



Washington State Conservation Commission

Special Meeting Packet

February 28, 2024

****This meeting will be held virtually via Zoom.
Options to participate in-person are available***

Lacey, WA

Our Mission:

*“To conserve natural resources on all lands in Washington,
in collaboration with conservation districts and partners.”*

Special Meeting

Time

Please note that the times listed below are estimated and may vary, however, we will do our best to adhere to them. **Please visit the SCC website for the most up-to-date meeting information.**

Meeting Logistics

This meeting will be held online via Zoom and in person. Space is limited at the State Conservation Commission, if you plan on attending in person or have any questions, please contact Kaisha Walker at kwalker@scc.wa.gov by February 26, 2024

If you plan on attending online, you will need to register in advance to receive a link: <https://us02web.zoom.us/join/9tZwkduCrpjorH9Eeh-aqec1sKVd5TilKWC9L>. After registering, you will receive a confirmation email with the link to join on February 28, 2024.

Public Comment

Public Comment will be allowed prior to final commissioner discussion. Comments will be limited to three (3) minutes per comment.

Agenda

TIME	TAB	ITEM	LEAD
1:00 p.m.		Call to order/Welcome/Introductions a. Roll Call	<i>Chair Cochran</i>
1:05 p.m.		Public comment	
1:35 p.m.	1.	Riparian Grant Program Guidelines – <i>Action item</i>	<i>Shana Joy and Director Thompson</i>
3:30 p.m.		Adjourn	<i>Chair Cochran</i>

Please note times are estimate and may vary.



Washington State Conservation Commission

February 28, 2024

TO: Conservation Commission Members

FROM: James Thompson, Executive Director
Shana Joy, District Operations & Regional Manager Coordinator

SUBJECT: Tribal Outreach and Engagement Proposal - Riparian Grant Program

Action Item

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Informational Item

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Summary:

In the 2023 legislative session, the legislature appropriated \$25 million to the WSCC for a voluntary riparian grant program with prescriptive budget proviso language, including direction on tribal engagement. Due to transitions in key leadership positions, sufficient tribal engagement has not been completed prior to Commission contemplation of draft programmatic guidelines. The Commission has directed WSCC staff to advance tribal engagement, seeking review and feedback on proposed guidelines. The Commission further indicated an interest in adopting temporary guidelines for governing the program, to remain in effect until reaching a prescribed point, allowing for the completion of significantly more meaningful work with tribes.

Background and Discussion:

Purpose of Seeking Tribal Engagement

Engagement with Tribal communities is needed to understand and co-create solutions around common issues and strengthen our programs. As we aim to serve tribal members and all Washington communities, sharing space to engage, listen and develop solutions, builds opportunities for excellent stewardship of our landscapes. When tribal input is acknowledged and integrated, it is a source of strength and problem-solving.

Audience¹

Northwest Indian Fisheries Commission (NWIFC) member tribes:

Lummi Nation, Nooksack Indian Tribe, Swinomish Indian Tribal Community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, Stillaguamish Tribe of Indians, Tulalip Tribes, Muckleshoot Indian

¹ List of Federally Recognized Indian Tribes in Washington State sourced from Governor's Office of Indian Affairs, <https://goia.wa.gov/tribal-directory/federally-recognized-indian-tribes-washington-state>

Tribe, Puyallup Tribe, Nisqually Indian Tribe, Squaxin Island Tribe, Skokomish Indian Tribe, Suquamish Tribe, Port Gamble S’Klallam Tribe, Jamestown S’Klallam Tribe, Lower Elwha Klallam Tribe, Makah Tribe, Quileute Tribe, Quinault Indian Nation, and Hoh Indian Tribe.

Tribes not affiliated with NWIFC:

Confederated Tribes of the Chehalis Reservation, Confederated Tribes of the Colville Reservation, Cowlitz Indian Tribe, Kalispel Tribe of Indians, Samish, Shoalwater Bay Indian Tribe, Snoqualmie Indian Tribe, Spokane Tribe of Indians, Confederated Tribes and Bands of the Yakama Nation

Tribes with reservations located outside of Washington with treaty rights in Washington:

Nez Perce Tribe, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs Reservation of Oregon

Principle Guided Outcomes

- Create a rapport or a relationship between Tribes and the WSCC.
- Develop a shared understanding of issues and values.
- Establish working relationships that guide how we will work together, collaboratively deciding what the partnership will look like.
- Create reciprocity by exchanging ideas and assistance of mutual benefit.

Next Steps

- SCC Executive Director corresponds with federally recognized Tribes with treaty rights in Washington requesting an opportunity to listen to tribal fisheries history and perspectives on Washington State Conservation Commission voluntary riparian grant management practices.
- Continue engagement with NWIFC natural resource team and key NWIFC staff.
- Survey Conservation Districts (CD) on quality of tribal relationships.
- Build on existing tribal CD relationships.
- Develop WSCC policy guiding tribal engagement.
- Provide tribal engagement training for WSCC staff.
- Provide feedback on tribal engagement status and WSCC policy to Commission.
- Foster context for Commission guidance.

Staff Contacts: James Thompson, Executive Director

Shana Joy, Regional Manager Coordinator



Washington State Conservation Commission

February 28, 2024

TO: Conservation Commission Members
James Thompson, Executive Director

FROM: Shana Joy, District Operations & Regional Manager Coordinator

SUBJECT: Riparian Grant Program Guidelines

Action Item

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Informational Item

Summary:

The Riparian Grant Program work group, including representatives from conservation districts, WDFW, ECY, WSDA, and RCO have met 9 times to discuss critical aspects of a new riparian grant program in accordance with a budget proviso attached to \$25 million in new Climate Commitment Act funding in the 23-25 biennial budget. SCC staff requested in September, and were subsequently directed, to publish draft programmatic guidelines in advance of the November 30th Commission meeting for a full 45-day review and comment period. Draft guidelines were published on November 20, 2023, with an extended deadline to comment of January 17, 2024. Thirty-nine submissions were received via Smartsheet in response to the opportunity to comment. Additional comments were shared by letter or email. A complete compilation of comments received is included as an attachment to this memo. The full budget proviso language is also attached for reference.

SCC staff are requesting that Commissioners adopt the Interim Riparian Grant Program guidelines for a 1-year period to allow for work to begin while additional outreach to Tribes and further discussion about permanent protection projects occurs. Staff to bring back an updated edition of Riparian Grant Program Guidelines no later than the March 2025 Commission meeting.

Requested Action:

SCC staff are requesting that Commissioners adopt the Interim Riparian Grant Program guidelines for a 1-year period to allow for work to begin while additional outreach to Tribes and further discussion about permanent protection projects occurs.

Background

For the 2023-25 biennial budget, the WA State Legislature approved funding for SCC to administer a voluntary riparian grant program (RGP) to support priority riparian restoration and protection projects. SCC staff brought together a work group and an advisory committee to develop and

review programmatic guidelines, based on the program framework and specific proviso language described in the biennial budget.

Work Group, Timeline, and Communications

In September, the Riparian Grant Program work group (RGP) was formed to assist SCC with crafting program guidelines by providing feedback, input, and expertise into the process. SCC carried feedback and input from work group discussions into the writing of the actual guidelines. The RGP met 9 times to discuss critical aspects of a new riparian grant program in accordance with a budget proviso attached to \$25 million in new Climate Commitment Act funding in the 23-25 biennial budget.

Table 1: Work Group Members

Name	Organization
Alison Halpern (through early December)	WSCC
Shana Joy	WSCC
Ryan Williams	Cascadia Conservation District
Evan Bauder	Mason Conservation District
Craig Nelson	Okanogan Conservation District
Kristin Marshall	Snohomish Conservation District
Emmett Wild	Skagit Conservation District
Walt Edelen	Spokane Conservation District
David Marcell	Pacific & Grays Harbor Conservation Districts
Drew Schuldt	Palouse Conservation District
Frank Corey	Whatcom Conservation District
Zachary Bergen	King Conservation District
Tom O'Brien	WDFW
Evan Sheffels	WSDA
Kelly McLain	WSDA
Ben Rau	ECY
Nick Norton	RCO

The first RGP work group meeting was held on September 19th and the last meeting was held on January 30th. This work group has discussed in depth project types, eligible practices, tiered incentive payments and rates, maintenance, technical resources, monitoring and adaptive management, buffer widths, and numerous other more minor aspects of a new program all of which culminated in a full draft of program guidelines.

SCC communications staff supported the RGP work group and posted meeting notes, links to meeting recordings, and other relevant materials on our webpage here:

<https://www.scc.wa.gov/programs/salmon-recovery-funding>.

Our aggressive work group timeline has not aligned well with the SCC meeting schedule, so SCC staff requested in September, and were directed, to publish draft programmatic guidelines in advance of the November 30th Commission meeting for a full 45-day review and comment period. Draft guidelines were published on November 20, 2023, with a deadline to comment of January 2, 2024. Two requests for more time to review were received, so the comment deadline was extended to January 17, 2024, at 5pm. Thirty-nine submissions were received via Smartsheet in response to the opportunity to comment. Additional comments were shared by letter or email. A complete compilation of comments received is included as an attachment to this memo.

Comment Themes

Project Types – Approaching permanent protection

All of the project types were discussed with the greatest emphasis on maintenance, tiered incentives, and permanent protection. Discussion on the permanent protection language in the budget proviso centered around concerns about the cost and complexity of this type of project. More questions exist than answers including what entity would hold riparian conservation easements or own the land if purchased outright – the SCC and conservation districts are not currently equipped with sufficient expertise and capacity to properly administer conservation real estate transactions in riparian areas under this grant program. Concerns were expressed about the potentially high cost of either fee-simple acquisition or easements and how the available funds for riparian restoration could be greatly reduced.

It was also pointed out that other agencies offer funds for fee-simple or riparian conservation easement acquisition such as RCO, and would the SCC just be building a duplicative program? It was also unclear how other laws or regulations may come into play once a riparian forest buffer has been in place for 15 years; critical areas ordinances may preclude removal in some counties but likely not everywhere and enforcement was questioned. The direction chosen by SCC staff, after discussion internally and with the work group, was to include the opportunity in the guidelines to keep the door open while taking just a bit more time to build out more details about how permanent protection projects could best work with a work group of participants with that expertise or similar programs already in place.

Eligible Practices – Include instream work to support riparian restoration success

In the guidelines is a list of eligible practices for this program. This list includes practices for preparing a site (livestock exclusion, managing invasive weeds), the actual installation of riparian vegetation, and instream practices that directly support riparian restoration success such as beaver dam analogs or post assisted log structures. The intent is to ensure all the possibly needed practices are eligible for the program. If additional practices come up that are not listed, there is flexibility to consider those on a case-by-case basis.

Project Prioritization – Look to existing and local priorities

Specific language was prescribed in the budget proviso about prioritizing projects and that language has been pulled directly into the program guidelines. Additional criteria were also included in the guidelines that were sourced from the SCC's prior program – Salmon Recovery Funding. These elements include whether a stream reach is included on ECY's 303(d) list for impaired water quality. Comments were submitted both in favor of this prioritization element, suggesting refinement to it, or opposed to it all together. In the final draft of the program guidelines, this element remains in the additional criteria that could be considered to prioritize applications for funding. It is not a primary criterion but if there are not enough funds to go around it could come into play to further prioritize applications.

Tiered Incentives – Additional incentives targeting larger continuous buffers and longer contracts

While this is a new project type for the SCC, two conservation districts have experience with tiered incentives (Spokane and Skagit CDs) and those two CDs worked together to provide a solid foundation for the SCC's tiered incentives structure which is based on a percentage of actual land value so the incentives could apply across land uses (agricultural and non-agricultural uses) and account for variations statewide. Incentives increase for wider riparian forest buffers, where neighbors work together to create longer stretches of restored buffer, and where longer commitments of 15 years are made. It was also important to include a riparian buffer option using non-woody plant species such as perennial grasses where trees are not the dominant species (dryland areas) or where existing deed terms or land use restrictions prohibit the planting of trees.

Comments reflected a range of feedback on the proposed tiered incentives structure from questions about length of contracts vs. biennial funding appropriations, to supportive remarks, to concerns that this new program will undermine other state programs, to comments that the proposed structure is backward and should pay higher incentives for narrower buffers. Concern was also expressed about the loss of farmland to riparian habitat; SCC was directed to accomplish riparian management zone restoration in the budget proviso language and that has been the primary focus in building out this new program. Also, variation of payment rates among available state programs was expressed as a concern. Payment rates are only one factor that could impact landowner choice as to which program is the best fit. A menu of options is beneficial to implementing voluntary conservation so that options exist for every landowner.

While the tiered incentive's structure will almost certainly require refinement over time, it is a foundation to build upon.

Maintenance – Ensuring all the tools are in the box

Regular maintenance is so vital for the success of riparian restoration projects and has been difficult to fund consistently in the past. The work group brainstormed the techniques that have proven to be important to maintain riparian areas and those techniques are reflected in the guidelines. The program prescribes support for maintenance for a 5-year timeframe.

Technical Resources –References to inform our work

The technical resources most relied upon to inform this program are WDFW's Riparian Ecosystems Volumes I and II as well as their Ecosystems Online Map Tool and the USDA Natural Resources Conservation Service Field Office Technical Guide and associated resources. The first draft of the guidelines includes links to these resources within the guidelines but updates to the resources may be necessary more frequently so they will be made available on the SCC's program webpage.

Buffer Widths – Flexibility is key

Minimum buffer widths rely upon and follow practice standards set by the USDA Natural Resources Conservation Service in keeping with SCC's existing policy. Maximum buffer widths follow the WDFW's 200-year site potential tree heights methodology. Ecology's comments expressed concern that the minimum buffer widths do not ensure that water quality standards are met. While water quality improvement is a benefit of riparian management zone restoration, the direction provided by the proviso states "achieve optimal restoration of functioning riparian ecosystems" rather than "ensuring water quality compliance". The program's structure of minimum and maximum buffer widths provide flexibility for the landowner and the site conditions and the greatest opportunity to voluntarily improve more riparian acres. The SCC is not a regulatory agency. It is important to note that only two practices are eligible for the additional tiered incentives – riparian forest buffer (woody trees and shrubs) and riparian herbaceous (perennial grasses) cover. The latter is conditionally eligible under certain restricted conditions.

Tribal Engagement

The proviso directs the SCC to invite federally recognized tribes to be full participants in adopting the program criteria. SCC fell short of this directive as noted in comments including in comments from the Northwest Indian Fisheries Commission and the Swinomish Tribe. SCC seeks to remedy this through relationship building, engagement, and conversation as outlined in the "Tribal Outreach and Proposal – Riparian Grant Program" memo included in this meeting packet.

The comment themes outlined here do not encompass every comment that was provided but does touch upon those comments that highlighted disagreement or concern with the program guidelines. All comments have been reviewed, as many comments as possible have been addressed with edits made to the program guidelines for clarity or in response to questions posed. A Frequently Asked Questions document has also been started to help respond to common questions and others that may arise as the program is initially implemented. The FAQ will be posted on the program webpage before program roll out.

SCC Staff Recommendation

SCC staff are requesting that Commissioners adopt the Interim Riparian Grant Program guidelines for a 1-year period to allow for work to begin while additional outreach to Tribes and

further discussion about permanent protection projects occurs. Staff to bring back an updated edition of Riparian Grant Program Guidelines no later than the March 2025 Commission meeting.

Staff Contact:

Shana Joy, sjoy@scc.wa.gov, 360-480-2078

Riparian Grant Program Guidelines

Final Draft – February 2024

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Program Overview

Program Background

In the 2023 legislative session, revenues collected as a result of the [Climate Commitment Act](#) were appropriated to the Washington State Conservation Commission (SCC). This program has been funded wholly by Climate Commitment Act associated funding. The Climate Commitment Act (RCW 70A.65) created a market-based program to help reduce greenhouse gas emissions in the next few decades. A portion of the revenues are directed into the Natural Climate Solutions Account and were distributed into several standing grant programs, including this riparian specific program.

Funding comes with additional reporting, assessment, and tribal consultation requirements. The Governor's Office and state agencies plan to engage Tribes on how best to meet these requirements. The SCC will provide any needed guidance to applicants as soon as possible.

The funds came with [proviso language](#) specifying how the funds were to be used:

(1) The appropriations in this section are provided solely for the state conservation commission to provide grants for riparian restoration projects with landowners.

(2)(a) Within funds appropriated in this section, the commission shall develop and implement the voluntary riparian grant program to fund protection and restoration of critical riparian management zones. The commission is responsible for developing the voluntary grant program criteria to achieve optimal restoration of functioning riparian ecosystems in priority critical riparian management zones.

The full proviso language may be referenced [here](#) for further details. The primary purpose of this program is to achieve riparian management zone (RMZ) restoration and protection in Washington state at a pace and scale not previously possible. While RMZ restoration does indeed provide water quality benefits, the primary purpose of the program is to improve the ecological functions in the RMZ.

Eligibility

Conservation districts are the only eligible entities for this program and for conservation districts to be eligible to apply for program funding they must meet all Standard 1 Accountability requirements in the Conservation Accountability and Performance Program. All other organizations, agencies, and entities *are encouraged to work with their local conservation district* to identify, support, and partner on riparian project implementation. Find your local conservation district [here](#).

All land ownerships are eligible under this program including private, tribal, federal, state, non-profit organization, or local government ownerships. However, only non-governmental agency owned lands are eligible for tiered incentive payments.

All stream types regardless of the presence of salmonids are eligible for riparian restoration and protection projects under this program. However, tiered incentive payments have additional restrictions.

General Requirements

Timelines

Work must begin on all funded proposals within 120 days of the award of funding; applicable work could be outreach, project planning or technical assistance, or project installation. Funds appropriated to the SCC by the Washington State Legislature in 2023 were capital funds appropriated for a two-year time frame, through June 30, 2025. To be eligible for reimbursement, all work including all project types (see below) must be completed by June 30, 2025 and vouchered for in July 2025. Any remaining unspent awarded grant funds **may** be extended into future fiscal years if those unspent funds are reappropriated to the SCC by the legislature. There is no guarantee of continued legislative appropriations or reappropriations for this program beyond June 30, 2025; however, SCC does anticipate continuing to seek funds for this program as well as reappropriation of any remaining unspent funds.

Unspent outreach project funds cannot be extended beyond June 30, 2025, because outreach projects will be funded by one-time operating funds not eligible for reappropriation.

All general requirements and policies of the SCC must be followed as set out in the [Grant and Contract Policy and Procedure Manual](#) including but not limited to monthly grant vouchering and cultural resources policy compliance. Additional requirements may apply due to the Climate Commitment Act funding source and guidance will be made available as soon as possible.

Application and Reporting

Riparian Grant Program funding will be allocated on an ongoing basis every two weeks, with application deadlines announced once final program guidelines are published and will continue for as long as funds remain available. Applications will be initially reviewed by an internal team of SCC staff for completeness, adherence to program guidelines, and the extent to which the proposal addresses identified priorities. Additional review of proposals may occur including, but not limited to, consultation with Tribes.

All applications for funding must utilize this form: [Riparian Grant Program Application Form](#).

Reporting on all activities utilizing Riparian Grant Program funding is required. Additional reporting requirements may be added as additional guidance becomes available pertaining to Climate Commitment Act funds reporting. Cost-share projects will be reported utilizing SCC's Conservation Practice Data System (CPDS) while all other work will be reported utilizing this form: [Riparian Grant Program Reporting Form](#).

Cultural Resources

All projects must comply with SCC's [Cultural Resources Policy and Procedures](#). Costs for cultural resources reviews or surveys will be vouchered for as a separate outcome and reimbursed separately from individual grant awards.

Eligible Project Types and Activities

Riparian Grant Program funds may be used for the following eligible project types: riparian restoration program outreach, technical assistance/planning/design/monitoring, landowner implemented cost share, District Implemented Projects, tiered incentive payments, maintenance, and permanent protection.

Any scope of work changes to an approved and funded project may only be made upon review and approval by SCC staff. Also, changes between project types (landowner implemented cost share to District Implemented Project or vice versa) may not be made once work has been done or expenditures have occurred.

The following are the eligible project types and associated parameters of each type. There is no set limit or cap on amount of funds that may be requested under any given project type. The availability of funds will be provided on an ongoing basis as funding awards are made. Instream projects/practices are only eligible if connected with a riparian management zone restoration component.

Riparian Restoration Program Outreach

This project type incorporates additional limited operating funding appropriated separately to “support the outreach, identification, and implementation of salmon riparian habitat restoration projects that are appropriated through the capital budget.” This project type will be eligible under this program based upon funding availability for these activities. When funds are available, program announcements will clearly state so. Eligible activities include, but are not limited to, advertising, production of promotional materials/mailers/brochures, translation services, television or radio ads, social media costs, workshops, podcasts, and door-knocking.

Proposals must be aimed at identifying future riparian habitat restoration projects clustered or grouped in a targeted priority location(s).

Technical Assistance/Planning/Design/Monitoring

This project type includes all activities to plan and fully design projects with landowners including, but not limited to, GIS data analysis, local project prioritization efforts, site visits, project development, meetings with landowners or partners, conservation or best management practice specific planning, project designs, engineering if needed on a case-by-case basis, preliminary permitting, and follow-up project monitoring activities.

Landowner Implemented Cost Share

This project type utilizes the SCC’s traditional cost-share project type where a landowner implements best management practices first and seeks reimbursement for eligible costs from the administering conservation district. The project type requires the use of SCC’s Conservation Practice Data System (CPDS) and the cost-share contract generated from that system. All projects of this type will utilize a 100% cost-share ratio. The SCC will provide a required

addendum template to be used for all tiered incentives whether a landowner implemented cost share or District Implemented Project.

District Implemented Projects (DIP)

This project type is a project in which the conservation district is the lead planner and **implementer**. An example of a DIP could be implementing an identified practice with multiple landowners at the same time – i.e., installing riparian buffers on several consecutive properties along a creek. In this project type, the district is taking full responsibility for installation/construction of the project which may include, but is not limited to acquiring permits, bidding, and purchasing processes, and prevailing wage requirements.

A District Implemented Project must not include cost-sharing or cash reimbursement, to a landowner(s) with Riparian Grant Program or other SCC funds. The district is assuming all responsibility for project planning and construction directly.

A Landowner Agreement is required for any District Implemented Projects completed on property not owned by a district and a fully signed copy must be provided to SCC at the time of vouchering. If a DIP includes the payment of tiered incentives to a landowner, a Tiered Incentives Addendum must be included in the landowner agreements. SCC will provide a required addendum template to be used for all tiered incentives whether the landowner implemented cost share agreement or a DIP.

Maintenance

This project type includes performing maintenance in riparian management zones, regardless of funding source or program responsible for initial installation for up to 5 years. Eligible activities include, but are not limited to, re-planting to address mortality or species diversity, watering/irrigation, manual invasive weeds control (pulling, mowing), chemical invasive weeds control (following all rules and regulations pertaining to herbicide application), biological control (where appropriate and approved), replacement or placement of herbivorous animal control (tree tubes, beaver fencing etc.), removal of unnecessary weed (plastic mulch), repairs to low-tech instream projects, and herbivorous control methods. Maintenance may be performed on any eligible land ownership. There is no set limit on maintenance costs per acre as the needs and related costs for this work will vary widely across the state.

Permanent Protection

This project type is still under development by SCC. Conservation easements are one possible eligible activity under consideration. SCC will review and evaluate for funding, on a case-by-case basis, innovative ready-to-go proposals that provide permanent protection of riparian management zones to be considered as pilot projects in the 2023-25 biennium. Due diligence requirements for any project proposals that include land acquisition or conservation easements are significant. Though the intent of the transaction and the conservation values protected will differ, the minimum transaction, due diligence, and record-keeping requirements can be found in the SCC's Farmland Protection and Land Access program guidelines linked [here](#).

Eligible Best Management Practices

All project proposals must include eligible activities. Eligible activities are those intended to increase protection and/or restoration of riparian habitat. Riparian restoration projects above barriers to anadromous fish passage are eligible. Instream activities with no connection to riparian management zone restoration included in the same application will not be funded. A proposed project including instream work must include a riparian habitat restoration component to be eligible. See *Table 1. Eligible Best Management Practices* below for list of eligible best management practices (BMPs).

Additional criteria that will be considered for any instream proposed work:

- Is the instream work critical/essential to successful riparian restoration?
- Is the proposed funding needed to complete the instream work reasonable as compared to the riparian restoration component of the proposal? For example, instream work is not a majority of the proposed work and funding requested.

All instream BMPs must be done in conjunction with a riparian restoration activity. Native vegetation is preferred however, climate adapted species (not invasive/noxious weeds) are allowable. Additional practices may be considered on a case-by-case basis if they can be demonstrated to provide direct benefit to riparian management zone restoration.

Table 1. Eligible Best Management Practices

BMP Name	NRCS Practice Code
Riparian Forest Buffer	391
Tree/Shrub Establishment	612
Tree/Shrub Site Prep	490
Critical Area Planting	342
Conservation Cover	327
Hedgerow Planting	422
Multi-Story Cropping	379
*Riparian Herbaceous Cover	390
Wetland Enhancement	659
Wetland Restoration	657
Fence <i>(including livestock exclusion and old fence removal)</i>	382
Access Control	472
Road/Trail/Landing Closure and Treatment	654
Watering Facility	614
Water Well	642
Pumping Plant	533
Spring Development	442
Livestock Pipeline	516
Stream Crossing	578
Access Road <i>(access to RMZ and/or stream crossing)</i>	560
Brush Management	314

Mulching	484
Herbaceous Weed Control	315
Micro-irrigation	441
Herbivory Control	SCC12
Structures for Wildlife	649
Beaver Dam Analogue (BDA)	SCC3
Post Assisted Log Structures (PALS)	SCC3
Grade Stabilization Structure	410
Obstruction Removal	500
LWD Structure	SCC26
Root Wads	SCC45
Dynamic Revetments	SCC46
Bank Reshaping/Channel Modification	SCC48
Bank Barb	SCC53
Live Stake Revetments	SCC54
Dead Stake Revetments	SCC55
Rock Toe Protection	SCC56
Brush Mattress	SCC57

*This practice is conditionally eligible in the event that establishment of a Riparian Forest Buffer is impractical or in violation of easement terms in certain geographic areas.

Project Prioritization

All projects must be located within riparian management zones (RMZ). Instream projects must be conducted in direct support of a riparian restoration project. See Definitions section for definitions of the terms **riparian management zone**, **riparian ecosystem**, and **instream** projects. The funding proviso included specific language pertaining to prioritization:

(3)(a) The commission shall prioritize critical riparian management zones at the watershed or subbasin scale where grant funding under the program created in this section would be primarily targeted. The prioritization must be informed by, consistent with, and aligned with one or more of the following: Watershed plans developed pursuant to chapter 90.82 RCW; the action agenda developed under RCW 90.71.260; regional recovery plans created under RCW 25 77.85.090; the habitat project lists developed pursuant to 26 RCW 77.85.050; the prioritization process developed under RCW 27 77.95.160; and priority projects identified for salmon recovery through agency grant programs.

Projects meeting one or more of the following criteria will be prioritized for funding:

- Preference for projects that are included or referenced in, in no particular order or priority as the existence of these references vary across the state:
 - Watershed plan developed pursuant to RCW 90.82 (Watershed or Water Resource Inventory Area (WRIA) Planning). See more information [here](#).

- Regional salmon recovery plans created under RCW 77.85.090. See more information [here](#).
 - The Puget Sound Action Agenda developed under RCW 90.71.260. See more information [here](#).
 - The habitat project lists developed pursuant to RCW 77.85.050. More information [here](#).
 - The prioritization process developed under RCW 27 77.95.160. More information [here](#).
 - Priority projects identified for salmon recovery through agency grant programs such as Recreation and Conservation Office (RCO) or Department of Ecology grant programs.
 - Other local salmon habitat or riparian restoration strategies.
- Preference for projects that are locally prioritized through coordination with local federally recognized Tribes, private landowners, conservation districts, the local county, WDFW, and ECY, e.g., a Local Integrating Organization (LIO).

Additional Proposal Evaluation Criteria

- Proposals that include written support from one or more Tribes will be prioritized.
- Projects that address environmental justice or emphasize benefit to, support by and/or participation by under-served, vulnerable, or over-burdened populations will be prioritized. See SCC's [Community Engagement Plan](#) for term definitions.
- Districts are strongly encouraged to geographically group parcels, landowners, and practices together. This targeted approach of clustering projects on multiple parcels or with multiple landowners in one concentrated area allows for more effective and efficient use of funding.
- Located adjacent to or within the same watershed as other project(s) funded by SCC or through other conservation programs/funding.
- Projects that group work on multiple adjoining parcels or with multiple landowners together into a larger contiguous project.
- Located in areas with identified pollution inputs with particular focus on areas with 303(d) listing for temperature or dissolved oxygen, or projects implementing an Ecology TMDL implementation plan.

Tiered Incentives

Tiered incentives are annual payments made to a landowner for participating in riparian management zone restoration under this program. Incentive payments are in addition to the actual cost of riparian restoration work (under a cost-share or District Implemented Project) or maintenance of a new or existing stream buffer.

A conservation district may opt-out of offering tiered incentives within their district boundaries and still apply for funds for other eligible project types. A district wishing to opt-out will need to make this decision known to SCC through a board resolution submitted to SCC each biennium in which the district wishes to access Riparian Grant Program funds.

An individual landowner may waive tiered incentive payments at any time by not entering into a contract for tiered incentive payments.

Eligibility for Tiered Incentives

Only newly installed or expanded RMZ restoration projects are eligible. The RMZ restoration projects implemented must meet the following criteria:

- 1-acre minimum project size. May span multiple parcels or landowners to achieve a 1-acre minimum. This enables landowners with limited stream front to participate.
- Expansion of existing buffers are eligible for enrollment provided they meet program standards. The condition of the existing buffer will be evaluated to determine eligibility. Eligibility of an existing stream buffer is not automatic.
- ***Only Riparian Forest Buffer or Riparian Herbaceous Cover practices (conditionally) are eligible for tiered incentives.***

Eligible Stream Types for Tiered Incentives

The stream types are categorized as follows¹:

- Perennial: Flows year-round except infrequent events such as a severe drought.
- Intermittent: Flows part of the year, more than rainstorms and snowmelt.
- Ephemeral: Only flow during rainstorms or heavy snowmelt.
- Artificial conveyances: Are human-made, such as ditches.

The USGS National Hydrography Dataset is a starting point for stream type categorization and should always be confirmed with on the ground observation to ensure accuracy. For this program only artificial conveyances or ephemeral streams that directly flow into a perennial or intermittent salmon-bearing stream are eligible for tiered incentives. These stream types provide a cool water source and high flow refugia for salmonids in the adjacent perennial or intermittent streams. These artificial conveyances or ephemeral stream types also provide pathways for fish to return to perennial streams if they become stranded. ***Project proponents need to make a clear and direct case for benefit to salmon habitat for any work proposed on ephemeral streams or artificial conveyances for which tiered incentive payments are proposed.***

The Riparian Forest Buffer practice includes installation of woody tree and shrub vegetation as site conditions indicate are appropriate. Wherever possible, the installation of tall trees should be emphasized for tiered incentives.

¹ <https://www.usgs.gov/national-hydrography/national-hydrography-dataset>

Calculation of Tiered Incentives Payments

The payment structure selected for tiered incentives accommodates varied land uses encountered across watersheds (agricultural and non-agricultural land uses) while compensating for land value differences across Washington.

Formula for Calculating Tiered Incentives

The annual total payment is calculated by multiplying the base payment rate plus any additional incentives by the acres enrolled in the program.

$\frac{\text{county median land value (by acre)}}{\text{vegetation type (7\% for RHB or 8\% for RFB)}} \times$	$\text{Base per acre payment rate (BPAPR)}$
$\text{Base per acre payment rate (BPAPR)} + \frac{\text{any additional incentive (\% of BPAPR)}}{\text{acres enrolled}} \times$	
Annual payment	

County Median Land Value

To meet these needs, the county median land value is used as a base per acre starting point for calculating incentives. Median land values are obtained using county assessor's data for unincorporated land within each county.

See the [program webpage](#) for the calculated median land values for each county in Washington.

Using county median land value ensures that the program, which is renting land from participants, pays a rate reflecting actual land value. Thus, properties in more expensive counties are paid more than areas with lower land values. However, to attract participants with lower-assessed land, a minimum of \$300 per acre is guaranteed and a maximum of \$1,000 per acre is used to offer the opportunity to participate to as many landowners as possible with limited funding. The minimum and maximum per acre caps are imposed **after** incentives are calculated.

SCC will determine the median land values by county once per biennium and update information on the [program webpage](#) accordingly. The overall tiered incentive's structure including minimum and maximum per acre caps will be assessed as part of regular program adaptive management cycles.

Once a landowner has entered a contract for tiered incentives, the payment rate remains the same through the life of the contract.

Vegetation Type (8% for RFB or 7% for RHB)

Calculate 8% of the median county land value for the base payment rate for riparian forest buffer acres. Calculate 7% of the median county land value for the base payment rate for riparian herbaceous buffer acres.

Additional Incentives

See example calculations and a calculator tool for tiered incentives [here](#). See formula for calculating tiered incentives above.

- Add 5% of the base payment rate per acre enrolled in Tier 2. See *Table 2. Tier Widths*
- Add 10% of the base payment rate per acre enrolled in Tier 3. See *Table 2. Tier Widths*
- Add 10% of the base payment rate per year if two adjacent participants enroll in the program. The additional incentive is applicable to both adjoining participants' contracts.
- Add 15% of the base payment rate per year for enrolling in a 15-year contract as a longer contract enables more time for riparian forest vegetation to establish and provide greater habitat function.

Tier Levels 1, 2, and 3

Table 2 defines each tier, as determined by distance from the stream. The boundary between Tier 2 and 3 is half the distance between their associated minimum width (Tier 1) and the maximum width, the 200-year Site Potential Tree Height (SPTH). See *Figure 1: Additional Incentives Graphic* for a visual representation of tier levels.

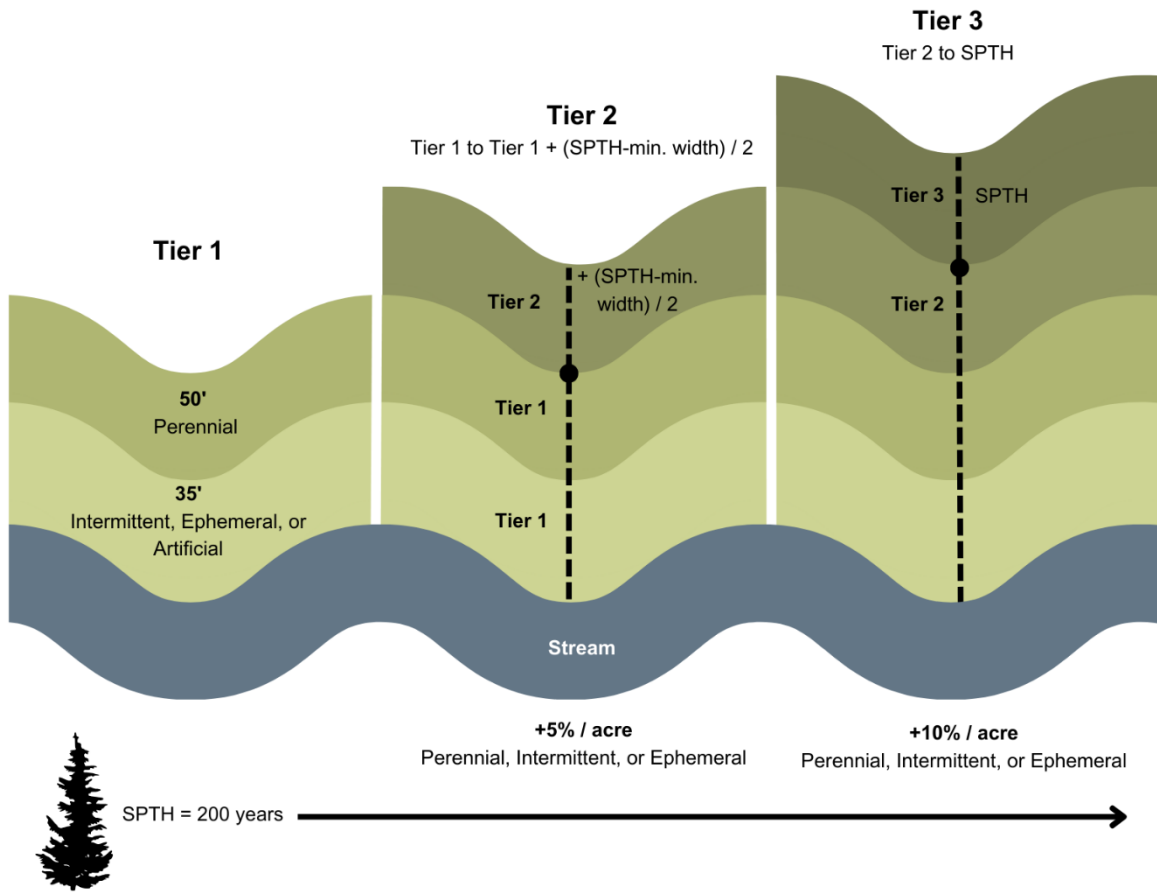
Natural stream buffers have a maximum width equal to the SPTH and artificial conveyances have a fixed width of 35-feet. The calculated payment has a minimum of \$300 and maximum of \$1,000 per acre per year.

If the potential RMZ is greater than 20% of the parcel by area, a 35-foot-wide minimum buffer is permissible.

Table 1. Tier Widths

	Perennial	Ephemeral, Intermittent	Artificial
Tier 1	50' Forest	35' Herbaceous or Forest	35' Herbaceous
Tier 2	Tier 1 to Tier 1+(SPTH-min. width)/2	Tier 1 to Tier 1+(SPTH-min. width)/2	N/A
Tier 3	Tier 2 to SPTH	Tier 2 to SPTH	N/A

Figure 1. Additional Incentives Graphic



Contract Length Options for Tiered Incentives

The standard contract length for tiered incentives is 10 years with a bonus for a 15-year contract to encourage longer conservation and for further establishment of riparian forest buffer vegetation.

Once a tiered incentives payments contract has been entered into between a conservation district and a landowner, the funds needed for out-year payments for that contract is restricted and obligated for that agreement by the SCC. The SCC provides funding to conservation districts to administer tiered incentive payments from these restricted and obligated funds beyond the initial biennium period through reappropriations of those obligated funds by the Legislature.

Monitoring and Adaptive Management

Annual project site monitoring, at a minimum, must be conducted by conservation districts on all riparian management zone restoration projects installed with this program, for the life of the cost-share contract, District Implemented Landowner Agreement, or Tiered Incentives Agreement whichever is longest.

This annual site monitoring ensures accountability for the public funds invested, serves to identify emergent issues quickly so action may be taken (e.g., human or herbivory activity, invasive weeds etc.), and may help inform the SCC of any programmatic barriers or challenges that arise especially pertaining to maintenance. Conservation districts are encouraged to seek out opportunities for co-existence with beaver, where possible and practical, for the ecosystem benefits they provide.

Annual project monitoring will also inform any future program modifications made as part of adaptive management. **Ongoing monitoring activity beyond initial biennium funding is dependent on funding availability.** SCC will provide a worksheet for use on annual monitoring site visits to gather pertinent information across projects statewide to evaluate riparian management zone restoration progress.

Additionally, SCC staff will conduct a technical on-site project review with conservation districts every five years from the date of project installation, or earlier if conditions warrant, on a cross-selection of completed projects, to further evaluate riparian restoration and maintenance technique effectiveness and identify any technical challenges to be addressed.

Prior to the start of each new biennium, program guidelines will be reviewed to address appropriate questions, concerns, or issues that have arisen in the prior biennium's implementation. Additionally, conservation district program practitioners, state agency partners, and the SCC will convene a meeting at least once per biennium to discuss topics and challenges of mutual interest pertaining to riparian restoration. This meeting may occur as a portion of another scheduled event or symposium for efficiencies in time and costs.

Definitions

Landowner implemented cost-share project: Funding used to reimburse participants for a percentage of the costs associated with the implementation of best management practices. Examples of costs include, but are not limited to labor, materials, and permits. These projects are implemented/constructed by the landowner who then seeks reimbursement from a conservation district for a portion of the project costs.

District Implemented Project (DIP): A project where the conservation district is the lead planner and implementer. In this project type, the district is taking full responsibility for the installation/construction of the project which may include, but is not limited to acquiring permits, bidding, and purchasing processes, and prevailing wage requirements. A District Implemented

Project must not include cost-sharing or cash reimbursement, to a landowner(s) with SCC funds. The district is assuming all responsibility for project planning and construction directly.

Riparian management zone²: The area adjacent to freshwaters, wetlands, and marine waters that has been locally or regionally identified as an area where salmon recovery efforts would significantly benefit from enhanced protection or restoration.

Perennial stream³: Typically have water flowing in them year-round. Most of the water comes from smaller upstream waters or groundwater while runoff from rainfall or other precipitation is supplemental.

Intermittent (seasonal) stream³: Flow during certain times of the year when smaller upstream waters are flowing and when groundwater provides enough water for stream flow. Runoff from rainfall or other precipitation supplements the flow of seasonal stream. During dry periods, seasonal streams may not have flowing surface water. Larger seasonal streams are more common in dry areas.

Ephemeral (rain-dependent) stream³: Flow only after precipitation. Runoff from rainfall is the primary source of water for these streams. Like seasonal streams, they can be found anywhere but are most prevalent in arid areas.

Artificial conveyance³: Human-made pathways constructed to convey water such as for irrigation or drainage.

Instream habitat improvement⁴: Projects which include the placement of natural structures such as large wood (LW; single or multiple logs), engineered log jams, and artificial structures (e.g., weirs, deflectors, boulders) into the active stream channel, or similar structures⁵.

Practice: Approved practice per current Natural Resources Conservation Service (NRCS) practices available in Washington, or Washington State Conservation Commission (SCC) approved practices or Licensed Engineer approved practices.

Riparian ecosystem⁶: Riparian ecosystems are transitional between terrestrial and aquatic ecosystems and are distinguished by gradients in biophysical conditions, ecological processes,

² See Riparian Grant Program Budget [Proviso](#)

³ <https://www.epa.gov/cwa-404/streams-under-cwa-section-404>

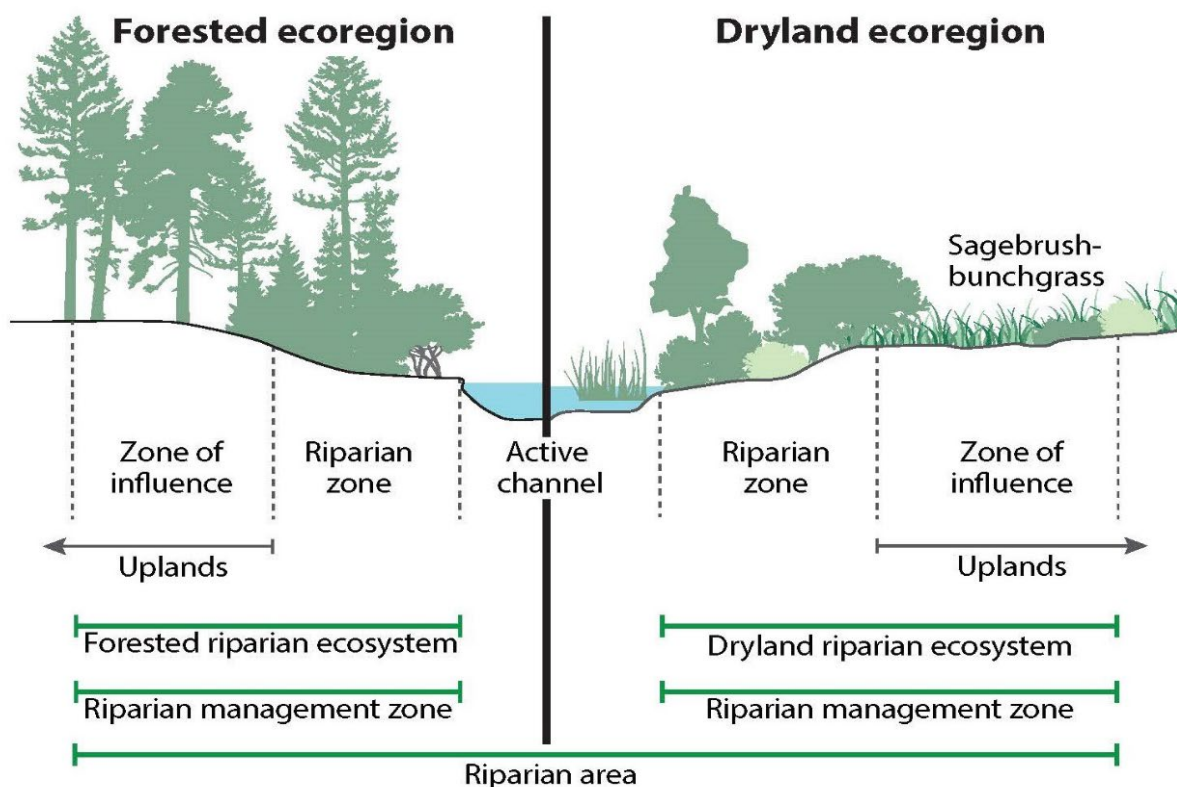
⁴ Krall, M., C. Clark, P. Roni, K. Ross. 2019. Lessons Learned from Long-Term Effectiveness Monitoring of Instream Habitat Projects. North American Journal of Fisheries Management 39:1395-1411, 2019

⁵ Cramer, Michelle L. (managing editor). 2012. Stream Habitat Restoration Guidelines. Co-published by the Washington Departments of Fish and Wildlife, Natural Resources, Transportation and Ecology, Washington State Recreation and Conservation Office, Puget Sound Partnership, and the U.S. Fish and Wildlife Service. Olympia, Washington.

⁶ Quinn, T., G.F. Wilhere, and K.L. Krueger, technical editors. 2020. Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications. Habitat Program, Washington Department of Fish and Wildlife, Olympia.

and biota. They are areas through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. They include those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems (i.e., a zone of influence). Our definition of riparian ecosystem does not include adjacent waters (i.e., river or streams, but does include riverine wetlands) and recognizes the riparian zone as a distinctive area within riparian ecosystems.

Allowable critical riparian management zone projects are those in the area described above and pictured below and are intended to address ecosystem attributes particularly important to salmonid needs. Also, re-vegetating floodplain areas adjacent or in proximity to riparian zones is conditionally eligible if sufficient justification for salmon habitat is included in a proposal.



⁷This diagram depicts the riparian management zone (RMZ) for both forested (left) and dryland (right) ecoregions. The RMZ is coincident with the riparian ecosystem, which consists of the riparian zone (riparian vegetative community) and the zone of influence. The riparian zone extends from the edge of the active channel towards the uplands and includes areas where vegetation is influenced at least periodically by flowing waters. The zone of influence includes areas where ecological processes significantly influence the stream, at least periodically.

⁷ Windrope, A., Rentz, T., Folkerts, K. and Azerrad, J. 2020. Riparian Ecosystems, Volume 2: Management Recommendations. Habitat Program, Washington Department of Fish and Wildlife, Olympia. p.21

Riparian Restoration: Riparian restoration activities are management practices which focus on reinstating the ecological processes that naturally create and maintain stream habitat over the long term and return the stream to a dynamic, self-sustaining condition. Restoration strategies may include site- or reach-scale projects intended to increase or improve habitat or the processes that create and maintain habitat. Restoration actions also commonly include enhancement - habitat creation or stabilization - where the full restoration of processes is not possible within acceptable timeframes.

Riparian Grant Program proviso language in [ESSB 5200](#)

Riparian Restoration with Landowners (91000020)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the state conservation commission to provide grants for riparian restoration projects with landowners.

(2)(a) Within funds appropriated in this section, the commission shall develop and implement the voluntary riparian grant program to fund protection and restoration of critical riparian management zones. The commission is responsible for developing the voluntary grant program criteria to achieve optimal restoration of functioning riparian ecosystems in priority critical riparian management zones.

(b) In adopting the program criteria under this section, the commission must:

- (i) Invite federally recognized tribes to be full participants;
- (ii) Coordinate with private landowners and other interested stakeholders;
- (iii) Coordinate with the department of ecology, the department of fish and wildlife, conservation districts, and the department of agriculture; and
- (iv) Consider the best available, locally applicable science that is specific to each region of the state where the program criteria will be applied.

(3)(a) The commission shall prioritize critical riparian management zones at the watershed or subbasin scale where grant funding under the program created in this section would be primarily targeted. The prioritization must be informed by, consistent with, and aligned with one or more of the following: Watershed plans developed pursuant to chapter 90.82 RCW; the action agenda developed under RCW 90.71.260; regional recovery plans created under RCW 77.85.090; the habitat project lists developed pursuant to RCW 77.85.050; the prioritization process developed under RCW 77.95.160; and priority projects identified for salmon recovery through agency grant programs.

(b) The prioritization of critical riparian management projects must be developed in coordination with:

- (i) Local federally recognized tribes;
- (ii) Local private landowners who are voluntarily participating in the program;
- (iii) Local conservation districts; and
- (iv) The local county, the department of fish and wildlife, the department of ecology, and water resource inventory area planning units organized pursuant to chapter 90.82 RCW.

(4)(a) Conditions for awarding funding for projects under this program include, but are not limited to:

- (i) Consistency with the program criteria established under subsection (2) of this section;
- (ii) Tiered incentive rates tied to improving functionality for riparian areas; and
- (iii) Other requirements as determined by the commission.

(b) The commission must give preference and compensation for permanent protection of riparian areas or removal of riparian land from agricultural production or other development by purchase at fair market value.

(5) The commission must distribute riparian grant program funding equitably throughout the state, consistent with received grant applications and benefit to salmon habitat. Funding is intended primarily for projects located in salmon recovery regions, as defined in RCW 77.85.010, but funding may also be distributed to a project not located in a salmon recovery region upon a determination by the commission that the project will provide a unique benefit to salmon habitat.

(6) Allowable expenses to a grantee receiving funds under this section include, but are not limited to, labor, equipment, fencing, mulch, seed, seedling trees, manual weed control, and yearly maintenance costs for up to 10 years.

(7) Any native woody trees and shrubs planted with funding provided under this section must be maintained for a minimum of five years or as otherwise set by the commission for each grantee. Vegetation must be chosen to prevent invasive weed populations and ensure survival and successful establishment of plantings.

(8) The commission shall determine appropriate recordkeeping and data collections procedures required for program implementation and shall establish a data management system that allows for coordination between the commission and other state agencies. Any data collected or shared under this section may be used only to assess the successes of the riparian grant program in improving the functions of critical riparian habitat.

(9) The commission shall develop and implement a framework that includes monitoring, adaptive management, and metrics in order to ensure consistency with the requirements of the riparian grant program. The monitoring and adaptive management framework may include, but is not limited to, consideration of:

(a) Acres identified as eligible for restoration within a watershed;

(b) Acres planned to be restored;

(c) Acres actually planted and maintained;

(d) Success in targeting and achieving aggregated project implementation resulting in increase in linear miles restored;

(e) Plan review criteria; and

(f) Other similar factors as identified by the commission.

(10) The commission may use up to two percent of any amounts appropriated in this section for targeted outreach activities that focus on critically identified geographic locations for listed salmon species.

(11) The commission may use up to four percent of amounts appropriated in this section for administrative expenses.

(12) For the purposes of this section, "critical riparian management zone" means the area adjacent to freshwaters, wetlands, and marine waters that has been locally or regionally identified as an area where salmon recovery efforts would significantly benefit from enhanced protection or restoration.



Riparian Grant Program Guidelines Comments

Responses received 11/20/23 – 1/17/24

39 comments received via Smartsheet form

2 comments submitted by Tribes

25 comments submitted by Conservation Districts

12 comments submitted by other interested parties

5 comment letters received: NWIFC, WDFW, Ecology, WCA

Comment	Notes
Section 1: Program Description	
Please continue to work to explore different contracting options beyond the current biennium. Other State Agencies seem to offer more flexibility in terms of contracting period. The current window likely only allows for a single planting season.	Noted
Please continue to work to explore different contracting options beyond the current biennium. These planting projects need long term funding to be successful. Maintenance: Even after 5 years of intense maintenance treatments it would nice if there was an annual evaluation/maintenance of the projects long term, like a one time treatment every year. Even on established planting projects blackberry and other invasives find their way back in.	Noted

Comment	Notes
<p>The guidelines are difficult to follow. Try to provide direct links to the information you would like us to access.</p> <p>Stream type dataset referenced by guidelines is no longer in use and directs user to another dataset which is somewhat difficult and clunky to find. It appears that we are being directed to the site to determine if a waterbody is perennial or ephemeral. Good grief.</p> <p>Why are we reinventing the wheel. Tools for CREP could be used (salmon bearing water) and use of soil rental rates that have continually been vetted. If the soil rental rates do not adequately value property then consider modifiers that can be applied. attempted to follow the guidance for bare land value determination and quickly turned to the county assessor in Cowlitz and Wahkiakum,. They attempted to follow your guidance and would like to talk to whomever created it. It apparently draws upon a dataset local assessor do not necessarily use and modifies the data set by codes not employed at the local level.</p>	Edits made
<p>The guidelines allow flexibility in stream length and acreage of riparian areas restored or enhanced. In our work with private landowners this is very important, and allows for habitat improvements where landowners are not able to implement larger riparian restoration widths (such as site potential tree height).• Eligible applicants continue to be Conservation Districts only. We have good working relationships with several Conservation Districts in most regions where we implement riparian restoration projects. However, this increases project costs somewhat; restoration dollars would have an expanded reach if eligible applicants included other entities, including Regional Fisheries Enhancement Groups.• The project completion timeline is very short: less than 1.5 years from the date of award. Most importantly, the project completion timeline spans only 1 fall planting season, and that is less than 8 months from a date of award (assuming a recipient receives funds in February). In eastern Washington ecoregions, fall planting leads to higher survival rates and better project outcomes. In addition, the short timeline may not allow time to secure locally-sourced plant material, which is of appropriate genetic material and adapted to get local seed sources/appropriate genetic material for local precipitation and aridity (which leads to increased survival) many nurseries require >1 yr notification, particularly for large orders or specialized species. Extending the project completion timeline would benefit outcomes and allow projects not prepared for planting in eight months to be implemented under these funds.• The eligibility of projects on private, municipal, state and federal landowners' properties is key in implementing larger projects across multiple parcels, and very important in directing effort to highest ecological priorities on individual ownerships.</p>	<p>Noted</p> <p>Noted</p>
<p>Washington State consensus around SPTH₂₀₀. The WSCC proposes to delineate “riparian areas” using a 100-year site-potential tree height (SPTH). WDFW recommends that riparian management areas be designated and managed out to a full SPTH at 200 years of age (SPTH₂₀₀). Governor Inslee’s stated policy is that riparian zones should be based on the height of trees that grow in the area; by citing WDFW’s science, it is clear he is referring to SPTH₂₀₀. This policy stance was also affirmed by the Governor in the Centennial Accords with tribes. The best available science and WDFW riparian management recommendations call for riparian areas in forested habitats to be based on the height of old-growth trees at 200 years of age (SPTH₂₀₀). This difference is meaningful; 100-year SPTH would not yield the full ecological function achieved by SPTH₂₀₀. For example, a typical Douglas-fir that grows to 150 feet in 100 years will likely grow to 180 feet in 200 years; Douglas-fir trees will grow 20% to 40% taller between 100 and 200 years of age. Sizing riparian protections based on the 100-year SPTH will identify a narrower area, resulting in lower levels of riparian function and lower levels of compensation for landowners. We respectfully request you align your definition of riparian area by using SPTH₂₀₀ as the standard for riparian restoration condition and ecological functionality.</p>	Edits made
<p>one note: there is no mention of irrigation water rights. if this is irrigated farm land the district should inform the landowner as per options for preserving the water rights in trust or...?</p>	Noted

Comment	Notes
General Requirements - We have been given the guidance that RCO funds can be re-appropriated. Recommend investigating further whether that is the case for WSCC funds, such that the period of performance could be longer to allow for maintenance post-planting.	Edits made
<p>The Riparian Grant Program is only available for grants directly to Conservation Districts. Under Eligibility, it is suggested that “All other organizations, agencies, and entities are encouraged to work with their local conservation district to apply.” We should not be encouraging others “to apply”. Can we rephrase that to say: “All other organizations, agencies, and entities are encouraged to contact their local conservation district to identify, support, and partner on riparian project implementation.</p> <p>Are any riparian areas in the state eligible or only those within a conservation district boundary? Could we run into issues with working outside District boundaries? There are some areas outside of an incorporated city that may also fall outside of the District boundaries. Would partnering with an outside organization that is allowed to work in those areas make those areas eligible for this program? Similar to how VSP allows Districts to work outside their boundaries within the scope of that program.</p>	Edits made. See also FAQ’s
<p>Snohomish Conservation District strongly supports the Conservation Commission’s efforts to extend funding beyond the June 30th, 2025 deadline. We advocate for a long-term on-going program to achieve the “optimal restoration of functioning riparian ecosystems in priority critical riparian management zones”. Successful riparian reforestation requires long-term funding for the following reasons:a) Enables successful landowner recruitment. i) Longer time horizons are essential to successfully recruit private property owners to participate in this voluntary program. Landowners need certainty that continued grant funding will support CD technical assistance and professional crew labor for project completion, on-going monitoring, adaptive management, and planting maintenance activities. ii) With landowner recruitment, success breeds success, It can take months to years and one or more successfully implemented projects to build landowner trust within a stream/river reach or sub-basin that provides a foundation for reach- or sub-basin scale riparian forest planting implementationb) Provides stability to maintain capacity. i) Longer funding time horizons are essential to provide CDs, CD partners, and businesses, including labor contractors and vendors, with funding certainty to maintain or increase staffing levels (planner/professional staff and labor crews), purchase and retain equipment for implementation, grow plant materials, and fabricate or produce implementation supplies. c) Increases ability for a more strategic approach.i) Longer funding time horizons allow CDs and CD partners to implement projects using a more strategic approach rather than focusing on the most opportunistic or “easiest” projects that can be implemented in a narrow funding timeline. The certainty of longer time horizons will result in greater success and higher priority projects.</p>	Edits made.
<p>1. The WSCC needs to resolve the biennial issue for dispersing these program funds. The inability to provide for long-term contracts (5 – 15 years) is a deterrence for landowners to voluntarily participate in the multi-tiered incentive portion of the program. Ecology has initiated such contracts with the Spokane CD and others. The model appears to be there.</p> <p>2. A competitive process approach for the funds is an excellent approach, but it is somewhat vague of the actual criteria that will be used to rank projects. These criteria should be clearly defined (need reference to page 6). It is mentioned that the proposals may be further reviewed by tribes or partner agencies. Why would a state agency have to do that? Doesn't the WSCC have the ability to conduct the review themselves? Maybe you should have the tribes or partners help develop the criteria, then WSCC staff could rank accordingly. It seems heavy-handed to have partners rank proposals for “your” program.</p>	Edits made.

Comment	Notes
<p>3. This program is intended for all land-use types, not just agriculture. It's worth noting that other land use types, such as residential, industrial, or forest lands are subject to other laws and regulations, such as Growth Management Act (critical areas ordinances) and forest practice laws that require setbacks from stream, wetlands, etc... landowners in residential or other settings install buffers as required mitigation for impacts associated with development (such as building a new home in an existing buffer). So, would landowners be allowed to enroll in this program to fund a mitigation project for impacts to an existing buffer?</p> <p>4. This is a voluntary program, thus the emphasis should be on what people are eager to do. The emphasis is on habitat, not rectifying enforcement action, although the habitat improvements are related to water quality. Only allowing the preferred vegetation of a regulatory agency seems to assume that the landowner is in violation of water quality and must come into compliance. We must assume that landowners are innocent until proven guilty, thus landowners should be allowed to install vegetation of their choosing unless proven to be in violation. Regardless of enrollment in this program, landowners make this choice. Therefore, buffer composition and widths need to reflect what people have demonstrated an interest in implementing.</p>	See also FAQ's
Overall, we support the advancement of voluntary riparian programs, especially in Northwest Washington. We do, however, support exploring different contracting options beyond the current biennium. Longer term funding for individual projects, beyond a single season or biennium, would be beneficial for our farmers.	Noted
<p>I really like that the Commission is finally getting funds to complete these riparian projects.</p> <p>Are existing buffers eligible for incentives to protect the existing habitat. We would recommend a lower incentive.</p> <p>Can we have special circumstances for properties that do not have required buffer widths because of a public road or a structure?</p>	Edit made.
The creation of a WSCC hosted voluntary riparian program is needed and well supported by community interest and desire for voluntary riparian planting. Voluntary stewardship when done correctly works to achieve the goals laid out in the proviso language and more. Planting projects are uniquely challenging to time, because of the short planting window, and the demand for planting crew time. Limiting the grant period to end on 6/30/25 poses significant challenges and greatly limits the type and amount of projects we can put forward, because it is only possible to implement these projects over a few months of the entire remaining biennium (24/25 planting season).	Noted
It states that others are encouraged to work with their local CD to apply. To me that says others can apply for the funding. I was in a meeting last week promoting the WSCC riparian funding where I was informed funding was targeted for CDs. Therefore a little clarification could be added on that subject, and or for CD,s maybe a reference to the WSCC funding manual on what agreement/paperwork a CD would need to have a partner submit to assist them in accessing the funding. My goal is to assist in getting all WSCC riparian funding spent so the value and efficiency of WSCC programs is clear to the legislature and the funding keeps coming.	See FAQ's
Will projects be eligible on State and Federal land? If so, will that alter cost-share percentages or DIP eligibility?	Edits made. See FAQ's
<p>-Funds need to be provided long-term for both PCD implementation and also for landowner participation.</p> <p>-If the funds are appropriated for 5 years, what is the reason WSCC has to have them start/stop on the bi-ennium?</p> <p>-Why is there a review outside of the WSCC on funds and what are the actual criteria that will be used for this type of review?</p>	<p>Noted</p> <p>Edits made.</p>

Comment	Notes
<p>General Requirements: There should be an option for starting projects later than 120 days after award, upon appeal or request to the Commission or Commission Staff.</p> <p>Timeline, Application for Funding, Reporting: Conservation Commission should routinely report to CD's about availability of remaining funds. Each time funding is awarded the amount of remaining funds available should be reported so CDs are aware of how quickly funds are being committed to projects.</p>	<p>Edit made</p> <p>Noted</p>
<p>Provisio language (1). Benton Conservation District would like to reiterate the importance of restricting the eligibility of the conservation commission program to local conservation districts. Conservation districts possess a distinctive capacity to work with our landowners on voluntary, locally led projects that are mutually beneficial for the landowner and the resource. This funding opportunity opens avenues for district-led riparian restoration efforts on smaller acreage parcels that may not be as competitive in the alternative riparian funding opportunity under RCO given the differences in resource priorities and competing project scale.</p>	<p>Supportive</p>
<p>This section is informative</p>	<p>Supportive</p>
<p>This is not a good way to do this- my comments disappeared when trying to click the embeded links in this document.</p>	<p>Noted</p>
<p>We appreciate you providing an opportunity to comment on the proposed Riparian Grant programmatic guidelines, and are generally supportive of grant programs such as this designed to restore riparian habitat. As presented, this program has the potential to serve a great purpose across the state.</p>	<p>Supportive</p>
<p>Establish dates or times that deadlines will be (e.g. 2nd and 4th Friday of the month at 4PM).</p>	<p>Noted</p>
<p>Having funding allocated on a "competitive granting process" may pose a challenge for some riparian buffers already established during the first round of SRF. These project have stewardship/maintenance requirements to ensure these buffers are meeting practice standards so hopefully there is a way to prioritize this funding for planting projects that area already in place.</p>	<p>Edit made</p>
Section 2: Eligible Project Types and Activities	
<p>Applications may be reviewed by partner agencies and tribes. What say do they have in funding?</p>	<p>See FAQ's</p>
<p>Appreciate that we held onto the ability to implement practices (instream) that support successful establishment of riparian vegetation.</p> <p>Was not aware that there as proposal in works to provide rental payment incentive. Process is clunky at best. Most landowners that we are working with are happy to obtain the financial assistance to implement their projects. However, most of our projects go beyond just establishing riparian vegetation.</p>	<p>Supportive</p> <p>Noted</p>

Comment	Notes
<ul style="list-style-type: none"> • The inclusion of Outreach/Project Development is important. This step in identification of projects takes time and is often unfunded, and can often require an entire year or more to identify landowners and develop relationships in order to apply for funding and implement a riparian restoration project. • The inclusion of Maintenance is key for successful project implementation. Site maintenance, such as weed management, irrigation, fence maintenance and replanting, protects previous investments in restoration work and improves project outcomes. MCF plans for a five-year implementation period once a project is developed and funded, from permitting and planning, implementation, and two to three years of post-implementation maintenance. • The inclusion of Permanent Protection project type is important. Riparian restoration is expensive. Further, it is slow; a forest may require >20 yrs to mature and provide ecological benefits in eastern WA arid environments. When ownership changes and management goals shift in a restored site, a new landowner may choose to remove or alter a restoration project, eliminating or reducing the ecological benefits of the project. MCF is working with many landowners to investigate their interest in permanent protection options, and work toward that permanent protection. Under this Project type, we recommend including the development of permanent protection (ie, exploring easement or acquisition options) with the landowner, which could include appraisers and engaging land trusts to help landowners identify a conservation vehicle and configuration of highest value to the landowner and highest ecological value. 	<p>Supportive</p> <p>Permanent protection feedback noted for future development</p>
<p>Section 2 Comment 1:</p> <p>We encourage the addition of language clarifying that riparian restoration projects that benefit stream conditions for salmon, but do not occur in reaches where salmon are present, (e.g. on salmon streams above barriers to anadromy) are eligible for funding. These habitats provide critical inputs including large wood and insect fall to reaches downstream, and water quality above anadromous barriers directly impacts water quality in salmon bearing reaches. Indeed, Washington State's own riparian science documents how stream's status as salmon-bearing or fish-bearing is immaterial to the waterway's importance in maintaining ecological integrity of the overall stream system, necessitating intact, high-functioning riparian management zones across the entire hydrologic network (Quinn, T., G.F. Wilhere, and K.L. Krueger, technical editors. 2020. Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications. Habitat Program, Washington Department of Fish and Wildlife, Olympia.)</p> <p>Other sections of this document (Sections 5,7) discuss restoration in intermittent streams and imply that restoration above barriers may be eligible, but this eligibility should be explicitly stated.</p> <p>Section 2 Comment 2:</p> <p>We are encouraged to see that maintenance projects are being considered for funding through this program. Maintenance funding has been a major challenge cited by practitioners in recent years, and we consider their inclusion here to be a positive change from some past riparian funding opportunities.</p>	<p>Edit made.</p> <p>Supportive</p>
<p>As written, the WSCC Riparian Grant Program Guidelines can only be fully applied to Washington's forested ecoregion as they lack a payment structure that pertains to the dryland ecoregion. The draft grant payment tier structure relies on SPTH; however, a large portion of the state (the Columbia Plateau) has riparian zones that lack tall (>100 feet) trees and SPTH data (Quinn et al. 2020). In the WDFW Site-Potential Tree Height Mapping Tool, dryland ecosystems that lack SPTH values are shown in brown. As a result, the draft grant payment tier structure as proposed cannot be used in a large proportion of streams in the state beyond tier 1 (a narrow, fixed width buffer).</p>	<p>Edits made.</p>

Comment	Notes
<p>Dryland riparian ecosystems consist of water-dependent shrubs, sedges, grasses, and forbs adjacent to the stream where water flows periodically, and this riparian vegetation is clearly distinct from upland vegetation (such as sagebrush, bunchgrass, or prairie vegetation). As described in Rentz et al. 2020 (section 2.3.5), we recommend the following steps for delineating fully functioning RMZs in the dryland ecoregion:</p> <p>a. Where the area of riparian vegetation is greater than 100 feet wide (such as in a wetland or floodplain), then use its full extent to determine the RMZ width.</p> <p>b. Where the riparian vegetation is less than 100 feet wide, then extend the RMZ up to a total width of 100 feet (which will include some upland vegetation) for achieving ~95% pollution filtration.</p> <p>c. In the parts of the dryland ecoregion where trees grow >100 feet tall (based on $SPTH_{200}$), then use the $SPTH_{200}$ value to determine the width of the RMZ.</p> <p>d. We recommend including in the Riparian Grant Program a secondary payment tier structure for the dryland ecoregion based on these RMZ delineation methods.</p>	
<p>Outreach as an eligible activity is welcome as that will be needed to reach customers and explain how the program works.</p>	Supportive
<p>Technical Assistance/Planning/Design - RCO has created planning guidance in the form of a Riparian Enhancement Plan that is included in our guidelines for our \$25M. Wondering about the possibility of providing a link to that, or at least somehow aligning our internal expectations about design deliverables and detail (i.e. if they meet the standard for one agency, then it would automatically meet the standard for the other).</p> <p>Permanent Protection - Is it worth linking to the specific requirements that have already been developed by OFP? That would give people a way to understand the amount of due diligence that goes into that process.</p>	Edit made.
<p>I like that the outreach project type comes from separately appropriated funding. Keeps more dollars for getting conservation on the ground. It might be beneficial to clarify that Tiered incentives are optional, and that cost-share is available to those not interested or who may not be eligible (if that is the case).</p> <p>Where are we expected to pay for Cultural Resource Surveys? The TA/Planning/Design project type or under Cost-share/DIP? Or other SCC cultural funds. Please clarify in guidelines.</p>	See FAQ's
<p>Section 2:</p> <p>Consider allocating a majority percentage of the Riparian Grant Program funding to BMPs that specifically result in the establishment and maintenance of riparian vegetation. For example, NRCS codes: 391, 612, 342, 327, 422, 379, 390, 382, 472, 314, 484, and 315. The remaining percentage of the allocation could go to other practices that support establishment of riparian buffers. Limiting the amount that could go to extremely expensive elements such as SCC26 and SCC45 will increase the overall riparian vegetation established as a result of the program funding. This percentage breakdown could be maintained at the start of a funding cycle, but if there are leftover funds at the end of the funding cycle, the funding caps could be removed to allow for spending down the allocation on eligible BMPs. We still very much support the more expensive actions that are needed to establish riparian buffers as eligible actions, especially because our service area of Grays Harbor and Pacific Counties have many areas of extreme erosion (>100 linear feet per year) that significantly reduce the potential success of just riparian plantings.</p>	Noted

Comment	Notes
<p>Permanent protection project type: without a cap, this project type could use a lot of the available money. Encouraging enforcement of critical area ordinances around riparian buffer protection will provide protection at no cost to the program, allowing for more funding to go to restoration</p> <p>If a project is to use program funds for an easement, it needs to show how regulations are inadequate to protect the riparian zone. If the argument is that regulations are not being enforced therefore an easement is needed, this should not be enough to justify the cost of an easement. Instead, enforcement of regulations should be encouraged at the local level.</p> <p>Completing paperwork on a landowner by landowner basis is burdensome. Allow for simplification of billing and reporting for projects that aggregate multiple landowners.</p>	<p>Noted</p>
<p>Snohomish CD strongly supports on-going funding for the following activities:</p> <ul style="list-style-type: none"> a) Landowner outreach for this and future grant rounds. b) Technical assistance, including planning and design. c) Vegetation monitoring, maintenance, and post-implementation technical assistance. Riparian reforestation requires several years of monitoring and maintenance for successful project establishment. These projects are not installed in static systems; ecosystems change, and maintenance of projects is often required as site conditions change (beaver recruitment into the site, new invasive vegetation introduction from upstream, channel migration or floodplain restoration occurs in the vicinity of the project that alters site conditions for the project). <p>Private landowners often require continued CD technical assistance post-implementation to successfully manage their project; post-implementation technical assistance also provides a mechanism to monitor planting establishment (recommended 10 or 15 year monitoring) and provide ongoing technical assistance to support successful establishment. The CREP technical assistance program is one model that demonstrates the importance and value of post-implementation technical assistance to support private property owners and managers in successful riparian planting establishment and intermediate-term (10 to 15 years) monitoring of projects.</p> <p>Snohomish Conservation District also strongly supports the following:</p> <ul style="list-style-type: none"> a) The broad definition of maintenance as written in the guidelines; planners require flexibility to use best available science and emerging practices and technologies to support riparian planting establishment b) Providing two implementation pathways; riparian planting in particular is a project that is well-suited to the District Implemented Projects pathway to provide CDs with the ability to install projects. 	<p>Noted</p> <p>Supportive</p>
<p>1. This section mentions 7 different project types. Each one is described on pages 3-4 except for the multi-tiered incentive type. There should be a description for this type as well even though it is further described on page 6. Or at least have a reference to page 6 for it.</p> <p>2. We have some concerns about proposals that “must” be clustered or grouped in a target area. There may be good proposals that have riparian projects within different watersheds in a county. These may be multi-tiered incentive project types. These should not lose priority just because they are not grouped. We can understand that there may be higher ranking for grouped projects. This will likely lead to multiple proposals being submitted to “group” projects.</p>	<p>Edits made.</p>

Comment	Notes
The flexibility in project types and activities are great.	Supportive
Including technical assistance, maintenance, planning, outreach and design as eligible project types is encouraging and will allow project sponsors to address projects at all phases of development, expediting their implementation and ensuring continued project success. Providing for maintenance funding fills a critical gap in available funding and services needed.	Supportive
<p>Under the “Landowner Implemented Cost Share” section, the guidelines specify that all projects will utilize a 100% cost-share ratio. Does this mean that CDs must utilize a 100% cost share ratio? WWCCD generally utilizes an 85% cost share ratio to encourage landowner responsibility and vested interest in a project.</p> <p>Under the cost-share and DIP subheadings, will there be a required contract length for landowners to commit to maintaining their plantings?</p> <p>For Permanent Protection, the guidelines present conservation easements as a possible avenue for permanent protection. Conservation Districts might not be equipped with the capacity and expertise necessary to acquire and hold conservation easements. There are many complexities with having Conservation Districts pursue permanent protection through conservation easements, especially when land trusts are designed to fill that role. Additionally, allocating funds to conservation easements may funnel money away from implementation projects that actually restore an area. It's also important to note that an easement may be a permanent change in land status, but that doesn't translate to a permanently healthy riparian area. Regardless of whether an area is in an easement or not, the riparian areas will always need maintenance and funding to ensure ongoing health and functionality. The word "permanent" may be misleading in that context.</p>	See FAQ's Noted
I think inclusion of maintenance, permanent protection, and Technical Assistant/Planning/Design are all important additions.	Supportive
<p>DIP projects are an excellent option for Districts that have their own restoration crews. We don't have a crew so DIP projects are contracted following Public Works contracting procedures and requiring prevailing wage which increases costs.</p> <p>Cost-share is a simpler option but a cap on cost-share per landowner limits this for larger projects. It is unclear if there will be a cap on cost-share with RGP.</p>	See FAQ's

Comment	Notes
<p>-Refer to page 6 for the seven different project types.</p> <p>-is there a cap to maintenance projects? Like, is there X amount of dollars available per acres for maintenance projects or is it whatever they ask for?</p> <p>-Are we correct the the DIP landowner agreements don't have a dollar amount attached to them? That seems like it would important info regardless of who was implementing the project?</p>	<p>Edits made.</p> <p>See FAQ's</p>
<p>First paragraph, third sentence: Changes to the overall scope of work should be allowed to ongoing projects once expenditures have occurred as unexpected discoveries or opportunities to extend or improve a project may be discovered only after a project is started. Conversely, there may be just cause to limit a project scope due to an unintended discovery of archeological nature or other reasons. In those cases, and likely others, a change to the overall scope of work after expenditures has already occurred would be reasonable.</p> <p>Riparian Restoration Program Outreach: Vehicle mileage, booth/float rentals, and refreshments should also be eligible expenses for this part of the program.</p> <p>Technical Assistance/Planning/Design: Vehicle mileage should be an eligible expense for this part of the program.</p> <p>Landowner Implemented Cost-Share: How will projects on public lands be handled and will they be eligible? Is there still a 100% cost-share rate with public lands or do we revert back to core WSCC policy with a 50% cost-share rate? Are situations where a leasee or permittee is the cooperater and is implementing the project on public lands eligible and are they at 100% cost-share reimbursement rates? We believe at a minimum, projects implemented by private individuals and companies who are leasees and/or permittees on public lands should be eligible and should be treated the same as a project on private lands.</p> <p>District Implemented Projects (DIP): Please include that a DIP can also be implemented by CD staff instead of a contractor. Are the same level of project details required to be entered into CPDS for DIPs as are required for Landowner Implemented Cost-Share projects?</p> <p>Maintenance: This funding should support maintenance on not only riparian forest buffer, but also other core and supporting NRCS practices that support and enhance riparian system functions, including Critical Area Planting, Tree/Shrub Establishment, and other eligible practices listed in Appendix A of the Draft Programmatic Guidelines. Please define how new is a newly installed riparian forest buffer, or other practice. Does this include practices installed three years ago but haven't been certified as established? Or do planting projects need to still have top soil that has a 'freshly disturbed' look? It can take up to five years for a riparian planting in Eastern Washington to become mature enough to no longer need periodic establishment assistance to maintain the practice's purpose and standards. Will Maintenance project types be required to be entered into CPDS?</p> <p>Permanent Protection: Will permanent protection include fee simple acquisition or only permanent easements? Who will have to 'own' the protection? If fee simple acquisition is allowed, will a CD be allowed to use funds to acquire a parcel in a critical zone of a larger project and turn</p>	<p>Edits made.</p> <p>See FAQ's</p> <p>Edits made</p> <p>Permanent protection - Noted</p>

Comment	Notes
<p>over ownership of the parcel to a partner agency who controls all other parcels in the project area for it to be managed as a part of a larger cohesive project?</p>	
<p>General Comment: Please include clarification regarding the eligibility criteria for the riparian funding program concerning projects on federal and state public lands. Benton Conservation district strongly advocates for the inclusion of riparian projects on local public state and federal lands as eligible under this program. Resource conservation projects are frequently not prioritized for funding by federal/state landowners, despite their significance for conservation within the community.</p>	Edits made.
<p>Are there limitations on how much you can request for Outreach and Technical Assistance/Planning/Design? Are the program budgets divided between project development and implementation?</p> <p>Since this is such a historic change in riparian focused funding (this program and others), the prioritization plans may lag behind the implementation. In many watersheds, the biggest limitation to fish production has been focused on in-stream habitat and is where the bulk of prioritization effort has occurred. I recommend adding project prioritization activities as an eligible expense for the planning/design efforts. Riparian prioritization is best done at a sub-basin or even reach scale rather than whole watershed.</p>	Edits made.
<p>I think it is great to have a project that both allows for outreach as well as implementation!</p> <p>Is this program only for Salmon bearing streams? or are all streams eligible? It makes <i>a few</i> references throughout the document.</p>	Edits made
<p>Landowner Implemented Cost Share: Our District strongly believes that costs of Cultural Resource surveys should not come out of awarded Technical Assistance Riparian Grant Program funds. There is a glaring bottleneck regarding the lack of available archeologists to perform cultural resource surveys for practice that likely would disturb the ground, including digging holes to plant plants. Both Eastern and Western Washington CD's are utilizing Cascadia CD's single archaeologist, Kim Lancaster. With having to schedule surveys with Kim 6 to 9 months in advance, and with fall being the ideal time to plant in Eastern Washington, some CD's may not be able to implement projects with Riparian Grant Program funds awarded to them for cost-share contracts before the funding biennium ends if their project requires a cultural resource survey. If CD's are not able to utilize Kim Lancaster for surveys, they will need to hire private contractors where services cost much more. These contracting costs for cultural resource surveys should not come out of awarded Technical Assistance funds at the expense of diminishing and taking away from the important funds allotted for staff time to support integral and priceless landowner and partner conversations and project development. These contracting costs should instead be budgeted for and included in the funding request of Landowner Implemented Cost Share and DIP project types as a project cost.</p>	See FAQ's

Comment	Notes
Maintenance: does this include maintenance on BDAs? These structures need to be checked on and sometimes rewoven/weaved up to make sure they are functioning as intended.	Edits made.
<p>We are pleased to see maintenance included in the eligible project activities list, and especially maintenance regardless of original funding source for the planting.</p> <p>The flexibility allowed in this section to plan and implement plantings that are site specific and in cooperation with landowners, is great.</p> <p>Permanent protection is a bit worrisome for the potential draw it could have on the overall program budget.</p>	<p>Supportive</p> <p>Noted</p>
We appreciate the broad project types and the need for projects in non-salmon stream counties.	Supportive
Spokane Riverkeeper appreciates the variety of projects eligible for these grants. For the Riparian Restoration Program Outreach projects specifically, it is imperative that SCC include steps to prevent misinformation. As written, Conservation Districts and other grant recipients seem responsible for creating and disseminating key information. We believe it is important to ensure that outreach materials are consistent and accurate. These projects should be required to seek input and approval prior to disseminating materials to the public. Alternatively, SCC should consider providing pre-approved materials for outreach purposes to ensure that all information provided is accurate and consistent throughout the state.	Noted
<p>Outreach --> If more restrictions will be placed on outreach than what is represented in this section, we would like to see additional guidance on what is allowed/not allowed. For example, the planning and GIS work required to do appropriately targeted outreach is significant. Will that be eligible under this category? Will there be a cap on funding requests for outreach? How much money will be allocated to this section? What we need is subwatershed-wide planning/strategy for targeted and effective outreach and then implementation. Is that best completed in Outreach or TA?</p> <p>TA --> Again, are there limits for how much one can request for this category?</p> <p>General --> Can multiple project types be rolled into one application or will they need to be separated?</p> <p>DIP/Maintenance --> Will Equipment and Materials be covered if Districts do DIP/Maintenance themselves?</p> <p>DIP --> Landowner agreement is required – based on conversations with Enduris and other Districts, we would strongly recommend the Commission landowner agreement be completely redone. There are significant holes in the existing document, and as DIPs expand, we are at significant risk for liability.</p> <p>Maintenance --> We are pleased to see maintenance included. The way this is written, funding could be awarded for maintenance on plantings</p>	<p>See FAQ's</p> <p>Edits made.</p> <p>See FAQ's</p>

Comment	Notes
<p>installed for mitigation purposes. We would suggest including a restriction for that. Would also suggest including Monitoring in this section to fund mortality/survivalship monitoring of plants, installing and checking groundwater monitoring wells, etc.</p>	
<p>Riparian Restoration Program Outreach</p> <p>Suggestion: having the opportunity to apply for riparian TA funding that isn't geographically limited meets a foundational need. Having that flexibility can support developing landowner interest, which can then translate into geographically clustered projects. This should be an option in addition focused projects.</p> <p>The inclusion of maintenance funding is fantastic and realistic, acknowledging the value of sustained care for the projects until they are established. Thank you.</p> <p>Permanent protection option is promising!</p>	Supportive
<p>If "Permanent Protection" is a future project type, will this be a separate pot from funding for active riparian restoration since projects? It seems like these could be very high dollar projects, that while extremely beneficial, could end up utilizing a lot of the funding that could go to implementing practices.</p>	<p>Permanent protection – feedback noted</p> <p>See FAQ's</p>
Section 3: Eligible Best Management Practices	

Comment	Notes
<p>WSCC and other state agencies should develop a separate cost-share and tiered incentives program for the installation of herbaceous (not woody) riparian plantings. Nearly 700 miles of waterways in Skagit County are managed under a drainage easement that prevents the installation and maintenance of woody plantings within 30 feet of the waterway. Other counties have similar drainage easements. Some parts of eastern Washington lack the precipitation and soils necessary to support installation of woody plantings; however, these areas are still important in filtering sediment and preventing it from reaching streams, where it can suffocate salmon eggs and impair aquatic life reproduction and rearing. Spokane CD's Commodity Buffer Program has seen widespread adoption and measurable improvements in the riparian ecosystem. We cannot let perfect be the enemy of the good; managed, herbaceous buffers provide critical ecosystem and habitat functions.</p>	Noted
<p>Herbaceous buffers are needed as many of the waterways in Skagit have drainage easements on them that the drainage district access with equipment to clean out the waterways to maintain drainage. This precludes planting any woody vegetation on these waterways.</p>	Edits made.
<p>We recommend including Herbaceous Cover without caveats. In eastern Washington floodplains, seeding native floodplain bunchgrasses is often a first phase of restoration, stabilizing soils and reducing weed control needs. After grasses are established (3-5 years), then trees and shrubs can be installed. Bunchgrasses are perennial, deep-rooted and assist with infiltration and reduction in soil movement during surface flows into waterbodies. The Department of Ecology Water Quality grant program approves the installation of perennial grasses as a filter strip, functioning to hold soil in place and reduce the delivery of soil-bound pollutants to waterbodies.</p>	Noted
<p>How much latitude and discretion is allowed for the landowner to choose style and plant material for the buffer? Reason is in some areas such as Whatcom planting tall (native species such as Doug Fir) is not a good option that has and will lead to drifting snow covering roads and filling ditches and roadside streams which has and will lead to flooding, safety hazards. short hedgerows are possible.</p>	Noted
<p>In-stream work - RCO's final instream policy no longer directly matches this. We allow instream only if 1) the primary goal is plant establishment and survival, and 2) can demonstrate why planting only isn't adequate and/or instream represents a more effective pathway to achieve riparian function. Consider aligning more with those if possible. We don't place a cap on the percentage or pre project amount going to instream, nor do we require that it has a riparian planting component. It is unclear whether a riparian restoration component is required as part of an application that includes instream elements. "Reasonable as compared to the riparian restoration component of the proposal" probably could be better defined.</p>	Edits made.
<p>Tying instream habitat work directly to the establishment of riparian vegetation makes sense for this program and looks to be a reasonable way to handle funding those practices.</p>	Supportive

Comment	Notes
Consider funding caps for in-stream work (e.g. SCC26 and SCC45) at the start of the biennium funding cycle. However, if there is leftover funding towards the end of the biennium, there could be a waitlist for the projects with a large in-stream component, and the leftover funding could go to those projects if they haven't gotten funding from somewhere else. This will help maximize the amount of funding going towards practices that directly establish riparian buffers.	Noted
Snohomish CD supports this section as written, particularly the conditions for evaluating proposed in-stream work as critical and essential to successful riparian restoration.	Supportive
<p>1. Please make sure that all stream bank modification/stabilization BMPs are available and eligible. There are many times where riparian projects (vegetation) are established at the top of vertical banks. This can be a waste of time and effort if the banks are not appropriately addressed to create a successful environment for the restoration practices.</p> <p>2. Access roads are often necessary to achieve success to a site. This practice should be eligible.</p> <p>3. Irrigation is a necessity for most riparian restoration projects. These types of BMPs should be eligible.</p> <p>4. Please add Watering Facility (PS 614). This is a critical practice that must accompany livestock exclusion fencing and riparian planting when livestock are excluded from a waterway. Without a substitute watering source, farmers will not have an incentive to install a buffer.</p> <p>5. Herbaceous buffers are needed as many of the waterways in Spokane County. These types of buffers can be necessary to establish woody species at a later time, and two, not all ephemeral or intermittent streams need or require woody vegetation to provide benefits. The Spokane CD's Commodity Buffer program has provided great success in voluntary participation. Without this type of buffer as an option for some waterways, the voluntary participation for implementation of the program will likely be dismal.</p>	Edits made Noted
In Northwest Washington, we strongly support incentive programs for the installation of herbaceous (not woody) riparian plantings. As our Skagit CD Manager, Emmett has noted, we have nearly 700 miles of waterways in Skagit County that are managed under a drainage easement. This prevents the installation and maintenance of woody plantings within 30 feet of the waterway. We really like the idea of expanding Spokane CD's Commodity Buffer Program into other areas of the state. This concept has seen widespread adoption and measurable improvements in the riparian ecosystem. We agree with Emmett that managed, herbaceous buffers provide critical ecosystem and habitat functions and is much more palatable to certain landowners.	Noted

Comment	Notes
The eligible best management practices seem adequate to me at this time.	Supportive
For strictly voluntary riparian projects (not using tiered incentives) Districts need full flexibility regarding buffer size. We should plant buffers of any size when a landowner is willing. IF the width does not meet NRCS Riparian Forest Buffer standards it should be funded anyway using Hedgerow or Tree and Shrub Establishment standards. So much of the benefit from riparian planting takes place in that area closest to the stream we should take any and all projects.	Noted
<p>-Do I understand correctly that an in-stream project alone would not be eligible for funding? For example, a BDA or PALS project alone would not meet criteria? That would seem to be counterproductive for fish habitat projects? I understand that we don't want to spend all of our money on giant in-stream project that can be expensive, but low tech process BMP's are not expensive and in many instances could be cheaper and potentially more effective than simply planting?</p> <p>-Streambank modification/stabilization BMP's should be eligible (BDA's, PALS, Soft Streambank Stabilization, etc). Planting trees may not be enough and protecting actively eroding banks needs to be included. A PALS project could be more of a benefit than just plantings, especially if the end goal is fish habitat, seems counter productive.</p> <p>-Was a Commodity Buffer looked at for areas that might not be able to support trees and shrubs? Not all areas will grow trees and shrubs and a native grass buffer would work along ephemeral or intermittent streams and be less expensive in some instances.</p>	<p>See FAQ's</p> <p>Noted</p>
I recommend adding in a provision prohibiting the use of noxious weeds in this section. A noxious weed may be climate adapted but is not appropriate in a riparian area.	Noted
The Appendix A seems to summarize all necessary BMP's.	Supportive
Is there a reason that Tree/Shrub Site Preparation (490) is not included? Removal of crack willow is an important component of planting projects and we're not sure it fits under herbaceous weed control practice.	Edit made
<p>- For instream project assessment, will something like SalmonScape be used to determine downstream fish passage barriers, and inclusion of any listed species in the stream?</p> <p>- Also change all instances of in-stream to instream.</p> <p>- It seems that buffer width requirements only apply if the incentive payments are used (beyond the NRCS standards and specs). We strongly support this approach and applaud the Commission for continuing to allow for this flexibility. We strongly believe that some riparian buffer installed is better than none, and these guidelines allow us to continue that work.</p>	<p>Edits made</p> <p>Supportive</p>
Section 4: Project Prioritization	

Comment	Notes
<ul style="list-style-type: none"> • We recommend adding the following to the “Preference for Projects that are included or located in” list: “Located in areas with identified pollution inputs with particular focus on areas with 303(d) listing for temperature or dissolved oxygen, or projects implementing an Ecology TMDL implementation plan.” Many critical water quality projects are not eligible for Department of Ecology funding because landowners are not able to meet Ecology’s minimum riparian width requirements. 	Noted
<p>We also agree that the program should encompass maintenance, including for riparian buffers that were already established outside of this program. Maintenance is often overlooked yet is critical to keep riparian buffers healthy and functioning and to engage private landowners in maintaining their riparian areas. Finally, we strongly support prioritizing streams listed on the Clean Water Act Section 303(d) list for temperature impairments, which helps to promote healthy riparian areas providing shade rather than reeds and low to the ground shrubs that don’t provide shade. However, we urge you to add additional points for projects that are within implementation areas of existing Total Maximum Daily Load Studies conducted by the Department of Ecology.</p> <p>Given that the source of funding stems from the Climate Commitment Act Natural Climate Solutions Account, SCC must maintain the requirement to prioritize actions that support environmental justice. We recognize this is currently a growth area for the entire State Conservation Commission and urge you to seek out partnerships with other agencies that have been working toward environmental justice in grant programs for longer time periods, including Ecology’s Public Participation Grants under the Model Toxics Control Act.</p> <p>We recommend that SCC further emphasize Tribal Treaty Rights. One example is to add points for projects that receive letters of support from the Tribal Nation(s) with Treaty-reserved or Executive Order-designated resource lands in which the project occurs.</p>	<p>Noted</p> <p>Noted</p> <p>Edit made</p>
looks about right	Supportive
<p>Project Prioritization - "All projects must be located within riparian areas" doesn't seem to talk correctly with the definitions section. The definitions section makes it seem like projects must be in the riparian ecosystem, which is different. Maybe double check that.</p> <p>Proposal Evaluation Criteria - So a multi-site project is eligible? RCO will allow for people to identify a geographic envelope in which they intend to work, along with priority parcels, even if all the parcels have not been "secured". They can add identified parcels as they go, and also request additional funds to expand scope within the envelope as future funds become available. Is there a possibility of providing for a similar opportunity here re: multi-parcel projects? Perhaps those could be prioritized in evaluation?</p>	Edits made
One of the proposed evaluation criteria is “Projects that group work on multiple parcels/landowners together into a larger continuous project”. Different parcels are meaningless if they have the same ownership. Some landowners have many small parcels, and some have fewer large parcels with the same total acreage. They are functionally the same. Also, some counties prefer to chop land into smaller parcels regardless of	Edit made.

Comment	Notes
<p>ownership, this can also vary across the same county. Rewarding the extra coordination to group multiple landowners makes sense, but not for parcels.</p> <p>In some counties you can have a project that protects 3 miles of riparian with one landowner. In other areas it might take 6 landowners to get 0.75 miles. There needs to be a balance between valuing ownership and protected stream. The goal of the program should be focused on the amount of riparian habitat that is protection and enhancement by the project regardless of the number of parcels and landowners.</p>	
<p>Consider removing prioritization of the 303(d) listing areas for DO/temperature. Riparian buffer establishment at reaches with 303(d) listings for those parameters would likely not address those impairments because temperature/DO issues are a watershed scale problem. A reach with high temperatures will not be fixed by planting at the reach itself, but by conducting riparian planting work and floodplain reconnection work upstream of the problem. Also, 303(d) listings are unequally distributed across the state due to the higher instances of sampling in urban vs. rural areas. Therefore, a prioritization of 303(d) listing areas prioritizes work where there has been sampling and not necessarily where there are water quality issues. Finally, the Ecology Water Quality Financial Assistance Grant Program is more appropriately situated than this riparian program to prioritize funding to 303(d) and TMDL areas.</p> <p>ECY sampling capacity is low relative to the monitoring opportunities throughout Washington's waterways. Most TMDL data for PCD we referenced in our SRF applications last FY were samples from 2008.</p>	Noted
<p>The first statement is likely inaccurate. There will definitely be areas that are upland within the designed riparian area. Your program is using a uniform width and riparian areas are never uniform. Putting only riparian species in the buffer will result in higher mortality. Each buffer is specifically designed to the site (riparian species in the wetter zones and some upland species in the drier zones).</p> <p>There will be cases where the riparian zone could be very narrow, and the required buffer width could extend way beyond any wet/moist soils as denoted in your definition section.</p> <p>Calling it a stream buffer is probably more accurate than a riparian buffer. By definition, buffers are meant to protect. You are buffering the stream, not the riparian area.</p>	Noted
<p>This section looks good, but I would like to see all Districts have an opportunity to use some of the funds if they are interested. A pot of \$ should be set aside for a period of time (maybe 90 days) and at that time if all Districts have not applied the \$ could be released by prioritized applications.</p>	Noted
<p>Not sure where to include but I think it is important to list what the minimum allowed width was for the site/reach, and the width agreed to by the landowner. My experience is a majority of landowners are willing to go beyond the minimum and I think it may help the Commission program get funded in future years to add that as a metric showing how voluntary programs can result in greater than anticipated scale of restoration.</p>	Noted

Comment	Notes
<p>-There are areas that are defined as upland in riparian areas on the East side. We need site specific criteria on the East side in narrow V-canyon areas and planting riparian species outside of the designated area will result in mortalities for trees and shrubs. If you are looking for the SPTH in Eastern WA you will definitely be out of wet and moist areas in most instances.</p>	Edits made
<p>Preference for projects that are included or referenced in: Is this list in prioritized order? For example, is the first one listed 'worth more points' if a project is referenced in it versus a project referenced only in one of the plans listed near the bottom of the list. Will projects listed in more than one of these plans get more 'points'?</p> <p>Additional Proposal Evaluation Criteria: In the third bullet, when referencing 'sub-basin', is this referring to the 10th order Hydrologic Unit Code sized watershed, or one that is larger or smaller? Is this left for the CD to decide 'sub-basin' delineation?</p>	Edit made.
<p>“Additional Proposal Evaluation Criteria.”</p> <p>Benton Conservation District recommends criteria flexibility in the “geographical grouping of landowners together” so that landowners that are not on continuous properties can be grouped together if they are located on the same river, creek or watershed. Benton CD has multiple riparian projects on the lower Yakima River in Benton County with landowners who are interested in restoration efforts that would benefit both the landowner, riparian area, and lower river salmonids. At present, however, these projects cannot proceed through traditional grant riparian funding programs as stand-alone projects. We lose the ability to support willing landowners in doing the right thing for conservation if we do not have the funding capacity to help with project installation and implementation. Convincing multiple continuous landowners to meet shared restoration goals is not always feasible, especially within the given grant timelines.</p> <p>We propose, that non-contiguous landowners located along the same creek, or river corridor be bundled together for a minimum acreage of impacted area (1 acre). This allows for good work to be done with willing individual landowners, and still has a cumulative impact on the riparian corridor as a whole.</p>	Noted
<p>Since this is such a historic change in riparian focused funding, the prioritization plans may lag behind the implementation. In many watersheds, the biggest limitation to fish production has been focused on in-stream habitat and is where the bulk of prioritization effort has occurred. I expect most projects will fall under the "Other local salmon habitat or riparian restoration strategies" while watersheds play catchup on this new funding stream.</p>	Noted
<p>I understand that salmon bearing streams are a priority across the state. However I would hope that all streams would still be eligible in counties that have little or no salmon bearing habitat.</p>	Edit made.
<p>It was noted from our partners with the Confederated Tribes of the Colville Reservation that they appreciated the inclusion of tribal prioritization plans in the project preference criteria.</p>	Supportive

Comment	Notes
Consider elevating the prioritization for projects in 303(d) areas to the primary criteria for funding. These areas should be prioritized for restoration as they have already been identified as significantly impaired under the Clean Water Act. Making this a primary criteria increases the likelihood that these projects will help recovery efforts on impaired waters, and ultimately serve to support local salmon habitat and riparian restoration strategies overall by supporting the most impaired waters across the state.	Noted
<p>It is important to include the clustering of projects (subwatershed/watershed/geographically) and/or adjacent landownership projects, but tie that to a quantifiable number in the application form (not just yes/no).</p> <p>Provide clarity of the ranking and prioritization of the riparian area definition and if projects in the zone of influence versus the riparian zone or active channel will be prioritized over the other areas. Will the proposed buffer size influence the ranking of a project?</p>	<p>Noted</p> <p>See FAQ's</p>
Section 5: Tiered Incentives	
<p>Really exciting to see a first draft of a program like this! Our District hasn't joined CREP because of some limitations, this program seems to be more inclusive.</p> <p>For me, this section does bring up a lot of questions:</p> <ul style="list-style-type: none"> - If landowners pursue tiered incentives, how will those projects be prioritized compared to normal DIPs/traditional cost share projects? - 5- and 10-year contracts are proposed, however funding is only confirmed until 2025. If funding is not available in following years, are these contracts terminated? - If funding is "renewed" in later years but is more limited, how will SCC prioritize which contracts to keep/which to terminate? - If contracts are terminated, how do we protect the implemented BMP (especially in the context of DIPs)? Is there anything that would prevent the landowner from clearing the buffer again? - Will landowners with terminated CREP contracts take priority in this program? <p>I would love to see a program like this succeed- maybe it would make sense to roll this out similarly to how permanent protection/conservation easements are proposed, starting with a few great pilot sites and building out from there.</p>	<p>See FAQ's</p> <p>Edit made</p> <p>Noted</p>
<p>Define eligibility only for private lands (not public lands)</p> <p>Page 6, Eligibility: please change bullet 2 from "riverfront" to stream front".</p> <p>Page 6, Base Payment: please change last sentence from "...lower-value participants..." to "...participants with lower-assessed land...".</p> <p>Changes in \$300 minimum and \$1000 cap on tiered incentives should be adjusted annually or per biennium, based on an evaluation of current inflation, Consumer Price Index, or other methodology.</p>	Edits made.
Need western wa example. Getting median land value looks complicated. Could use a webinar to explain this.	Edits made.

Comment	Notes
<ul style="list-style-type: none"> • We found the Tiered Incentive program complicated and difficult to explain to landowners. Most private landowners we work with would not be motivated by the Tiered Incentive. Landowners we work with are more likely motivated by a conservation easement or acquisition that put the riparian area into permanent protection. 	Noted
<p>Science clearly confirms that one site potential tree height is needed to protect core ecosystem functions for salmon in a key part of the land/water interface. WCA agrees with SCC that the widest buffers should receive the highest financial incentives, and narrow buffers a smaller incentive. SCC may receive comments claiming that the first few feet are most valuable and should receive the greatest funding, but SCC needs to reward wider buffers that provide more benefits to salmon than narrow buffers provide. SCC should expand the program to include riparian plantings around ephemeral/intermittent streams as well. Additionally, SCC should work with other state and federal agencies to identify areas of important salmon habitat and provide additional incentives for landowners converting their land to healthy riparian buffer in those areas.</p>	Noted
<p>In this area of work there is a balance between preserving farmland for food, feed, fiber and fuel production and restoring, improving salmon habitat, water quality and riparian functions and values there are numerous areas where we have concerns the balance is off.</p> <ol style="list-style-type: none"> 1. Do counties have “woody land” values? 2. Is the “calculated payment.” of \$1,000 per acre maximum on page 8 the maximum before the incentives or the absolute maximum? 3. If you proceed with offering a 15 year contract you should inform the participants that (last we knew) the forest practices rules apply after 15 years and a forest practice permit and potentially other local rules will apply to clear, grade or remove trees from the riparian area after end of contract. (and farming or renting that land as farmland ever again is unlikely after end of 15 year contract). 4. The incentives that add a percentage for larger buffer widths is inverse to the increase in value and function provided as you migrate away from the OHWM...Please see after page 30 the graphs in this report. https://salishsearestorement.org/w/images/f/fe/GEI_2002_agricultural_riparian_buffers.pdf One challenge is balancing the needs to improve functions for salmonids and water quality with use of farmland for production to feed humans. Another question of where is the best place to spend limited resources to achieve the most results. Should we be incentivizing riparian buffer plantings of up to 245' on a 3' wide intermittent flowing channelized stream along a county road? Or should we incentivize gaining the most functions per state dollar invested on as many miles as possible. Use these funds wisely and reasonable to achieve more results by covering more streams and miles? We submit the incentive bonuses should be reversed more on the 35-50 and the 15 year option reduced to 12 for reasons explained above. 5. The incentive structure is not nuanced enough and there will be problems: <ol style="list-style-type: none"> i. The 8% figure might work in rural areas but because of your current calculation metrics, the more urbanized areas will have higher land values than the actual market in the ag. Zones , therefore the rents will likely calculate out very high, well above current rental market. ii. Given the addition of the 5-10% and the 15% for 15 year incentives it is not unreasonable that many parcels will end up in the 900-1,000\$/Acre range. This is vastly higher rent than the current market place in most areas of the state. So not the state is the top of the market and local active farmers who rely on being able to rent ground are suddenly out bid by the state, this will cause resentment. Few active farmers can afford and Especially younger and new farmers cannot come close to affording \$1000/acre rent payments to compete with state funding. <p>Here's an example- if a landowner owns a parcel of farmland in an urbanized county with a 3' wide channelized stream running through the middle</p>	<p>Noted</p> <p>See FAQ's</p> <p>Noted</p>

Comment	Notes
<p>of it. In western WA the DFW maps typically indicate a SPTH of 220-245'. It is not unreasonable for land value calculation to produce the \$1,000/rent/year/acre. So, using 230' riparian replant on both sides of creek (460') and for every 1000'feet of stream = 10.56 acres x \$1,000 x 15 years = \$158,400</p> <p>Is this the best use of these funds? Is this the best calculation to incentivize the most improvement in salmon habitat? Much of that 460' will provide little to no functions to a 3' wide lowland, channelized stream. The loss of farm land as compared to function gained from state dollars for salmon is out of balance.</p> <p>Lastly, we are disappointed to not see a small – but limited option for landowners 10-20' option...a 35-50 buffer on small or seasonal creeks and ditches in not likely appealing. There is significant research (again see Pizzimenti, 2002) showing small hedgerows on small waterways provide benefits in temperature reduction, sediment capture and improvements in passage by reducing Reeds Canary grass plugging on westside of state.</p>	
<p>Eligibility There needs to be some clarification of “unincorporated non-timberland parcels”. Does this mean land on designated Parcel code “95 Timberland classified under chapter 84.34 RCW” referenced in Appendix B? Please clarify what “unincorporated” means. I assume unincorporated to mean not inside an incorporated city or town, but it does not say. If incorporated areas aren't eligible, please provide justification. Why are timberland not eligible for incentives? The more background provided, will make it easier for Districts to promote and implement the program. Is there a method to appeal the Timberland designation if we feel that it is designated incorrectly? (if so, who would we appeal to? SCC? County Assessor?) If it is relying on a spatial dataset it will have to be verified on the ground by the District. Even the best datasets have limitations. Does this mean that forested land can still be eligible for cost-share or DIP for restoration, just not for the incentives?</p> <p>Base Payment I will go into more detail in comments about Appendix B, but County Median Value is not that simple to calculate. County parcel data is typically quite messy, and it can be a challenge to derive accurate datasets from it. The idea of median value is sound, but there are some challenges to overcome to get a consistent result in each county. I like that each District is being given the ability to calculate the county median income, local knowledge of the land and data is extremely valuable in determining an accurate value and overcoming some of the data limitations. The downside of this strategy is consistency across the state, there will likely need to be some sort of review to verify that each District is calculating the value accurately. Using the NHD flowlines for selecting eligible parcels may not be appropriate for this program due to its accuracy or inaccuracy. Both spatially and the accuracy of stream classification. The NHD includes many different types of waterways, many of which are not applicable for this program or are not active waterways at all.</p> <p>Tier Structure This references the 100-year Site Potential Tree Height, everything coming out recently, including riparian ecosystems vol. 2, uses the 200-year Site potential tree height. Is that just an oversight? The WDFW mapping tool linked in Section 9 FAQ # 3 utilizes the 200-year SPTH.</p> <p>It is great that the program rewards producers for wider buffers, but provides the flexibility to go smaller. This reduces one barrier to getting conservation on the ground. As a planner the more flexibility I have, the better the resulting plan is for the resources and the producer. The reality is that when a producer initially wants the minimum 35 ft buffer it often ends up being wider once planning is completed. Fences are straight, healthy streams are not. Extra incentive for wider buffers and longer contracts is great.</p>	<p>Edits made.</p> <p>Edits made.</p>

Comment	Notes
<p>Getting Tiered incentives right the first time is very important, and the proposed methods may not be the best path forward. It may be beneficial to consider a simpler structure for determining annual payment rates.</p> <p>Does the \$300 min. & \$1,000 max apply before or after the incentives are added? This makes a big difference because if it applies after the incentives would not apply in most counties (using the proposed median land value calculations).</p> <p>How are the tier incentives paid out and when? The guidelines reference an annual payment but is it paid as an upfront lump sum? If not, how are the annual payments funded? Part of the \$25 million held for the payments over the next 10 or 15 years or going to be taken from future allocations? Will there be standard contract language created by SCC for the incentive paid projects? The method for districts to request funds for the incentive payments needs to be outlined since it isn't a reimbursement or based on real expenses like all other SCC programs are currently.</p>	See FAQ's
<p>Thank you for the opportunity to comment on the proposed Riparian Grant Programmatic Guidelines. Whatcom Family Farmers represents many landowners in Whatcom County, and has the following comments:</p> <ol style="list-style-type: none"> 1. We appreciate the conceptual approach of a tiered structure to incentives as laid out in section 5. Providing flexibility is crucial, as there are multiple factors in play in many areas where these buffers could be utilized. It is our considerable experience that many landowners immediately reject participating in buffer programs when the only option is large, inflexible buffers. 2. While we appreciate the tiered approach, we take issue with providing higher incentives in tiers two and three, for buffers that go further than 35 or 50 feet. Three reasons for this: <ol style="list-style-type: none"> a. Research overwhelmingly shows that the buffers closer to streams, and especially in the limited research on lowland streams, are far more effective closer to the stream than further away. Even the Commission's own research reflects this reality, as does its previous reports. <p>See: https://assets-global.website-files.com/5faf8a950cdaa224e61edad9/6493700f44257219ab47924b_5f29d699cc62c283d060d0c3_CREP-Effectiveness-Monitoring-report-2013.pdf</p> <ol style="list-style-type: none"> i. (p31) As shown in the previous section, increasing the minimum riparian width will have unintended consequences. It will decrease the size of CREP buffers by reducing the flexibility to work around agricultural fields, property boundaries, infrastructure, roads, and other site-specific issues. It will also result in fewer CREP contracts. The final result will be smaller buffers in length and fewer contracts yielding further decreases in buffer length at the watershed scale. Instead of focusing on buffer width at the landowner scale, increased effort is needed to focus on buffer length at the watershed scale. ii. https://savefamilyfarming.org/wp-content/uploads/2024/01/Benedict__Shaw_2012_shade_benefits_from_hedgerow_on_ditched_streams-comp.pdf <p>Based on our methodology and for these particular buffer sites we can conclude that the smaller buffers (5' and 15') were as effective at reducing maximum air temperatures as larger (35' and 180') buffers. Average daily temperatures were reduced at the 15' & 35' buffer when compared to</p>	

Comment	Notes
<p>external (outside buffer) values. It should also be noted that minimum daily air temperatures in the 5', 15', and 180' buffers were not significantly different between sensor locations as was witnessed in the 35' buffer suggesting that these widths (5', 15', and 180') cool off at similar rates over the course of a 24 hr. period."</p> <p>b. Spending increasing amounts of \$\$ further away from streams on buffers 35-240 ft limits the amount of \$\$ we can spend closer to streams. This decreases the amount of effective habitat we will be able to produce.</p> <p>c. Incentivizing habitat further away from streams exacerbates conflicts between agriculture and habitat advocates. Given the rapid increases in the value of agricultural land in many places in Western Washington, there are increasing numbers of absentee landowners using ag land as an investment. While planting closer to a stream (35 ft) won't cause much of an issue, plantings further out from the streamside cause conflicts in two ways:</p> <p>First, farmers producing food cannot compete against rental incentive payments such as tiers two and three are promoting.</p> <p>Second, planting further out than tier one can cause significant damage to adjacent lands. For example, berry crops can suffer damage due to mold, and shaded areas are notorious for causing increases in mold issues.</p>	Noted
<p>Recommend that the WSCC determine the county median land values across the state so as to standardize calculation of this crucial metric.</p> <p>Consider eligibility for tiered incentives going back 10 years in order to allow for incentive payments to participants in voluntary riparian restoration projects before this program was developed</p> <p>Consider a cap on how much of the funding can be used on Tiered Incentives</p> <p>I'm a bit concerned (Anthony Waldrop) that tying together Tiered Incentives and BMP implementation (especially under the same contract) could significantly slow down BMP implementation due to the intricacies and novelty of the incentives. Maybe consider having BMP implementation and tiered incentives on separate but related contracting tracks so that one doesn't slow down the other? Not quite sure how that would work, but in other programs I've definitely seen restoration activities ground to a halt because they were linked with incentive negotiation.</p>	Edits made
<p>Snohomish CD supports the ability to allow multiple parcels to enroll to meet the 1-acre minimum. Allowing multiple parcels to enroll to meet the 1-acre minimum can improve address environmental justice and improve equity of this program by increasing access to underserved, vulnerable, and over-burdened populations who may not have the economic resources to own large parcels of land.</p> <p>Snohomish CD strongly supports creation of the tiered incentive program. Establishing a state-funded alternative to NRCS incentive programs will accelerate riparian planting implementation by providing property owners and managers with additional flexibility in program offerings. More tools in the toolbox will increase landowner interest in programs and may result in increased program enrollment across all of these programs. Financial payments (or rental payments) for voluntary riparian planting projects, above and beyond providing grant funding for project implementation and maintenance, is a valuable tool for increasing landowner participation in voluntary riparian restoration, particularly on land where landowners are receiving an economic benefit from their land.</p>	Supportive

Comment	Notes
<p>a) Strong support for allowing enrollment of buffer widths following the table included in the guidance. Buffer widths that do not meet site potential tree height can achieve certain riparian functions even if they do not achieve full function and all benefits.</p> <p>b) Support for the county-wide median land value to establish the base calculation for the tiered annual incentive payment.</p> <p>Request for Modification: Snohomish CD requests a modification of the maximum width for Tier 3. The guidance states that the Tier 3 / maximum width is “100-year site potential tree height (SPTH).” For Western Washington at minimum, we request increasing the Tier 3 / maximum width to the 200-year site potential tree height (SPTH-200).</p>	Edit made
<p>1. The one-acre minimum is good. There may be several (less than one acre) sites along a particular reach. They shouldn't have to be contiguous. These could fill in existing gaps.</p> <p>2. The WSCC should prepare a sheet with all the median land values for each county. That way, there is no discrepancy between proposals or payments. Let's face it, people can make mistakes on calculations or even purposely increase the median value.</p> <p>3. The incentive for a low STIR rating was removed from the original program proposed by Spokane and Skagit CD to be more inclusive of other land use types besides ag-land. We are not opposed to including other land-use types in the program, but we would argue that including the incentive for ag-land would not exclude other land use types from the program. Is it possible to keep the STIR rating incentive for ag-land being enrolled in the program?</p> <p>4. The existing buffer allowance was removed from the original program proposed by Spokane and Skagit CD. This allowance, which is included in the Spokane CD's Commodity Buffer program (CBP) is intended to reward landowners for preserving a buffer that could be removed and put back into production/tillage. In the CBP, this allowance was born out of situations where landowners removed existing buffers and reinstalled them to get into other buffer programs through NRCS or other agencies. We agree that under certain land use types where existing buffers are protected under the Growth Management Act or Forest Practice laws, existing buffers should not be allowed into the program, but existing buffers on ag-land are not necessarily protected by law and would benefit from being able to enroll in this program, potentially at a reduced rate or requiring enhancements.</p> <p>5. The minimum \$300 and maximum \$1,000 per acre payments may need to increase annually to maintain appeal to participants. Ideas include tied to inflation or land values. Because median land value is calculated each year, perhaps increasing the floor proportionally to the increase in median state land value is an option.</p> <p>6. Excluding vegetation types common in eastern Washington precludes salmon habitat in this portion of the state. There are major and contentious salmon restoration concerns, such as the fate of the Snake River dams, in eastern Washington and to ignore vegetation types there is to ignore these habitats. Furthermore, tribal efforts to reintroduce salmon above Chief Joseph and Grand Coulee Dam are hindered by the woody vegetation only requirement that are exclusive to the pre-European prairie/meadow ecosystems that existed there. Excluding herbaceous is therefore exclusive to restoring the pre-agricultural landscape.</p>	<p>Supportive</p> <p>See FAQ's</p> <p>Edit made</p>

Comment	Notes
<p>We have some concerns about the cost-effectiveness of the program with the proposed tiered incentives. Past research has shown that for most buffer benefits (eg. shade, temperature, runoff filtration, etc) the ecological benefit grows logarithmically with the width of the buffer to some degree (ie, the portions of the buffer closer to the stream edge provide a greater benefit than those portions further away). Thus, planting 200' wide buffers on 1000' feet of contiguous stream edge would provide significantly less ecological benefit than 50' wide buffers on 4000' of contiguous stream edge, but in the proposed plan would cost 5.5% more to implement.</p> <p>We would suggest that the proposed grant program most heavily promotes those portions of potential riparian buffer that could provide the greatest ecological benefit to ensure that the program dollars gain the maximum potential ecological gain while providing flexibility needed to maximize participation in the program in working agricultural lands in the state. This can be accomplished in two cooperative ways:</p> <ol style="list-style-type: none"> 1. Provides larger incentives for those tiers which are closer to the stream. 2. Provides an additional tier for those areas directly adjacent to the stream (5-10' for intermittent and artificial, 15' for perennial). <p>The addition of another smaller tier directly adjacent to the stream would likely see a significant increase in landowner participation, especially in working lands. Research in Whatcom County by WSU Extension staff has shown that for some buffer benefits (most notably shade and air temperature, and by extension water temperature), greater than 90% of the benefit of a 180' buffer can be obtained with hedgerows as small as 5 or 10' wide. Promoting the installation of hedgerow-sized buffers on as many stream miles as possible and then expanding buffers where feasible at a later date would likely provide the greatest possible ecological benefit from the program. An additional benefit from this approach would be an increased connectivity of buffer areas, which would also provide wildlife corridor benefits to non-aquatic species.</p>	Noted
<p>In addition to previous comments, further review noted that the inclusion of Tier 2 and Tier 3 incentives on ephemeral and intermittent streams leads to the backwards situation where a 100' wide buffer on an ephemeral stream would have a higher annual payment than a 100' wide buffer on a perennial stream.</p>	
<p>Eligibility bullets: Who does the evaluation for landowners?</p> <p>Base payment section not easily followed: is this an easement, or property payment? What is the 300 based on, a percentage of value? I find this section very confusing; you talk about eligible stream types but focus on artificial and ephemeral. You mention 8%, but then use 5% or 10%. You talk about Tier's; I did not realize it was tiers within a buffer. Are the incentives added to the base payment of 300 or 1000? Do increasing years of a contract also an incentive. This section needs to be clearly described. The appendix write up answers these questions. Still needs to be easily understood here because this is the first thing anyone sees.</p> <p>Implementation: Is the participant the landowner or can it be another agency or NGO? Are these buffers permanent, will the landowner know that they are not just for the length of the contract? What about maintenance after 15 years?</p>	<p>See FAQ's</p> <p>Edits made</p>
<p>We support Emmett's approach.</p>	Supportive

Comment	Notes
<p>I really like the incentives. I would like to see clearer details on the per acre annual and total incentives that would be eligible. I like the minimum of \$300.00 per acre. The maximum of 1000.00 per acre seems high because it will severely limit the number of acres that can be enrolled. Especially if it is \$1000.00 per acre for 10 or 15 years. I would like to see clarification on annual total incentives and length of agreement (10 or 15 years) total incentive per acre.</p> <p>Clarity that perennial streams that have historically been straightened/ditched are still considered perennial streams.</p> <p>If there are more than 1 soil type with differing SPTH is it averaged or do we use the minimum or maximum widths.</p> <p>Clarify that we can use 35-foot buffer on perennial streams if the potential riparian area is greater than 20% of the parcel area.</p> <p>The Commission should calculate the county rates across the state of Washington.</p>	
<p>The parameters laid out for tiered incentives are straight forward, approachable, and make sense. I think this will be well received by landowners. The tier structures and categories emphasize priority restoration work, while still allowing participation from a diverse range of landowners and situations. Flexible buffer widths are critical to getting our foot in the door and engaging landowners. Requiring large buffer widths across the board will not be successful so I am encouraged to see flexible buffer widths allowed in this program. Again, having more time to develop and implement projects will be critical to the ability of CDs to utilize the tiered incentives program. Administration of the payments would be best housed at WSCC, where that structure and procedure is already in place, rather than each CD having to create it independently.</p>	Edits made.
<p>Under the Implementation subheading it states that contract length for tiered incentives will be 10 years. Will the funding be guaranteed for that long?</p>	Edits made.
<p>Wood structures, woody materials, and related practices (SCC3, SSC26, SCC45) are central to raising stream bed elevation and in so doing, boost riparian growth and stream shade. Eastern Washington has little to no irrigation water available, so structures that help establish riparian survival (short term) and long term stand establishment are critically important.</p>	Edits made
<p>SCC and CDs have a long tradition of adhering to NRCS standards. It makes sense to continue following that guidance with minimum buffer sizes for the Voluntary Incentive pathway. Anything wider will result in little progress on active farmland.</p> <p>Given limited resources and the overwhelming number of miles of unbuffered stream it seems that limiting the incentives to active agricultural land may be appropriate if a fair and equitable way of doing that can be identified.</p>	Noted
<p>-Is there a specific amount of money put aside for incentives? I would hate to see all of the money for this being spent on incentives instead of installing or maintaining buffers.</p> <p>-The one-acre minimum is good. There may be several (less than one acre) sites along a particular reach. They shouldn't have to be contiguous. These could fill in existing gaps.</p> <p>-The WSCC should prepare a sheet with all the median land values for each county. That way, there is no discrepancy between proposals or payments – what if two came in on the same county and had different rates? Is someone there checking this?</p>	Edits made.

Comment	Notes
<p>Opening paragraph: Please define non-timberland. Is this as defined by county assessor information and identified by the Washington State Department of Revenue tax code on the parcel to note whether it is a Non-Industrial Private Forest parcel?</p> <p>Tier Structure: Fourth bullet- Are lined ditches eligible? Are piped artificial conveyances eligible? Are artificial conveyances eligible if they are fully screened and don't allow fish passage?</p> <p>Are side channels eligible that are only accessible during high flows?</p> <p>We believe that the tier structure minimum and maximum payment levels need to be evaluated by the Commission on a biennial basis at minimum. Okanogan County land values are low enough that projects would qualify for the minimum payment of \$300 per eligible parcel enrolled per year. We don't believe that this is sufficient in some years to be a financial incentive for some hay and grain producers to participate and we know for certain that it isn't anywhere close to the minimum necessary for horticulturists to participate in such a program.</p> <p>Could there be an incentive for risk of development on the property like if the project is in proximity to already subdivided parcels?</p> <p>Could there be additional incentives for proximity to previously identified critical spawning or rearing habitat such as off-channel habitat or proximity to spawning redds?</p> <p>We respectfully suggest that the Commission investigate the ability to set up a system by which CD's can have individual trusts for cost-share payments beyond the current biennium for tier structure payments. The idea is that a CD will calculate the contract value for the entire contract term and receive that in full payment from the Commission. The funds would be placed in a trust that is co-managed by a local attorney or other neutral party. Once per year, as the CD attests that the practice remains intact and continues to meet technical standards, the trust either releases funds to the CD to pay the cooperator, or the trust pays the cooperator directly. The paperwork can be set up so that if the contract is voided at any time, or the practices does not meet standards, the remaining funds in that trust are returned directly to the State Treasury.</p> <p>CD's cannot ensure full term length contracts with landowners and cooperators if funding for annual contract payments is dependent on legislative allowance in the biennium. Our District doesn't have high confidence that landowners will be interested in this program unless there is an established long-term commitment for the funding.</p> <p>Implementation: Why are ephemeral and artificial conveyances only eligible for 5-year contracts? That is the minimum number of years for most plantings to become truly established. Why are ephemeral and artificial conveyances not eligible through a DIP? We believe that projects on ephemeral and artificial conveyances should be eligible for 10- and 15-year contracts but they only receive half of the incentives. Ephemeral and artificial conveyances should also be allowed to be implemented through the District Implemented Project process.</p>	<p>Edits made.</p> <p>See FAQ's</p> <p>Edits made</p>
<p>Please clarify the Tiered Incentives Section language. We assume the tiered funding is only used as an incentive for riparian buffer projects where needed (not required), but this is not clear in the guidelines document as written.</p> <p>It is also unclear if the minimum buffer width applies only for tiered incentive projects, or for all funded projects. Many of our river properties are not related to large agriculture and would be considered smaller acreage properties. Tiered incentives may not be necessary or appropriate for all riparian restoration projects and the current buffer width is prohibitive in Central/Eastern Washington.</p> <p>Buffer Width: The 35' - 50' buffer requirement is not feasible for most riparian projects in arid Central Washington, especially with smaller river acreage where homes and structures sit within 15 feet of the shoreline. Additionally, Benton County is dominated by sagebrush steppe habitat (with an annual average of 7-8" of precipitation). On the Yakima River, our historical riparian zone width and SPTH are dictated locally by water</p>	<p>Edits made.</p>

Comment	Notes
<p>availability, water table depth, and our native riparian species that have evolved for arid conditions.</p> <p>Landowners living within the riparian area in an arid desert, want to restore and improve riparian function on their property but many are not considered eligible projects under other riparian funding programs as they do not meet minimum buffer requirements. Stringent buffer requirements by Ecology and RCO are prohibitive in pursuing restoration projects on small rural and urban acreage properties along the Yakima River. Conservation commission funding has a unique opportunity to set itself apart from other riparian programs and support local landowners through the concept of “backyard buffers” or small scale buffers (e.g., see CURB program by WWCD as an example https://www.wwccd.net/programs/curb/). These small scale buffers are more appropriate in most instances within Benton County along the Yakima River corridor and its smaller tributaries.</p> <p>We request that the determination of the total project riparian buffer width be left to the local conservation district to meet the needs of the project, the landowner and the resource.</p>	
<p>The tiered incentives is a great addition to this program. How is this funding mechanism going to last beyond the June 30, 2025 end date on the program guidelines? Other state agencies all but guarantee 4-5 year grant timeframes, we need to identify what mechanisms are limiting us to these shorter grant cycles and overcome them, especially with an incentive program. Riparian areas take decades to become functional and incentives need to last as long so we can receive the benefits of the plantings.</p>	Noted
<p>This section makes note to salmon bearing streams. Can this program be open to all streams? There are already a lot of payment based systems from ecology, and NRCS, can this program be stacked with other programs? Based on other programs I am working with, I know that the district would apply for the necessary funds and then hold onto the payments for the landowner for the 15 years to make those payments. It is not clear how the district would hold those funds for 15 years and then pay out to the landowner each year.</p>	Edit made. See FAQ's
<p>Tier Structure: Please clarify which SPTH is being utilized for tier width calculations. Is this WDFW 200 year SPTH or NRCS 100 year SPTH?</p>	Noted
<p>We appreciate the effort involved in creating this incentive. It is complicated and difficult to determine how it will work in our district.</p>	Supportive
<p>The tiered approach is important in an economically challenged place like Ferry County.</p>	Supportive
<p>Spokane Riverkeeper supports a tiered approach for project funding, however as drafted, this funding structure will undermine existing grant programs and reduce riparian protections. It is understandable to use an approach based on land values, but it is illogical to offer a base payment of \$300 per acre with a smaller buffer than programs already available. Though we appreciate the attempt to incentivize lower value land owners to participate, this is a significant overvaluation that will result in unjustly enriching landowners. USDA's 2023 National Agricultural Land Survey report on Washington's agriculture land states that the average cropland value was \$3,000 per acre across the entire state. Should land values be used, the calculation should not be based on county wide data as a whole, but rather should be based on the value of agricultural land, or vacant land, in the county. Property values that include buildings and improvements should not be included in the valuation. This approach would still account for varying land values across the county and minimize the effort needed by the conservation districts to set the values, but is better</p>	Noted

Comment	Notes
<p>connected to the actual value of the land used in this program. It would also provide a more equal determination across the state as well, preventing higher value counties from using a disproportionate amount of the funds while still accounting for the higher land value overall.</p> <p>Please consider using guidelines for buffers equal to the requirements for existing restoration programs, or pay significantly less for the same area. By providing landowners more money for smaller buffers, this program will not provide the high level benefit intended by the legislation when providing this funding. It is imperative that this funding be consistent with existing programs to add to the resources available for restoration, and not undermine existing restoration efforts.</p>	
<p>1 acre minimum project size - will this be allowable for multiple landowners to equal the 1 acre or just multiple parcels? This could be too large for some of our property owners individually. Some of our highest priority areas in the district are urban areas with small available acres to plant.</p> <p>We would strongly encourage the Commission to find or create a data set for county median land value for the state (broken down by county). There is so much room for error/interpretation/lack of GIS skills that we see that calculation being highly open to manipulation or errors. If this is too big a lift, we suggest brainstorming an alternative formula with data available on a state government website.</p> <p>Is there funding set aside for this past the biennium?</p>	<p>Edit made</p> <p>Noted</p>
<p>Tiered Incentive program- This is very promising and we look forward to more detail about how it could work. Some suggestions: to achieve consistency across multiple participating CDs, it makes sense for the payment funds to be managed by SCC (SCC would hold funds in an account and make payments to enrolled participants annually). Ideally there would also be consistent application forms and paperwork developed by SCC with CDs collaboratively. To be successful, CDs would need funding to conduct outreach and program promotion (like CREP), then to work their way through the enrollment process with the landowners, as well as develop the restoration elements to be implemented. It is somewhat unclear whether the funds are meant to be tied to existing projects or whether we can advertise and recruit participants for new projects during this next round of funding - i.e. project development.</p> <p>Marine shorelines should be included in a future iteration of this Tiered incentive program model.</p>	<p>Noted</p> <p>See FAQ's</p>
<p>How will funding for yearly payments for tiered incentives projects be guaranteed if there is no certainty of continued appropriations for this program beyond June 30, 2025? Credibility could be lost with landowners if we can't provide continued payments.</p> <p>Would tiered incentives take into account a rise in median land value as landowners are receiving payment?</p>	<p>Edits made.</p>
Section 6: Technical Resources	
<p>We agree with the proposal to include programs that provide technical assistance, planning, and design to support private landowners and ensure the riparian buffers actually provide streams with adequate support for salmon habitat.</p>	<p>Supportive</p>
<p>Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications (2020). https://wdfw.wa.gov/publications/01987</p>	<p>Noted</p>

Comment	Notes
<p>Riparian Ecosystems, Volume 2: Management Recommendations (2020). https://wdfw.wa.gov/publications/01988</p> <p>To aid with site-specific riparian management zone (RMZ) delineation, WDFW created an internet-based mapping tool that reports recommended widths for RMZs based on SPTH₂₀₀. The tool also notes instances across the dryland ecoregion where a minimum 100-foot RMZ should be applied to support the pollution removal function (see #3 below). WSCC Riparian Grant Guidelines directs users to the WDFW online SPTH mapping tool (we applaud this), but because our tool only provides SPTH₂₀₀, users will not be able to determine the extent of tiers 2 and 3. This will likely lead to frustration and confusion.</p> <p>Lastly regarding the SPTH₂₀₀ standard, it seems more aligned with legislative intent of the WSCC riparian proviso. The riparian proviso in ESSB 5200 calls for alignment with best available science and coordination with WDFW in your efforts “to achieve optimal restoration of functioning riparian ecosystems.” In the Salmon Recovery Funding Board’s riparian proviso (which is also in ESSB 5200), the Legislature mentions restoring “fully functioning riparian ecosystems” – the same phrase WDFW uses to describe SPTH₂₀₀. In the WDFW riparian proviso (ESSB 5187), the Legislature provided funds to evaluate vegetative gaps within “a science-based standard for a fully functioning riparian ecosystem” (i.e., SPTH₂₀₀).</p>	
<p>Beyond citing the FOTG as a whole, it may be beneficial to list specific documents for riparian restoration. Including; WA Plant Materials Tech Note 24 – Trees and Shrubs for Riparian Plantings, Biology Tech Note 14, and Conservation Practice Standard 391 Riparian Forest Buffer.</p> <p>FAQ #1</p> <p>Recommend that District planners use WA Plant Materials Tech Note 24 as a guide for plant selection when planning riparian buffers. (-It’s a good resource and I think including the recommendation in the guidelines will explain to other agencies the basis behind our plans)</p> <p>Fleenor, R. and C. Gaines. 2017. Trees and Shrubs for Riparian Plantings. USDA-Natural Resources Conservation Service, Washington. Spokane, WA 99201-2348.</p>	Edits made
<p>It is very difficult to manage maintenance of DIP riparian projects if the funding timeline ends June 30 and all projects must be closed by then. In my experience, in order to close out Commission projects by the end of the biennium, we need to be finishing up projects by May at the latest, and May/June/July are our primary months for riparian planting maintenance. Continuing to accrue expenditures into June puts additional strain on our financial and project management staff at the end of the biennium. Thus, we need the ability (similar to RCO grant contracts) for Commission funding to cross biennia so that projects aren’t interrupted in the middle of critical maintenance periods. In my opinion, this is a very critical issue related to the success of this program, otherwise we will continue to have riparian planting projects with high mortality rates.</p> <p>This program was born of the 25 Million dollars allocated to SCC via the Climate Commitment Act and the Natural Climate Solutions Account it later produced. The 25 million RCO received is from the exact same Natural Climate Solutions Account. That said, RCO provides its project sponsors the ability to work under 3-5 year contracts along with a simple mechanism for contracting amendments. SCC should consider immediate action to clear the barriers that are currently preventing them from providing its project sponsors the same flexibility.</p>	Noted
<p>Strongly support including all of these references and guidelines.</p>	Supportive

Comment	Notes
<p>Section 6 in the guidelines is Monitoring...</p> <p>For references, you have chosen recommendations from Ecology and WDFW that indicate much different design widths than what is provided in the WSCC Program. This may present potential future issues.</p>	Noted
<p>Section 6 is Monitoring and Adaptive Management. How does this section apply to landowners who did it themselves? You use participant in the last section and proponents in this section, which is confusing.</p>	Edits made
<p>First paragraph of this section: Must note that monitoring shall only be required by CD's each year that funding is adequately provided by the legislature and Commission. The second sentence in the paragraph isn't clear.</p> <p>Monitoring programs are to be designed at the local level by CD's so they can be incorporated into the CD's existing monitoring programs, or where monitoring doesn't already exists, so that monitoring will fit within what will work for local customs and cultures of the District and it's constituents while so long as the information necessary to determine if the previously implemented projects are meeting conservation practice physical effects objectives.</p> <p>Furthermore, this section doesn't explicitly define whether the cost of implementation of adaptive management (replanting, weed control, or other measures) are cost eligible. This should either be explicitly acknowledged as cost eligible or cost-ineligible to reduce confusion later.</p>	Noted
<p>I suggest moving these references to the Riparian Grant Program webpage on the SCC website and reference them in this document. The reference documents may be updated and it is better to have it in a place that is easily updated rather than the program guidelines itself.</p>	Noted
<p>Section 6 is labeled monitoring. This requirement is just fine, as long as the district can determine the level of monitoring. Most monitoring is done through survival survey, and that can be determined through the grant application process.</p>	Noted
<p>The section titles in the form (6 and 7) don't match the section titles in the document.</p>	Noted
Section 7: Monitoring & Adaptive Management	
<p>What actually is the monitoring requirement? Do not want to create an unintended, unfunded mandate for CDs.</p>	Edits made
<p>Maybe add monitoring as an eligible project type</p>	Edits made
<p>We support monitoring and adaptive management that is funded under this program. Monitoring is key to assuring that projects actions are moving toward project goals.</p>	Supportive
<p>Annual monitoring of riparian projects will ensure "accountability for the public funds invested" as currently proposed. We stress that monitoring is crucial to its success and will help to update the program through adaptive management should this program continue.</p>	Edits made

Comment	Notes
It is not entirely clear within the guidelines how you would plan to allocate money in future biennia relative to monitoring and adaptive management vs new projects. Will people be given the opportunity to budget for their full desired maintenance/adaptive management need over 10 years up front, or will they have to request funding as part of a separate application? RCO is allowing the opportunity for people to apply for funding within a geographic envelope, which can be infused with additional funding to increase the scope as needed when future funding is available. Perhaps there are opportunities to build a structure more like that.	Noted
Good to see monitoring is contingent on continued funding.	Supportive
<p>Snohomish CD strongly supports annual monitoring including stable, predictable, continued funding for post-implementation technical assistance to provide annual monitoring. The CREP technical assistance program provides an example model of how to provide stable and predictable intermediate-term technical assistance funding for CD planners to conduct annual monitoring of projects, document and track projects, and write management prescriptions.</p> <p>This section discusses the importance of identifying emerging issues that impact project establishment including identifying impacts related to beavers and invasive weeds to riparian function. We support including language about monitoring projects to track progress toward achieving the goals of the restoration plan to provide flexibility to allow natural ecosystem processes to occur. We suggest acknowledging that some impacts that may negatively affect establishment of certain vegetation types may in fact be desirable as part of ecosystem restoration and achievement of full riparian function. For example, the restoration plan may identify establishment of beavers into the site as desirable conditions and a goal of the restoration plan. Beaver colonization may negatively impact portions of the project by removing and flooding out trees but may have an overall positive impact on the riparian system and no negative impact on the landowner. This section should be written to allow for this type of transition to occur and not penalize the landowner or Conservation District for achieving restoration of riparian ecosystem processes. This section should not be written in a way that requires removal of beaver from the project site and subsequently negatively impacting riparian ecosystem restoration.</p>	<p>Noted</p> <p>Edits made</p>
The monitoring section is weak. You should provide clear monitoring protocols or requirements so you can compare apples to apples in success/failure across the state.	Noted
Section 7 is Technical Resources. The approaches recommended in some of these resources maybe inconsistent with the tiered approach recommended here, it could get confusing. I know Ecology has their own approach to riparian management described in the referenced document.	Noted
The sites will need to be monitored and maintained at least twice a year for 3 to 5 years. Once established an annual review may be needed. Can be determined by technician.	Noted
Monitoring riparian survival and overall growth are very important to be funded to ensure projects are effective and learning is occurring within and between conservation districts for riparian work.	

Comment	Notes
<p>-Are we required to do a specific type of monitoring for each project? is that up to the CD? Can we apply for just monitoring? Can we decide what portion/how much is for monitoring?</p> <p>-The monitoring section should provide clear monitoring protocols or requirements that compare success/failures across the state</p> <p>-Provide resources for how to monitor riparian projects. What would you like monitored?</p>	<p>Edits made</p>
<p>SECITON 6: MONITORING AND ADAPTIVE MANAGEMENT</p> <p>First paragraph of this section: Must note that monitoring shall only be required by CD's each year that funding is adequately provided by the legislature and Commission. The second sentence in the paragraph isn't clear.</p> <p>Monitoring programs are to be designed at the local level by CD's so they can be incorporated into the CD's existing monitoring programs, or where monitoring doesn't already exists, so that monitoring will fit within what will work for local customs and cultures of the District and it's constituents while so long as the information necessary to determine if the previously implemented projects are meeting conservation practice physical effects objectives.</p> <p>Furthermore, this section doesn't explicitly define whether the cost of implementation of adaptive management (replanting, weed control, or other measures) are cost eligible. This should either be explicitly acknowledged as cost eligible or cost-ineligible to reduce confusion later.</p>	<p>Noted</p> <p>Edits made</p>
<p>Section is labeled technical resources. This is a good section to have to support what the SCC expects to see in projects and gives an idea of what the grant managers are looking for in projects. There have been times where the grant language was vague, but the grant admin still had an expectation. It is good to have this somewhat explained.</p>	<p>Supportive</p>
<p>Please consider establishing measurable monitoring goals here. Projects should be required to maintain a minimum level of success rate to continue to receive funding for maintenance. Merely asking narrative responses on annual reporting does not provide sufficient information to evaluate project success or ensure funding is being well-spent.</p>	<p>Noted</p> <p>Edit made</p>
<p>The section titles in the form (6 and 7) don't match the section titles in the document.</p> <p>How long will annual monitoring be required? For the life of the project? Years 1, 3, 5, and 10 seems more reasonable. Will WSCC develop or have resources for monitoring protocols?</p>	<p>Noted</p> <p>Edit made</p>

Comment	Notes
<p>It would be great if monitoring protocols can be clearly laid out so the same protocols are followed for each practice/project type, and we know what the parameters are from the start.</p> <p>Along those same lines, how will Districts fund monitoring...will there be a pot of funding available to Districts to fund long-term monitoring?</p> <p>What guarantee is there that long-term maintenance funding (10 years +) will be available to provide adaptive management to ensure the success of implemented riparian restoration practices?</p>	<p>Noted</p> <p>See FAQ's</p>
Section 8: Definitions	
<p>On page 10 last paragraph, you indicate that re-vegetation of the flood plain areas adjacent to the riparian project can be considered with "sufficient justification". The current matrix with incentives gives absentee and inactive farmland owners up to a 1,000 dollars an acre incentive to "justify" including as much of their land as possible. Allowing flood plains plus SPTH will significantly expand the acres. if you leave this door open there will be well written rationalizations as to why flood plain lands should be included. With a 1000\$/acre for 15 years the prize... especially inactive/non farming landowners will attempt to include as many acres as possible. We saw this with Wetland Reserve program (WRP) 20 years ago in Snohomish Valley and lost vast areas of prime farmlands in the floodplain. it made financial sense for a non farming landowner to maximize federal payments , so thousands of farmland acres were lost that provided little to no function to the streams (NRCS allowed up to 660' to be enrolled in permanent easements.)</p> <p>Suggest caution and suggest that the contract does not exceed 12 years.</p>	<p>Edit made</p> <p>Noted</p>
<p>How the Commission defines under-served populations is not defined in the guidelines.</p>	<p>Edit made</p>
<p>Riparian Ecosystems - Sounds like you are limiting to the riparian ecosystem here, but allow instream BMPs. That seems inconsistent. Also, riparian area is not defined though that forms the basis of eligibility.</p>	<p>Edit made</p>
<p>Define "unincorporated non-timberland parcels"</p>	<p>Noted</p>
<p>you should have definitions/references for perennial, ephemeral, and intermittent waterways.</p>	<p>Edits made</p>
<p>You sure it is correct to use USGS determining stream types. They do establish stream order and therefore a typing system, but in our area DNR and WDFW are the data sets we use to determine typing.</p>	<p>Noted</p>
<p>I saw a chart comparing the Ecology funding program to the Commission funding program. It referenced 3 zones for east and west sides, including the inner core zone. I did not see any minimum inner core for west side. For that matter I didn't see zones in the definitions, or maybe I missed something. I think to support planners it would be good to cite minimums for the inner or middle core so they don't have to get in to debates over the science. Another option would be to refer to the Snoqualmie riparian paper assessment that provided ranges thus giving a</p>	<p>N/A to program guidelines</p>

Comment	Notes
planner and landowner some freedom to adjust a project design. I suggest this since some of the projects I designed and installed in the 1990's are nearing mature conditions but due to the limited width they are not as effective in addressing temperature or controlling invasives. It is important our projects address the resource concern as suggested by the science.	
-Make sure definitions for perennial, ephemeral and intermittent waterways- definitions are in section 5 (only see them in section 5).	Edits made
These are always good things to have.	Supportive
Instream work -did we want to include BDAs, PALs etc. ?	Edit made
Section 5: Appendix B	
No Comments Received	
Additional Comments?	
This draft addresses a lot of gaps that will result in more successful/effective riparian projects. Thanks so much to the work group for all your work on this!	Supportive
Section 9: Frequently Asked Questions: Q3 The tiered incentives program utilizes the 100-year SPTH, as defined by USDA/NRCS. This is consistent with Conservation District planning practices and can be found on the Web Soil Survey. This method of calculating the SPTH is more nimble and accurate than WDFW's mapping, providing clarity for a variety of tree species and soil types. The NRCS 100-year SPTH has been the consistent planning benchmark for many years.	Noted
I didn't see anything in the maintenance about beaver fencing or beaver cages. Maybe it is included under "herbivorous control methods". Section 9: It is the 100 year SPTH as defined by USDA/NRCS. It can be found in the Web Soil Survey.	Noted See FAQ's
Same comments apply for Wahkiakum CD	
Thank you for the opportunity to provide comment.	
Comment forms like this one can be difficult to submit comprehensive feedback. In the future somewhere to upload a document, whether it's a letter or an annotated document of the Riparian Grant guidelines, would provide commentators with more flexibility in their responses and might elicit more responses as well.	Noted

Comment	Notes
WACD is broadly supportive of the Conservation Commission's well-crafted proposed guidelines for a Riparian Grant Program. The approaches and methodologies are inclusive and support locally led conservation.	Supportive
<p>Continued From Appendix B: ... It is a tedious task, but this can be resolved if you put enough time into it. All of this is to say that to get an accurate output from county parcel data it will take each District a decent chunk of time to audit and correct the parcel layer for our specific use.</p> <p>Using the NHD for selecting eligible parcels may not be appropriate for this program due to its accuracy. Both spatially and the accuracy of stream classification. The NHD includes many different types of waterways, many of which are not applicable for this program. (FType: StreamRiver, Connector, CanalDitch, Underground Conduit, Pipeline, ArtificialPath, Coastline.) One option is to change step 4 to say select parcels adjacent to eligible stream types. But, that may not be sufficient either. Much of the classification was done on such a broad scale that it is not accurate enough to select the intended parcels. The Stream Flow Type (FCode: Perennial, Intermittent, Ephemeral) classification in the NHD is highly unreliable. Nearly all of what is labeled "intermittent" in Asotin County is closer to "ephemeral", if they see flow at all. In our arid environment they rarely see any real flow (even in storms) and demonstrate no stream or riparian characteristics. Thus, they would not be eligible for this program. Much of what is shown as "perennial" is "intermittent". This isn't an issue for enrolling individual parcels, District staff can make an on the ground determination for that. It is a problem for selecting parcels to include in the County Median land value calculation. This seems to be a situation where using the data for something it wasn't intended for is causing problems. The available data is primarily derived from elevation at a 1:24,000 scale, although it has seen more detailed updates in many locations. In Rural Asotin County the data has seen little to no updates and is not reliable on an individual parcel scale.</p> <p>Additional Feedback: FAQ #4: The NHD is a good resource and should be used as a guide. It is not a definitive source. Many streams are misclassified. Each site must be evaluated onsite by qualified District Staff to determine an accurate designation. The NHD cannot be used as the sole authority on stream classification.</p> <p>There is no information on how the program will handle trespass grazing. This is an issue that come up with CREP occasionally. Most of the time it is not a big deal when livestock get in the buffer, as long as the producer makes a good faith effort to remove the livestock as soon as they are aware of the issue. However, in cases where no good faith effort is made and damage is caused to the buffer FSA will fine the produce a percentage of the rental payment equal to the damaged acres. This (and other scenarios when the intent of the buffer is not being met) needs to be addressed in the contract language.</p>	<p>Edits made.</p> <p>See FAQ's</p>
Thanks for the opportunity to provide feedback!	
Thank you for the opportunity to comment.	

Comment	Notes
I cannot stress enough that this application needs to be easily understood, I do not think it is there yet. It needs to be written for someone who has little to no understanding of what, why and how. In the end, are the values high enough and is the technical assistance required sufficient.	Noted
We need as many possible tools and approaches available to implement riparian strategies in Northwest Washington....specifically the Skagit. We encourage leaders to think creatively on how we can implement sound riparian work that is attractive to landowners.	Supportive
We are excited to get this program running.	Supportive
Overall I'm very encouraged by these guidelines and think that they will be well received and utilized by landowners in our community. Flexibility in both project type, and scale of implementation is critical to success and that flexibility has been incorporated in these grant guidelines.	Supportive
Great job putting this together. I congratulate the team on delivering a product that considers the site specific conditions and landowner options rather than a one size fits all program. Remember, the riparian zones are one of only a handful of habitats protected so we want to make sure and get it right.	Supportive
We understand the need to thoroughly review previso language and requirements to ensure they are being met within program guidelines, however the extended timeline to accomplish this will likely have an impact on final project success. Many of the sites we have in mind for funding applications would have benefited from additional site prep and the reduced implementation window will also reduce the amount of site prep we are able to accomplish. Hopefully ongoing funding will be available to address this under maintenance, and we hope Commission staff understand that and will take that into consideration with future funding.	Noted
These comments are submitted on behalf of the Benton CD management and staff after review of the current guidelines. We are excited about the opportunities that this funding may provide for riparian restoration work by local conservation districts.	Supportive
Overall I really appreciate the process the commission has undertaken to develop the program guidelines. I appreciate the collaborative approach and think this is a strong program that I can't wait to see roll out.	Supportive
Our partners at the CTCR declined to submit official comments but appreciated the opportunity. This will give the CD more opportunities to work with the tribe and their goal of recovering salmon above Grand Coulee Dam. This relationship is important for us.	Supportive
We appreciate the Commission's use of NRCS standards, particularly in regard to buffer width requirements. We strongly support this approach and applaud the Commission for continuing to allow for this flexibility. We strongly believe that some riparian buffer installed is better than none, and these guidelines allow us to continue that work.	Supportive

Comment	Notes
<p>We appreciate a lot of the changes and the increasing creativity and flexibility of the program guidelines and opportunities. Thank you for a lot of excellent, hard work.</p> <p>We look forward to increasingly improved CPDS options for projects that don't fit the existing templates and are difficult to enter.</p> <p>We look forward to having the guidelines finalized and future funds released early enough to support 2 year projects, rather than one year projects. Challenges with CR and other elements limit what can be proposed or accomplished within reduced timelines.</p> <p>Again, overall a huge thank you to the hard work that went into this latest version.</p>	Supportive
<p>Are there steps being taken to create a pot of funding for long-term maintenance and monitoring? Implementing riparian buffers without having a guarantee of maintenance funding puts us in an awkward position with landowners who may not be in a position to maintain riparian buffers for the lifespan of their practice. To ensure this program succeeds we need to be able to provide landowners with long-term guarantees.</p> <p>Thank you so much for the opportunity to provide comments, we are very excited about the development of the riparian grant program! I can't wait to see all the great work CDs will accomplish with these funds!</p>	Noted
Application comments	
<ul style="list-style-type: none"> • Under Question 7, we recommend including: "Projects located in areas with identified pollution inputs with particular focus on areas with 303(d) listing for temperature or dissolved oxygen, or projects implementing an Ecology TMDL implementation plan." • Question 11 is unclear; should it read, "Does the project group multiple parcels/landowners together into a larger continuous project?" 	Edit made.
<p>8. Is the area of the project an area listed with an impairment under the state's 303(d) list? If yes, what is the nature of the impairment? (sediment, temperature, toxics, etc.)</p> <p>-Consider prioritizing streams listed by Ecology as Category 4b. This program can support straight to implementation projects. This question should be expanded to capture other stream categories that are being addressed. <i>Should we be asking what the classification of the stream where the project is taking place rather than focusing on one category?</i></p>	
<p>#8 - RCO received some pushback recently on our buffer policy relative to the use of 303(d) listing for temperature. Basically people suggesting that list isn't particularly comprehensive and places where work is actively being done are no longer on the list. Perhaps also ask if there area has a Straight to Implementation (STI) Plan completed, how this project connects?</p>	
<p>Consider removing question 8. See comments in Section 4 above.</p>	

Comment	Notes
<p>Prioritization: Since this is such a historic change in riparian focused funding, the prioritization plans may lag behind the implementation. In many watersheds, the biggest limitation to fish production has been focused on in-stream habitat and is where the bulk of prioritization effort has occurred. I recommend adding project prioritization activities as an eligible expense for the planning/design efforts. Riparian prioritization is best done at a sub-basin or even reach scale rather than whole watershed.</p> <p>Is the area of the project an area listed with an impairment under the state's 303(d) list? If yes, what is the nature of the impairment? (sediment, temperature, toxics, etc.) - suggest changing this to "Is the project area located within a watershed that has an impairment?" Projects upstream or downstream of an impairment improves that impairment.</p> <p>Does the project group work on multiple parcels/landowners together into a larger continuous project? - I see what this is asking, but it doesn't really have a meaningful outcome. You could submit 15 projects and have 2 that are next to each other and the answer would be yes. But it wouldn't characterize the scope of connectivity of the projects. If this is part of scoring criteria, the answer could ask about the percentage of projects that are connected/adjacent to other projects.</p>	Edits made
<p>WDFW values its partnership with the WSCC and is strongly supportive of your agency's commitment to voluntary, incentive-based conservation. We believe that collectively we have an historic opportunity to measurably increase the pace and effectiveness of riparian restoration and salmon recovery, an increasingly urgent goal for so many. "Historic" because the investments the State Legislature and federal agencies are making in this work are unprecedented and "urgent" because our window of opportunity for salmon recovery and population stabilization is rapidly closing. Given the importance of riparian ecosystem restoration and the amount of funding available, we believe this is an opportunity for the WSCC and its partners to think beyond the conservation status quo and consider more creative and ambitious approaches to incentivize riparian conservation and restoration at levels needed to truly achieve salmon recovery. Please consider these comments on your draft Riparian Grant Program Guidelines in this positive vein, one of shared opportunity that we wish to pursue with you, our other partners, and stakeholders.</p> <p>We appreciate your work on these draft Riparian Grant Program Guidelines and for including WDFW in your working group. We value the collaborative approach that went into developing these guidelines and appreciate that the BMP list includes practices that support habitat enhancement projects, like Structures for Wildlife and large woody debris structures that add value to riparian restoration efforts. We want to reemphasize that we believe this is an historic time, one of great opportunity for agencies such as WSCC and WDFW, and their other partners and stakeholders, to achieve great things. We are hopeful that working together we can achieve landowners' conservation and production goals while restoring and stabilizing salmon populations for future generations.</p>	Supportive
<p>Snohomish CD appreciate that questions 5 and 6 allow for CDs to submit a single application that includes multiple project types; we appreciate providing the budget details for each project type (breaking down the total budget into each project type). Allowing CDs to submit a single application that includes multiple project types will likely reduce administrative burden of managing the grant (versus managing multiple separate grant awards) thereby increasing cost effectiveness of public dollars.</p> <p>Snohomish CD requests a scoring sheet that describes how each question is weighted and total points available for each question, or a statement that every question is weighted equally if that is the case. It is unclear which questions are weighted more heavily, for example:</p>	

Comment	Notes
<p>a) How would the scoring change for projects that address water quality impairments vs those that don't?</p> <p>b) Does a proposal score higher if it addresses multiple prioritization plans?</p> <p>c) How does including environmental justice increase the score of a project?</p>	
<p>I appreciate the simplicity of the application. If a project aims to incorporate multiple project type elements-- for example a site specific project DIP with incentive and maintenance funds, or a non-site specific proposal for outreach, TA and a number of conceptual designs-- how would the proposals and budgets be structured? As a single application incorporating multiple types of funding, or individually by funding type? I hope for the former to streamline application processes.</p>	<p>See FAQ's</p> <p>Edits made</p>
<p>The prioritization list doesn't include any reference to District annual or 5 year plans. Would it be beneficial to include those as an option or would that fall under "Other local salmon habitat or riparian restoration strategies"?</p>	<p>Edits made</p>
<p>I think the questions summarize the application well.</p>	<p>Supportive</p>
<p>In Application Questions, potentially asking if the project will be implemented on both sides of a stream to help prioritize.</p> <p>If there are multiple project types that are contingent other the other, how does this impact funding and award if the Commission doesn't approve funding of one project type but does of the other?</p> <p>Question 7 – do you want a explanation of what those plans/ documents are?</p> <p>Question 9 – Does other funding source include past commission funds?</p> <p>Q10 – does this include secured and unsecured funds?</p> <p>Q11 – would you want to know the size of that total project for priorization?</p> <p>Q12- link to plan (assuming this will happen when plan is completed)</p>	<p>Edits made</p>
<p>Can multiple properties on different waterways be lumped together into one application for maintenance on already implemented riparian restoration projects? It is very cumbersome to submit multiple applications for small amounts of funding to maintain recently implemented buffers.</p>	<p>See FAQ's</p>
Reporting comments	
<p>Could add a question how many projects are anticipated from outreach efforts in addition to how many new projects resulted from outreach.</p>	<p>Edit made</p>
<ul style="list-style-type: none"> • Under District Implemented Projects, it's not clear which metrics refer to which BMPs. Will metric reporting only be required when it relates to an implemented BMP? • Under Maintenance, question 25(b), we recommend adding these Maintenance BMP types: Fence maintenance, Maintenance of BDAs/PALS; Maintenance of erosion control; Weed management – mulching. • It is not clear which of the General Reporting questions are required and which are optional. 	<p>Noted</p> <p>Edits made</p>

Comment	Notes
<p>#4 & #5 - Current DOE proposed rules for CCA funds requires reporting on other funds used by a sub-recipient in connection with CCA funds. Perhaps build that in here to ensure WSCC can comply with that reporting requirement?</p> <p>#11 - This overlaps but doesn't directly align with the phrasing of current proposed DOE rules relative to project-level reporting requirements for CCA funding. Consider re-framing to match whatever ends up in rule, currently described as "direct and meaningful benefits to vulnerable populations within the boundaries of an overburdened community".</p> <p>#12 - Perhaps a question about whether this project was supported by a tribal resolution as well? Current proposed DOE rulemaking would require the WSCC to report on that at the project level.</p>	Noted
Maintenance: consider including the reporting of acreage maintained	Edit made
<p>Snohomish CD suggests the following modifications:</p> <ul style="list-style-type: none"> • Question 6: add an “other” checkbox and text box to describe other types of outreach (participation in neighborhood or community events for example) • Questions 24 and 25: add a reporting metric for total acres maintained. Clarify if the total acres should be calculated for all acres maintained (but only count each acre one time even if multiple maintenance practices and activities were conducted) or if each time a maintenance activity was performed, the total area treated should be added (count each acre of land that was treated each time. For example, a 5-acre project site was watered 3 times; each time the entire site was watered - report as 15 acres. If the same 5-acre project also received maintenance mowing on the entire 5 acres twice during the growing season, the total maintenance acres would be 25 acres - 15 acres watered and 10 acres mowed. Our preference is to report maintenance as a total acreage of project maintained during a single growing season, not try to track each treatment separately. Tracking each treatment separately can be administratively costly to document, track, and report. 	Edits made
The reporting questions are good. I think it might be worth reporting if the project is part of a multi phase project or effort.	
<p>Q6 – include “Other” with a text field</p> <p>Q11 – While I think this is a valuable metric, I’m not sure how this would be tracked and categorized from other outreach participants. I would not include this question.</p>	Noted
APPENDIX A	
Please add Watering Facility (PS 614). This is a critical practice that must accompany livestock exclusion fencing and riparian planting when livestock are excluded from a waterway. Without a substitute watering source, farmers will not have an incentive to install a buffer.	Edits made

Comment	Notes
<p>Add: Watering Facility - 614 Mulching - 484 (needed more now due to dry summers for seedling survival). Stream Crossing - 578 (not used often but may be needed). Tree/Shrub Site Preparation - 490</p>	Edits made
<p>On pg.13, under “Note” the document reads: “Native vegetation is preferred however, climate adapted species are allowable”. It is not clear whether this refers to including plants for which Washington would be a range expansion, or if any plant that is suitable to our climate would qualify for riparian buffer planting. We encourage this section to be changed or clarified to specify that only native plants or plants native to nearby parts of the Pacific Coast region that may be suitable for assisted migration be included.</p> <p>Planting riparian buffers with clearly non-native plants should not be eligible for funding. While some of the water quality benefits (shading, wood input, insect fall) may still be provided by non-native buffers, other habitat benefits to native wildlife dependent on riparian zones may not materialize, and this type of introduction could result in unintended consequences. There is also significant value in the presence of native plants themselves remaining on the landscape, independent of their benefit to salmon habitats, which includes benefits and sustenance for historically marginalized and underserved Tribal communities.</p>	Edits made
<p>The WSCC Riparian Grant Program Guidelines, Appendix A provides a list of Best Management Practices (BMPs) that are eligible for funding under the WSCC Riparian Grant Program. We appreciate the thoughtful considerations that went into developing this list and the flexibility it provides for landowners to participate in the program. We’ve outlined three recommendations below for further incentivizing the planting of tall trees in the RMZ and expanding the list of eligible BMPs.</p> <p>a. WDFW’s Riparian Ecosystems Volume 1 outlines five key ecological functions provided by riparian areas: bank stability, shade, pollution removal, contributions of detrital nutrients, and recruitment of large woody debris. In areas of the state that support tree growth, tall trees are an important habitat feature for providing shade and large woody debris to a stream system. To ensure projects funded under this grant program will “achieve optimal restoration of functioning riparian ecosystems,” landowners should be incentivized to plant tall trees in the riparian management zone. We are concerned that practices like Conservation Cover (NRCS code 327) and Hedgerow Planting (NRCS code 422) may not, on their own, support the establishment of tall trees. In areas that support tree growth, we recommend limiting the use of these practices to when they are done in conjunction with the establishment of trees. This change would not prohibit landowners from utilizing these BMPs, but it would ensure that grant funds are used to incentivize riparian projects that provide greater long-term function. This requirement should not be applied in dryland ecoregions that do not support trees.</p> <p>b. The SCC Riparian Grant Program can be further strengthened by structuring the tiered incentive program towards the planting of tall trees. Currently, the tiered program incentivizes “woody vegetation” that approaches the SPTH. We applaud this approach but note that the planting of small woody vegetation alone will not support the five functions needed in riparian areas. In areas that support tree growth, we recommend limiting the 15% per year incentive for enrolling in 15-year contracts to projects that support tree establishment. This change would not prohibit landowners from enrolling in this grant program, but it would add additional incentives for the planting of tall trees.</p>	Edits made

Comment	Notes
<p>c. Finally, we recommend adding NRCS practice code 490 for Tree/Shrub Site Preparation to the list of eligible BMPs to allow applicants to prepare site for planting.</p> <p>RCO will also allowing floodplain regrading and side channel reconnection as eligible instream activities. Consider including those BMPs for purposes of align programs.</p>	Noted
<p>Hedgerows (422)</p> <p>How will the hedge row practice work with a minimum 35 ft. buffer? The practice calls for a 15ft wide hedgerow with a grass filter strip if needed. Will the program require a 20 ft. grass filter strip for hedgerow plantings? If so, does it need a different payment rate? Because it is providing a lesser benefit. Or is Hedgerow only applicable to the scenario laid out in Section 5 “If the potential riparian area is greater than 20% of the parcel by area, a 35-foot-wide buffer is permissible”. That is not clear. There seem to be some details that need to be sorted out. The expectations when utilizing this practice need to be clear. If the woody species planting is 35 ft. wide then it would be a regular riparian forest buffer and should be done under the Riparian Forest Buffer practice 391.</p> <p>CREP uses Hedgerows in a similar setting to give landowners an option less than 35 ft. on small artificial and natural streams. For Example, field side ditches and small streams in the Skagit, Snohomish, and Snoqualmie Valleys where fields are small and a 35 ft. buffer would cover a significant percentage of the crop field. Maybe CREP would be a better fit for those producers, which is an ok answer. From the 2-CRP handbook “The intent of the CP22 (Hedgerow) practice is to encourage the development of shade, leaf litter, bank stability and some filtering capacity on small streams where landowners may be hesitant to install wider riparian buffers.” CREP limits the enrolled area to 15 ft. unless a grass filter strip is needed for concentrated flow erosion. I’m not suggesting that you need to follow CREP here, but this may indicate that a hedgerow is not appropriate for this program if the minimum buffer size is 35 ft. If the hedgerow practice is eligible the scenario where it is applicable needs to be clear.</p> <p>Livestock Water</p> <p>There are no practices for livestock water listed. Section 6 of the proviso does not specifically call out livestock watering facilities as an eligible expense, but it does say that expenses “are not limited to...” the list in the proviso. Alternative water is an essential supporting practice for the installation of riparian buffers on grazing lands. The producer/landowner is giving up access to surface water for the improvement of the riparian area and needs to be provided with a reliable alternative source of stock water. Practices to add to Appendix A: Livestock Pipeline 516, Watering Facility 614, Water Well 642, Pumping Plant 533, & Spring Development 442. If livestock watering practices are not added as eligible practices the program will not be able to stand on its own. This will present a significant barrier to putting conservation on the ground. It will require funding from other programs to make it whole and for it to be a viable option for producers and Districts.</p> <p>Will the program allow for Water Gaps? CREP allows them, but Department of Ecology does not support them and WDFW discourages them on Salmon streams yet there are scenarios where they are the only option to provide livestock water.</p> <p>Micro Irrigation 441</p> <p>Add Micro Irrigation (441) to Appendix A. In arid regions on the east side of the state, drip irrigation can be a useful tool for establishing trees. Watering during the droughty summer months can be the difference between a successful buffer and a failure. Hand watering works in many</p>	<p>See FAQ’s</p> <p>Edits made</p> <p>Edits made</p>

Comment	Notes
<p>cases, but it is useful for planners to have drip irrigation available as a tool when developing riparian restoration plans and can be more cost effective in some scenarios.</p> <p>Fence Removal Add Fence Removal as an eligible practice. Often when installing or increasing the size of a riparian buffer, we encounter fences in disrepair that are a hazard to wildlife and/or block the installation of the new riparian fence. A specific practice for fence removal could be added or this could be funded under the Fence (382) practice. Just want to make sure that it will be covered as an eligible expense.</p>	See FAQ's
We support Emmett's approach.	Supportive
List of practices look good.	Supportive
<p>Allow for additional practices where there can be a demonstrated direct benefit to the riparian management zone and the practices are necessary to make the project function. We recommend that the program prioritize the BMPs that will eventually be identified in Appendix A of the Final Programmatic Guidelines, but allow the full suite of practices found in the NRCS eFOTG or as may be designed by a licensed engineer per WSCC policies. For other practices not expressly identified in Appendix A to be eligible, the CD applicant will have to demonstrate how the practice(s) is necessary for the protection/enhancement of the riparian area and include support from local biologists who support the project as presented.</p> <p>Irrigation systems or some form of supplemental watering is mandatory for planting in Eastern Washington. This is particularly necessary given the 35-foot minimum buffer widths for perennial streams where some of these stream types may only be a handful of feet wide in a relatively confined floodplain. These types of confined perennial floodplains in Eastern Washington can sometimes barely be 50 feet in width (the maximum buffer width of Tier 1) for a considerable stream length distance. Natural riparian vegetation can and does naturally give way to shrub-steppe vegetation quite rapidly in many areas in Eastern Washington so supplemental water is imperative to ensuring the establishment of the riparian planting, especially with unpredictable summer heat.</p>	Edit made
<p>The list as presented is comprehensive enough to allow for most project activities. The only one that is missing is Obstruction Removal (500). This practice is utilized to remove debris and other material the project area. Riparian areas throughout the state have been commonly used as dumping sites for trash and other material. This can be trash, tires, vehicles, and other debris that can impact viability of planting and maintenance. I recommend adding this practice in to allow for project managers to properly dispose of material that does not belong in our streams or riparian areas.</p>	Edit made.
The Appendix A seems to summarize all necessary BMP's.	Supportive

Comment	Notes
<p>Add Obstruction removal</p> <p>Also does "BDAs" cover all low-tech process based restoration approaches such as the addition of wood to streams (wood loading) or the installation of PALS?</p>	Edit made
<p>- Add Tree/Shrub Site Prep (490) to the list</p> <p>- Suggest changing the sentence beginning "Native vegetation..." to something like this: "Native vegetation is required, however, species widely accepted as those appropriate under assisted migration are permitted. None of the species shall be classified as noxious species."</p>	Edit made
APPENDIX B	
<p>Please remove non-commercial timber from the list of eligible administrative zones, as riparian management is already determined by state law for these parcel types.</p> <p>Clarify that parcels included in the county median land value analysis should not exceed \$100,000/acre in value. Please refer to the most recent guidance in how to calculate this from Eric Allen and the Spokane CD team. Refer also to latest guidance from Spokane CD as to how to calculate SPTH when there are multiple soil types within a planting area.</p>	Noted
<p>The image shown on page 14 to describe an example of the tiered incentives is misleading. Participant 1 has more acreage in tier 2 than participant 2 based on the calculation on page 15. However, the image shows participant 2 with more acreage in tier 2. The calculation shows participant 1 receiving more financial support even though they are contributing less overall acreage of riparian vegetation. This is reflected in the amount of acreage they create in tier 2, where they get more financial support per acre. The image shows less shaded green in tier 2 for participant 1 than participant 2 even though participant 1 is contributing more riparian vegetation in tier 2.</p>	Noted
<p>Appendix B has several concerning areas</p> <p>a. As mentioned before the tiered incentives are backward , the closer to the stream the more value the state gets for its money in terms of functions and values.</p> <p>b. On page 6 the "target participants are in unincorporated..." parcels....Yet, the selection criteria that are shown as number 5, page 17 are not limited to that parcel demographic and are very concerning. Why did you include all of these urban parcels in the calculus? Adding things like 2-4 unit households, hotels, institutional lodging, condominiums, etc.? This is not logical when it comes to valuing raw, bare (woody?) land values in unincorporated areas that could be planted into functional riparian areas. You should check with counties and see if there even is a separation within the parcel appraisal of the underlying land value versus the buildings on those lots. By including these urban parcels the land values will be vastly inflated as compared to lands zoned Ag or outside urban growth areas. How often is a parcel with a hotel or residential condo's on it going to be in unincorporated areas and have at least an acre of land that they want to install riparian plantings on?</p> <p>c. The use in your example of \$4200 land value is simply not reflective of either current farm land values (maybe dry-land on east side, rural</p>	Noted

Comment	Notes
<p>counties) and probably not even close to a value if you used your metrics that include urban parcels. Irrigated ag. lands have been in the \$6,000-25,000/acre for years, dry-land is less. You need to look at your metrics, run the through your calculus in various counties – urbanized to rural and see what results from these metrics.</p>	
<p>Is the intent to have only the land use types listed in step 5 contribute to the County Median Land Value? Step 3 says to remove certain parcels, then step 5 says to select certain parcels. Making step 3 pointless. Also, 95 Timberland is listed under both the select and remove Steps 3 and 5. Based on the eligibility requirements, I assume that is not supposed to be included in the step 5 list.</p> <p>Median Land Value</p> <p>Using the steps listed in the guidelines I calculated the Median Land Value (qualifying parcels) for 37 of the 39 counties in the state. This was a rough calculation and certainly not accurate (I didn't clean up the source data), but it does show us a few things on a statewide basis. 8% of the County median land value exceeds the \$1,000 cap for 20 of the 37 calculated counties and 10 fell below the \$300 minimum payment. Without including any incentives. If this holds true for more detailed calculations (with corrected data) this is not a good system for determining value, at least 30 of the 39 counties will be using the cap or the floor making the Median value calculation mostly irrelevant.</p> <p>Spatial Data: Limitations, Quality, and Appropriate Use</p> <p>I'm going to get pretty far into the weeds here and overexplain everything, but I want the Commission to be prepared to get questions like this 45 times. All spatial data is created with an intended use. The intended use can dictate the scale, accuracy, and extent of the dataset. Other factors such as staffing, budget, and technological limitations can impact the quality of the data. It is perfectly fine to use spatial data for a purpose other than the intended use, however when doing so it is important to acknowledge the data's limitations. Parcel data for example is focused on who owns what land and the acreage of that land for tax purposes. The precise location of that land is of lesser importance. Parcels in rural areas were not originally digitized with a high degree of accuracy and don't typically get updated unless there is a land sale. Most of the time this isn't an issue for counties if it doesn't impact property taxes. This could be an issue for this program because a parcel's proximity to a stream may not be accurate enough to be selected as adjacent to the NHD. A selection buffer could be used, but it's tricky to choose the right distance to avoid selecting parcels that are not adjacent to the NHD. 50 feet would be safe in most instances, but some larger rivers are left as gaps in parcel layers and could require a buffer as wide as 300 ft to select the appropriate parcels. You could use a 50 ft selection buffer on small streams and a 300 ft buffer on large rivers as appropriate for the county. The question at that point becomes how complicated do we want the median county land value calculation to be? All of these issues can be overcome, but if every District handles it differently it will lead to inconsistency across the state.</p> <p>County parcel data is typically very messy, both spatially and in the attribute table. This can be overcome with some legwork, but it will rarely if ever be a plug and play dataset. Many counties are short on staffing, budget, and expertise to maintain a clean and accurate parcel layer. For example, Asotin County does not have the land use codes referenced in Appendix B on their parcels (codes are not in the statewide layer or the local county layer). I can work with the assessor to resolve this by getting the codes added or find an alternative way to select the appropriate parcels. Another example that does not impact this calculation (but does demonstrate the messy nature of county parcel data) is that in the Asotin County parcel layer a number of addresses and names begin with a space, others have inconsistent spaces and periods in the names and</p>	<p>Noted</p>

Comment	Notes
addresses. This creates a pretty big headache for us when we are trying to remove duplicates for mass mailing lists. Continued in "Additional Feedback"	
<p>Continued comments on section 5:</p> <p>3. We are disappointed to not see another tier in the program directed at smaller streams and ditches. Research shows that a 10-20' option shows great improvement for habitat conditions on these smaller tributaries. A 35-50 buffer on small or seasonal creeks and ditches is not appealing to farmers. There is significant research showing hedgerows on small waterways provide benefits in temperature reduction, sediment capture and improvements in drainage. This creates a win/win for both farming and salmon habitat. Why not put funding toward places where the greatest benefit can be had?</p> <p>Incentivizing larger buffers under this program has the potential to lead to patchwork, incomplete coverage of key streams, and increasing potential for landowner conflict. While we conceptually support the buffer program, we would strongly encourage reversing the tiered incentives, providing more incentives for tier one, and less for tiers two and three. Considering the huge increase in benefits from the first 15 feet of a buffer, we believe that an additional tier should be added for smaller streams, and the incentives should be much larger for Tier 1, and likewise much smaller for tiers two and three.</p>	Noted
Recommend that WSCC annually develops the county median land value for each county so as to reduce the potential for error and reduce District liability related to miscalculations.	Noted
The WSCC should annually post the median land value for each county in the state. There will remove any potential confusion or possible manipulation of the numbers.	Noted
We support Emmett's approach.	Supportive
<p>Confusing, would like to see it simplified. I do like the idea of giving larger buffers and buffers on critical salmon streams a larger incentive.</p> <p>It will be complicated to get landowners to understand we may not get continuing funding because we will be at the beck and call of the legislature. That being said we need to start somewhere and hopefully funding will continue to be allocated for a 10- or 15-year period.</p>	Noted
The explanation of the tiers is simple enough to understand.	Supportive
<p>Repeated: We would strongly encourage the Commission to find or create a data set for county median land value for the state (broken down by county). There is so much room for error/interpretation/lack of GIS skills that we see that calculation being highly open to manipulation or errors. If this is too big a lift, we suggest brainstorming an alternative formula with data available on a state government website.</p>	Noted



Northwest Indian Fisheries Commission

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January 17, 2024

Shana Joy, District Operations Director/Southeast Regional Manager
Washington State Conservation Commission
Department of Ecology Building
300 Desmond Drive SE
Lacey, WA 98503

Re: Comments on the Draft Guidelines for the Riparian Grant Program

Dear Washington State Conservation Commission:

Thank you for the opportunity to provide comments on the draft Riparian Grant Program Guidelines. We think this program represents an important opportunity for the Washington State Conservation Commission (WSCC) to provide strong leadership in helping protect and restore riparian lands in Washington State. We do however have substantive concerns in how the guidelines propose spending the allocated funds. We are primarily concerned the draft language in the program guidelines, as currently written, is not consistent with the direction provided in the budget proviso authorizing and enabling the Riparian Grant Program.

Our concerns can be grouped into three general areas.

Tribal Participation. In adopting criteria for the Riparian Grant Program, the proviso emphasizes the WSCC must invite federally recognized tribes to be full participants. The current draft guidelines state that funding for the program comes with additional reporting, assessment, and tribal consultation requirements, and that the Governor's Office and state agencies "plan to engage tribes on how best to meet these requirements." It is not clear how the WSCC will meet this requirement. More importantly, there has been very limited outreach to the tribes to include them as participants in the adoption of criteria for the program. The tribes have been notably absent from the process to date. We respectfully request WSCC reach out to individual tribes over a set period of time to discuss and improve the program's criteria before adopting these criteria as final.

Optimal Restoration. The proviso states the WSCC is responsible for developing program criteria that will achieve "optimal restoration of functioning riparian ecosystems." We request WSCC recognize 1 Site Potential Tree Height (SPTH) in forested ecoregions as a scientifically supported approach to protecting and maintaining the full functions of riparian ecosystems (Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications, Washington Department of Fish and Wildlife). Under the current draft guidelines, program participants may protect 50' of the riparian area from the stream bank to qualify for base payments. Fifty-foot buffers will not achieve optimal restoration of functioning riparian ecosystems and should be considered an interim step. Program criteria should reference and support locally approved and published salmon and watershed recovery plans, which may be used as a guide for project implementation.

Permanent Protection. The budget proviso states the WSCC “must give preference and compensation for permanent protection of riparian areas or removal of riparian land from agricultural production or other development by purchase at fair market value.” The guidance by the legislature to pursue permanent protection represents a real opportunity to long-lasting protection and recovery of riparian ecosystems. The draft guidelines indicate this project type is currently under development. Given how permanent protection is highlighted and emphasized in the budget proviso, fully articulating and implementing this program element should be prioritized. Implementing permanent protection may require creative and collaborative work and partnerships with other state agencies, tribes, land trusts or other entities willing to hold easement responsibilities for riparian areas, including monitoring. We respectfully request that WSCC work with tribes to help develop and implement permanent protection measure for riparian areas.

The funds provided to the WSCC as part of the budget proviso represent an important opportunity for Washington state to move forward in protecting and recovering riparian and aquatic ecosystems. We think however the current guidelines the WSCC has developed are inadequate at meeting the goal of protecting and restoring critical riparian management zones. We respectfully request the WSCC proactively reach out to the tribes and invite them to be full participants in the development of program criteria. We further request the WSCC direct the spending of program funds to support and incentivize landowners to establish adequate riparian buffers that support collaboratively developed watershed and salmon recovery plans, and in these efforts support, prioritize and incentivize the permanent protection of riparian management zones.

Finally, we respectfully request a meeting between the WSCC, key tribal and NWIFC staff, and representatives from the governor’s office to discuss and review the history and intended outcomes of the budget proviso and the Riparian Grant Program. This meeting will also be an opportunity for us to discuss how tribes and the WSCC can effectively work together in the development of the Riparian Grant Program, and ultimately support landowners to successfully utilize voluntary programs that comprehensively protect riparian areas necessary for salmon recovery and climate resiliency.

Thank you and we look forward to hearing back from you on our comments. If you have any questions, please contact Jim Peters (jpeters@nwifc.org), Habitat Policy Coordinator, or Fran Wilshusen (fwilshusen@nwifc.org), Director of Environmental Protection at (360) 438-1180.

Sincerely,



Ed Johnstone
Chairman

Attachment

Attachment

Riparian Grant Program proviso language in [ESSB 5200](#)

Riparian Restoration with Landowners (91000020)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the state conservation commission to provide grants for riparian restoration projects with landowners.

(2)(a) Within funds appropriated in this section, the commission shall develop and implement the voluntary riparian grant program to fund protection and restoration of critical riparian management zones. The commission is responsible for developing the voluntary grant program criteria to achieve optimal restoration of functioning riparian ecosystems in priority critical riparian management zones.

(b) In adopting the program criteria under this section, the commission must:

- (i) Invite federally recognized tribes to be full participants;
- (ii) Coordinate with private landowners and other interested stakeholders;
- (iii) Coordinate with the department of ecology, the department of fish and wildlife, conservation districts, and the department of agriculture; and
- (iv) Consider the best available, locally applicable science that is specific to each region of the state where the program criteria will be applied.

(3)(a) The commission shall prioritize critical riparian management zones at the watershed or subbasin scale where grant funding under the program created in this section would be primarily targeted. The prioritization must be informed by, consistent with, and aligned with one or more of the following: Watershed plans developed pursuant to chapter 90.82 RCW; the action agenda developed under RCW 90.71.260; regional recovery plans created under RCW 25 77.85.090; the habitat project lists developed pursuant to 26 RCW 77.85.050; the prioritization process developed under RCW 27 77.95.160; and priority projects identified for salmon recovery through agency grant programs.

(b) The prioritization of critical riparian management projects must be developed in coordination with:

- (i) Local federally recognized tribes;
- (ii) Local private landowners who are voluntarily participating in the program;
- (iii) Local conservation districts; and
- (iv) The local county, the department of fish and wildlife, the department of ecology, and water resource inventory area planning units organized pursuant to chapter 90.82 RCW.

(4)(a) Conditions for awarding funding for projects under this program include, but are not limited to:

- (i) Consistency with the program criteria established under subsection (2) of this section;
- (ii) Tiered incentive rates tied to improving functionality for riparian areas; and
- (iii) Other requirements as determined by the commission.

(b) The commission must give preference and compensation for permanent protection of riparian areas or removal of riparian land from agricultural production or other development by purchase at fair market value.

(5) The commission must distribute riparian grant program funding equitably throughout the state, consistent with received grant applications and benefit to salmon habitat. Funding is intended primarily for projects located in salmon recovery regions, as defined in RCW 77.85.010, but funding may also be distributed to a project not located in a salmon recovery region upon a determination by the commission that the project will provide a unique benefit to salmon habitat.

(6) Allowable expenses to a grantee receiving funds under this section include, but are not limited to, labor, equipment, fencing, mulch, seed, seedling trees, manual weed control, and yearly maintenance costs for up to 10 years.

(7) Any native woody trees and shrubs planted with funding provided under this section must be maintained for a minimum of five years or as otherwise set by the commission for each grantee. Vegetation must be chosen to prevent invasive weed populations and ensure survival and successful establishment of plantings.

(8) The commission shall determine appropriate recordkeeping and data collections procedures required for program implementation and shall establish a data management system that allows for coordination between the commission and other state agencies. Any data collected or shared under this section may be used only to assess the successes of the riparian grant program in improving the functions of critical riparian habitat.

(9) The commission shall develop and implement a framework that includes monitoring, adaptive management, and metrics in order to ensure consistency with the requirements of the riparian grant program. The monitoring and adaptive management framework may include, but is not limited to, consideration of:

- (a) Acres identified as eligible for restoration within a watershed;
- (b) Acres planned to be restored;
- (c) Acres actually planted and maintained;
- (d) Success in targeting and achieving aggregated project implementation resulting in increase in linear miles restored;
- (e) Plan review criteria; and
- (f) Other similar factors as identified by the commission.

(10) The commission may use up to two percent of any amounts appropriated in this section for targeted outreach activities that focus on critically identified geographic locations for listed salmon species.

(11) The commission may use up to four percent of amounts appropriated in this section for administrative expenses.

(12) For the purposes of this section, "critical riparian management zone" means the area adjacent to freshwaters, wetlands, and marine waters that has been locally or regionally identified as an area where salmon recovery efforts would significantly benefit from enhanced protection or restoration.

January 17, 2024

Washington State Conservation Commission
PO Box 47721
Olympia, WA 98504-7721

Dear Washington State Conservation Commission,

The Swinomish Indian Tribal Community (“Swinomish Tribe” or the “Tribe”) is submitting these comments on the Riparian Grant Program Guidelines (“Guidelines”).

Background and setting for our comments

The Swinomish Indian Tribal Community is a federally recognized Indian tribe and political successor in interest to certain tribes and bands that signed the 1855 Treaty of Point Elliott, which among other things reserved fishing, hunting and gathering rights and established the Swinomish Reservation on Fidalgo Island in Skagit County, Washington. The Swinomish Reservation sits at the mouth of the Skagit River, the largest river system draining to Puget Sound and the only river in the Lower 48 states that still has all species of wild Pacific salmon and steelhead spawning in its waters. Since time immemorial, the Swinomish Tribe and its predecessors have occupied and utilized vast areas of land and water in northern Puget Sound up to the Canadian border to support the Swinomish way of life.

We are also co-managers of Washington fisheries along with the Washington Department of Fish and Wildlife (WDFW) and have worked with WDFW and NOAA Fisheries for many years in this capacity to ensure protection and restoration of fishery resources in the Skagit River basin. The Tribe has worked extensively with other tribal governments, local governments, state and federal agencies, and local stakeholders on a variety of salmon recovery, habitat protection, and habitat restoration projects to protect, study, and actively restore the habitats needed to recover and sustain Skagit River salmon and steelhead.

General Comments

The Northwest Indian Fisheries Commission (NWIFC) will also be submitting comments on the Washington State Conservation Commission (WSCC) Guidelines. The Tribe agrees with and supports those comments and reiterate them here as part of our letter.

Tribal Participation

In adopting criteria for the Riparian Grant Program, the proviso emphasizes the WSCC must invite federally recognized tribes to be full participants. Providing tribes an opportunity to comment on the draft guidelines, while appreciated, is no substitute for meaningful participation in developing criteria for the Riparian Grant Program. The current draft guidelines state that funding for the program comes with additional reporting, assessment, and tribal consultation requirements, and that the Governor's Office and state agencies "plan to engage tribes on how best to meet these requirements." It is not clear how the WSCC will meet this requirement. More importantly, there has been very limited outreach to the tribes to invite them as participants in the adoption of criteria for the program. Review of the notes from the Riparian Grants Work Group meetings do not show any participation by tribal representatives. There was no outreach or invitation that we are aware of to tribes, individually or collectively, to participate in any of these workgroup meetings. Instead, we have been asked to comment on criteria that have already been developed, which does not substantively meet a standard of full participation.

Optimal Restoration

The proviso states the commission is responsible for developing the voluntary grant program criteria to achieve "optimal restoration of functioning riparian ecosystems." The Washington Department of Fish and Wildlife has identified protecting riparian areas to 1 site potential tree height in forested ecoregions as a scientifically supported approach to protecting and maintaining the full functions of the riparian ecosystems. Under the current draft guidelines program participants need only protect 50' from the stream bank to qualify for base payments. Fifty-foot buffers will not achieve optimal restoration of functioning riparian ecosystems. Allowing inadequate buffers to become an acceptable alternative to doing what we know is required to recover riparian and stream ecosystems will only exacerbate the continued degradation of water quality, salmon and other fish habitats. Far better would be for the WSCC to develop a program that incentivizes establishment of buffers that will effectively meet watershed and salmon recovery goals and benchmarks that have been collaboratively agreed to and published.

Permanent Protection

The proviso states the commission "must give preference and compensation for

permanent protection of riparian areas or removal of riparian land from agricultural production or other development by purchase at fair market value.” The draft guidelines indicate this project type is still under development. Given how the goal of permanent protection is highlighted and emphasized in the budget proviso, the lack of guidance for this program element is troubling. If anything, given the language in the proviso, the riparian grant program should be centered around this goal. Instead, the draft guidelines focus primarily on incentivizing temporary buffer establishment and maintenance by landowners for 10 to 15 years. The permanent protection of riparian areas in the draft guidelines is currently treated as an afterthought, to be considered as pilot projects on a case-by-case basis. The legislature provided clear language for the WSCC to give preference to permanent protection of riparian land. This represents a real opportunity to provide substantive and long-lasting protection and recovery of riparian ecosystems and deserves to be prioritized. Meeting this goal may require some creative and collaborative work with other state agencies or land conservation groups, but it warrants more attention and focus than what is indicated in the current draft guidelines.

Specific Comments

Eligibility

The eligibility language in Section 5 is somewhat unclear and confusing. The statement that “only artificial or ephemeral conveyances that directly flow into a perennial or intermittent salmon-bearing stream are eligible” is not clear. It seems more accurate to say “the only eligible artificial or ephemeral conveyances are those that directly flow into a perennial or intermittent salmon-bearing stream”. Only ditches that contain salmon or feed directly into salmon-bearing streams should be eligible. There is very limited to no value in planting riparian vegetation along streams that do not contain salmon. The term “artificial” should be defined and clarified if the intent is to describe waterways that are strictly man-made or if it should include those that used to be natural, small tributaries, but are now so channelized and confined they are essentially artificial. The project prioritization criteria described on pages 5 and 6 should include streams with TMDLs as part of the core criteria, not as an afterthought. There are over 200 miles of temperature-impaired streams in the lower Skagit watershed, and those streams that support spawning or rearing salmon should be prioritized for riparian buffer projects. Project criteria described in Section 2 includes permanent protection, but it is unclear whether that includes purchase of property or just creation of a conservation easement. As previously stated in our “general comments” above, the budget proviso states that preference must be given for

permanent protection and transition of riparian lands away from agriculture, so projects that include this element should be given higher priority over those that do not.

Implementation

As stated on page 2 of the Guidelines, projects need to be completed by June 30, 2025. This does not seem like an adequate timeline for project review, permitting, design, construction, and implementation. Will there be any contingency plan for projects/proponents who are not able to fully implement their projects by this date? Page 4 describes Conservation District implemented projects, but the Guidance does not specify whether the District is also responsible for the continued maintenance of that project, or if the landowner assumes that responsibility. Further, the subsequent "Maintenance" section states that certain established projects are eligible for maintenance costs, but there is no description of how old and established these buffers should be, who the eligible owners are, and for how long that maintenance will be provided. Two additional examples of herbivorous control methods, "mowing grass around plants" and "applying repellent", should be added to the "Maintenance" section. For projects of any size, whether new or maintenance only, we suggest a monitoring and adaptive monitoring strategy be implemented with at a minimum 1-year and 3-year check-ins to document progress and survivorship of plantings.

In all of the sections that describe project implementation and buffer size, there should be a stated goal and priority that buffers remain on the landscape and are not removed due to change of land ownership or after a defined period of time/contract. Further, as previously stated, the minimum buffer for perennial streams is only 50 feet. This is half of the NOAA Fisheries recommended buffer of 100 feet. There is a lack of references to demonstrate that this buffer width is a scientifically sound and defensible recommendation and that buffers of this size achieve the ecosystem services that are required to support fish life.

The project tier table on page 8 is confusing and not straightforward. The example calculations on page 14 are helpful, but it would be more logical and standardized to have specific buffer widths by region, since SPTH varies locally but is consistent with ecoregions. Further, the proposed annual payments described on page 15 are minimal and do not seem like a substantive incentive for participation. A payment of only several thousand dollars for several acres of land does not seem like enough of an incentive to get farmers to voluntarily create buffers and take land out of production that certainly gives them more income under the status quo.

We think the current guidelines the WSCC has developed are inadequate at meeting the goal of protecting and restoring critical riparian management zones. We request the WSCC reach out to all tribes, including Swinomish, and invite them to be full participants in the development of program criteria. Only through full tribal participation can we ensure the spending of program funds to support and incentivize landowners to establish adequate riparian buffers that support collaboratively developed watershed and salmon recovery plans.

Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Heather Spore". The signature is fluid and cursive, with the first name "Heather" written in a larger, more prominent script than the last name "Spore".

Heather Spore
Environmental Policy Analyst
Swinomish Indian Tribal Community

December 22, 2023

Shana Joy, District Operations Director / Southeast Regional Manager and Alison Halpern,
Scientific Policy Advisor / Acting Policy Director
Washington State Conservation Commission
Riparian Grant Program
300 Desmond Drive SE
Lacey, WA 98503

Dear Shana Joy and Alison Halpern:

Thank you for the opportunity to provide input on the Washington State Conservation Commission Draft Riparian Grant Program Guidelines. Washington Conservation Action Education Fund (WCA) is a 501(c)(3) organization founded in 1967 as Washington Environmental Council. Our mission is to develop, advocate for, and defend policies that ensure environmental progress and justice by centering and amplifying the voices of the most impacted communities. We are committed to healthy habitat for all Washington State salmon runs.

WCA has a deep history of supporting salmon habitat protection and recovery. WCA serves on the Puget Sound Salmon Recovery Council and also participates on the Riparian Round Table and Riparian Working Groups. Previously we served on the Governor's Orca Recovery Task Force, which identified the need to improve riparian habitat as one element of both salmon and orca recovery. We also supported funding this riparian grant program to develop and implement the voluntary riparian grant program to fund protection and restoration of critical riparian management zones, both as a member of the Environmental Priorities Coalition of over 20 nonprofit organizations and also as a member of the Puget Sound Salmon Recovery Council. We are committed to seeing this program succeed and improve salmon habitat.

As you are aware, salmon runs have been depleted throughout the State, and the lack of riparian vegetation is one of the key factors identified that must improve over time. Time is running out for salmon, and we appreciate that the State Conservation Commission (SCC) has released the Draft Riparian Grant Program for public comment. We offer the following comments.

Maintain the tiered incentives with higher financial incentives for wider buffers

Science clearly confirms that one site potential tree height is needed to protect core ecosystem functions for salmon in a key part of the land/water interface. WCA agrees with SCC that the widest buffers should receive the highest financial incentives, and narrow buffers a smaller incentive (page 8 and 14). SCC may receive comments claiming that the first few feet are most valuable and should receive the greatest funding, but SCC needs to reward wider buffers that provide more benefits to salmon than narrow buffers provide. SCC should expand the program to include riparian plantings around ephemeral/intermittent streams as well (page 7). Additionally, SCC should work with other state and federal agencies to identify areas of important salmon habitat and provide additional incentives for landowners converting their land to healthy riparian buffer in those areas.

WCA also agrees with additional incentives proposed by SCC. Providing incentives to two participating landowners with adjacent land expands the contiguous riparian protection (page 8). This is valuable for consistent LWD inputs supporting anadromous fish habitat, and longer healthy riparian vegetation providing shade to reduce stream temperatures. Finally, the extra incentive for enrolling in a 15-year contract (page 8) ensures that ongoing maintenance of the riparian plantings, particularly woody vegetation that can provide ample shade for stream temperatures, is important for the long-term health of the instream habitat.

Expand selection criteria to weight support from Tribal Nations

We agree with the proposal to include programs that provide technical assistance, planning, and design to support private landowners and ensure the riparian buffers actually provide streams with adequate support for salmon habitat. We also agree that the program should encompass maintenance, including for riparian buffers that were already established outside of this program. Maintenance is often overlooked yet is critical to keep riparian buffers healthy and functioning and to engage private landowners in maintaining their riparian areas. Finally, we strongly support prioritizing streams on the Clean Water Act Section 303(d) list for temperature impairments (page 6), which helps to promote healthy riparian areas providing shade rather than reeds and low to the ground shrubs that don't provide shade. However, we urge you to add additional points for projects that are within

implementation areas of existing Total Maximum Daily Load Studies¹ conducted by the Department of Ecology.

Given that the source of funding stems from the Climate Commitment Act Natural Climate Solutions Account, SCC must maintain the requirement to prioritize actions that support environmental justice (page 6). We recognize this is currently a growth area for the entire SCC and urge you to seek out partnerships with other agencies that have been working toward environmental justice in grant programs for longer time periods, including Ecology's Public Participation Grants under the Model Toxics Control Act.

We recommend that SCC further emphasize Tribal Treaty Rights. One example is to add points for projects that receive letters of support from the Tribal Nation(s) with Treaty-reserved or Executive Order-designated resource lands in which the project occurs.

Monitoring is crucial to the transparency and success of the program

Annual monitoring of riparian projects will ensure "accountability for the public funds invested" as currently proposed (page 9). We stress that monitoring is crucial to its success and will help to update the program through adaptive management should this program continue.

~~~~~

Thank you again for the opportunity to comment on the draft Riparian Grant Program approach. If you have questions regarding these comments, please do not hesitate to contact us.

Sincerely,

Robinson Low

Habitat Policy Manager

Washington Conservation Action

<sup>1</sup> <https://ecology.wa.gov/water-shorelines/water-quality/water-improvement/total-maximum-daily-load-process/directory-of-improvement-projects> provides a directory of projects organized by counties.

December 28, 2023

Mr. James Thompson, Executive Director  
Washington State Conservation Commission  
P.O. Box 47721  
Olympia, WA 98504-7721

RE: WSCC Riparian Grant Program Guidelines

Dear Sir:

WDFW values its partnership with the WSCC and is strongly supportive of your agency's commitment to voluntary, incentive-based conservation. We believe that collectively we have an historic opportunity to measurably increase the pace and effectiveness of riparian restoration and salmon recovery, an increasingly urgent goal for so many. "Historic" because the investments the State Legislature and federal agencies are making in this work are unprecedented and "urgent" because our window of opportunity for salmon recovery and population stabilization is rapidly closing.

Given the importance of riparian ecosystem restoration and the amount of funding available, we believe this is an opportunity for the WSCC and its partners to think beyond the conservation status quo and consider more creative and ambitious approaches to incentivize riparian conservation and restoration at levels needed to truly achieve salmon recovery. Please consider these comments on your draft Riparian Grant Program Guidelines in this positive vein, one of shared opportunity that we wish to pursue with you, our other partners, and stakeholders.

1. **Washington State consensus around SPTH<sub>200</sub>.** The WSCC proposes to delineate "riparian areas" using a 100-year site-potential tree height (SPTH). WDFW recommends that riparian management areas be designated and managed out to a full SPTH at 200 years of age (SPTH<sub>200</sub>). Governor Inslee's stated policy is that riparian zones should be based on the height of trees that grow in the area; by citing WDFW's science, it is clear he is referring to SPTH<sub>200</sub>. This policy stance was also affirmed by the Governor in the Centennial Accords with tribes.

The best available science and WDFW riparian management recommendations call for riparian areas in forested habitats to be based on the height of old-growth trees at 200 years of age (SPTH<sub>200</sub>). This difference is meaningful; 100-year SPTH would not yield the full ecological function achieved by SPTH<sub>200</sub>. For example, a typical Douglas-fir that grows to 150 feet in 100 years will likely grow to 180 feet in 200 years; Douglas-fir trees will grow

20% to 40% taller between 100 and 200 years of age. Sizing riparian protections based on the 100-year SPTH will identify a narrower area, resulting in lower levels of riparian function and lower levels of compensation for landowners. We respectfully request you align your definition of riparian area by using SPTH<sub>200</sub> as the standard for riparian restoration condition and ecological functionality.

2. **To aid with site-specific riparian management zone (RMZ) delineation, WDFW created an internet-based mapping tool that reports recommended widths for RMZs based on SPTH<sub>200</sub>.** The tool also notes instances across the dryland ecoregion where a minimum 100-foot RMZ should be applied to support the pollution removal function (see #3 below). WSCC Riparian Grant Guidelines directs users to the WDFW online SPTH mapping tool (we applaud this), but because our tool only provides SPTH<sub>200</sub>, users will not be able to determine the extent of tiers 2 and 3. This will likely lead to frustration and confusion.

Lastly regarding the SPTH<sub>200</sub> standard, it seems more aligned with legislative intent of the WSCC riparian proviso. The riparian proviso in ESSB 5200 calls for alignment with best available science and coordination with WDFW in your efforts “to achieve optimal restoration of functioning riparian ecosystems.” In the Salmon Recovery Funding Board’s riparian proviso (which is also in ESSB 5200), the Legislature mentions restoring “fully functioning riparian ecosystems” – the same phrase WDFW uses to describe SPTH<sub>200</sub>. In the WDFW riparian proviso (ESSB 5187), the Legislature provided funds to evaluate vegetative gaps within “a science-based standard for a fully functioning riparian ecosystem” (i.e., SPTH<sub>200</sub>).

3. **As written, the WSCC Riparian Grant Program Guidelines can only be fully applied to Washington’s forested ecoregion as they lack a payment structure that pertains to the dryland ecoregion.** The draft grant payment tier structure relies on SPTH; however, a large portion of the state (the Columbia Plateau) has riparian zones that lack tall (>100 feet) trees and SPTH data (Quinn et al. 2020). In the WDFW Site-Potential Tree Height Mapping Tool, dryland ecosystems that lack SPTH values are shown in brown. As a result, the draft grant payment tier structure as proposed cannot be used in a large proportion of streams in the state beyond tier 1 (a narrow, fixed width buffer).

Dryland riparian ecosystems consist of water-dependent shrubs, sedges, grasses, and forbs adjacent to the stream where water flows periodically, and this riparian vegetation is clearly distinct from upland vegetation (such as sagebrush, bunchgrass, or prairie vegetation). As described in Rentz et al. 2020 (section 2.3.5), we recommend the following steps for delineating fully functioning RMZs in the dryland ecoregion:

- a. Where the area of riparian vegetation is greater than 100 feet wide (such as in a wetland or floodplain), then use its full extent to determine the RMZ width.

- b. Where the riparian vegetation is less than 100 feet wide, then extend the RMZ up to a total width of 100 feet (which will include some upland vegetation) for achieving ~95% pollution filtration.
  - c. In the parts of the dryland ecoregion where trees grow >100 feet tall (based on SPTH<sub>200</sub>), then use the SPTH<sub>200</sub> value to determine the width of the RMZ.
  - d. We recommend including in the Riparian Grant Program a secondary payment tier structure for the dryland ecoregion based on these RMZ delineation methods.
4. **The WSCC Riparian Grant Program Guidelines, Appendix A provides a list of Best Management Practices (BMPs) that are eligible for funding under the WSCC Riparian Grant Program.** We appreciate the thoughtful considerations that went into developing this list and the flexibility it provides for landowners to participate in the program. We've outlined three recommendations below for further incentivizing the planting of tall trees in the RMZ and expanding the list of eligible BMPs.
- a. WDFW's Riparian Ecosystems Volume 1 outlines five key ecological functions provided by riparian areas: bank stability, shade, pollution removal, contributions of detrital nutrients, and recruitment of large woody debris. In areas of the state that support tree growth, tall trees are an important habitat feature for providing shade and large woody debris to a stream system. To ensure projects funded under this grant program will "achieve optimal restoration of functioning riparian ecosystems," landowners should be incentivized to plant tall trees in the riparian management zone.

We are concerned that practices like Conservation Cover (NRCS code 327) and Hedgerow Planting (NRCS code 422) may not, on their own, support the establishment of tall trees. In areas that support tree growth, we recommend limiting the use of these practices to when they are done in conjunction with the establishment of trees. This change would not prohibit landowners from utilizing these BMPs, but it would ensure that grant funds are used to incentivize riparian projects that provide greater long-term function. This requirement should not be applied in dryland ecoregions that do not support trees.

- b. The SCC Riparian Grant Program can be further strengthened by structuring the tiered incentive program towards the planting of tall trees. Currently, the tiered program incentivizes "woody vegetation" that approaches the SPTH. We applaud this approach but note that the planting of small woody vegetation alone will not support the five functions needed in riparian areas. In areas that support tree growth, we recommend limiting the 15% per year incentive for enrolling in 15-year contracts to projects that support tree establishment. This change would not prohibit landowners from enrolling in

this grant program, but it would add additional incentives for the planting of tall trees.

- c. Finally, we recommend adding NRCS practice code 490 for Tree/Shrub Site Preparation to the list of eligible BMPs to allow applicants to prepare site for planting.

We appreciate your work on these draft Riparian Grant Program Guidelines and for including WDFW in your working group. We value the collaborative approach that went into developing these guidelines and appreciate that the BMP list includes practices that support habitat enhancement projects, like Structures for Wildlife and large woody debris structures that add value to riparian restoration efforts. We want to reemphasize that we believe this is an historic time, one of great opportunity for agencies such as WSCC and WDFW, and their other partners and stakeholders, to achieve great things. We are hopeful that working together we can achieve landowners' conservation and production goals while restoring and stabilizing salmon populations for future generations.

Sincerely,



Chuck Stambaugh-Bowey  
Acting Habitat Program Director  
Washington Department of Fish and Wildlife  
PO Box 43200, Olympia, WA 98504-3200



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

January 17, 2024

James Thompson, Executive Director  
Washington State Conservation Commission  
PO Box 47721  
Olympia, WA 98504-7721

RE: Riparian Grant Program Guidelines

Dear Director Thompson:

First, I would like to welcome you into your new role. I look forward to working with you in conserving and restoring our state waters. WSCC has been a critically important partner to us over the years in protecting habitat, improving water quality, and supporting agriculture. We look forward to this partnership strengthening under your leadership.

Given the importance of riparian ecosystem restoration and the amount of funding available, we believe this is a landmark opportunity that allows us to think beyond the status quo. We can consider new approaches to incentivize broader buffers founded in best-available science and designed to be climate resilient, meet water quality standards and support salmon recovery. The \$25 million in funding to your agency is a crucial next step identified in the first riparian roundtable efforts to support farmers in this important work.

We value our partnership with conservation districts across the state in supporting local agriculture and recognize the State Conservation Commission's role to implement voluntary, incentive-based programs. We also appreciate the huge undertaking involved to stand up a new riparian restoration grant program. As a state agency identified in the proviso with a coordinating role, our comments seek to identify ways to increase alignment across riparian restoration programs to leverage state dollars, provide certainty for water quality protection, and make it easier for project applicants to access multiple state funds.

We believe the draft guidelines should go further to incentivize riparian buffers that achieve the one site potential tree height (SPTH) width so that the SCC guidance aligns more closely with other state agencies funding this work. Doing so will ensure that the most protective buffers receive the best incentives. Fundamentally, we are concerned that the minimum buffer width required for incentive payment eligibility doesn't fully ensure meeting water quality standards. We recommend increasing the minimum buffer width so that conservation districts and landowners have regulatory certainty. We are confident that the minimum buffer widths in our Voluntary Clean Water Guidance for Agriculture guidance will achieve compliance with state water quality law.

Director James Thompson  
January 17, 2024  
Page 2

We recognize our grant programs will naturally vary, but aligning our respective riparian grant guidance for minimum buffer width and largest incentive for SPTH will provide the opportunity to combine grant funds, speed up the review of projects already deemed eligible under one program, leverage all available state dollars for riparian projects to help applicants, and ensure all of our state-funded riparian programs provide multiple habitat and water quality benefits statewide.

Attached are more specific comments to help. We hope that you will consider them as we collectively work towards our common salmon recovery, water quality, and climate resiliency goals.

Thank you in advance for your consideration. We stand ready to work with the SCC and other partners expeditiously so that the new grant funds can get out and on the ground for riparian restoration projects this spring.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vincent McGowan".

Vincent McGowan, PE  
Water Quality Program Manager

Enclosure



## Enclosure

We appreciate SCC's effort to develop a tiered grant program that provides greater incentives for landowners to restore wider forested riparian buffers. While we support the tiered incentive concept, we have concerns with how the program is ultimately structured, the minimum widths for the program, the lack of scientific basis for minimum width requirements, the tiered buffer incentive amounts, and the likelihood these guidelines would result in funding to projects that do not meet state and federal water quality laws.

The following are key aspects of program that we support:

- Requirement for native woody vegetation and trees.
- Tiered incentive payment concept.
- Inclusion of longer-term maintenance payments.

The following are key aspects of program where we request changes:

- Minimum riparian restoration requirements. State funding programs should have science-based minimums that support compliance with the state Water Pollution Control Act and the water quality standards under the Federal Clean Water Act. The SCC's current minimum widths for perennial and intermittent streams are insufficient to protect against excessive stream warming and do not fully protect water quality from other pollutants. Under the tiered incentive payment approach, landowners can receive significant incentive payments (\$300-\$1000 per acre for ten to twenty years) for projects that will not fully support meeting water quality standards. The overall grant program eligibility allows for even narrower widths.

We recommend that SCC use the [Riparian Areas and Surface Water Protection chapter<sup>1</sup>](#) of our recently completed Voluntary Clean Water Guidance for Agriculture to set width minimums for grant eligibility. Our guidance provides a strong scientific basis for setting minimums, and this would be a great opportunity to align our funding programs. We have used the guidance to set minimums for our grant program and as the basis for regulatory and compliance work. Having aligned minimums will help ensure we are getting buffers on the ground that protect water quality and support our state's nonpoint program. It will also avoid the situation where two Washington state resource agencies are sending different messages to landowners.

We also recommend removing the Hedgerow Planting Practice (422) from the list of eligible practices in Appendix A.

- 200-year site potential tree height (1 SPTH) buffers. On page seven of the guidelines, a cap on the tiered incentive payments is set at the 100-year Site Potential Tree Height (a reference to the 100-year SPTH is also included in the graphic on page eight). This may be a typo, as page twelve of the guidance points to the WDFW mapping tool that uses the 200-year SPTH. We recommend using the 200-year SPTH to align with the WDFW guidance and our guidance.

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<sup>1</sup> <https://apps.ecology.wa.gov/publications/parts/2010008part6.pdf>



- Aligning incentive payment rates. To the extent possible we recommend aligning our grant program's incentive/payment rates. We cannot support creating a riparian restoration grant program that pays more for narrower buffers that don't support meeting water quality standards, and have that program compete with other state programs that require wider buffers that will support meeting standards.

We recommend looking across all our programs and try to match levels of payment. Payments don't necessarily need to be the same, but we recommend striving to have similar payments for the same level of restoration. We recommend working with us, other natural resource agencies, and tribes, to set the payment structure in a way that is aligned and supportable by all our individual funding programs.

This year we introduced an ecosystem service payment incentive into our Water Quality funding program which is only available to those that implement a SPTH buffer. We have also been piloting a rental payment program in the Hangman Creek watershed that has resulted in positive participation and outcomes. Under these draft guidelines, it appears SCC would pay landowners more for a smaller buffer.

For example, Ecology's new ecosystem payment provides \$2,000 per acre. To qualify, a landowner must implement a 200-year SPTH buffer (default width of 215 feet in western WA and 150 feet in eastern WA) and must have a landowner agreement that remains effective for ten years. Over that same ten-year period, a landowner could receive \$10,000 per acre for implementing a 50' buffer under the proposed SCC guidelines. Given the higher per-acre incentives included in the proposed program, landowners will be eligible to receive larger incentives payments than our grant program for implementing narrower buffers that are too small to protect streams from excessive warming.

We recommend that incentive payments are reserved for projects that will achieve compliance with the water quality standards. To do that we recommend that the SCC draw from the Riparian Areas and Surface Water Protection chapter of our recently completed Voluntary Clean Water Guidance for Agriculture to set width minimums for grant eligibility. We have piloted this approach in the Hangman Creek watershed and have been successful in getting landowner participation with a larger minimum width than the one the SCC is currently proposing.

Last year, SCC and Ecology worked in close partnership and were successfully selected as the Climate Resilient Riparian Systems Leads for Puget Sound. This new federal funding program will also be used to fund riparian restoration and incentive payments to landowners. Ecology and SCC will begin developing joint guidelines for the new grant program in the spring and summer of 2024, with a commitment in the application materials to harmonizing our requirements with the Centennial/319 funding program. Consistency between agency guidelines will improve our ability to integrate this new funding into the state of Washington's approach to working with landowners.

- Reconsider how incentive rates are set. Setting incentive payment rates is challenging. Balancing fiscal responsibility with creating enticing enough incentives to secure participation requires a thoughtful approach. Working with the Spokane Conservation District, we have successfully piloted an approach which connects incentive payments to commodity rates. We think an approach like the Hangman Creek watershed example, that attempts to match incentive payments to the loss of potential income or value derived from the area buffered, strikes the right balance for setting incentive payment rates. That program has successfully implemented wider buffers than the minimum proposed under the SCC guidelines while paying a lower rate – one that was better matched to the loss in income.

Using median land value will result in more affluent areas receiving greater incentives while more rural counties/less affluent areas receive lower incentives. Also, median land value does not account for situations where land is currently used for income (e.g., agriculture). In many situations, the current payment structure will result in rural counties receiving lower incentives which may not account for income losses, while property owners in more affluent counties will receive greater incentives even if riparian restoration won't affect their property value or ability to generate income.

We recommend that the SCC reconsider the current approach that uses median land values, and instead use a commodity buffer or similar approach that ties incentive payments to loss of income. We also recommend creating a payment structure that avoids inherently providing greater incentives to more affluent counties.

- Increase incentives for achieving the 1 SPTH buffer width. The state's goal should be to structure funding programs in a way that implements the full 1 SPTH buffer (200-year) at more sites across the state. The current tier structure does not provide a higher incentive for reaching the full SPTH width. We recommend providing a bonus payment or structuring the tiered approach in a way that provides an increased incentive to projects that achieve the full SPTH width. Further, we recommend modifying the tiered payments to provide a greater differential between tiers, to provide a more meaningful incentive for wider buffers.

One approach would be to reduce incentive payment amounts for base payments (e.g., use a maximum of \$200 dollars or less) and then provide greater percentage increases as you achieve higher tier levels, providing a larger benefit for a larger buffer.

- We recommend removing the 1-acre minimum to participate (unless project spans multiple parcels) in the program. In some watersheds, it will be important to have options for small landowners or properties that lack extensive streamside areas.
- We recommend including a requirement that livestock must be excluded from riparian areas. The draft guidelines are not clear whether livestock must be excluded from the riparian buffer to be eligible for funding. We recommend clarifying that if livestock are present at the site, they must be excluded from the buffer. That would align this program with CREP and our funding programs.



- Riparian vegetation eligible for incentive payments. The current guidelines suggest that herbaceous vegetation may be planted in riparian areas once the woody vegetation minimum is implemented. We believe the program should only provide incentives for riparian restoration that includes native, woody vegetation.
- Project prioritization. To the bulleted list of plans on page 5 of the draft guidelines, we recommend adding Shoreline Master Program Restoration Plans, to also give preference to projects included or referenced in these plans.
- The current guidance for determining the base payment is difficult to reproduce. We attempted to follow the steps outlined to calculate the median land value for several counties and struggled to achieve consistent calculations. Some areas we struggled included:
  - The guidance does not specify which features of the NHD (flowlines) dataset to use for selecting parcels, how far from an NHD feature is considered "adjacent," or how to address null land values in the parcel data.
  - The parcel data is often incomplete and/or inaccurate. For example, some counties do not have any land use codes or include erroneous land values. Given the poor data quality and its reliability, we do not recommend using the parcel data for setting final reimbursement rates.

If the SCC decides on using median land values to establish incentive rates, we recommend the SCC calculate the base rates for all counties. This will ensure consistency across the state and limit the risk of error in applying the formula for establishing the base rate.

If establishing a loss of income model will be too difficult in the short term, another option would be to establish three, flat-rate incentive levels for the state (high, medium, and low - per acre land values), and keep the rates relatively close to one another; this would limit the disparity between more and less affluent counties. Each county could then be placed into one of those categories.

We also recommend including an option for landowners in low value/acre counties to increase their incentive level to medium or high based on whether the land is currently used as a source of income (e.g., crop production or livestock grazing). We believe these approaches better align with the concept of commodity buffers, reduce the disparity in incentives between more and less affluent counties, and would be simpler to administer and communicate program requirements.