



Strait Ecosystem Recovery Network Legislative Priorities and Example Actions for the 2022 Washington State Legislative Session

Legislative action on the [Strait Ecosystem Recovery Network](#) (Strait ERN) priorities and example actions in this document will benefit our ecosystem on North Olympic Peninsula along the Strait of Juan de Fuca and the life that calls this place home, including but not limited to humans and salmon.

To develop these Legislative Priorities and Example Actions, the [Strait Ecosystem Recovery Network](#) (Strait ERN) drew from both our well-vetted "[Agenda Topics](#)", presented to the Leadership Council on September 9, 2019, and our long list of Barriers, Gaps, and Needs (Table 6.0) from the [Strait Ecosystem Protection and Recovery Plan](#) (Strait Plan). These Legislative Priorities (*i.e.*, ID#s 1 through 9) and associated Example Actions (or principles) are sorted by topical area for convenience. They are not prioritized in any way.

Topic: Overarching Priorities

- 1. Ensure that Tribal Sovereignty, Treaty Rights, and the Tribe's role as co-managers of natural resources (*i.e.*, Boldt Decision) within Washington State are explicitly recognized, and that "Free, Prior, and Informed Consent" is well provided for when developing legislative actions.**
- 2. Ensure that the ecosystem services provided by rural areas, such as the North Olympic Peninsula, are appropriately recognized and valued when developing legislative actions for economic, shoreline and land use, natural resource, and climate change planning.**

Topic: Engaging rural economies to confront climate change

- 3. Start new markets that incentivize enhanced carbon sequestration.**

In rural areas, such as the North Olympic Peninsula, such markets could take advantage of the excellent carbon sequestration capabilities of our tree and kelp forests, while enhancing water and air quality, water and cultural resources, resilience to disturbances, habitat, and recreation.

Such markets should incorporate the following principles:

- a. Consider the full carbon budget of the forest ecosystems¹, including particularly carbon storage in forest soils, kelp forests, and blue carbon, as well as the full suite of ecosystem services mentioned above.
- b. Consider the opportunity for enhanced carbon sequestration and a host of other values on our state-managed forest lands to generate income that supports funding enhanced employment in our forests, schools, fire districts, governments, and other taxing districts.

¹ [Pacific Northwest forests can sequester vast amounts of carbon](#), but [current management practices in some areas do not provide this ecosystem service](#).

- c. Management for carbon sequestration and other ecosystem values should be developed jointly by Tribes and state agencies and guided by Best Available Science, including research that is comprehensive, current, and independently conducted.²

4. Distinguish rural from urban needs and solutions to ensure rural areas, such as the North Olympic Peninsula, are not unfairly harmed or forced into wasteful, counterproductive measures.

Example actions:

- a. Ensure that State regulations do not disincentivize new development inside urbanized areas within rural geographies, like on the North Olympic Peninsula.

For example, pollutant standards (e.g., for stormwater discharge) and land use policies do not effectively incentivize walkable neighborhoods with affordable housing in rural geographies with smaller cities, and instead allow suburban sprawl, resulting in numerous environmental harms. While effective stormwater and land use management is an ongoing need, development within smaller rural cities, as well as Urban Growth Areas (UGAs) and Local Areas of More Intense Rural Development (LAMIRDs), should be made easier and well incentivized.

- b. Mitigate potentially unequal impacts of statewide climate policies on rural communities and on workers within impacted industries.

For example, rural transit provides lifeline services over long distances to remote communities. Some routes only serve a community a few times a day and thus bus frequency is often a significant mobility limitation. The transportation sector needs to be electrified, but current electric vehicle technology is more expensive, and without additional resources the electrification process could cause rural transit agencies to reduce bus frequency in order to afford zero-emission buses. Reducing bus frequency would likely increase reliance on older GHG-emitting automobiles, or decreased mobility for remote communities. The legislature should support transportation system-wide reductions in GHG emissions and ensure that transitioning public transit to zero-emissions will not reduce rural transit service.³ Additionally, the legislature should phase in requirements that transit agencies measure and set goals for the reduction of community-wide transportation emissions through transit.

Topic: Local On-Site Septic Programs

5. Establish stable funding sources to fully implement local ongoing On-Site Septic Programs, particularly in rural areas with shellfish resources such as the North Olympic Peninsula.

Example actions:

- a. Ensure that property fees fully cover the cost of on-site septic management programs within rural areas, while taking hardship situations into account.

For example, while homeowners should not be absolved of the responsibility to maintain their

² We are concerned that the state is not benefiting from comprehensive, current, and independent research. For example, HB 2528, "[Recognizing the contributions of the state's forest products sector as part of the state's global climate response](#)," passed into law in 2020, creates a framework for the state to reward the timber industry for climate services, based on industry-backed research that has been refuted in a letter signed by 200 independent scientists (see [scientists' June 2020 letter to the U.S. Congress](#)).

³ Consider these examples from the [Center for Applied Transect Studies](#) and their [SmartCode](#).

on-site septic systems, legislation, policy, and stable funding is needed for residents of rural counties who are of low-income, to address their failing septic systems. Low interest loans and cost-share programs for this purpose, while helpful for homeowners within rural counties, are often insufficient. One possible solution might be to require subsidized utility rates to help low-income homeowners repair their septic systems or connect to sewer infrastructure.

- b. Ensure stable long-term funding for Pollution Identification and Correction (PIC) work by providing direct funding to local health jurisdictions using a standardized project template. Grant programs for this work are inherently inefficient.

Topic: Local Water Resource Management

6. Enhance local water resource management programs and rules

Example action:

- a. Update water law and policies to address existing and future water shortages that impact communities' and ecosystems' ability to adapt to changing climate and human population increases.

For example, proponents of exempt wells should not be allowed to “jump the line” to access water, as this leads to even greater appropriation of already over-allocated water resources and infringement on senior water rights.

Topic: Local Shoreline and Land Use Management

7. Enhance ongoing implementation of local Shoreline and Land Use Management Protection, and Incentive Programs and Plans

Example actions:

- a. Improve the single-family residence sections of the Shoreline Management (SMA) and Growth Management Acts (GMA) and provide additional incentives to better protect and restore marine and freshwater shorelines and to prepare for climate change (e.g., sea level rise, increased frequency and intensity of storms, altered hydrology, population influx from climate-refugees, etc.). Shoreline permitting for single family residences was not designed to minimize cumulative effects within drift cells and along rivers/streams reaches, as well as the compounding effects of actions by adjacent landowners on overall shoreline function.

Specific improvements include, but may not be limited to:

- Increased setbacks for structures;
 - Prevention and removal of hard armoring⁴;
 - Tree and vegetation retention within marine and freshwater riparian areas;
 - Relocation or alternatives to single on-site septic systems (e.g., community systems);
 - Shoreline restoration (e.g., soft shore armoring alternatives; revegetation within marine and freshwater riparian areas, removal of fill and sediment-blocking structures, easier and more efficient permitting, etc.);
 - Shore friendly maintenance practices;
 - Enhanced enforcement of SMA and GMA requirements.
- b. Enhance permanent conservation of private lands to protect and restore the environment for the public good;

- c. Effectively prevent development within major river estuaries, “pocket” estuaries, and floodplains;
- d. Remove small forest landowner riparian exemptions from Hydraulic Code Permits;
- e. Prevent construction of new capital facilities in Coastal Management Zones, except public infrastructure that cannot be built elsewhere, such as wastewater treatment plants and stormwater facilities within urban areas;
- f. Allow for the modification of emergency construction permits to effectively mitigate damage to the ecosystem.

Topic: Oil Spill Prevention, Preparedness, and Response

8. **Enhance and support improvements to regional, Tribal, and local oil spill preparedness, prevention, and response** - The Strait ERN [geography](#) in relation to oil spill risk is unique. Much of our region is relatively remote with limited local infrastructure and resources, and weather and ocean conditions can be extreme. We have significant intact marine and coastal habitat and a community that is deeply reliant upon our natural resources. We also have significant maritime oil transportation infrastructure in Port Angeles, and all transboundary vessel traffic transits through the Straits geography. Member governments and organizations of the Strait ERN are extremely concerned about the increase in shipping of oil products through the Strait of Juan de Fuca and the direct and significant harm to our communities and natural resources that would result from an oil spill. We hope to see legislation that reflects the unique circumstances of the Straits ERN geography in relation to oil spill risk and supports remote local and Tribal communities in developing response capacity, planning resources, and funding to participate in the regional planning efforts.

Example actions:

- a. Support participation by Tribal governments, local governments, and a coalition of local organizations, such as the Strait ERN, as members, in appropriate regional oil spill prevention, preparedness, and response planning efforts.
- b. Expand Washington Department of Ecology’s equipment and training program to include planning and capacity building dollars, as well as support mechanisms, to routinely test and improve local government preparedness and response plans.

Topic: 2022 Capital Funding that will help advance the work of the Strait ERN

9. **Enhance capital funding for habitat protection and restoration projects and clean water programs, as well as transportation improvements that benefit habitat and lead to zero emissions** – We support enhanced funding for capital projects and programs during the 2022 Legislative Session, referring back to our [March 9, 2021 letter](#) to our 24th District Legislators.

⁴ Consider the recent article “[Is shoreline armoring becoming a relic of the past?](#)”