

Mitigation that Works

The Challenge

Nationwide, studies have consistently found that wetland mitigation fails roughly 50 percent of the time because of factors such as poor site selection, bad design, and lack of compliance. Furthermore, there is often dissatisfaction with the permit process itself, leading at times to complex and costly delays. This is often due in part to the number of regulatory agencies involved in permitting wetland mitigation. In Washington State millions is spent every year on wetland mitigation stemming from development and yet Washington has a similarly low mitigation failure rate, placing the state far from its goal of no-net loss of wetlands.

Healthy wetlands and streams are essential to maintaining and restoring Puget Sound and other state waterbodies. Wetlands are important from an ecological health perspective because they filter drinking water, hold flood waters, recharge groundwater, and provide fish and wildlife habitat and recreation opportunities, all of which are essential to Soundwide ecological functions. Wetlands are also an important component of maintaining a vibrant economy. For example, according to the Department of Ecology, flood managers, economists, and water suppliers are finding it costs less to maintain existing wetlands than invest in human-engineered solutions to purify our water and protect Washington State from floods.

Improving mitigation success rates can be a helpful way to achieve restoration goals. In 2007, the Department of Ecology convened stakeholder representatives from Washington land trusts, non-profit organizations, business and developer associations, and federal, state and local agencies to create the Mitigation that Works Forum. The Forum was charged with developing and agreeing upon a shared vision for successful mitigation and identifying practical actions to improve all aspects of mitigation. In concert with the recommendations of the Forum, the Department of Ecology has set a goal to improve mitigation from 50 to 100 percent environmental success in a way that provides more predictability for permit applicants. The Partnership participated in the Mitigation That Works Forum, and endorses the group's recommendations to identify practical actions that can be taken to make all aspects of environmental mitigation work better.

Relationship to Recovery Targets

The 2020 recovery targets most associated with improved environmental mitigation include summer stream flows, insects in small streams, wild Chinook salmon abundance, and freshwater quality.

A7. Increase the success rate of mitigation projects to achieve, at a minimum, no-net-loss of ecosystem function on a watershed scale.

- A7.1 Reinforce the importance of avoiding and minimizing impacts to resources, particularly those with high ecological value and that are difficult to replace. Develop and implement updated avoidance and minimization guidance consistent with the ecosystem protection decision-making framework described in A1.2.**

Near-Term Actions

No near-term actions were identified.

- A7.2 Establish and implement a watershed-based approach to mitigation.**

This sub-strategy includes, but is not limited to:

- a. clarifying policy priorities and expectations focusing the Action Agenda-based watershed assessments described in A1.3;
- b. using existing plans as an inventory of potential sites and projects that might be candidates for mitigation;
- c. maintaining a state-wide wetlands inventory;
- d. developing guidance on how to make site-scale decisions about off-site mitigation; and
- e. directing Ecology and the Army Corps of Engineers to identify criteria for which projects/sites or types of projects/sites may be eligible for consideration as mitigation for wetland, stream, shoreline, and nearshore impacts.

Near-Term Actions

No near-term actions were identified.

- A7.3 Support the development and piloting of innovative compensatory mitigation tools including market-based techniques and other approaches.**

This sub-strategy includes, but is not limited to:

- a. improving the wetland banking system through training. When an In Lieu Fee (ILF) Program is approved conduct training;
- b. developing guidance on crediting for multi-resource conservation banks;
- c. developing a pilot in-lieu-fee mitigation program and expanding it if successful; and
- d. developing clear guidance for mitigation.

- e. Finalizing the development and adoption of pilot in-lieu-fee mitigation programs in Pierce and Thurston Counties and in the Hood Canal.
- f. Ensuring mitigation mitigation banks, in lieu fee program sites, and advance mitigation sites are located consistent with the Soundwide restoration priorities

Near-Term Actions

No near-term actions identified.

A7.4 Improve effectiveness monitoring programs for mitigation sites.

This sub-strategy includes, but is not limited to, standardizing monitoring protocols for measuring effectiveness and supporting local governments with training and assistance. All types of mitigation (compensation) must be held to the same standard of success. This includes Permittee-Responsible mitigation and Third-Party-Responsible mitigation (i.e., banking and ILF).

Near-Term Actions

No near-term actions were identified.