

SMP Obstacles/Solutions Forum #1 Facilitator Notes

Group 1 – Chris Hoffman, Facilitator

¹Key: Green dots (●) = easy win solutions
 Red dots (●) = important obstacle to address

| Obstacles | Obstacle Type | Solutions |
|--|---------------|--|
| 1. NNL; Quantify, measuring ecological functions. Too qualitative. NNL never able to be effective, wrong tool – outcomes. ●● | | Standardized ratings for shoreline types or reaches – use to set baseline. Ex. Wetlands rating system – people know it’s consistent. ●●●●● |
| 2. Science takes years to develop – don’t have established science to measure, monitor. ●● | | |
| 3. People who claim to know haven’t been able to communicate that it is supportable | | |
| 4. What is best way to present uncertainties to decision makers – how do we communicate it | | |
| 5. Reception of precautionary principle by elected & public. ● | | |
| 6. Multi-discipline nature of shoreline science | | |
| 7. Misapplication of science to findings – lakes & sound. ● | | |
| 8. Restoration & monitoring – will mitigation be successful? Don’t have a good record of success. ●● | | Incentives to help people do the right thing – removing bulkheads. Trade for developing more of property. ●●● |
| 9. Long-term monitoring | | Explicit requirement in guidelines for monitoring. But what do you monitor? So much. Pick a few key things. Key indicators. |

¹ At the end of the second breakout session participants at each table were asked to place three green dots on the “easy wins” – solutions they thought can be implemented relatively easily and/or in the short term. They were asked to place red dots on the obstacles they thought are the most important to tackle. The green and red dots in this document represent the total “votes” each solutions and obstacles received at each table.

| Obstacles | Obstacle Type | Solutions |
|---|---------------|--|
| 10. Overly complex & expensive characterization report – too much info. Could have moved to designations. Why do it? The public doesn’t buy it. | | Abbreviated, flexible process – timing of tasks – re-order to meet community needs. ●● |
| 11. Time it takes to set feedback from Ecology | | |
| 12. Staffing at jurisdiction | | |
| 13. Lack of institutional memory – new to everybody | | |
| 14. Separation of political process from update process – want to make changes at end | | |
| 15. Disconnect between state law & local elected – new elected coming to process | | <ul style="list-style-type: none"> • Early dialogue with elected. Sign-offs on key tasks so they can’t reverse decision. ●● • Forum for elected officials – educate, bring up to speed – Shoreline 101. ●● • Utilize legal staff – carry more weight than planners. |
| 16. Disconnect: what local authorities think they have control over | | <ul style="list-style-type: none"> • Early dialogue with electeds. Sign-offs on key tasks so they can’t reverse decision. ●● • Forum for electeds – educate, bring up to speed – Shoreline 101. ●● • Utilize legal staff – carry more weight than planners. |
| 17. Benefits not clearly articulated to landowners. ● | | |
| 18. Lack of public participation at inventory stage – too dense, technical, turns people off – start w/vision | | Abbreviated, flexible process – timing of tasks – re-order to meet community needs. ●● |
| 19. Engaging a broader perspective on communities. Silent majority too silent. Too focused on shoreline owners. | | |
| 20. Complex & drawn out for results we anticipate to achieve. ● | | |

| Obstacles | Obstacle Type | Solutions |
|--|---------------|---|
| 21. Lack of guidance on the tough issues. Armoring – a lot of flexibility & interpretation. | | <ul style="list-style-type: none"> • Handbook – examples of successes. • Education to counter misperceptions & fear. Can't come from jurisdictions or DOE. ●●●●● • Credible source needed • Control the message • Independent auditor to communicate realities of SMP's • Statewide multi-party steering committee • Shoreline landowners that have "done the right thing" |
| 22. Competing goals in SMA – economic development, preservation | | |
| 23. Politicians & public don't understand what shoreline management means | | |
| 24. Ecology sequence didn't fit community needs. Needed to discuss policy first rather than mapping, inventory; vs. must have this at this date. | | |
| 25. No flexibility in process – multiple requirements | | |
| 26. Very late due to political process | | <ul style="list-style-type: none"> • Early dialogue with electeds. Sign-offs on key tasks so they can't reverse decision. ●● • Forum for electeds: educate, bring up to speed – Shoreline 101. ●● • Utilize legal staff – carry more weight than planners. |
| 27. Extensive public process but has not resulted in success – not sure what we did wrong | | Have a CAC and/or TAC – takes away some of the staff vs. people situations. ●●● |
| 28. Lack of communication about economic benefits of SMP updates. ● | | |
| 29. Lack of understanding of how citizens affect shorelines – public process | | |
| 30. Lack of graphics that explain impacts and show results of protection and why it is important | | Annotated guidelines – where are standards. Good examples needed. ●● |
| 31. From public: Why are you picking on last 200 ft of watershed" | | |
| 32. How do you deal with highly urbanized areas? ● | | |

| Obstacles | Obstacle Type | Solutions |
|---|---------------|---|
| 33. Getting past the property owner who worries about what they will get for their house when they sell | | |
| 34. Lack of incentives & education, more carrot and less stick | | |
| 35. Measuring mitigation – how much do you set for mitigation & how do you calculate? | | <ul style="list-style-type: none"> <li data-bbox="1136 362 1885 467">• Mitigation ratio – more standardized criteria. Pilot projects to demonstrate mitigation works. People need to see to believe. ●●●● <li data-bbox="1136 475 1885 547">• Incentives to help people do the right thing – removing bulkheads. Trade for developing more of property. ●●● |

These were not numbered.

Science isn't clear. ●●●●

Linkages between human activity & its effects on ecological functions. ●

Public – political process – affected by national posture. ●●

Flexibility in process ●

Group 2 – Alice Ann Wetzel, Facilitator

| Obstacles | Obstacle Type | Solutions |
|--|---|-----------|
| <p>1. How do you manage streams of process:</p> <ul style="list-style-type: none"> - Scientific information - Public input <p>Capacity to manage Worry about managing and managing it</p> | <p>No way to map out. Just needed to wade in Lessons learned ●● Hot topics Mentoring by similar jurisdictions Status page on Ecology website Email list Whatcom SMP in word document Boilerplate text</p> | |
| <p>2. Budget constraints ●</p> | <p>Insert funding actions into action agenda for inspection, enforcement, implementation Manage funding early in process, so there is funding at the end for consultation</p> | |
| <p>3. Lack of staffing</p> | <p>Better economy American Jobs Act passing Do not do work twice: mentoring and lessons learned</p> | |
| <p>4. Public misinformation 3 kinds:</p> <ol style="list-style-type: none"> 1. Politically driven 2. Scientific 3. Lack of knowledge/understanding <p>Intentional (letters to the editor) & other unknown</p> | <p>You tube videos ●●●● People for Puget Sound fact sheets (coming out in 2 weeks) Pod casts Ecology FAQs tough issues</p> | |
| <p>5. Non conforming use & misinformation about it</p> | <p>Existing development information from Ecology ●●●●</p> | |
| <p>6. Agriculture community—incentives to restore flood plains and riparian areas Reversing trends</p> | <p>Natural resource market Ecosystem valuation</p> | |
| <p>7. Flood plain issues with FEMA Lack of money and incentives for restoration</p> | <p>Identify ecosystem services and value them</p> | |
| <p>8. Addressing last minute public comments Derailers Tactical</p> | <p>Quarterly updates to Planning Commission and City/County Council</p> | |

| Obstacles | Obstacle Type | Solutions |
|---|--|-----------|
| 9. Misinformation and obstructing formal process ●●●● | | |
| 10. Value of SMP and how it will impact a home | King County videos | |
| 11. Ability to get a bank loan for improvements and mortgages (they will not be available) | | |
| 12. Quantifying no net loss, how will it be done? ●●● | | |
| 13. Baseline measuring | | |
| 14. Science and is it credible? ● Property owners do not believe science How to overcome disbelief? | | |
| 15. Challenge of explaining benefits to property owners ●● | | |
| 16. Conflicting nature of protecting shorelines and developing existing areas: Recreation Parks Mowing procedures Get short changed for doing a good job previously | | |
| 17. Reiterating conversations with Ecology over again | | |
| 18. What is relationship between planners and politicians? | | |
| 19. US EPA marine and near shore federal funding—to make it as effective as possible | Talk to each other | |
| 20. Implementation—does the shoreline have to solve all ecological problems? Functions are way bigger than jurisdiction of shoreline: Upstream Sediment flow Basin-wide | Acknowledging issues ● Acknowledging these issues in the SMP and make recommendations that are outside of the SMP | |
| 21. Idea of cumulative impacts and explaining nature of them to project person/landowner ●●● - Educate property owners/ stakeholders - Hiring consultants to coordinate work | People for Puget Sound fact sheet | |

| Obstacles | Obstacle Type | Solutions |
|---|--|-----------|
| 22. Dealing with lots of property owners | Fact sheet on how to provide good public comment ● Mail lists e-mail | |
| 23. Confusion – What do the SMP guidelines mean on specific issues? What does it mean? How do we do it? How is it going to affect their property specifically? | | |
| 24. Role of citizen community involvement: - not uniform in around Puget Sound - How much power being given in each case? | | |
| 25. Relationship between FEMA National Flood Insurance Program in light of National Marine Fisheries Bi-Op Decision to protect “protected” species and Shoreline Master Program implementation & protecting flood insurance & court challenges. | | |
| 26. Relationship between Clean Water Act and SMPs Storm water permits, more guidance needed | | |
| 27. Army Corps of Engineers permits | | |
| 28. Railroads and SMPs huge challenge | | |
| 29. Lack of funding for: implementation, inspections & enforcement ●●●●●● Monitoring: No net loss, how and money Adequate shoreline characterization, detailed Education and outreach Staff cross over | | |
| 30. Ecosystem valuation, what are the dollars associated to the services and getting landowners to accept the value on faith ●●● Reach scale Parcel scale | Fund pilots Share information | |
| 31. Uneven application of guidance by local staffers | | |
| 32. Variances given after the fact by localities | | |

Obstacles

**Obstacle
Type**

Solutions

33. Public access – clear definition ●●●●

34. Small jurisdictions – limited shoreline, same amount of work as big jurisdiction

These were not numbered.

Characterizations done generally

Then as permits are filed, the proposer does the specific work to fill in the framework.

Then how do you do No Net Loss?

Characterization does your baseline and provides for indicators

Politically motivated obstruction

- Need to convince elected officials
- Ecology to commission studies on hot button issues to refute misconceptions

Ecology has lots of information – contact them.

Group #3, Margaret Norton-Arnold, Facilitator

| Obstacles | Obstacle Type | Solutions |
|---|---------------|---|
| <p>1. We need more guidance from the State on key issues. There are many examples of this – geoduck harvest, net pens, shorelines of statewide significance, no net loss. We need more details and specifics on these issues. When the handbooks are published, they are very helpful, but they always seem to come a month or so too late. ●</p> | | <p>Develop stronger guidance pieces, and go beyond just the habitat information. How do we transfer the rural science to an urban jurisdiction? Provide us with more guidance on how to identify urban buffers and vegetation management. Repackage the existing information to make it more useful. ●●●●●●●●</p> |
| <p>2. It would be helpful to better clarify the role of the tribes in shoreline planning. They often don't participate, but come in at the end of the process. Their opinions have a great deal of weight, so it would be helpful to get them engaged earlier.</p> | | |
| <p>3. It's frustrating when we get "late hits" from Ecology – they come in at the end of the process and disagree with something that's been developed. That is frustrating.</p> | | |
| <p>4. There is a difference in the authority of Ecology local stuff, as opposed to "running things up the chain of authority at Ecology. Opinions and authority change from the local to the managerial level.</p> | | |
| <p>5. We need to do more educating with our planning commissions and elected officials – and Ecology could help us with this Appointed and elected officials need to better understand their "scope of work" in the shorelines process.</p> | | |
| <p>6. There is not enough equity between jurisdictions. How are the budgets established? Sometimes there aren't enough resources to accomplish the plan. ●</p> | | <p>We should change how the money is distributed. Ecology should prioritize jurisdictions based on their importance to the overall health of Puget Sound. For example, counties need more money than cities. Also, Ecology should allow more flexibility in <i>how</i> funds are used.</p> |
| <p>7. We could use more guidance on public outreach. When is enough enough?</p> | | |
| <p>8. Jurisdictions shouldn't have to start from scratch every time to get the data and information they need. We had to</p> | | <p>Develop modular components, that Ecology would approve in advance. Jurisdictions could then "mix and match" to use those</p> |

do this on our “Inventory and Characterization,” – and it seemed that much of that information/approach must have been done elsewhere. Too much time and resources are spent recreating the wheel every time. This often means that there isn’t enough left over at the end to do the detailed work needed on the SMP. ●

9. We should be able to accomplish the SMP’s with “reasonably available information.” We should be able to take advantage of the data that is already available and work it from there. We’ve been involved in “wild goose chases” that really aren’t worth it in the end. ●●

10. The SMP is too much in a “silo.” We have many of these silos – the Critical Area Ordinances, wetland mitigation plans, GMPs. It is very long and complicated to try to integrate and respond to comments between these various regulations and documents. Sometimes they have competing interests and priorities. There has to be an easier way. ●●●●●●●●●●●●●●●●

11. We need more training for staff at all levels – from those at the permit desks through to the planners responsible for the SMP. ●

12. The underlying language of the SMP process is a real problem. What does No Net Loss mean and can we ever really achieve it? It doesn’t seem possible. I’d rather have a system where we can see what can be done to improve a shoreline, and work with the positives, rather than the impossible goal of No Net Loss. ●●

13. It would be helpful to better understand where our jurisdiction fits in terms of the overall health of Puget Sound. The citizens of our area want to see visible proof that they are the source of the problem. Rather than presume that something is wrong, we should do more to incentivize; give credit to private property owners for their efforts. We need to do more to present the big picture, put jurisdictions in context. Perhaps some stretches of Puget

components that make the most sense for them (kind of a “Mr. Potato Head” approach. ●●●●

The State should consolidate/reconcile the GMA with the SMA. Also, there needs to be more integration with the jurisdictional Comprehensive Management Plans. ●●●●●●●●●●

Go back to the drawing board and take a good hard look at the intent of the original legislation. Is it doing what it was intended to do? Is it still serving the most important purposes? After all, the legislation is now 40 years old. Shouldn’t we be using adaptive management to improve and change it?

Research what jurisdictions are doing now to comply with the SMP; how they are handling certain situations. What are you doing that works? Do this in a “no blame” way – if a jurisdiction is managing something really well with a “flexible” approach, don’t find fault with that.

Sound cannot be recovered? ●●

14. The restoration programs and possibilities work well for people with lots of money, but it is difficult for people of modest means to be able to participate in restoration.

15. The science that is used for the SMPs is based more on rural needs and experiences. It often doesn't work in an urban setting. ●●●●

16. We need to figure out a way to do "value engineering" on the SMP process. We spend lots of time and resources tracking down things – but someone needs to step back and say – will doing this yield a better outcome? ●

17. There is a huge disconnect between science and policy. ●

18. We need to ask the fundamental question – what can we do to improve the SMP process? How can we get more bang for the buck? How can we improve the partnership and coordination between local jurisdictions and state agencies? ●●

19. More effort/guidance needs to be put into the subject of "takings." We expect legal challenges on this. Our staff need training on how to handle this issue.

20. During the public comment time, when it is Ecology's public comment period, Ecology should post the public comments and not expect the jurisdictions to do that.

21. There is a lot of overlap between state, federal, and local jurisdictions, as well as overlap between local jurisdictions themselves. This causes a lot of confusion – for example, so many entities are involved in bulkhead regulation that it is extremely confusing for jurisdictional staff, as well as the public. Reduce/eliminate this overlap. Why do so many entities need to be involved in the same issues? Encourage jurisdictions to coordinate with each other on their Restoration Plans – pool their resources. ●

22. The No Net Loss checklist should be matched to the actual habitat value of that stretch of the shoreline. Recognize that sometimes mitigation must take place off-site; also "in-lieu" fees should be considered in some cases. ●●●

Group 4, Shanon Kearney, Facilitator

| Obstacles | Obstacle Type | Solutions |
|--|---------------|---|
| 1. Definitions: NNL; what is meant by gain, loss, ecological function and valuing each. ●● | | Provide definitions especially for NNL: Define how to measure, scale and time (temporal vs. long-term). Define geography. Define “near water” vs. “over water.” ●●●●● |
| 2. Implementation with the nuances of SMA; how it impacts ‘adjacent lands’ and addresses exemptions within the SMP ●● | | |
| 3. Adaptive management | | Maintain flexibility; don’t be entirely prescriptive. |
| 4. Funding for monitoring and implementation ● | | |
| 5. Establishing a baseline for monitoring ● | | |
| 6. SMA does not include effects of ship wakes | | |
| 7. Monitoring is tied to implementation; needs to be independent, backed by science, and not development driven ●●●●● | | Define monitoring as part of definitions exercise. Fund monitoring. ●●●●● |
| 8. People and the environment need to be considered part of ecological function | | Incentives to help people do the right thing – i.e. removing bulkheads. |
| 9. NNL; negative implications on ecological function for increased population and users of parks and shoreline | | Create standards for public access and recreation. ● <ul style="list-style-type: none"> Classify public lands and facilities (boat launch, swim beaches, floats etc.) |
| 10. Conflict between “good” development and “bad” development; serves more people, damages ecological function | | Separate private vs. public uses for following a certain Master Program ●●● <ul style="list-style-type: none"> Differentiate categories (i.e. private or public boat launch, distance to use) |
| 11. Three legged stool: Need to provide for all uses for NNL | | |
| 12. Finding the balance for industrial/commercial, private and public uses; 33/33/33 is the fairest distribution ● | | Find the balance. ● |
| 13. Staffing challenges and the danger of bad planning advice to committees | | |
| 14. Need for better guidance from the Department of Ecology for local committees | | Clarify requirements early for the public and electeds. |
| 15. Education and earlier involvement of the public | | Early dialogue with the public. |

| Obstacles | Obstacle Type | Solutions |
|--|---------------|---|
| 16. Non-conforming uses and protection of private property rights | | <ul style="list-style-type: none"> Enforce language for Senate bill 5451 for residential development. Continue “opt-in” option for residential development. ●● Educate public about land stewardship. |
| 17. Mitigation sequencing; how to balance NNL with mitigation requirements ● | | |
| 18. Public lands along the shoreline not appropriately classified for development for public benefit ● | | Create standards for public access and recreation. ●● <ul style="list-style-type: none"> Classify public lands and facilities (boat launch, swim beaches, floats etc.) |
| 19. Lacking definitions for public development vs. private development | | Add to definitions table. |
| 20. How to provide incentives for people to develop the “right way.” Carrot vs. stick idea. ● | | Incentives to help people do the right thing – removing bulkheads. |
| 21. Health of Puget Sound indicators and policies for different areas: urban vs. rural, hobby farms vs. regulated industry, state vs. local involvement. ● | | Back indicators with science. |
| 22. Restoration requirements: funding concerns regarding where to put the money where there’s the most benefit. | | Incentives for restoration/mitigation ●●●● <ul style="list-style-type: none"> Carrot vs.stick In lieu fees for development and redevelopment that improves ecological function Fund as part of mitigation sequencing |
| 23. Conflict between mitigation and restoration with regards to exemptions. | | Mitigation depends upon what the goal is and where it is appropriate. i.e. Chinook salmon ● |
| 24. Starting this effort two years late. | | |
| 25. All obstacles outlined in the <i>Identified Obstacles to SMP Updates</i> handout. | | |

Top Priorities

Monitoring is critical and needs to be defined and funded. ●●●●

Definitions need to be created and shared as standard educational material. ●●●●●

Find the balance between industrial/commercial and public and private uses for the SMP process. ●

Establish incentives that enhance ecological function. ●●●●

Group 5, Kristin Anderson, Facilitator

| Obstacles | Obstacle Type | Solutions |
|--|--|---|
| <p>1. Unwillingness to say “no” in the SMP and in the Permit Review</p> | <p>Institutional</p> | <p>When you say no, mean no</p> <p>Pay now (do it correctly on front end) or pay later (don’t address it upfront, will have to deal with it later) ●●●</p> <p>Is there a cost to local governments for delaying the hard decisions (not saying No, letting DOE review say No) ●●</p> <p>Important to have functional, collaborative state/local relationships</p> <p>Important for staff to make case to decisions makers about what the rules are (keep boundaries on the project) ●●●●●</p> |
| <p>2. Lack of strong leadership at the local level</p> | | <p>Good leadership</p> |
| <p>3. Incomplete/inconsistent understanding of what SMA and SMP dictate (both by DOE and local)</p> <ul style="list-style-type: none"> ● Staff have different levels of understanding/experience ● Different reviewers have different standards ● DOE staff changes ● Not accomplishing SMP guidelines (going where you want v. going where SMP says you should) ● Misapplication of criteria and inventory requirements (science and mapping) ● Understanding and accurate tracking of cumulative impacts analysis (this is big component of developing an SMP) ● Planners and shorelines owners, both do not have a clear understanding of development impacts | <p>Institutional</p> <p>Institutional</p> <p>Institutional</p> <p>Institutional</p> <p>Institutional</p> <p>Technical</p> <p>Technical</p> <p>And</p> <p>Procedural</p> <p>Institutional</p> | <ul style="list-style-type: none"> ● Training for staff ●●●●●●●●●● ● Quarterly SMP Updaters Meetings ● ● Making training a requirement in SMP grants ● Have more training ● Are there other venues, what are they? ● ● Have contractor trainings |

| Obstacles | Obstacle Type | Solutions |
|---|---------------|--|
| 4. There is organized resistance to SMPs | Institutional | Identify the organized support for SMP and centralize that support ●●●● |
| 5. Lack of resources <ul style="list-style-type: none"> ● To follow up on permits ● For implementation | Institutional | <ul style="list-style-type: none"> ● Thurston Co – Myth Busting Program ● Raise permit fees, raise taxes ●● Douglas County and Cities have a then and now photo database are part of restoration monitoring scheme. Can use these photos to assess when wrongdoing occurred and give fines which are used to fund Dept. |
| 6. Lack of follow up on individual project and on programs | Institutional | Permit tracking database mechanism for all jurisdictions |
| 7. Need easier way to set aside inventory that does not apply to particular area/jurisdiction <ul style="list-style-type: none"> ● All S.A. requirements must be documented regardless of areas inventory ● Doing same amount of work on SMP even when jurisdictions have widely differently amounts of shoreline ● How well has need (for specific area) been focused ● Need to apply common sense to scoping | Procedural | <ul style="list-style-type: none"> ● Do consistency review – how much do we need to change existing guidelines ●●● ● Simplify guidelines ● ● Collaborative relationships ● ● Focus efforts in a way that makes sense which part of guidelines really matter – this needs to be in contract ●● ● More state/federal collaboration ●●●● ● Don't reinvent the wheel ●●● |

These comments (obstacles) were discussed in the morning session and the group divided them into categories. However, there was not time to number them and discuss associated solutions in the afternoon session.

Procedural

- Entire budgets are spend on inventory and then have nothing left over for policy and regulations
- It is difficult to track the differences between different SMPs for the same area (comparing the old SMP to an updated one) because they are often organized differently (into different chapters/categories).
- How the review system works is not very well described

Institutional

- Implementers of SMPs are different than the decisions makers
- Lack of political will
- If SMP is too specific, it hits a all in local Council
- Political directive to do it one way or another (to make it minimal)
- There are multiple regulations, but not a lot of support for local jurisdictions to knit those together. Becomes hard for local jurisdictions to work with, manage and understand all the regulations from different agencies (DNR, WDFW, FEMA Floodplain issue).

Technical

- Predictability vs. flexibility – if SMP is going to be flexible, usually need to develop performance standards, which take a long time. Otherwise, SMP just states yes or no
- Inventories of areas are too general and inconsistent uses are in same designations
- Data gaps – inconsistent scalability
- Disconnect between inventory and categorization and putting it into policy/regulation
- Inventories pretty good, but disconnect translating into shoreline environments.
- Resistance to analyzing data – developing data is one thing, having to analyze it is another
- FEMA floodplain issues are more work and more regulations to pay attention to
- Technical guidance for freshwater streams needs to be standardized

Institutional and Procedural

- There is sometimes a purposeful misunderstanding of SMP by consultants in order to meet their client’s needs.
- Some jurisdictions hire consultants instead of hiring staff and then once the consultants are done, they are done, when really they are needed through implementation for consistency. Also, if consultants do the work, the remaining staff does not have the knowledge of the SMP down the road.
- Difficult for staff to implement/use an SMP that they didn’t create
- Too cumbersome, too big and too technical to engage the general public
- More education and information for general public is needed
- People who have implemented SMPs have a very different perspective/experience to the process. Important to try and apply that “lens” to the process.

Webinar Group – Sarah Brace, Facilitator

| Obstacles | Obstacle Type | Solutions |
|--|---------------|---|
| <p>1. Paperwork and reporting requirements are complicated and can be challenging.</p> | | <ul style="list-style-type: none"> • Provide example documents and guidance on organization of docs. • Offer training on filling out forms and other documents (SMP quarterly forums a good place to do this). ● • Consolidate reporting requirements. Locals may not have capacity to do all paperwork. |
| <p>2. There is a lack of enforcement of existing land-use restrictions and permits. ●</p> | | <ul style="list-style-type: none"> • More staffing for enforcement • Build in self-correcting and self-sustaining development standards. • Provide guidance on regulating shoreline structures/changes that were built <i>pre</i>-SMP update. ● |
| <p>3. Hard to have a balanced perspective given federal, state and local interests in SMP issues (often conflicting).</p> <p>[The technical and political implications of needing to incorporate often-times more restrictive regs into the SMP -- <u>technical</u> in that we don't always know enough and <u>political</u> because stakeholders can feel blindsided by this or just unable to discuss them in SMP forums.] ●</p> | | <ul style="list-style-type: none"> • Increase funding for staffing participation in SMPs: State has a grant program where nearly all jurisdictions received some money in order to complete their updates. Extend this out to some state agencies and major stakeholder groups in the state so that they can add staff to complete the SMP updates. Would be helpful in tackling specific issues that need to be solved. |
| <p>4. Conflicting standards exist for many shoreline regulations (fed/state/local/tribal) can lead to fear that some jurisdictions will have more favorable standards than others. ●</p> | | <ul style="list-style-type: none"> • Joint permit processing on all levels of government. If there are going to be ‘bright line standards’ identify these early in the process. • In some jurisdictions, the SMP standards are very outdated. It would be helpful to have a model ordinance to adopt as an <i>interim</i> ordinance – use as a starting point for making a locally-tailored ordinance. ● • Regional cooperation efforts should be encouraged. Not only at staff level, but leadership level (mayors, council members) coming together throughout the process to figure out how to standardize and coordinate policy decisions across the region. |

| Obstacles | Obstacle Type | Solutions |
|---|---------------|--|
| <p>5. Maintaining on-going public involvement is challenging given the length of time SMP update processes takes.</p> | | <ul style="list-style-type: none"> • Early engagement of key stakeholders pays off in the long run. • Public outreach is important throughout the SMP process. Need to make folks understand why it's important for them to participate in this from the beginning. ● • Environmental and science community often at odds – overcome communication barriers. • Form task force/stakeholders group ● • State or regional public forums geared towards property owners could be helpful. [Forums that address multiple regulatory processes, not just SMP.] ● |
| <p>6. There is nothing in SMP update that deals with non-conformity. (e.g. docks are already built and what to do now with properties that do not follow current shoreline regulations). SMP Guidelines in WAC do not address <i>non-conforming structures</i> – this is itself an obstacle. ●</p> | | <ul style="list-style-type: none"> • Need guidance in the WAC that deals with non-conformity and how it relates from no net loss. • We need reports, studies, data – what does it mean for a property that is non-conforming? More information – needs to be publicized to property owners. |
| <p>7. Slow feedback/guidance from Ecology – often lags the process and can require revising ordinances and other local regulations late in the game.</p> | | |
| <p>8. Feedback from Ecology often lacks clarity and is not targeted (too general at times)</p> | | <ul style="list-style-type: none"> • Model language would be helpful in developing draft documents. ● |
| <p>9. Well-connected public and property owners often have political connections and clout. ●</p> | | <ul style="list-style-type: none"> • Need a strong partnership with Ecology representative throughout the SMP process. The more the state rep is involved, the more likely they'll speak up for the state and the point of view of the state. Many of these property owners have more strength in local ties; less at the state level. ● • Involve policy-makers and stakeholders – keep them highly engaged. They can then go back to their groups to inform. |

| Obstacles | Obstacle Type | Solutions |
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| 10. Model ordinance and bright line standards aren't helpful in all jurisdictions. | | <ul style="list-style-type: none"> • Model ordinance and bright line standards are OK for small jurisdictions. Not great for counties with miles of shoreline. • Model ordinances and bright lines standards can be helpful in conjunction ecosystem-based management of the shoreline areas in question. |
| 11. Challenge of measuring “No Net Loss” – tension of how to get this incorporated into current programs. | | |
| 12. Challenging to align legal and political authority at different scales. For example, how do SMP updates align with and support what's prohibited and permitted uses in federal programs such as FEMA? Or tribal authorities and treaty rights? Lots of inconsistencies across regulatory landscape. | | |
| 13. Tension between getting a large enough balance of permitted and prohibited uses across the landscape. | | |