

Complete List of Actions Necessary to Implement San Juan Initiative Recommendations

12.3.09

The County and other parties have made substantive progress in implementing the Initiative's recommendations of December 2008. Yet there remains considerable work to be done to improve the effectiveness of shoreline protection. In addition to actions by specific organizations, it is critical that the efforts are coordinated and communicated to the public. The coordination of funding to the highest priorities is of particular importance. The following section describes the key next steps, the implementing organization, and the likely cost of conducting the work. The following work is necessary to meet the 2010 and 2012 outcomes described below.

- a. There continues to be insufficient technical assistance for shoreline property owners from either the County or any other institution. There is also a lack of ongoing technical support for county planners. This need was identified by virtually all property owners, builders and county planners. Improved technical assistance and support would improve the ability to protect our marine shoreline areas prior to the building process. This technical assistance includes site visits to help identify existing ecologically valuable components prior to the building/buying process and would also include information about how to develop/landscape in a way that protects intact habitat and processes and suggests Best Management Practices. The site visit would also identify additional resources available and permitting agencies that may need to be involved.
 - Organize and implement technical assistance to land owners:
Conservation District
Estimated cost: approximately \$70,000- \$125,000/yr
 - Implement organization to improve technical assistance for county planners: County Planning Department
Estimated cost: Unknown. Needs to be decided if this would be funded through grants or through an increase in permit fees.

We request that the County Planning Department take the steps necessary to have adequate technical expertise to review permits and answer questions from the public.

The Policy Group requests that the San Juan Islands Conservation District obtain the funds necessary to implement a technical assistance program by June 2010. We suggest the state and other funding communities see this as a high priority to protecting the marine shorelines of San Juan County.

- b. Lack of key enforcement mechanisms, such as penalties and inspections, limit our protection efforts by encouraging non-compliant actions and the perception that the County's enforcement program is arbitrary and weak. Fees were increased in 2009

to allow for the post construction inspections. Though work is needed on the new permit tracking system to be sure that structures are inspected, conversations with planning staff show that recently approved permits for bulkheads were conditioned to require inspections after building. Unfortunately, a new draft ordinance instituting penalties for non-compliance has not yet been adopted. Please refer to the April 10, 2009 letter that was sent to the Planning Commission from the Co-Chairs of the San Juan Initiative for specific recommendations.

- Implementing organization: County Planning Department with support from the County Council.
- May require training of building inspectors and additional staff time to address violations and some refinements to the EDEN permit tracking system.
- Estimated cost: additional training for inspectors, \$5,000/yr.
- Unknown costs: implementing the new enforcement ordinance will likely require additional time from the Prosecuting Attorney's office and additional time from inspectors.

We request that the County Council, County Administrator and Prosecuting Attorney finish the proposed code enforcement ordinance by early in 2010, ensure adequate training for compliance inspectors to work on shoreline permits, and establish a realistic process to conduct enforcement actions in a timely and thorough manner.

- c. San Juan County is in need of a coordinated system for tracking and monitoring shoreline development within the County Planning Department and between the County Planning Department and WA Department of Fish and Wildlife's Hydraulic Permit Approval Process. There is potential to create a State/County process to coordinate enforcement and monitors beaches and bluffs for new activity and notifies the County of any changes. This would allow the County to check on shoreline activity and be sure that activity in these sensitive areas is permitted and is complying with permit conditions.

- Implementing organization: County Planning Department
- Expected cost: Planning Department is currently updating its permit system. State /County partnership for periodic monitoring: start-up cost \$5,000; ongoing monitoring \$10,000- 20,000 per year.

We request the WA Department of Fish and Wildlife and County design a system to coordinate permit tracking between County permits and HPA permits by the end of 2010, and that the County discuss a collaborative partnership with WA Department of Fish and Wildlife and Department of Natural Resources to improve enforcement.

- d. Shoreline protection lacks effective incentives. Property owners sometimes need positive recognition and incentives to act on behalf of the ecosystem. The San Juan Preservation Trust, The Land Bank and the Assessor's office have readily available tools to provide stronger incentives, but the current system is targeted for large parcels (greater than 10 acres). Tax incentive tools need to be modified and a pilot incentive project developed for smaller parcels with valuable habitat needs. Public works department and the Planning Department would also need to be consulted. In addition, a recognition program that encourages individual stewardship action by property owners would benefit not just the ecosystem but support a shift in shoreline developing norms.
- New Incentives: Implementing organization: San Juan Preservation Trust/Land Bank/Assessor in partnership
 - Costs: To create program: \$35,000
 - i. Ongoing implementation: depending on the number of properties involved, tax rolls would be reduced by some amount. More information needs to be gathered to understand the impact of this program on county revenue.
 - Recognition Program like "Green Shores": Implementing organization: Conservation District
 - Costs: To create program: \$125,000
 - i. Ongoing implementation costs need to be developed.

We request that the San Juan Preservation Trust, Land Bank and County Assessor's office provide conservation incentives to owners of small (less than 10 acres) shoreline parcels that have valuable habitat features. These incentives should be presented to the County Council.

We request that the Conservation District, in partnership with the Marine Resources Committee, seek funding for a "Green Shores" program to target information and recognition of good stewardship by shoreline property owners by the end of 2010.

- e. New regulatory language that results in the following (details on this recommendation can be found in the Aug 24th, 2009, San Juan Initiative Recommendations):
- Tailored approach to setbacks.
 - Better approach to protecting vegetation and maintaining views and shoreline access.
 - Placement of shoreline armoring on beaches and bluffs should be allowed only when home, accessory dwelling unit, road, driveway or septic is threatened by erosion.

Details on this recommendation can be found in the Aug 24, 2009 San Juan Initiative Recommendations, available at: www.sanjuaninitiative.org

We request that the County Council include these recommendations in the scope of work for the Shoreline Master Program Update.

- f. A culture shift in the relationship between the County government and building and real estate professionals is needed in order to foster efficiency and maintain the economy of the Islands. Through the Initiative we convened a number of large public meetings with building professionals to identify common issues and then brought these issues to a smaller working group of private professionals and the county staff.

We recommend continuing to engage the building community in a formalized fashion that builds on the work of the Initiative. We suggest two members of the Council chair a group with Public Works, Planning Directors, and several builders, realtors, excavators and landscapers to discuss planning and land use challenges.

- g. Measuring success of the Initiative: Reconvene Initiative Policy Group in 2010 and 2012 to review the measures of success developed by the Initiative. The result of our work needs to be monitored to determine its success. Details of this request are outlined in the following section.
- Implementing organization: MRC and the Local Integrating Organization (Puget Sound Partnership)
 - Costs: \$5,000 in 2010 and \$5,000 in 2012. This funding would cover staff time to provide a meaningful analysis of work accomplished to date and the outcomes achieved.

We request that the Puget Sound Partnership, through the Local Integrating Organization, work with the Marine Resources Committee to measure the success of the Initiative and reconvene the Policy Group to report the findings to the Council, state and federal agencies and tribes.

- h. Advance protection of the terrestrial ecosystem through a three-pronged approach
- Terrestrial Ecosystem Working Group: Initiated to identify ecosystem wide issues and ensure periodic review of actions. An outcome of this group could be similar to the Marine Stewardship Areas Plan that resulted in identified targets, strategies and key threats for the marine environment. The working group would be charged with gauging the effectiveness of actions and determining responsibilities for specific conservation actions, communicate with land owners and the public in a way that is consistent and supportive. The group should be structured on the San Juan Initiative model and include but not be limited to the Land Bank, Preservation Trust, San Juan Islands Conservation District, The Nature Conservancy, Department of Natural Resources, WA Department

of Fish and Wildlife, the US Fish and Wildlife Service, the National Park Service and relevant State and County Parks

- Oak Woodland and Coastal Prairie Conservation: There is a strong effort by several organizations to protect the small areas of remaining intact oak woodlands and coastal prairies, but the magnitude of funding is not sufficient to achieve the conservation needs. Additional funding should be sought to increase the immediate conservation of these areas. In addition, “rapid assessment” should be conducted to acquire a better sense of what we have and its current level of function in order to confirm and establish priorities.
- Wetland Inventory and Restoration Potential: There are many acres of wetlands across the San Juan Islands. The current inventory provides limited information about specific locations and existing wetland functions. A robust inventory would benefit the overall protection of wetlands and would clarify protection and restoration priorities for both the County and property owners. The inventory should also identify historical changes to wetlands and potential for future positive and negative changes to the ecosystem function of these important landscape features.

Terrestrial Ecosystem Working Group:

- Implementing Organization: Federal/State/County agencies jointly convene a working group focused on terrestrial protection. The scope of work of this group would need to be developed based on existing resources.
- Estimated Cost: \$30,000-\$100,000 annually depending on the scope of work.

Oak Woodland and Coastal Prairie Conservation:

- Implementing Organization: Land Bank and Preservation Trust with the help of Department of Natural Resources and the National Park Service convene a working group to ensure protection of coastal prairies and oak woodlands.
- Costs: Convening of a working group: \$5,000 annually. Costs of increased conservation needs to be determined.

Wetland Inventory and Restoration Potential:

- Implementing Organization: San Juan County and the Department of Ecology develop a wetland inventory.
- Costs: Wetland Inventory and protection and restoration prioritization: \$100,000.

We request U.S Fish and Wildlife Service or other local groups create a Terrestrial Work Group and direct that group to explore funding to improve protection of the terrestrial ecosystem.

We request that the Land Bank and the Preservation Trust jointly convene the working group that includes all relevant partners and seek additional funding for conservation of oak woodlands and coastal prairies and key species such as Golden Paintbrush and Island Marble Butterfly.

We request that San Juan County and the Department of Ecology jointly develop a scope of work for a wetland inventory and restoration strategy.

- i. Funding: Although the total funding needed to implement the recommendations for on-going action is not large, county and state agencies have limited to no capacity for expanded efforts as they currently struggle to fund basic services. Additional funding is needed on an on-going basis if the recommendations are to become a reality. The recommendations of the San Juan Initiative are specifically mentioned in the Action Agenda as a high priority for the health of Puget Sound. Funding requests should be coordinated among the various likely partners and perhaps be centralized by the Local Integrating Organization. Support from private foundations should also be sought to assist in the funding needs of the nonprofit organizations that play a vital role in implementation of these recommendations.

We request that the Puget Sound Partnership, WA Department of Ecology and the Environmental Protection Agency consider funding these recommendations and commit to measuring the success of the Initiative as part of their joint responsibility for protection and restoration of Puget Sound.

We also encourage local nonprofit organizations to seek funding from private foundations to support their role in tracking and implementing the actions we recommend.