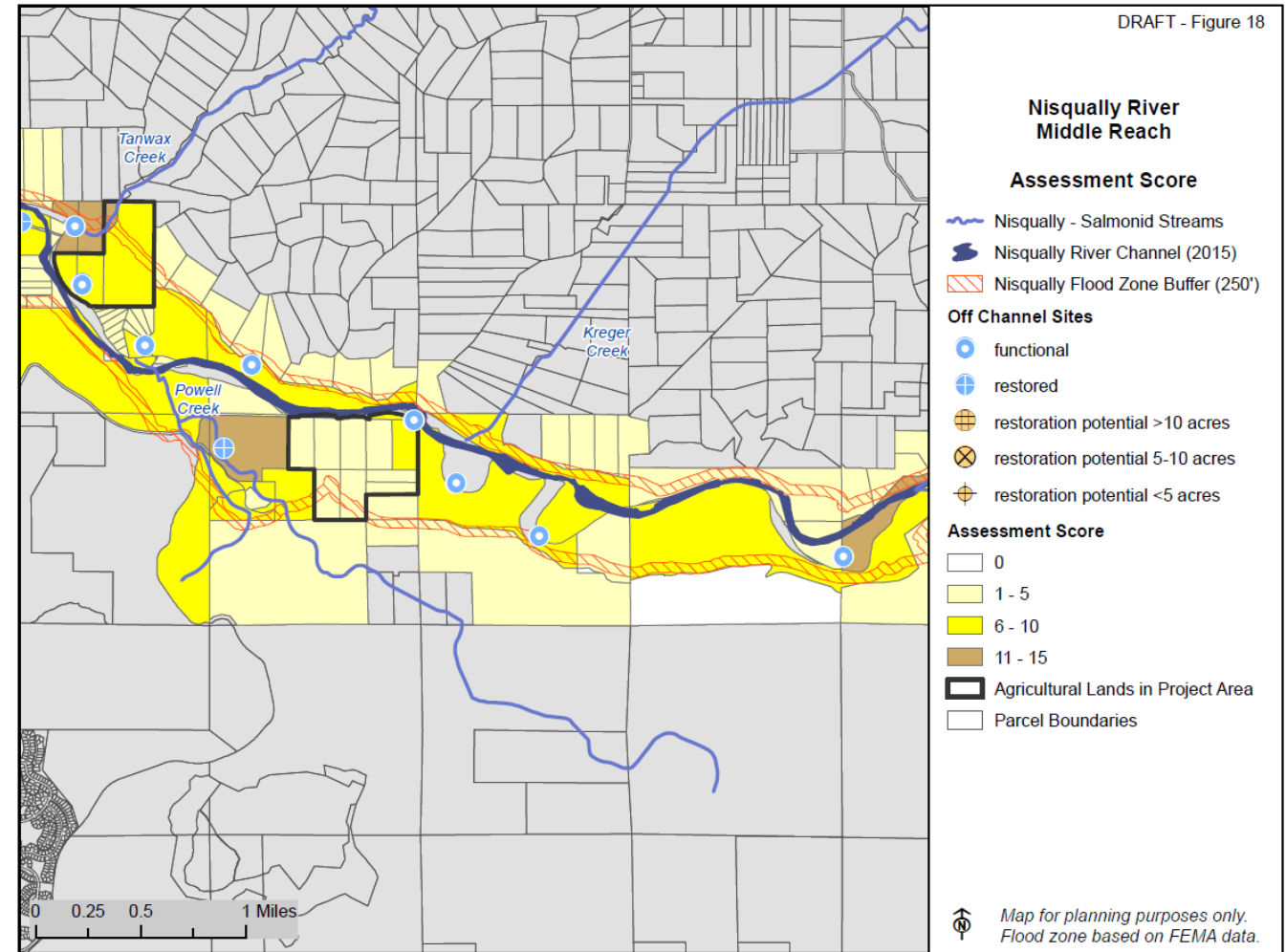
- Desktop GIS analyses to score and rank reaches, buffer segments, and/or parcels for their-
 - Potential ecological lift if restored
 - Existing habitat value to be protected
 - Threat to development
 - Feasibility/landowner willingness (often based local knowledge of partners)
- Partner workshops to score based on BPJ
- Cost estimates and real estate analyses

Prioritization schemes highlight

Nisqually Land Trust ranking – update of a 2005 Shoreline assessment

Table 1: Ranking Criteria – Three Key Habitat Characteristics

Description	Attribute Codes/Score	Source
Salmonid Accessible Tributary on Parcel		WA Department of Fish and Wildlife and Nisqually Indian Tribe Department of Natural Resources
Yes	5	
No	0	
2015 Flood Zone Forest Cover (for Parcel > 1 acre)		2015 National Agricultural Imagery Program aerial photography and Nisqually Land Trust staff knowledge of riparian forests in project area
100%	5	
75%-100%	4	
50%-75%	3	
25%-50%	2	
>0%-25%	1	
0%	0	
Off-Channel Habitat Site Score		South Puget Sound Salmon Enhancement Group Assessment
Functional	5	
Restored	4	
Impaired Site > 10 acres	3	
Impaired Site > 5 acres and < 10 acres	2	
Impaired Site < 5 acres	1	
No off-channel habitat	0	
Assessment Score	11-15 = High 6-10 = Moderate 1-5 = Low	
Maximum Score = 15 = Functional Off-Channel Habitat + 100% Forest Cover + Salmonid Tributary		



Program Design

Planning phase

Implementation

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Future NEP Work

Phase II/III - Implementation

- 7 of 8 focus areas moved to Implementation
 - King County Snoqualmie Valley – Fish Farm Flood process needed to play out
- Decision-making process:

Conceptual SOWs



Grant Amendments

- Developed a template for implementation proposals
- Iterative and evolving negotiations as projects took shape
- Incremental investments
 - Site visits and additional landowner recruitment
 - Appraisals and due diligence activities
 - Restoration designs
 - Negotiating easement terms
 - Acquisition and restoration

Program Design

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Conceptual Scope of work template for NEP Riparian Conservation Easement Phase II Proposals

The following is to be used as a template for Phase II proposals for implementation related activities. The information that will be provided by a project sponsor in this document is for Ecology/EPA to provide feedback on which elements of their proposed phase II work should be developed into a formal SOW and budget amendment on the existing grant agreement.

Summary information regarding Phase II proposed work

This "Summary information..." section is intended to compile all Phase II proposal elements into a single location to describe the entirety of what is proposed in the "Detail Sheets" that follow. This will be adapted/updated over time as additional opportunities are proposed for Phase II funds.

For purposes of appraisal authorization those elements with a ** are required

1. **Date of submission/Version #** 3/15/2017
2. **Brief description of the work that is proposed for Phase II** (e.g. type of protection/restoration actions and what habitats, species, and water quality goals are being supported with implementation activities).

Appraise three properties, 10 parcels, totaling 208 acres. These properties are in three of the focus areas identified in the Middle and Upper Nisqually River Reach Scale Plan. The three properties are owned by one agricultural landowner and were identified as primary outreach targets during Phase I of the project. Securing appraisals of conservation easement and property values will provide the Land Trust with information needed to work with the landowner to craft a conservation project that will address the landowner's goals for the properties, maximize floodplain habitat protection and provide opportunities for future floodplain habitat restoration.

The project area is identified as high priority for habitat protection in the Nisqually Chinook Recovery Plan (2001) and the Draft Nisqually River Steelhead Recovery Plan (2014). The Whitewater, McKenna, Wilcox, and Middle reaches (Figure 1) serve as a transport corridor for all anadromous salmonids in the Nisqually River Watershed and provides important spawning habitat for chum, Coho, Chinook, and steelhead. Acquisition of property interests, including conservation easements, along these reaches as necessary to prevent further habitat degradation and to allow for ecosystem process restoration and habitat enhancement is included as a priority in both of the Nisqually salmonid recovery plans.

3. **Briefly describe the location of the parcels within the Focus Reach and major streams/water bodies they are associated with**.**

Property 1 (Parcels A-E): McKenna Reach – Thurston County Downstream Floodplain and Shoreline. Property is comprised of 5 parcels, totaling 100 acres, and is at the upstream end of this focus area. It includes 0.7 mile of Nisqually River shoreline and one off-channel habitat site. The property includes 43.5 acres in the flood zone and 21 acres in the flood zone 250' buffer. The Nisqually River is the property boundary along the north and east sides of the property. The Centralia City Light canal is adjacent to the south edge of the property.

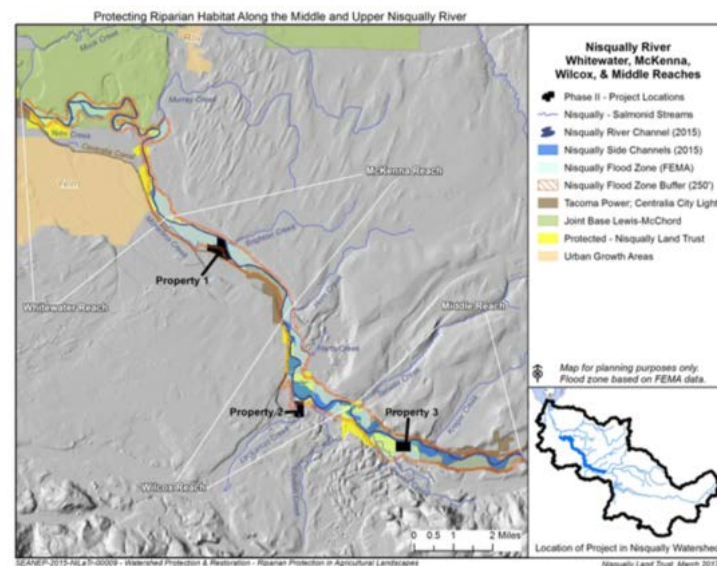
Property 2 (Parcels F & G): Wilcox Reach – Thurston County Lackamas Creek Confluence. Property is comprised of 2 parcels, totaling 49 acres, and does not include river shoreline. The parcels include 0.2

1

mile of lower Lackamas Creek. The property includes 3.4 acres in the Nisqually River flood zone, 6.9 acres in the flood zone 250' buffer, and 5.1 acres in the 100' Lackamas Creek buffer.

Property 3 (Parcels H-J): Middle Reach – Thurston County Mid-Reach Floodplain. Property is comprised of 3 parcels, totaling 59 acres. It includes 0.2 mile of Nisqually River shoreline and all 59 acres are within the flood zone.

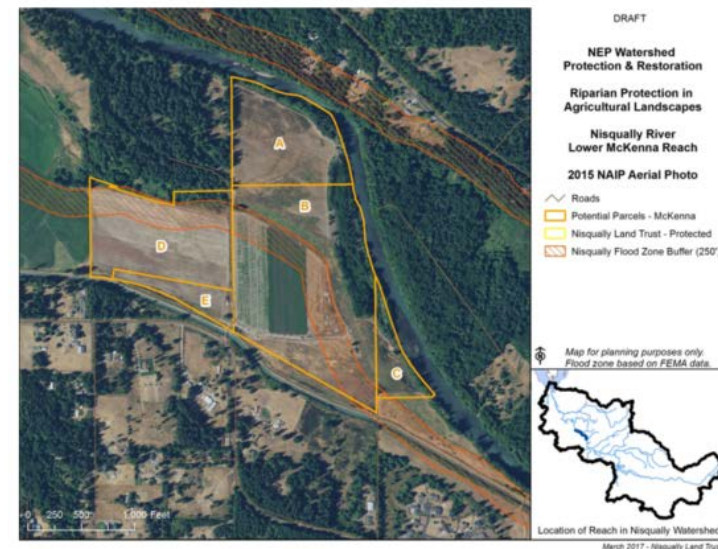
4. **Provide a map(s) of the focus reach which highlights the locations of all parcels that are detailed in the following parcel summaries. Provide unique identifiers or some other way to reference the location within the reach of each parcel detail to follow**.**



5. **Describe how the parcels subject to Phase II work fit within the strategic context of the Phase I reach-scale plan.**

Outreach during Phase I of the project focused on agricultural landowners in the project area. Five landowners expressed general interest during initial discussions, but only one agricultural landowner is ready to pursue conservation projects at this time. This landowner owns property in three of the focus areas identified in the project's reach scale plan. These properties total 208 acres, approximately 131 of

2



4. **Describe how this acquisition fits within the strategic context (location, timing, connection to other efforts, landowner considerations) of the reach-scale plan. Explain why this should be pursued in the near-term (next couple of years).**

This project is within one of the priority focus areas identified in the reach scale plan. Protection of this property would be a significant step in protecting the shoreline and floodplain along the McKenna Reach. This is a large property owned by a single landowner and the landowner is currently evaluating future plans for the property. If a conservation project is not possible in the near-term, it is likely that the landowner will pursue an alternative sale of the property. Acquisition of the property would provide opportunities for restoration of shoreline, off-channel habitat, and over 60 acres of floodplain and adjacent upland habitat.

5. **Describe (composition, condition,) and quantify (#acres, average width) the existing riparian zone on the parcel(s)**:**

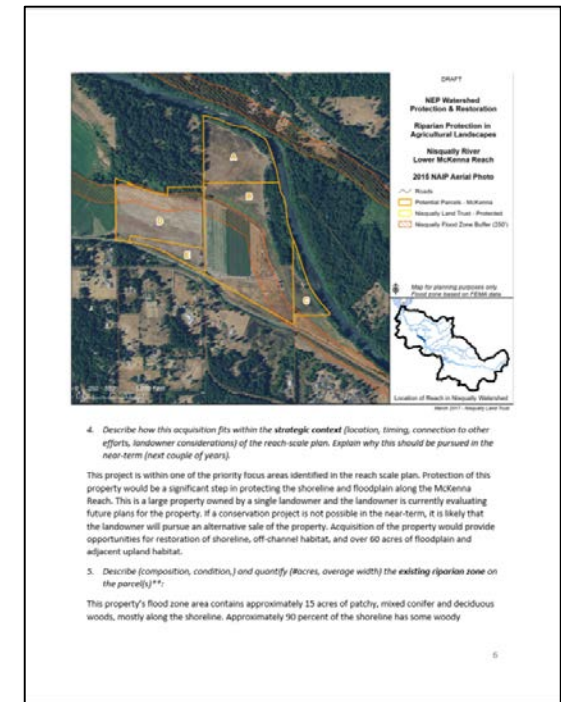
This property's flood zone area contains approximately 15 acres of patchy, mixed conifer and deciduous woods, mostly along the shoreline. Approximately 90 percent of the shoreline has some woody

6

Quantifying Potential Outcomes

Outcome description	Quantity CE – flood zone only	Quantity Fee acquisition of whole property
Total area protected (acreage) *	~64 acres	100 acres
Maximum width/Minimum width (ft) *	1220'/470'	2500'/940'
Stream/river length protected (ft) *	3850'	3850'
Salmon use (species, egg/juvenile/adult, habitat type)*	Transportation corridor – adults and juveniles – chinook, chum, coho, pink, steelhead, cutthroat	
Quantity and type of intense land uses (e.g Ag) discontinued in riparian zone with easement (acres)*	Hay fields, irrigated row agriculture	Hay fields, irrigated row agriculture; residential uses
Development rights removed from parcel (#)	To be determined	To be determined
Other: Water Rights eliminated	To be determined	To be determined
Proposed protection outcomes estimates * A required metric to quantify		

Outcome description	Quantity
Total riparian buffer restored (acreage)*	64 acres
Stream/river length restored*	3850'
Salmon use (species, egg/juvenile/adult, habitat type)*	5-10 acres of off-channel habitat reconnected
Floodplain storage improved (acres)	To be determined – portion of 64 acres
BMPs contributing to riparian restoration (Type)	
Contribution toward TMDL target for reach (type/quantity)	
Other	
Proposed restoration outcomes estimates * A required metric to quantify	



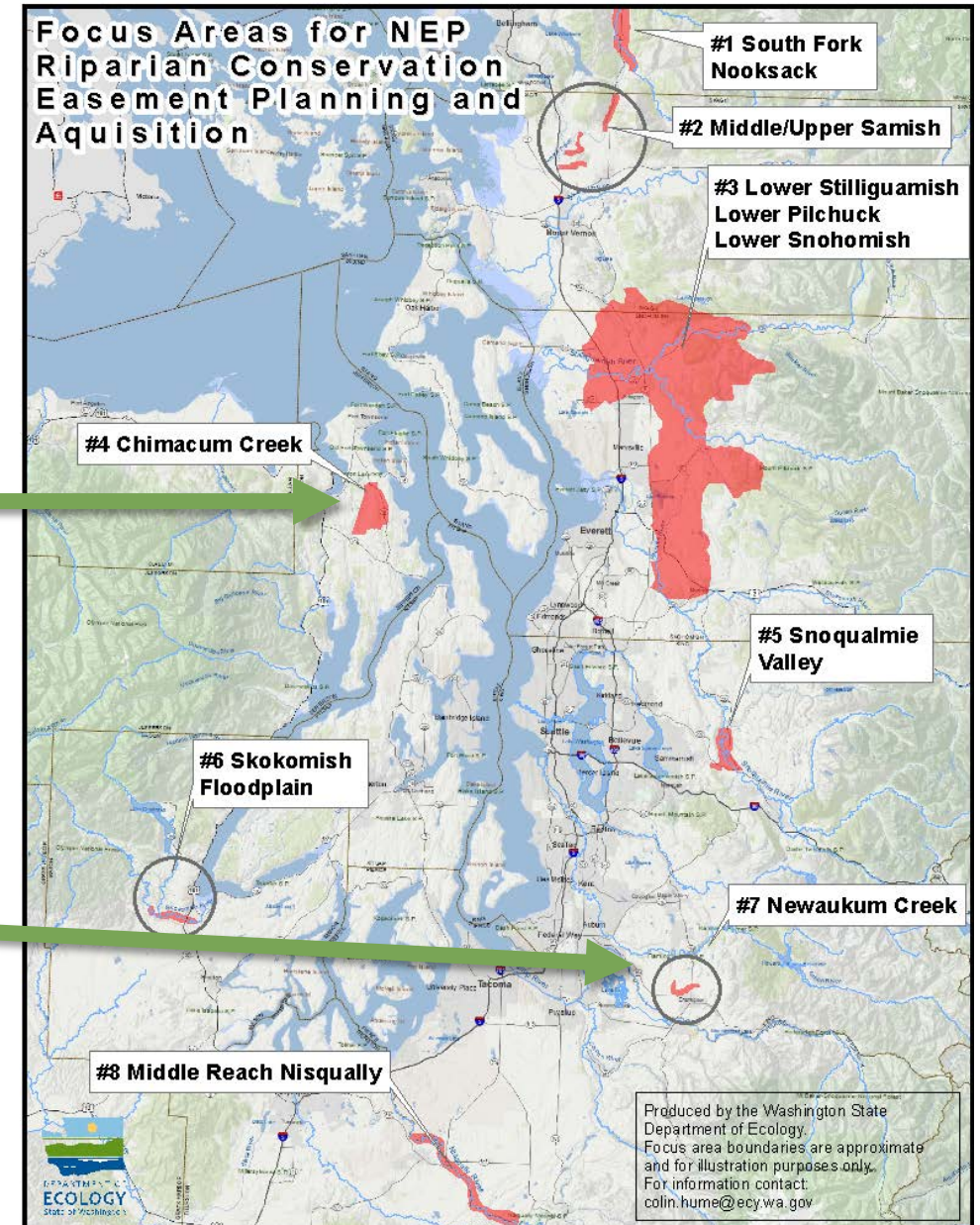
Case Studies

- Kodama Farm Conservation Easement

- Chimacum Creek – Jefferson County, near Port Townsend

- Newaukum Creek reach-scale acquisitions

- Upper Green River Watershed near Enumclaw



Program Design

Planning phase

Implementation

Lessons

Future NEP Work

Kodama Farm – Chimacum Creek

Partners: North Olympic Salmon Coalition and Jefferson Land Trust

- Pursued conservation easement and purchase of 1 development right which came with permanent protections for agricultural soils.
- First implementation project we pursued (October, 2017)...still working on it but almost complete!

The landowners: 3 young, prospective farmers in a lease-to-own arrangement with retiring farmer – easement and PDR \$ essential to enable their purchase.

[Location](#)

[Website](#)





Kodama Farm
& Food Forest

Kodama – A Whole Farm Approach

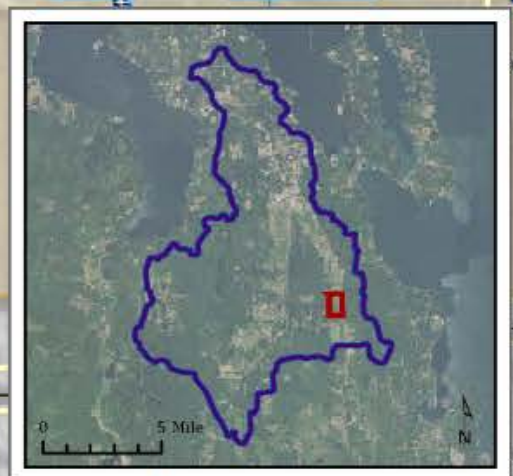
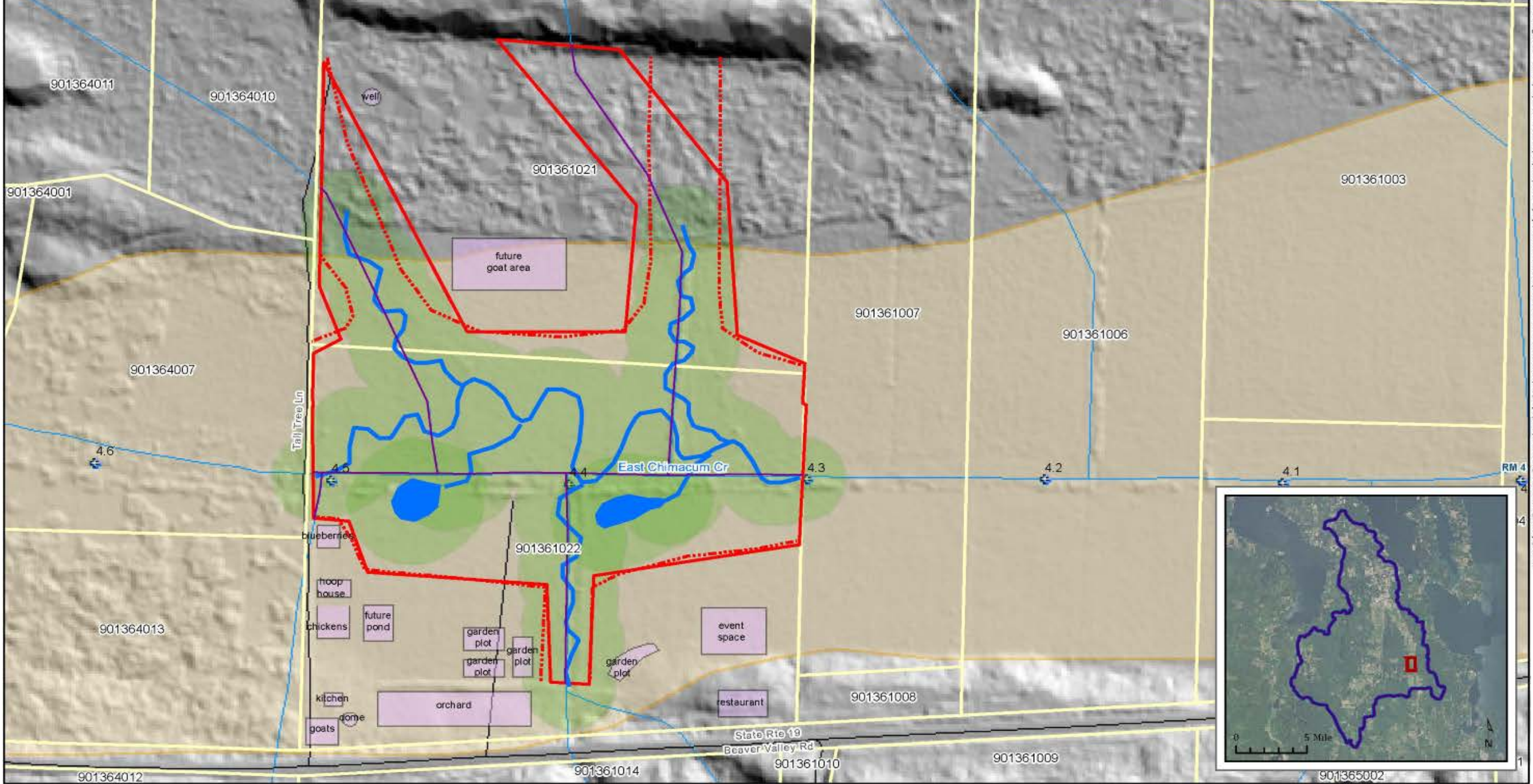
Current conditions

- Currently two, 20 acre parcels
- Currently 3,500 feet of ditched stream, primarily used by Coho. Downstream Summer Chum spawning.
- Essentially zero native riparian vegetation on Chimacum Creek.
- Most of property was historically wetland, then converted to pasture. Some Slope wetlands on western edge of pasture hydrologically connected to Chimacum Crk.
- Bordered on the west by DNR land

Kodama – A Whole Farm Approach

- Design Charrette with farmers, NSD, NOSC, JLT
- Map out a concept for the farm that meets future farming needs and conservation needs

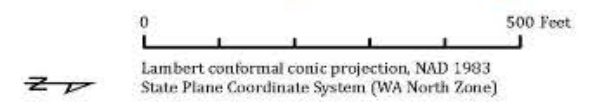




Chimacum Creek Watershed Assessment

Kodama Farm Property

Data sources: 2005 LIDAR DEM (Puget Sound LIDAR Consortium)
USGS NHD (1:24,000), US Census Bureau Roads (2010),
2015 NAIP with orthorectified (USDA)



- Jefferson Co Parcels
- Valley Floor (Approx Floodplain)
- Kodama Re-Meander
- Kodama Ponds
- Kodama Easement Sketch
- Kodama Easement v1 (20 acres)
- Kodama Re-Meander 1008

- 15 River Mile
- Streams
- Roads
- Parcel Boundary



Kodama Farm – A Whole Farm Approach

Conceptual Design  Easement Terms and Map

Then...years...

- Surveys (wetland, septic, boundary etc.)
- Appraisal
- NAVY REPI PDR program, 50% match to easement cost
- Negotiations with County to approve a plat alteration to certify a PDR and establish future building footprint
 - CAO impacts
 - Mitigation
 - DNR setbacks
- County process and staff problems...then COVID-19

Program Design

Planning phase

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Future NEP Work



Kodama – A Whole Farm Approach

- Have Purchase and Sale Agreement
- Decided to fund full PDR value with residual funds, allowing for another project with adjacent landowner to use the Navy REPI funds for Ag protection
- All indications are that County process will be approved
- Adding flexibility to easement terms as a contingency plan
- Funding 60% restoration design process
- Potential funding of livestock exclusion fencing with remainder \$
- PATIENT LANDOWNERS!!!

Kodama – A Whole Farm Approach

- Project Outcomes...eventually:
 - Re-meandered stream will eventually increase from ~ 1,099 ft. to > 2,993 ft post restoration.
 - Beaver will help reestablish off channel rearing habitat for Coho.
 - Agricultural soils and practices will be protected into perpetuity
 - Additional economic opportunities for the landowners and community which contribute to sustainable agriculture.



Newaukum Creek Reach-Scale Acquisitions

Partners:

- King County, Water and Land Resources Division
- American Farmland Trust
- PCC Farmland Trust

Current Conditions:

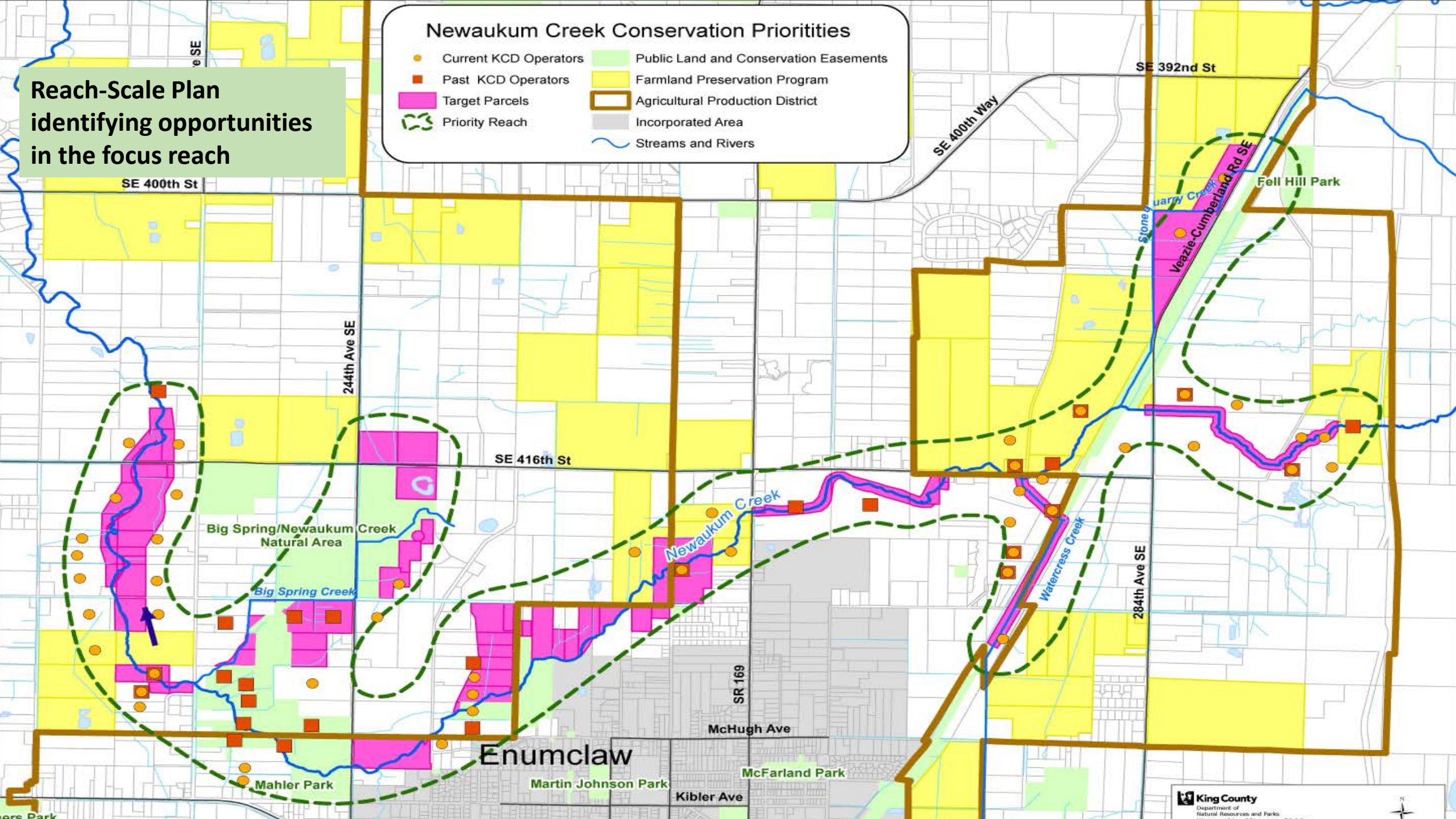
- Plateau above the mainstem Green River. Old lahar flows historically created a massive complex of wetlands.
- Dredged and drained for farming, particularly dairy production
- County has been aggressively buying up properties and revegetating for the past 15 years or so. Many different funders including the Conservation Futures program have been stitching together protected riparian areas



Reach-Scale Plan
identifying opportunities
in the focus reach

Newaukum Creek Conservation Priorities

- Current KCD Operators
- Past KCD Operators
- Target Parcels
- Priority Reach
- Public Land and Conservation Easements
- Farmland Preservation Program
- Agricultural Production District
- Incorporated Area
- Streams and Rivers



Newaukum Creek Reach-Scale Acquisitions

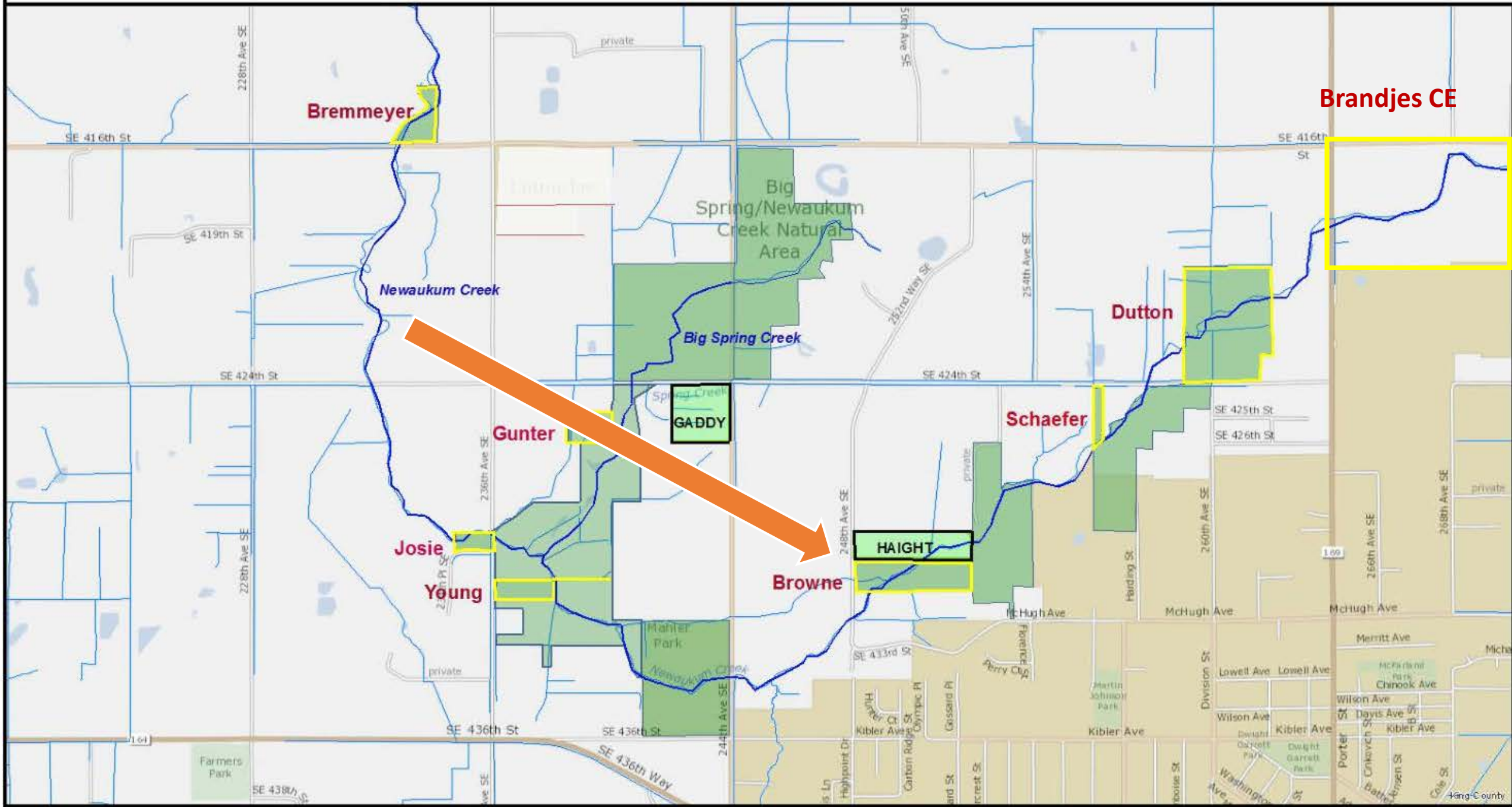
Basic strategy for protecting and revegetating Newaukum Creek

- Farming is increasingly becoming unprofitable on the plateau.
- Keep a presence in the community so landowners approach the county first when considering selling
- **Strategically Opportunistic.** Know which parcels will contribute to overall attempts to revegetate Newaukum and its tributaries, as well as historic wetlands supporting hydrology. Pursue real-estate listings, knock on doors (generally partners in AFT and PCCFT).
- Emerging **new collaborations** within County Ag program to combine agricultural protections and riparian restoration.





Newaukum/Big Spring Creeks - Previous/Proposed Acquisitions with Ecology NEP Funding



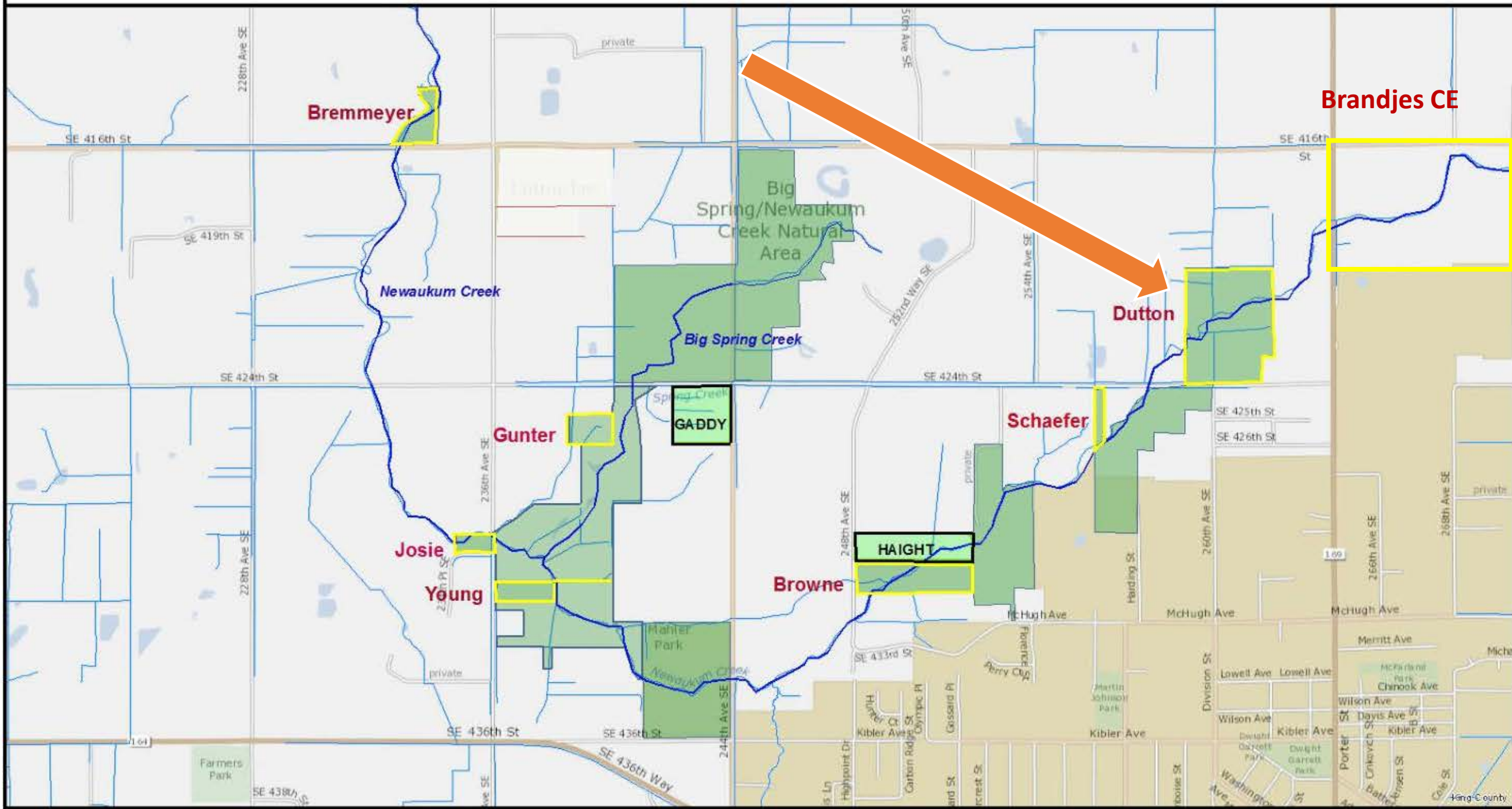


**Haight
Property**

**Brown
Property**

Big Spring/Newaukum
Creek Natural Area

Newaukum/Big Spring Creeks - Previous/Proposed Acquisitions with Ecology NEP Funding

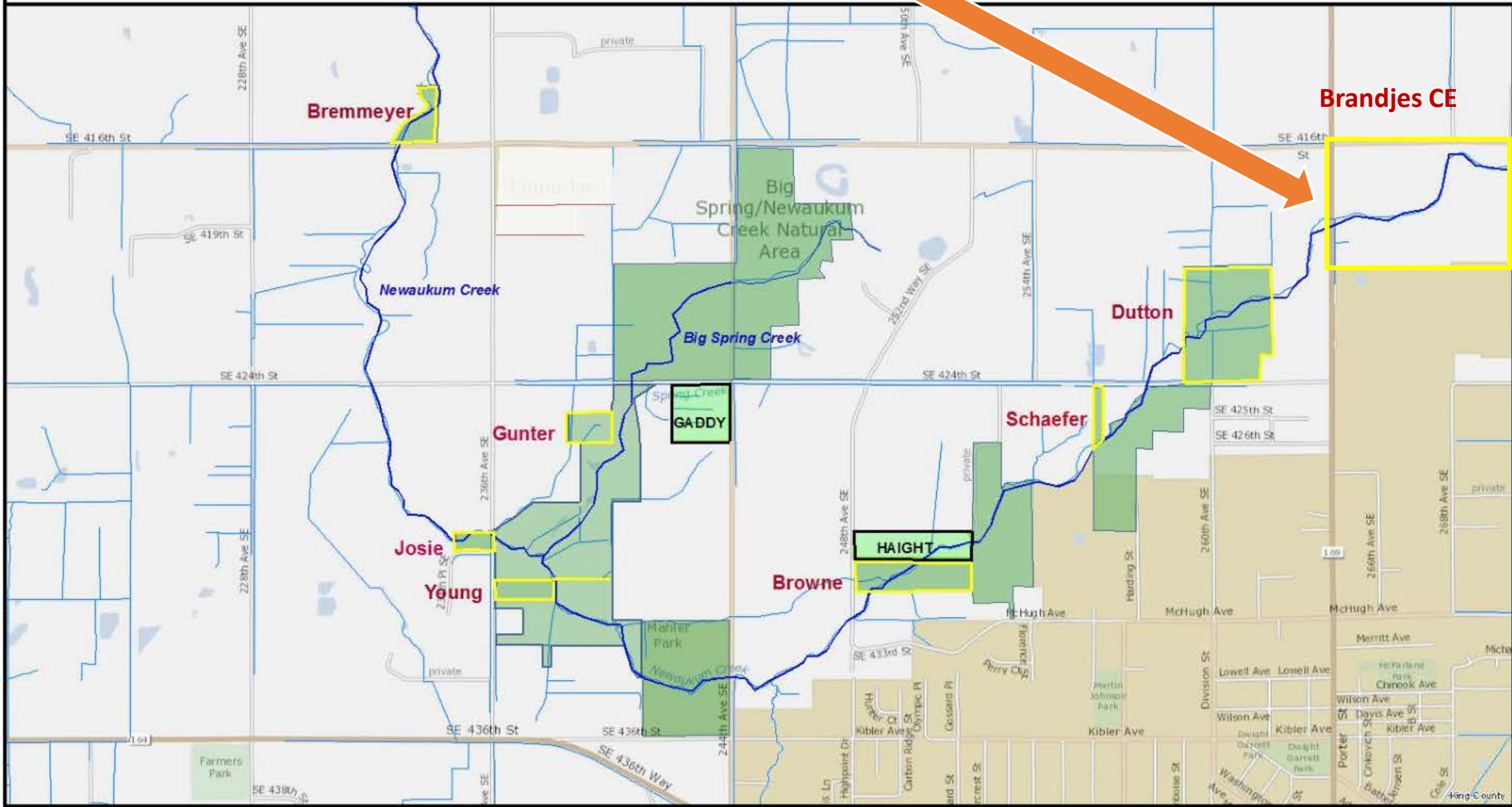




**Dutton
Property**



Newaukum/Big Spring Creeks - Previous/Proposed Acquisitions with Ecology NEP Funding





Newaukum Creek Reach-Scale Acquisitions

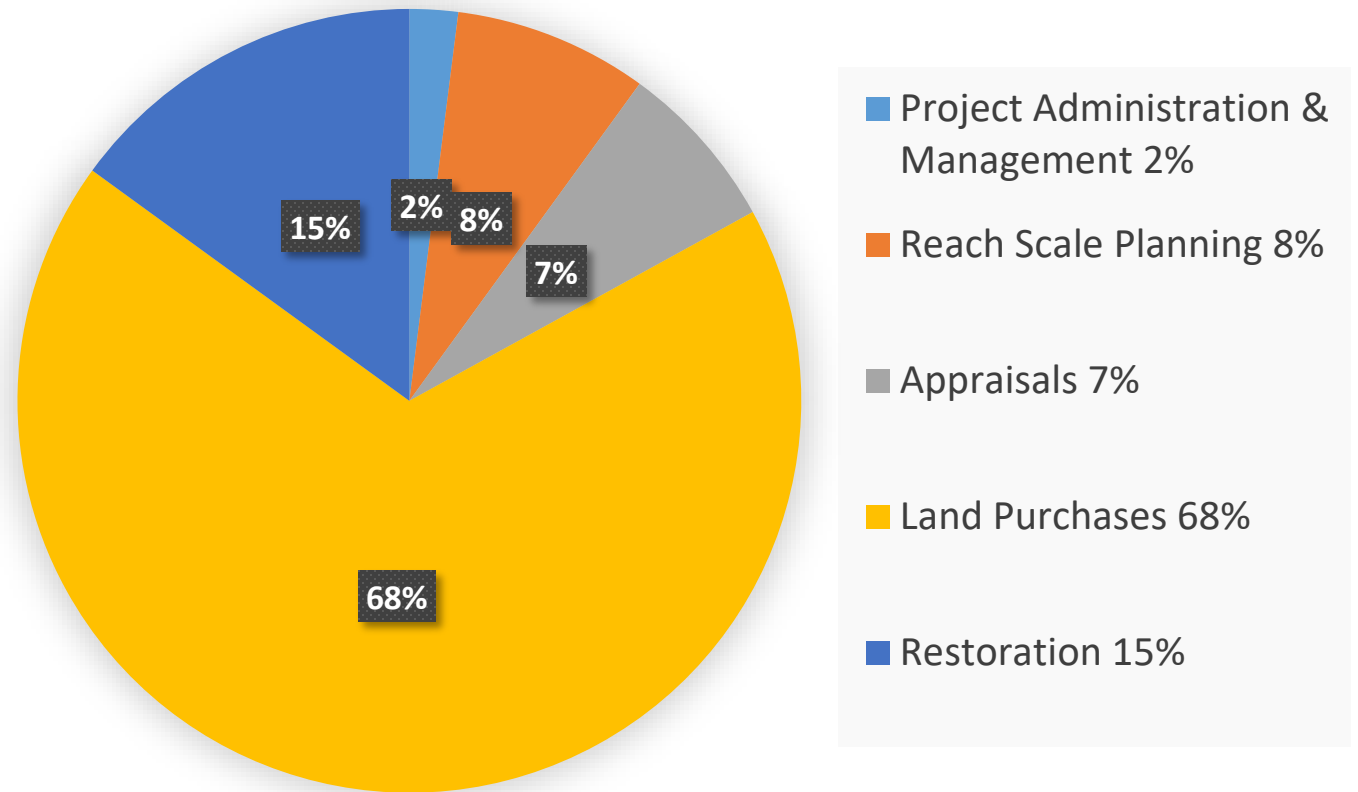
- In all cases King County is covering structure demolition and will pursue full replanting of the properties.
- Green Basin Steward providing the leadership and not charging for project management.
- Momentum with the landowners
- Lack of FFF stakeholder conflicts present in other areas so not bogged down in process
- Conservation Futures providing consistent yearly funding so County keeps the pipeline of potential acquisitions rolling and finds the funding for implementation from several different sources.

5 minute break

What does \$6.2 Million Buy?

- More than initial \$5.8 M because of rolling over unspent sub award funds from other non-riparian grants
- Draft results with some inaccuracies. Will continue to refine.
- King County Newaukum Land Purchases alone account for almost 1/3 of total expenditures!

NEP Expenditures By Category



What Does \$6.2 Million Buy?

On-the-ground project outcomes (~\$5.6M)

- 16 individual property purchases (including boundary line adjustments) or easements
- 4 Revegetation Projects (more than 4 properties)

Not reported in following summary table

- 1 Invasive Knotweed re-treatment and maintenance project on 265 acres (Skykomish Floodplain)
- Match \$600K to a larger floodplain acquisition and restoration project (Trafton)
 - 158 acres protected
 - 6,300 linear feet along NF Stillaguamish
 - Appx. 15 Development Rights removed from the floodplain

What does \$6.2 Million Buy?

Protection					Restoration		
Number of properties or easements acquired (<u>no match</u>)	Develp. Rights removed	Total area protected (acres)	Riparian Area Protected (acres)	Stream or riverbank length protected (ft.)	Riparian Area restored (acres)	Stream or Riverbank length restored (ft.) * includes some perennial ditches	Floodplain storage improved (acres)
16	12	280	203	9,040	57.5	9,470*	65
What the approximate future need is →					156	22,901*	139

Program Design

Planning phase

Implementation

Lessons

Future NEP Work



- Some initial lessons from our experience managing this type of flexible, geographically focused approach to protecting and restoring riparian areas in agricultural landscapes.
 - Organize around our two main questions
- Some thoughts about how NEP can continue to invest in riparian work given the unique nature of those \$

Key Questions We Wanted to Explore

1. Can we focus the work in key areas to make more rapid progress on protecting and restoring riparian areas?
2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Answers to both questions are interrelated...

Program Design

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Future NEP Work

1. Can we focus the work in key areas to make more rapid progress on protecting and restoring riparian areas?

Yes – It takes time though...

In areas with existing programs/pipeline of projects what they may need is:

- \$ available to work with new landowners and establish relationships (appraisals, feasibility/conceptual design, surveys, staff time)
- \$ available when landowners are ready to commit! Will lose opportunities because of grant cycles
- Fee-simple is way easier to pull off than easements in a rapid manner. Takes strong relationships, which necessitates large investments in staff-time, surveys etc.



1. Can we focus the work in key areas to make more rapid progress on protecting and restoring riparian areas?

Yes – It takes time though...

In areas **without** existing programs/pipeline of projects what they may need is:

- Planning \$ to understand and address local limiting factors to participation
 - From landowner scale (social marketing) → stakeholder/community scale (FFF efforts)
- General prioritization scheme for protection and restoration to communicate to funders that \$ spent will produce outcomes (with understanding of reach-scale historical and current land use dynamics)
- \$ for staff/outreach/landowner recruitment to take “risks” to build relationships

If you’ve achieved momentum...Keep the \$ coming!

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Future NEP Work

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Uncertain...it's complicated!

Three interrelated factors (probably many more) limiting attractiveness of conservation easements for riparian areas:

- Limited regulatory authority to compel plantings on previously converted agricultural land.
- Valuation of riparian areas through standard USPAP/USFLA requirements is not generally high (role of CAOs in diminishing value).
- Buffer width requirements impacts on attractiveness to landowners as well as grants sponsors/land stewards.

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Limited regulatory authority to compel plantings on previously converted agricultural land

- CWA, RCW 90.48 limited and must be able to prove a discharge from a specific landowner. Temperature in particular as a non-conventional pollutant...and everyone wants to regulate temperature as a means to improve salmon habitat as it is most likely to also provide broader function needs (e.g. LWD).
- SMA, GMA... grandfather land uses previous to passing of a given law.
- Dispute whether Ecology does indeed have regulatory authority to compel plantings for temperature impairments. **Hot topic!**

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Valuation of riparian areas through standard USPAP/USFLA requirements is not generally high (role of CAOs in diminishing value)

- Yellow book requirements for acquisitions must be followed.
- Almost always ties value of an acquisition to its development potential.
- Land use regulations have made new development in riparian areas or their buffers prohibited or very expensive to mitigate.
- How we “value” riparian areas for the ecosystem functions they provision is much different than development potential. No current mechanism for including ecosystem services in publically funded acquisitions. Could “someone else” contribute that though??

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Buffer width requirements impacts on attractiveness to landowners as well as grants sponsors/land stewards

Landowners –

- Low financial incentive for riparian easements, particularly where Ag is currently profitable.
- Smaller farms (e.g. Western Washington), buffer widths can take out a large proportion of total farm. Lack of trust for government, future requirements etc.
- Large widths are often a non-starter with landowners...especially when they can basically “jump across the stream”...yet we’re telling them we need 100ft minimum. Losing the “gateway buffer” effect...

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Buffer width requirements impacts on attractiveness to landowners as well as grants sponsors/land stewards

Sponsors/Land Stewards –

- Easements take a lot of time/resources as opposed to fee-simple.
- Long-term monitoring obligations are a cost, without \$ provided for that stewardship unless they take it out of the landowner payout...which contributes to the lack of incentive for the landowner.
- The Buffer T&C has changed the “search algorithm” for project sponsors which rely on grants to fund staff. Time that does not payout in opportunity to ultimately find a willing landowner is a waste of limited resources, and can be damaging to relationships with landowners they have cultivated for years.

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

Buffer width requirements impacts on attractiveness to landowners as well as grants sponsors/land stewards

- Is the Buffer T&C a good thing for a program like this?
 - Colin's opinion...not the agency position at this point...
 - In a permanent conservation easement program, with all of the administrative costs that are necessary to get one in place. **Yes**
 - With a permanent program we are “setting the expectation” of what is ultimately needed for water quality and habitat.
 - For riparian restoration only we need to think hard about the opportunities which are being lost because we don't have the regs. and/or incentives to attract landowners to plant their property. Ultimately need to factor in “timeliness” and contiguity, not just widths as a value to riparian areas and the species they support.

2. Is there enough incentive for conservation easements on Ag lands with current toolbox? If not, how can we create more?

The opportunities that are out there for easements

- Marginally productive or un-productive farmland
 - Drainage issues, CMZs, frequently flooded areas
 - Often relies on an existing conservation ethic in landowner
 - Retiring farmers that still want to live on the land
- Property ownership transitions (e.g. Kodama/Brandjes) in particular if associated with PDR
 - New owners, next generation of owners in a family
- Desire to expand operations so need lump-sum \$ (otherwise competing with CREP rental payments)

Big Programmatic Opportunities

- Combine Ag Protection easement \$ and Salmon Restoration & Protection easement \$:
 - Offer adequate incentives for landowners with PDR
 - Tie into existing farmland protection strategies and programs
 - Multi-benefit vision for landscape scale restoration and protection of agricultural viability – broaden the coalition for riparian restoration!
- Buy-conserve-sell strategy
 - Some models emerging (PCC farmland trust)
 - Will need to be strategically opportunistic
 - Removes landowner willingness as a factor but will be difficult to focus in a given area
 - Takes time to complete a full cycle and can be risky if cash flow is an issue

Big Programmatic Opportunities

- New or amended legislation to compel easements/riparian buffers
 - Minnesota Buffer Law model
 - Net Ecological Gain?
 - Both of these would probably completely change the equation around incentive for landowners.
- Explore partnership with private industry, foundations, NGOs to offer additional “Ecosystem Services Payment” above USPAP/USFLA appraised value
 - Not sure if it violates current standards. May not be legal.
 - Messing with property values is dicey...
 - Some in the conservation community do not believe we should increase payouts to landowners as it will make it more expensive to purchase what we need.

How NEP can continue to add value

NEP value - Fund work that is difficult for other organizations

- Enabling conditions
 - Ramping up or reinvigorating stakeholder conversations (e.g. SLS, FFF, Lower Skagit TMDL Implementation Planning)
 - Outreach/marketing strategy development for targeted areas so we understand local landowner perceptions and constraints
 - \$ for landowner recruitment that is not tied to specific project outcomes but enables a package of options to be offered
 - Support establishment of new local Conservation Futures programs where they don't already exist or work with them to establish priorities which support PS recovery.

How NEP can continue to add value

NEP value - Fund work that is difficult for other organizations

- Design
 - Reach-scale plans with a focus on riparian acquisition and restoration
 - Assessments and prioritization schemes, surveys, lidar collection to enable modeling etc.
 - can enable “reach-grants” from RCO
 - Feasibility studies for larger projects
 - Appraisals or valuation tools for landowner recruitment

How NEP can continue to add value

NEP value - Fund work that is difficult for other organizations

- Implementation

Break the funding cycle paradigm that loses us opportunities with landowners who are interested and ready to go!

- Money available and mobilized for critical project needs, when they are needed.
- Particularly acquisitions/easements.
- It's that easy!....

Program Design

Planning phase

Implementation

Lessons

Future NEP Work

How NEP can continue to add value

NEP value - Fund work that is difficult for other organizations

- Consider supporting bold programmatic opportunities at a high-level similar to what was described a few slides ago:
 - Ag protection and salmon restoration partnerships
 - Buy-consume-sell
 - Scoping of new legislation...
 - Ecosystem Service Payments above appraised value

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EPA Puget Sound Team



Discussion?

Brown Property
Newaukum Creek



Program Design

Planning phase

Implementation

Lessons

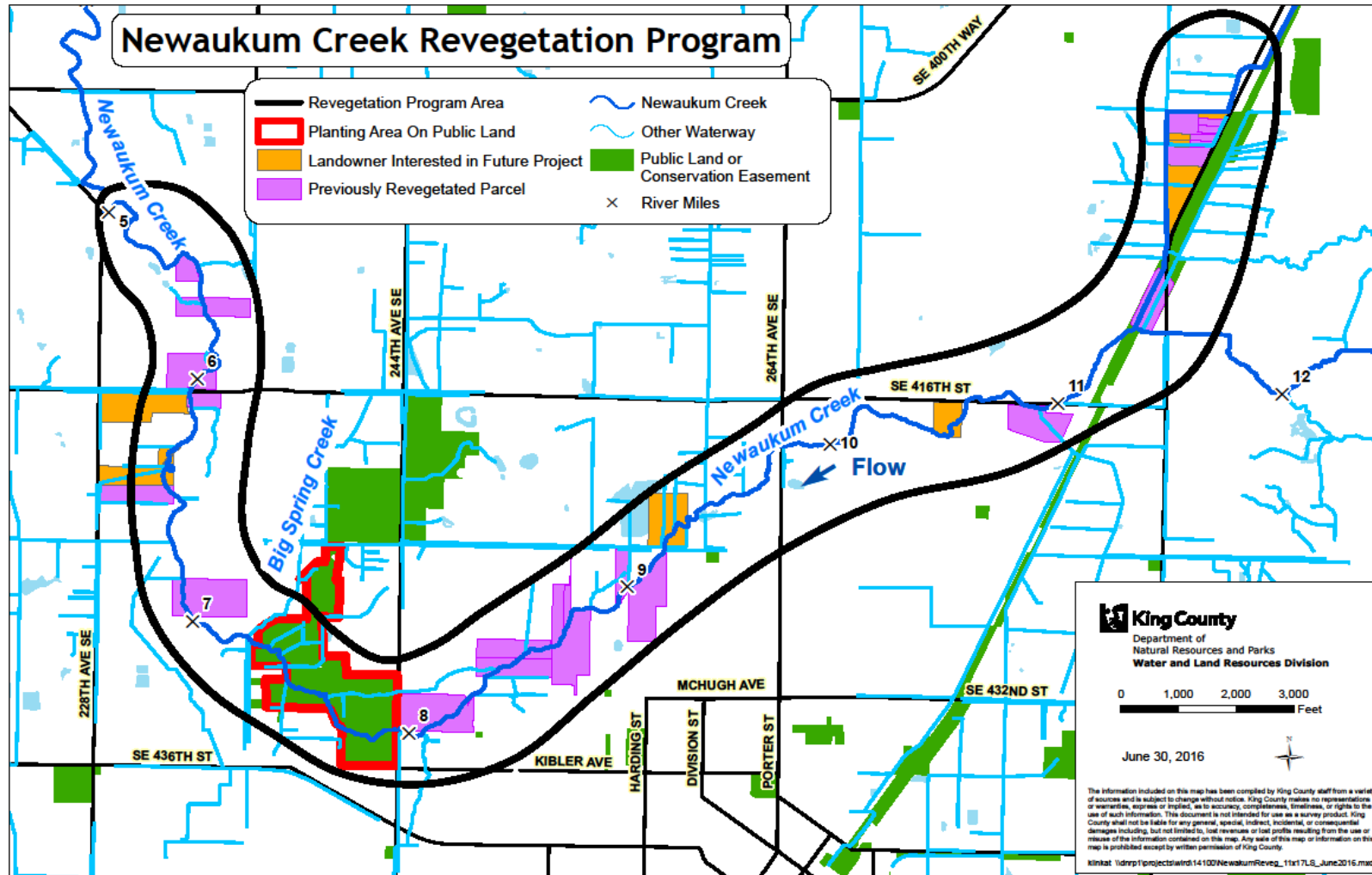
Future NEP Work



Approaches to Documenting Reach Context

- Assembling historic information on habitat and land use
- Assessing and describe development pressure
 - Zoning
 - Local knowledge about proposed development
- Assessing current conditions and riparian management issues
 - Assemble recent studies (e.g. TMDL, Salmon recovery plans etc.)
 - Geomorphic, water quality, and concentrated flow analyses
 - Beaver management issues and plan
 - Invasive species
 - Mapping current and proposed protection and restoration actions

Project Highlight- Newaukum Creek



Program Design

Planning phase

Implementation

Lessons

Future NEP Work

Landowner Recruitment Strategies

- Gain understanding of motivators and barriers to buffer work
 - Surveys
 - Focus groups
 - Landowner interviews
- Broad community outreach and public meetings to gain acceptance from stakeholders – Farm/Fish/Flood dynamics
 - SF Nooksack watershed planning process and flood zone meetings
 - Snoqualmie landowner workshop to identify properties where buffers could be restored without impacting agriculture
- Targeted landowner recruitment
 - Cultivate existing relationships (e.g. landowners who have done CREP or other restoration already) from project partners
 - Presentations at public meetings/landowner trainings on other topics
 - Mailers, brochures, knocking on doors, etc...

Project highlight

- South Fork Nooksack conducted reach-scale planning within a broader watershed planning effort
- NEP \$ helped provide a focus on the agricultural areas
- Challenging community dynamics makes broad outreach efforts and community engagement important

