

Puget Sound Regional Shoreline Master Program Obstacles/Solutions Forums

Final Project Report



Prepared by: Norton-Arnold & Company

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Introduction

In 2010, Clallam County received a grant from the U.S. Environmental Protection Agency to conduct four regional forums designed to identify and develop solutions for “procedural, technical, and institutional obstacles” being faced by those responsible for updating and implementing Shoreline Master Programs (SMPs) in the Puget Sound region. A Steering Committee was formed to plan and conduct these forums. Committee members included:

- Cathy Lear, Clallam County, Chair
- Peter Skowlund, Department of Ecology
- Michelle McConnell, Jefferson County
- Margaret Glowacki, City of Seattle
- John Cambalik, Puget Sound Partnership¹
- Michelle Wilcox, US EPA²

The Committee used a Request-for-Proposals process to select Norton-Arnold & Company, a Seattle-based firm, to design, facilitate, and report the results of the Forum process. Chris Hoffman and Margaret Norton-Arnold worked extensively with the Steering Committee throughout 2011 and into 2012 to carry out the forums.

This report provides an overview of the forums.

Planning for the Forums

To ensure that participants from throughout the Puget Sound region had equal access, the forums, the forums were held in different locations: Edmonds, Tukwila, Lacey, and Sequim. Over 250 people were invited to attend, including planners, tribes, non-governmental organizations, consultants, and state agency representatives. Invitees were encouraged to invite stakeholders from their jurisdictions to attend the forums with them. The following table presents the forum dates and locations, purpose, and desired outcomes. While it was originally planned to “test market” the tools and mechanisms between the third and fourth forums, the initiatives developed at the third forum did not lend themselves to testing.

Date and location	Purpose	Result and follow-up
September 12, 2011 Edmonds Center for the Arts	Identify technical, procedural and institutional obstacles to SMP approval and implementation; identify potential solutions to obstacles.	List of categorized obstacles and potential solutions; web-based conversation to prioritize obstacles/solutions.
November 3, 2011 Tukwila Community Center	Report on and confirm prioritization; refine potential solutions; begin to develop tools and mechanisms to implement solutions.	List of obstacles and priorities; preliminary list of solutions. Develop actionable initiatives.

¹ Scott Williamson replaced John Cambalik as the Puget Sound Partnership representative midway through the forums

² Carrie Byron replaced Michelle Wilcox as the US EPA representative midway through the forums

Date and location	Purpose	Result and follow-up
November 30, 2011 Lacey Community Center	Present and further refine initiatives.	Assign responsibility for implementing initiatives and begin implementation.
March 15, 2012 Sequim, Jamestown S’Klallam Tribe Community Center	Report on progress made on initiatives and seek feedback on initiatives.	Final description of initiatives and outline of responsibilities, schedule, and needed resources for continued implementation.

In addition to in-person attendance, each forum also included the opportunity for people to participate remotely via webinar, and a number of people took advantage of this option. A password protected website was also established to maintain communication with participants – sharing agendas, discussion topics, and results – throughout the seven-month forum process.

Conducting the Forums

Forum#1: Edmonds

The first forum in Edmonds was attended by 57 people from diverse backgrounds. After an opening session designed to describe the forum process and goals, attendees divided into breakout groups. Over the course of two small-group discussion sessions, participants described the obstacles faced by those conducting and implementing SMP updates, and also began to brainstorm potential solutions to these obstacles. A cross-section of the obstacles identified included:

- A lack of guidance from Ecology on the tough issues – armoring, buffers, No Net Loss (NNL), non-conforming uses, etc.
- A lack of flexibility in the SMP process; the process doesn’t take into consideration the needs of different jurisdictions.
- Extensive public processes have not resulted in successful SMP updates; it is difficult to engage the silent majority and there is a lack of understanding of what the SMP means and why it is important.
- Mitigation and monitoring are poorly understood and ill-defined; what types of mitigation should we do, how much mitigation is enough, and how do we monitor it to know if it is successful?
- A lack of incentives built into the SMP process; we need to help people “do the right thing” rather than just tell them what they can’t do.
- Local elected officials often don’t understand the SMP process, don’t make it a priority, and don’t get engaged until the very end of the process.

Forum #2: Tukwila

Fifty-three people attended the second forum in Tukwila. The obstacles identified at the first forum had been organized into four topic areas and along common themes. The goal of the second forum was to develop solutions to these obstacles.

Category	Obstacles
A. Guidance and Clarity	Lack of guidance on key issues, Incomplete/inconsistent understanding of what SMA and SMP guidelines dictate,
B. Process Efficiency	Inventory and characterization take too much time and resources, Lack of flexibility in the update process, SMP is in a silo – not integrated into other planning, Lack of funding
C. Public and Political Process	Local authorities disconnected from the SMP process, Public misinformation, Delays in SMP approval and implementation, Maintaining ongoing public involvement
D. Mitigation/Monitoring/Permitting	Lack of successful mitigation, Don't know how monitoring will be done, Don't know how to measure mitigation, Lack of understanding about NNL

Some of the solutions identified at this second forum included:

- Update the SMP Handbook to make it easier to use. Include case studies, and more guidance on issues such as buffers, docks, setbacks, public access, standards for different environmental designations, and No Net Loss.
- Update SMP trainings to include more topics, address key issues, and to take into account that different jurisdictions are at different phases of the update process.
- Conduct a scoping session at the beginning of the SMP update to determine precisely what information is necessary for the Inventory and Characterization, and to determine the key issues to be addressed in the update.
- Develop tools to help jurisdictions with public involvement: focus on benefits of the SMA, provide messaging guidance, fact sheets that address key issues and that help prevent misinformation campaigns.
- Provide multiple options for mitigation: banking, offsite, in-lieu of fee programs, etc.
- Provide assistance, incentives and rewards to property owners to make it easier to do the right thing; showcase good examples of mitigation and how it can benefit property owners.
- Provide an Ecology staff position that acts as a circuit rider to help jurisdictions with update implementation: permitting, monitoring, etc.

These solutions became the basis for discussion at the next two forums.

Forum #3: Lacey

The third forum had 60 attendees. Using the results of the second forum, Norton-Arnold & Company had worked closely with the Steering Committee to develop nine “initiatives,” which were intended to address the priority obstacles and incorporate the suggested solutions. The November 30 agenda allowed for in-depth discussion for how these initiatives might best be implemented, with the discussion sessions facilitated by Ecology staff with expertise relevant to each initiative. The following graphic explains the schedule for the three sessions.

	Track One Mitigation & Permitting	Track Two Training & Communication	Track Three Guidance	Track Four Modules, Procedures, Incentives	Track Five Outreach to the Public
10:15 – 11:15 Session A	Initiative #1 Develop New Tools for Mitigation	Initiative #3 Refresh SMP Trainings	Initiative #5 Develop and Deliver Better Guidance	Initiative #6 Develop New Modules and Streamline	Initiative #8 Identify and Develop BMPs and Tools
11:25 – 12:25 Session B	Initiative #1 (cont'd) Develop New Tools for Mitigation	Initiative #3 (cont'd) Refresh SMP Trainings	Initiative #5 (cont'd) Develop and Deliver Better Guidance	Initiative #6 (cont'd) Develop New Modules and Streamline	Initiative #8 (cont'd) Identify and Develop BMPs and Tools
1:25 – 2:25 Session C	Initiative #2 Develop a Job Description for a Circuit Rider	Initiative #4 Revise Quarterly Meetings	Initiative #5 (cont'd) Develop and Deliver Better Guidance	Initiative #7 Create Incentive Program	Initiative #9 Improve Education and Training for Elected Officials

Discussion results varied considerably due to the differing nature of the initiatives. For example, Initiative #3, Refresh Quarterly Forums, resulted in several specific recommendations, such as:

- Improve interactivity of roundtable/ structure networking at lunch
- Improve connection between Ecology SMART and Quarterly forums
- Build interactivity into more sessions
- Use ‘Survey Monkey’ to get feedback after each forum

On Initiative #5, Develop and Deliver Better Guidance, suggestions included:

- Focus on sample language (template) either anonymously or referencing a good example (SMP-standards) from an existing SMP. The Department of Ecology should prepare a matrix highlighting differences or good examples from approved SMP's.
- Seek review/feedback of Handbook chapters from jurisdictions that are in the middle of their SMP-update process, as these planners are most familiar with the issues surrounding a specific task and could likely provide Ecology with relevant feedback as they are most familiar with the process.

Discussion on Initiative #7, Create Incentive Programs, resulted in more general suggestions, such as creating a menu of existing and needed incentives.

Forum #4: Sequim

The fourth and final forum was held on March 15, 2012 in Sequim, and was attended by 31 individuals.

Between November 2011 and March 2012, Norton-Arnold & Company, the Steering Committee, and Ecology staff had identified solutions that could either be implemented immediately or further developed over time. A great deal was accomplished in these five months, and the agenda for this final forum consisted of a series of presentations and feedback on progress made on initiatives.

Improving Guidance for SMP Updates

Betty Renkor, Department of Ecology, reported that several of the forum participants' recommendations and suggestions for improving guidance are currently being implemented. Most notably the SMP Handbook has been improved by:

- The Public Participation chapter has been updated with more specific guidance
- More headings and a table of contents to improve navigation
- Overview chapters provide brief and easy to read information on key topics
- Data and information page has been improved to provide better access to scientific resources – reports, papers, data sets, maps, etc.

Participants appreciated the improvements and had some suggestions for additional guidance. In summary, participants said they need guidance on how to address criticism of best available science, to translate science to urban environments, and to raise awareness about cumulative impacts.

New Tools for Mitigation

Maggie Glowacki, City of Seattle, presented on a new approach currently being used by the City of Seattle to meet the updated SMP mitigation requirements. The “Habitat Evaluation Procedures” provide a way to measure impacts of development and mitigation requirements and will help to ensure greater consistency and more effective mitigation. The method provides predictability and transparency in the permitting process, a choice for on-site or off-site mitigation, and enhances the quality of project mitigation. Forum participants provided positive reviews of this approach to mitigation and had a number of questions about how mitigation measurement is achieved, as well as how the mitigation ratio was determined. Some were concerned that all mitigation would be pushed off site to public lands and wondered if this was fair. Others wanted to know more about the method and were eager to try it in their own jurisdictions.

Possible Incentive Programs

Tom Clingman, Department of Ecology, Scott Williamson, Puget Sound Partnership, and Zelma Zieman, Governor's Office of Regulatory Assistance lead forum participants in an informal discussion on possible incentive programs. The session consisted of discussion on what local jurisdictions are doing with regards to incentives, and what is and what isn't working. Among others, examples of incentive programs were provided by Jefferson County and Kitsap County. Of particular note was Jefferson County's Watershed Stewardship Resource Center, which provides a “one stop shopping” center for all kinds of information and assistance with permitting, Low Impact Development, and soft shore stabilization, to name a few.

Circuit Riders

Tom Clingman's presentation on circuit riders began with the acknowledgment that the SMP Updates set the stage for the possibility of effective shoreline management but do not accomplish any change on the ground. The idea of making an Ecology circuit rider available to assist jurisdictions with SMP implementation may help to make the SMPs more successful. He said that there are expectations that SMP implementation will help protect Puget Sound but that jurisdictions face a number of challenges due to budget crises and technical complexities, among others. The concept of the circuit rider is to share staff resources to meet implementation needs; circuit riders would be assigned on a geographic basis to assist cities and counties. The positions could be funded by some combination of local governments, the state, and NGO's. Participants had questions about how this concept would work, whether there would be an enforcement component, and about whether asking local jurisdictions to fund some part of these positions is feasible. Tom ended the session by asking for volunteers to help further develop the concept and two participants, Dave Greetham from Kitsap County and Gabe Snedecker from AHBL, said they would be willing to help.

Refreshing SMP Quarterly Meetings and Trainings

Peter Skowlund and Cedar Bouta, Department of Ecology led this session. Peter gave an overview of the changes they have made to the quarterly meetings and Cedar talked about the trainings and the survey that was conducted to get feedback on the quarterly meetings. Some of the changes include more opportunities for networking, roundtable discussions, and more opportunities for interaction among participants. Cedar presented the results of the survey that was sent to 295 individuals, and resulted in a 28% response rate:

- Continue to meet quarterly; use current method of invites/notices
- Make the Roundtable more succinct; ask everyone to speak up or provide a microphone
- Presentations should be directly relevant to planning requirements and local experience
- Incorporate more small group discussion
- Ecology should listen more and talk less; consider using SharePoint and holding separate grant meetings
- Be organized by agenda and room (round tables, smaller space) to encourage networking
- Moved the Coastal Training Program's "Public Issues and Managing Conflict" course to May
- Updated curriculum for the "Shoreline Permitting and Administration" course

Improving the Public and Political Process

Cedar Bouta and Heather Trim, People for Puget Sound, gave presentations on improving the public and political process. Cedar talked about what Ecology has been doing as a result of feedback from forum participants and Heather discussed People for Puget Sound's outreach efforts and their public involvement pet peeves. Cedar reviewed progress made to date on improving the public process. In summary, Ecology has:

- Conducted conversations with key stakeholders at the management level
- Updated Public Participation and Visioning handbook chapters
- Conducted a Survey of Western WA Shoreline Planners

- Posted Ecology’s public hearing materials online

Cedar also presented a number of tips for public participation and elected officials, including (for elected officials):

- Ask Ecology management to introduce the update process and when the SMP comes for approval
- Invite to events, send regular updates
- Peer communications – Association of Washington Cities (AWC) and Washington State Association of Counties (WSAC), regional planning directors’ meetings

And for the public:

- Anticipate difficult questions. Develop answers and practice. (“Tough Issues”, “Frequently Asked Questions”)
- Be transparent – provide all information, open meetings, frequent and regular updates

Heather talked about the goal of working with citizens to educate them on the value of SMP updates and the importance of protecting Puget Sound shorelines. She also reviewed the methods they use for public involvement and talked about the challenges faced on engaging the public on SMP’s, which include:

- Making shoreline health a sexy topic
- Addressing the frustrations and concerns of shoreline property owners
- Increasing public access in a way that: protects privacy issues and doesn’t trample the environment
- Keeping public engaged for 2-3 years plus

Next Steps

The Department of Ecology will continue to work on the improvements identified, maintaining strong contact with forum participants both now and well into the future. Ecology staff stressed the need for everyone to continue to participate in ongoing SMP improvements – it will take all of us, working together, to succeed. Ecology needs to have strong partnerships with all jurisdictions and their stakeholders.

The “Next Steps” table on the following page identifies the initiatives underway and the parties responsible for implementing them.

Initiative	Lead	Support	Next steps	Considerations		
				Difficulty	Time	Cost
Improving guidance for SMP updates	Ecology, Washington State Department of Fish and Wildlife	Local jurisdictions	<ul style="list-style-type: none"> Continue to work with jurisdictions to find out what they need Revise guidance based on those needs Implement results of the EPA funded Clallam Co No Net Loss Indicators project Utilize available resources and existing workgroups to effectively translate science to urbanized shoreline environments Develop and circulate a guidance needs checklist at Quarterly meetings 	Medium	Medium	Low
New tools for mitigation	City of Seattle	Federal and state agencies	<ul style="list-style-type: none"> Working on a new tool with agencies Continue working on the Habitat Evaluation Procedures, to make it transferable to other jurisdictions Provide updates on progress 	High	High	High
Possible incentive programs	Puget Sound Partnership (PSP), Ecology, Office of Regulatory Assistance (ORA)	Local jurisdictions	<ul style="list-style-type: none"> Align with Puget Sound Action Agenda priorities Conduct extensive outreach to jurisdictions Achieve buy-in from jurisdictions Secure funding for staffing 	Medium	Medium	Medium
Circuit riders	Ecology, local jurisdictions	ORA, PSP	<ul style="list-style-type: none"> Develop package for legislative approval and funding Conduct outreach to local jurisdictions to determine needs and secure buy-in Implement program 	Medium	Low	Low
Refreshing SMP quarterly meetings and trainings	Ecology	Local jurisdictions and consultants	<ul style="list-style-type: none"> Continue to revise quarterly meetings based on feedback from the forums Revise training courses 	Low	Low	Low
Improving the public and political process	Ecology	Local jurisdictions and NGO's	<ul style="list-style-type: none"> Assess effectiveness of updated public participation and visioning handbook chapters Continue to develop and test methods to engage a broad range of interests Conduct outreach to elected officials 	High	High	Medium