Clallam County Shorelines Master Program Update
No Net Loss (NNL) Work Group Meeting
Clallam County Courthouse BOCC Room 160, Port Angeles, WA
August 18, 2011 @ 10:00am-2:00pm
MEETING NOTES

Clallam County established a No Net Loss (NNL) Work Group as part of its Shoreline Master Program (SMP) update process. The purpose of the work group is to advise to the County and its consultants in the development of a strategy to assess and track shoreline ecological functions so the County can comply with the state's no net loss mandate. This work is supported by a grant from the Environmental Protection Agency. Under the grant the County with consultant support is to document shoreline conditions using ecological indicators, which can be linked to key shoreline management decisions and the shoreline restoration plan. The goal is to show clear functional linkages between changes caused by future development and their effects on shoreline functions.

At the meeting on August 18th, the consultants presented its draft approach to addressing NNL. A copy of the presentation is available on the County's webpage at: ESA-ICR-draft6-11

Below are a list of the meeting participants and a summary of some key points from the work group's discussion.

Those present:

Anne Shaffer, Coastal Watershed Institute
Betty Renkor, WA Dept. of Ecology
Byron Rot, Jamestown S'Klallam Tribe
Cynthia Rossi, Point No Point Treaty Council
Ed Chadd, Streamkeepers of Clallam Co.
Rich Osborne, WRIA 20 Coordinator/MRC
Katie Knight, WA Dept. Fish & Wildlife
Michael Blanton, WA Dept. of Fish & Wildlife
Laurence Sullivan, NW Indian Fisheries Commission
Randy Person, WA State Parks
Scott Johns, PA City Planner
Michele McConnell, Jefferson County
Chris Byrnes, WA Dept. of Fish & Wildlife
Harry Bell, PA Business Assoc/Timber
Randy Johnson, Jamestown S'Klallam Tribe
Andy James, UW Tacoma
Byron Rot, Jamestown S'Klallam Tribe
Steve Gray, Clallam County
Hannah Merrill, Clallam County
Cathy Lear, Clallam County
Andrea MacLennan, Consultant
Jim Kramer, Consultant
Margaret Clancy, Consultant
Ann Seiter, Consultant

The draft strategy presented by the consultant includes several components:

1. A comprehensive inventory and assessment of each freshwater and marine shoreline reach using available quantitative and qualitative information. The inventory and characterization includes natural features and human alterations.
2. A quantification of development potential under current regulations.
3. A qualitative assessment of potential risk to ecological functions.
4. Use of indicators like amount of forest cover to flag whether further analysis is necessary during the implementation of the Updated SMP to assess ecological loss.

A. No Net Loss General Assumptions and Initial Discussion:

- Work group members supported the use of indicators for measuring environmental quality as well as alterations of the shoreline environment. There was discussion that not all land uses changes are detrimental to ecological functions. It was also noted that it may be very difficult to prove or disprove how various activities are linked to ecological functions; participants cautioned against using just use one indicator as a measure of function or loss.

- The focus of the consultant work is no net loss of ecological function, which is consistent with the State's shoreline guidelines. Some of the work group members would like to work on the other goals of the Shorelines Management Act as well: public access and opportunities for water-dependent development.

- Some work group members pointed out that the standard of no net loss applies (narrowly) to the Shoreline Master Program. The requirement is to maintain ecological functions necessary to sustain shoreline natural resources, not all ecological functions in the county outside of the SMP jurisdiction.

- Tribes and others are interested in improving conditions above the status quo, not just preventing things from getting worse. However, the SMP mandate is no net loss of existing functions. Enhancement and restoration are to be achieved via the restoration plan and through other programs and activities.

- It was noted that restoration activities may result in a net gain of ecological function (whereas mitigation just replaces the functions lost as a result of impacts), and there was discussion about how that will count towards no net loss. Although some state and federal restoration funds cannot be used to fund mitigation projects. However, restoration benefits can count towards achieving NNL in most cases.

- There was considerable discussion about the scale of no net loss: individual parcel- scale, reach, watershed, or entire county. Ecology requires standards and policies to ensure that each permitted development mitigates its impacts so that the development does not cause a net loss, but there are options for how and where the mitigation can occur (on-site mitigation may not always be possible). Clustered impacts in a single river reach may have an effect on ecological functions that may not show up at the watershed scale. The question of how to apply NNL at different scales will be part of the continuing work of the consultants.

B. MORSE CREEK EXAMPLE:

The consultants presented an analysis of Morse Creek using a draft set of indicators and provided their assessment of the potential loss of functions based on future development under current regulations. The consultants' conclusion is there would be a potential loss of function from future development some which could be mitigated on-site and some which could not. However, the draft indicators would change only slightly pointing out that they are good at pointing out that additional analysis is necessary but by themselves are not indicators of a loss.

Discussion

- Several group members indicated that development disturbance is larger and occurs over a longer term than the construction of a house or structure. People usually clear more than just the house footprint. Construction of a residence or guest house along a river often initiates a cycle of bank protection structures and large woody debris removal that continues for decades (because of erosion risk to the structure). The landowner may install rock, etc. to protect structure, and move the risk of erosion downstream, prompting downstream landowners to take actions as well. Cumulatively these activities affect ecological function for the formation of fish habitat.

- There was discussion of using closed canopy forest as an indicator: This indicator does not pick up the qualitative difference between 20-yr-old v 150 yr old trees. Older forests have more function. Trees further from the active channel may have less function in the shorter term.

- There was a comment that loss of channel migration is a loss of long term ecological function. The time scale is an important concern as well as the area considered for NNL.

- There was discussion that the existing configuration of undeveloped parcels along rivers is problematic for the county in administering the SMP in many places. Landowners want opportunities to develop, but the County must consider ecological functions like channel migration and large woody debris recruitment.

- Indicators should be linked to the ecological functions, be linked to the anticipated stressors, be replicable in 10 or 20 years, and be scientifically valid. Indicators should be viewed as a set—each indicator viewed separately won't provide an appropriate measure of functional change. Indicators are not themselves the stressors. Indicators should be used to point out whether you need to do more analysis of your actions to determine why these actions are or aren't being successful as the SMP is implemented.

- Several group members stated that the indicators so far have not captured some of the important biological functions or water quality conditions. Other potential indicators were suggested: habitat use by fish within rivers, eelgrass/kelp in marine areas, forage fish suitability. Some additional suggested indicators: extent of bank armoring, fish habitat characterization in stream reaches, # of structures within the CMZ or floodplain, number of new lots created within SMP jurisdiction.

C. Discussion Summary:
- There is a need to continue define what the loss of ecological function is and how to measure it, as well as show a combination of shoreline inventory features and small set of indicators can work to identify where loss of ecological functions is a potential and should be monitored over time as the SMP is implemented.
- The group supported having both quality and alteration indicators.
- To the degree possible indicators should relate closely to stressors and decisions the County can control under the SMP.
- Need a means for getting a better assessment of risk—what land use changes pose a risk to ecological function. The example of human activities along rivers should be captured in the indicators—what kind of development, where, and what habitat functions and quality are present there, both during the development process and over time as people reside there.

D. Next Steps
- Consultants will revise their approach to address the issues raised at the meeting. They will develop a preliminary assessment of all shoreline reaches similar to the work for Morse Creek.
- They will meet with representatives from several other Puget Sound local governments to compare approaches for NNL.
- A NNL Work Group meeting will be held in December or January to solicit advice on the refined strategy.