

SOUTHEAST ALASKA WATERSHED COALITION



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Discussion Summary and Proposed Process for Action

SE Alaska Region Scoping Discussion Wetland Mitigation: Policies, Frameworks and Opportunities October 21, 2011 Juneau AK

Purpose Statement:

To achieve the Strategic Conservation, Smart Development and Credible Compensatory Mitigation of SE Alaska's wetlands and aquatic resources

Based on the past year and half of research and ground truth-ing that culminated in the SE Alaska Region Scoping Discussion - in Juneau on the October 21st 2011- *as well as the information generated during this scoping discussion* SAWC has drafted the following *process for action* - we as a region - can utilize and build upon in order to move Alaska towards strategic and meaningful wetland and aquatic resources management.

The Need Identified:

To develop strategic partnerships that result in wetland and aquatic resource management strategies and mitigation programs and projects that respond to the specific economic, environmental, and cultural characteristics of SE Alaska *and* meet the requirements of the Federal Rule on Compensatory Mitigation: Mitigation for Losses of Aquatic Resources; Final Rule (33 CFR Parts 325 and 332) dated April 10, 2008.

SAWC's response to the need:

In order to respond to this need and support SE communities, as well as the regulatory agencies charged with enforcing the Federal Rule on Compensatory Mitigation: Mitigation for Losses of Aquatic Resources; Final Rule (33 CFR Parts 325 and 332) dated April 10, 2008, SAWC proposes to develop a third-party wetland mitigation program that strategically address the impacts to wetland

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and aquatic resources by facilitating restoration, enhancement and creation opportunities for compensatory mitigation throughout the region.

SAWC's Goal:

Develop an In Lieu Fee program that has the capacity to coordinate and/or carry out mitigation projects in the form of restoration and enhancement that result in the functional lift of aquatic resources and meet the requirements of the 2008 Final Rule in a way that enhances community health and bolsters local economies.

SAWC purposes, supports and welcomes partnerships to carry – out the following actions:

Draft Process for Action

To achieve the *draft* objectives of SAWC's proposed ILF and to develop regional wetland management strategies that are in line with the 2008 Final Rule, SAWC proposes the following process of action.

Action Steps: *Measureable accomplishments we want to achieve (as a region) to meet our goal*

1. Facilitate and support the development of Policy Assurances that bolster wetland mitigation and third party mitigation programs, including but not limited to:
 - a. Re-visit, update and follow through with the 1994 Alaska Wetlands Initiative
 - b. An agreed upon Functional Assessment for Southeast Alaska to evaluate functional lift of mitigation projects that is consistently used by permitting agency staffers, developers and consultants and this ILF program.

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- c. Ecological performance standards for mitigation projects that are consistent with the restoration needs of the SE eco-region and provide enough flexibility for mitigation programs to respond with adaptive management techniques
 - d. Updated Alaska Regulatory guidance on the 2008 Final Rule that works to address and create equitable and fair mitigation opportunities for economically disadvantaged permit applicants
 - i. Credit Ratios
 - ii. Prioritized wetland types to be restored, preserved and developed in SE Alaska
 - iii. Economic incentives program for both mitigation applicants and landowners offering mitigation opportunities)
 - e. Regionally appropriate compensatory mitigation requirements, compliance and enforcement plans and strategies that the EPA, Corps and other regulatory agencies can uphold and carryout.
 - a. A general agreement or joint MOU, which describes the general objectives and agreement to collaborate on compliance with the federal rule
2. Facilitate the development and organization of resources that support wetland management strategies on the state and local levels. Strategies include but are not limited to
- a. Develop and Aggregate Watershed and Wetland Mitigation Plans: Identification of watershed and wetland problems, issues and goals
 - b. Develop Strategic Partnerships: Identification and involvement of key actors- to review science and develop best practices and protocols to ensure mitigation projects that result in the functional lift of aquatic habitat
 - c. Aggregate and Organize Appropriate Research, Information and Resources that provide mitigation programs with regionally appropriate functional assessments, ecological performance standards, and best-practices for the long-term monitoring of

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restoration, enhancement and creation

- d. Aggregate, Inventory and Map wetlands and other watershed resources on a watershed basis
 - e. Evaluate and Inventory cumulative impacts to wetlands as well as degraded habitats: evaluate hydrological and ecological relationships.
 - f. Coordinate a massive public education campaign that provides information to the spectrum of people impacted in SE Alaska by the 2008 final rule - from agency staffers charged with implementing the rule and the developers required by law to compensate for unavoidable impacts to local governments, tribes and citizens.
 - g. Coordinate trainings that provide practitioners, agency staffers and community leaders with the knowledge, skills and awareness to develop local wetland management programs.
3. Coordinate pilot project(s) prior to the development of the In Lieu Fee program
 - a. Projects that will provide key decision makers, the IRT, SAWC, SAWC partners and other interested parties the opportunity to plan and implement a restoration and/or enhancement project that meet the requirements of the Final Rule and are designed utilizing the best available science and information on wetlands in SE
 - b. Projects that test proposed regionally specific and relevant best practices and guidance for mitigation projects that meet the requirements of the 2008 Final Rule

Below is the list generated during the break out sessions on October 21st of the resources we have and the resources we need to create strategic management strategies and carryout credible wetland mitigation.

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Resources We Have:

1. Watershed Plans
2. Forest Service: Identified priority watersheds on POW that need restoration based on Forest Service assessment
3. NMFS
 - a. Could provide support with partnering to develop evaluation criteria and analysis of /restoration projects
4. FWS:
 - a. Assist with scientific review team
 - b. GIS capabilities
 - c. Partnering with third party migration programs to support their capacity to serve the region
5. ACE:
 - a. GIS capabilities
 - b. Permitting histories for specific communities
6. ADOT and PF
 - a. Funding for mitigation projects
 - b. Contracting expertise
 - c. Project construction management expertise
 - d. Possible restoration projects- lands with old road fills that could be restored for compensatory mitigation
7. DEC:
 - a. Extensive data base of watershed and waterbody plans from thru-out the state
 - b. Staff interest and expertise
 - c. Could possible adapt and improve ACWA program to build a program focused on wetlands
8. SE Fish Habitat Partnership: could coordinate a scientific review team to evaluate criteria for establishing regional mitigation priorities
9. SE Alaska Land Trust:
 - a. Permanent protection mechanisms for restoration sites
 - b. Site identification of priority sites
 - c. Lands that have been preserved that could have possible restoration opportunities
10. SEACC:
 - a. Restoration projects to nominate-

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11. PNW Research Station
 - a. Monitoring protocols to assess project effectiveness- building ecological performance metrics
12. TWC:
 - a. Bring practitioner expertise and experience carrying out locally-based restoration projects to the table
 - b. Cost data
 - c. Lessons learned- how to avoid pitfalls in project management of restoration projects
13. Trout Unlimited:
 - a. Long history of funding, partnering and supporting third party mitigation programs throughout the country
 - b. Have a good understanding of projects that need to be addressed
 - c. A compiled bibliography of scientific abstracts that relate to what is a fully functioning watershed
 - d. Shorezone.org
 - e. Active partner working to create the SE chapter of the Nation Fish Habitat Partnership

Resources We Need:

1. Organized database of existing watershed plans
2. Mitigation opportunities that can meet the requirements of the final rule
3. Watershed Plans that are developed using a mitigation context:
4. Mitigation policies that are equitable and fair for economically disadvantaged to afford compensatory mitigation in SE Alaska
5. Identified restoration projects that can meet the requirements of the 2008 Final Rule and/or Alaska specific criteria
6. A standardized framework that can be presented to the state water permitting program
7. A pilot site
8. As land resource professionals we can all influence effective mitigation plans by commenting on permits
9. Inter-agency and applicant pre-application meetings that are effective and efficient.
10. State participation
11. Regional permits for community development
12. Credit-Debit method
13. Scientific expertise to help with assessment and evaluation of watershed and wetland mitigation plans

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14. An effective assessment methodologies and tools that clearly show what is being lost
15. Consensus document that describes wetland types and prioritized and critical wetlands in SE Alaska
16. Mapping that shows the cumulative effects of wetland impacts in SE Alaska
17. ON the ground wetland delineations of threatened and/or high priority wetlands
18. Inventory of high valued wetland threatened with development
19. HGM for Upland applicants
20. Credit/Debit Mythology
21. Inventory of degraded habitats in region