



PLAUCHÉ
& CARR^{LLP}

Riparian Task Force: February 2025 Executive Summary

Pursuant to Section 116(4), Chapter 376, Laws of 2024

February 2025

Background

Many riparian areas across Washington state are deeply compromised in their capacity to provide essential ecological functions that support salmon and steelhead populations. In 2022, recognizing these degraded conditions, the Washington Legislature directed a Task Force to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery. The Legislature was specifically interested in (I) ideas for improvements to land use planning and development that ensure the protection and recovery of salmon; (II) standards to protect areas adjacent to streams and rivers; (III) standards to restore areas adjacent to streams and rivers; (IV) financial incentives for landowners to protect and restore streamside habitat; (V) ways to improve salmon recovery program coordination among state agencies; and (VI) additional changes when voluntary measures and financial incentives do not achieve streamside protection and restoration. The Task Force effort resulted in three final reports that can be found on OFM's website:

- [2022 Analysis of the Effectiveness of Existing Programs](#)
- [2022 Riparian Task Force Final Report](#)
- [June 2024 Riparian Task Force Final Report and Recommendations](#) (June 2024 Final Recommendations)

In July 2024, the Washington Governor's Office contracted with Plauché & Carr LLP (Plauché & Carr or the Facilitation Team) to reconvene the Riparian Task Force to develop proposals for implementing the June 2024 Final Recommendations.¹ The Facilitation Team provided an [initial report in November of 2024, which was updated in February 2025](#) to include the addendum that was referenced in the initial report. This Executive Summary accompanies the updated report and includes a compilation of Final Recommendations and Implementation Proposals.

The Facilitation Team's Recommendations and Implementation Proposals reflect four overall themes from the Task Force discussions:

- (1) Protect existing, functioning riparian habitat;
- (2) Restore degraded riparian areas through an enhanced voluntary incentive program;
- (3) Develop a companion compensation or regulatory approach that will come into effect if voluntary programs do not meet restoration goals; and

¹ The Governor's Office entered into this agreement with Plauché & Carr LLP pursuant to funding made available in ESSB 5950 Sec. 116(4) (2024). This effort built on prior Riparian Task Force discussions that were funded through separate budget provisos in 2022 and 2023.

(4) Continue significant funding for existing programs, with new funding for enhanced voluntary programs while Recommendations 1–3 are being developed.

These four recommendations are integrated and designed to work together to provide a holistic approach to restoring riparian habitat for salmon and steelhead. Individual recommendations will not work as effectively, or work at all, without the implementation of other recommendations.

Recommendation 1: Protect Existing, Functioning Riparian Areas

Recommendation 1 ensures that existing riparian habitat is protected against further loss as required by Washington’s Growth Management Act (in particular, local Critical Areas Ordinances) and Shoreline Management Act. The Washington Department of Fish and Wildlife’s *Riparian Ecosystems Volume 1: Science Synthesis and Management Implications (2020)* (WDFW *Riparian Ecosystems Vol. 1*) provides a synthesis of science around riparian ecosystem function that is critical to understanding how existing riparian habitat function is protected. A primary objective of Recommendation 1 is to provide technical assistance to local governments in using the WDFW *Riparian Ecosystems Vol. 1* to ensure existing riparian habitats are protected.

In addition to ensuring local government regulations protect existing riparian habitat, Task Force discussions and site visits made clear that local governments face a variety of challenges in enforcing those regulations. Recommendation 1 also includes a variety of alternative enforcement measures that should be evaluated as strategies to help ensure the protection of existing riparian habitat.

Recommendation 2: Restore Degraded Habitat Using a Watershed-based Approach

The requirement under existing law to protect existing riparian habitat is intended to achieve “no net loss” of riparian habitat function. The Washington Academy of Sciences has recognized that the no net loss standard has not been an effective tool for achieving functioning ecosystems. *Assessment of No Net Loss and Recommendations for Net Ecological Gain Metrics, Indicators and Monitoring*, Washington Academy of Sciences (June 2022). To address this deficit, Recommendations 2 and 3 and their respective implementation proposals focus on restoring currently degraded riparian habitats.

Throughout these Riparian Task Force discussions, participants have emphasized the urgent need for a bold increase in funding for voluntary efforts to protect and restore riparian habitat. According to the Governor’s Salmon Recovery Office’s 2022 State of Salmon in Watersheds Report, 10 out of the 14 species population groups listed as threatened or endangered under the federal Endangered Species Act are not keeping pace with recovery goals or are in crisis. Of the several challenges facing salmon recovery, insufficient funding is a fundamental reason for the lack of progress. Only \$1.6 billion of the \$4.7 billion in capital

costs identified in 2014 as needed to implement regional salmon recovery plans by 2019 has been received – a deficit of over \$3 billion.

Task Force participants recognized that restoring fish populations is critical to respecting and honoring Tribal Treaty rights, including treaty fishing rights. Salmon are integral to Tribes' culture, economy, spirituality, and identity, and the steep reduction in salmon populations has had dramatic impacts in all of these areas. Treaty Tribes are co-managers of salmon resources with the state and federal governments, and Tribes are leaders and active participants in salmon recovery efforts, including riparian restoration and protection. Tribes form partnerships with numerous non-native entities and individual landowners to make these essential goals possible.

Task Force participants also recognized the importance to Washington state of both agricultural viability and the “culture” of agriculture in farming communities. Farmers are essential stewards of riparian habitat across Washington, and many farmlands support salmon and steelhead habitat and provide unique opportunities for its protection and restoration. Farmers face multiple threats, from increased development pressure, significant increases in land costs, environmental threats from climate change, and a decrease in the numbers of farmers statewide. When agricultural lands are sold and converted to other uses, habitat is frequently lost. Ensuring agricultural viability and supporting farming culture will help to protect riparian corridors from further degradation.

Recommendation 2 is designed to accelerate restoration of riparian habitat by building on existing watershed-based efforts and the expertise of local stewards, creating a program that restores and protects riparian habitat while maintaining agricultural viability. Under Recommendation 2, significant additional funding would be available for riparian restoration projects that are included in riparian restoration strategies focusing on the needs of a given watershed. Watershed groups developing these strategies would monitor progress towards a set of riparian restoration and protection goals that are structured to facilitate regional and statewide assessment of plan implementation. In some watersheds, these riparian restoration strategies may currently exist. In others, they can be developed relatively easily through existing planning efforts. In some watersheds, these strategies may need to be developed through a new process.

Recommendation 3: A Regulatory or Compensation Program if Voluntary Programs are not Achieving Restoration Goals

The 2023 Riparian Task Force budget proviso required the Riparian Task Force to recommend regulatory or compensation strategies that will come into effect if the riparian restoration targets are not met. The Facilitation Team lays out a variety of potential implementation proposals in Recommendation 3, but agreement on one or more of them continues to be the Task Force's most difficult charge. This difficulty arises from the fact that regulatory and compensation strategies implicate multiple and sometimes contradictory legal regimes.

Some of the Task Force participants representing agriculture interests have indicated that they will not agree to any mandatory regulatory or compensation strategy. However, other Task Force participants, including those representing local governments, Tribes, agriculture, and state agencies, have made significant progress in identifying and analyzing potential compensation and regulatory strategies. Over the remaining months of the current Task Force effort, the Task Force will continue working with the Facilitation Team to identify an appropriate regulatory or compensation strategy or strategies.

Recommendation 4: Continued Funding for Existing Programs, with Significant New Funding for Enhanced Voluntary Programs

Recommendation 4 is intended to ensure that ongoing riparian habitat improvement efforts continue while Recommendations 1 through 3 are refined and implemented. The riparian restoration programs being developed by the State Conservation Commission and the Recreation and Conservation Office, initially funded in the 2023--25 biennium, should continue to receive significant funding. It is critical that those programs consider some of the provisions included in Recommendation 2 that ensure restoration strategies are consistent with current science around riparian habitat values and better address the needs of landowners. In addition, funding levels for other state programs supporting riparian restoration and protection and salmon recovery should be maintained or increased.

Because the 2024 Riparian Task Force budget proviso funds these efforts through the end of the 2023--25 biennium, the Facilitation Team will continue to work with Task Force participants and interested state legislators until June 30, 2025. Task Force members have also expressed a desire to continue this collaborative effort beyond June 30, 2025, and are working with the Facilitation Team to construct a vision for that ongoing engagement.



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Riparian Task Force: Recommendations and Implementation Proposals

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Introduction

The Plauché & Carr LLP facilitation team has prepared this document to highlight its final recommendations and implementation proposals coming out of the Riparian Task Force discussions from 2022 through January of 2025. Additional detail regarding the bases for these recommendations and implementation measures can be found in Plauché & Carr LLP's [November 2024 Report with February 2025 Addendum](#). The Riparian Task Force is continuing to discuss a strategy for Recommendation 3 regarding a compensation or regulatory strategy that would come into effect if voluntary programs do not meet established watershed restoration targets. Plauché & Carr LLP anticipates a final recommendation with regard to a regulatory or compensation approach in June of 2025, at the conclusion of the current phase of Task Force meetings.

Recommendation 1: Protect Existing, Functioning Riparian Areas (Text and Implementation proposals)

Protect existing healthy, high-quality riparian areas, and where the riparian area does not meet the Washington State Department of Fish and Wildlife *Riparian Ecosystems Volume 1: Science Synthesis and Management Implications* (2020) (WDFW Riparian Ecosystems Vol. 1) for fully functioning riparian areas but provides some level of riparian ecosystem function, ensure that the current level of riparian ecosystem function is not degraded. Ensure that local government land use regulations protect existing riparian ecosystem functions in accordance with the WDFW Riparian Ecosystems Vol. 1 and the guidance developed in Recommendation 1.2. When reviewing land use applications for new development, or a redevelopment of currently developed land, including redevelopment that involves a change in use (for example, a change from agriculture use to residential use), local governments should delineate and protect existing, functioning Riparian Management Zones as set forth in the WDFW Riparian Ecosystems Vol. 1 and the guidance developed in Recommendation 1.2.

1.1. Provide sufficient funding to local governments, WDFW, the Washington Department of Commerce (Commerce), the Washington Department of Agriculture (WSDA), the Washington Department of Ecology (Ecology), the Washington State Conservation Commission (SCC), and the Puget Sound Partnership (PSP) to carry out all of the actions required in Recommendation 1.

1.2. Require WDFW to coordinate with PSP, Commerce, WSDA, Ecology, SCC, and the Governor's Salmon Recovery Office (GSRO) to develop guidance, in collaboration with local government representatives and federally recognized Tribes, for protecting existing riparian ecosystem functions in accordance with the WDFW Riparian Ecosystems Vol. 1. The guidance developed pursuant to this recommendation shall also consider *Riparian Ecosystems, Volume 2: Management Recommendations* (2020) (Riparian Ecosystems Vol. 2), and should include, without limitation, technical recommendations regarding common permitted activities; protecting existing riparian ecosystem function; providing some form of notification on title of the existence of protected riparian habitat areas; ensuring no loss of riparian ecosystem

function even when issuing exemptions, variances, and reasonable use exceptions; where avoidance of impacts to riparian ecosystem function is not possible, minimization and compensation for those impacts through mitigation strategies; and strategies to ensure enforcement/compliance.

Implementation proposal:

- *Ecology and Commerce should be the lead agency authors of the guidance contemplated in this section, in collaboration with local government representatives and federally recognized Tribes, and in coordination with PSP, WDFW, WSDA, SCC, and GSRO.*

1.3. State agencies, including WDFW, Commerce, WSDA, SCC, and Ecology, shall work together to provide technical assistance to local governments with regard to the WDFW Riparian Ecosystems Vol. 1, including assistance with identifying and applying for grant opportunities to facilitate protecting existing riparian ecosystem function. Such technical assistance can include, for example, resources to support workshops or other opportunities for education and information sharing on strategies and approaches for effective implementation of the WDFW Riparian Ecosystems Vol. 1 and discussions of other local regulatory controls that may present barriers to effective implementation of the WDFW Riparian Ecosystems Vol. 1. This technical assistance should incorporate the guidance developed pursuant to Recommendation 1.2, once that guidance is developed.

Implementation proposals:

- *State agencies implementing the technical assistance program in Recommendation 1.3 should reference [Ecology's Wetland Program](#) as an analogue for that effort.*
- *WDFW and Ecology should implement the technical assistance contemplated in Recommendation 1.3 immediately through workshops and direct interaction with local government staff. That technical assistance should not wait until the guidance contemplated in Recommendation 1.2 is completed.*

1.4. Set a target date, subject to the provision of sufficient funding, by which local governments must protect existing riparian ecosystem functions in accordance with the guidance developed pursuant to Recommendation 1.2.

Implementation proposal:

- *The statutory timelines in RCW 90.58.080 and RCW 36.70A.130 should be used as the target timelines for full implementation of Recommendation 1, PROVIDED THAT immediate technical assistance, as contemplated in Recommendation 1.3, will be available to local governments and that local governments will continue to be adequately funded to meet the statutory timeframes for their periodic reviews under both the GMA and SMA.*

1.5. Provide limitations on appeals, consistent with due process rights, for local government legislative actions that incorporate the guidance developed pursuant to Recommendation 1.2.

Implementation proposal:

- *Adopt a process under the Growth Management Act and Shoreline Management Act, modeled on RCW 36.70A.096 related to the greenhouse gas sub-element of its GMA Comprehensive Plan, that provides an optional state approval and appeal process for local governments adopting new riparian habitat protections pursuant to Recommendation 1.*

1.6. Provide local governments adequate, dedicated funding for enhancing landowners voluntarily coming into compliance with local land use regulations, compliance monitoring and enforcement of protections of existing riparian habitat.

Implementation proposals:

- *A portion of the funding contemplated in Recommendation 1.6 should be used to explore alternatives to the court system that could serve as a reviewing body for riparian enforcement actions, potentially starting with a limited pilot program through an existing, quasi-judicial environmental or land use hearings board (e.g., Growth Management Hearings Board, Pollution Control Hearings Board, or Shorelines Hearings Board).*
- *Metrics such as riparian or shoreline permitting load in the jurisdiction, miles of riparian areas within the jurisdiction, and/or degree of riparian impact should be considered in allocating the funding contemplated in Recommendation 1.6 among local jurisdictions.*

1.7. Provide sufficient funding to conduct a targeted evaluation of the effectiveness of existing compliance and enforcement processes for riparian-related regulatory programs under the SMA and locally implemented GMA critical areas protections as well as funding to implement recommendations that stem from the evaluation.

- 1.7.1. The evaluation should identify existing compliance and enforcement procedures, authorities, and structures; evaluate whether existing local government code enforcement authorities are sufficient to meet needs; determine which aspects of enforcement and compliance approaches are effective at assessing and achieving compliance (e.g., monetary penalties for noncompliance and other tools that spur voluntary compliance); identify any barriers (e.g., lack of capacity, lack of clear delineation of responsibilities, cost of litigation, lack of judicial resources, reluctance of prosecutors and courts to support local code enforcement); and make recommendations for improvement. Consider how current compliance monitoring and enforcement such as the Washington State Department of Natural Resources' efforts to monitor compliance with Forest Practices Rules and enforcement-related

changes to the Hydraulic Code pursuant to HB 1579 (2019) could be adapted for application in other programs as appropriate.

- 1.7.2. This evaluation should build on Ecology's ongoing efforts to develop a compliance program under the SMA, ensuring that the program considers the WDFW Riparian Ecosystems Vol. 1, the recommendations in Riparian Ecosystem Vol. 2 regarding implementation monitoring and adaptive management to improve the implementation feedback loop for Shoreline Master Programs ("SMPs") and the SMP Guidelines, and the guidance developed pursuant to Recommendation 1.2 once that guidance is complete.

Implementation proposal:

- *In addition to the current items to be covered in the evaluation in Recommendation 1.7.1, evaluate the following:*
 - *Additional staff/capacity for the Washington Attorney General's Office to either assist local governments in local enforcement actions or to supplement local government enforcement actions with state-specific enforcement authority in riparian areas.*
 - *Granting citizens a private right of action to enforce local regulations, including in that evaluation consideration of the potential for abuse of such a right of action.*

1.8. WDFW, Ecology, Commerce, and PSP shall work collaboratively with Tribes and local governments to develop alternatives to permittee-responsible riparian mitigation to offset unavoidable impacts to riparian functions caused by existing and future uses and developments. Such alternative mitigation strategies include, without limitation, mitigation banking, payment of fees in lieu of mitigation, or a riparian habitat crediting program. Such strategies shall be dedicated to mitigation/restoration projects in the same watershed as the impacts and shall be consistent with the prioritization in the watershed-based riparian implementation strategies developed under Recommendation 2, below.

Implementation proposals:

- *Recommendation 1.8 should be implemented as part of the implementation of Recommendation 1.2. The following considerations should be taken into account in the development of the 1.2 guidance:*
 - *Develop a crediting framework to measure riparian impacts and benefits.*
 - *Develop riparian mitigation guidance similar to the detailed [guidance](#) for wetland mitigation, Ecology's wetland [rating system](#), and Ecology's wetland avoidance and minimization [guidance](#) and [checklists](#) to protect riparian functions.*

- *Clarify what constitutes an “unavoidable” impact and steps that an applicant must take to demonstrate that an impact cannot be avoided or minimized under the mitigation sequencing framework.*
- *Ensure that riparian mitigation banks are strategically located to avoid unintended conflicts with other uses, such as prime agricultural areas.*
- *Consider existing policy or legal restrictions on the use of voluntary riparian restoration funds to conduct compensatory mitigation actions.*

Recommendation 2: Restore Degraded Habitat Using a Watershed-based Approach (Text and Implementation proposals)

To restore and conserve riparian areas, establish and ensure sufficient funding for a watershed-based riparian implementation program (Program) focused on improving and protecting riparian habitat for salmon and steelhead recovery that builds on existing and ongoing watershed restoration and salmon recovery efforts and establishes firm, readily measurable outcomes.

2.1. The Program shall:

2.1.1. Utilize and build upon existing salmon recovery, watershed planning, and Voluntary Stewardship Program riparian restoration and conservation efforts.

2.1.2. Expand or combine existing watershed-based groups, or establish new groups as needed, to include federally recognized Tribes with treaty rights to fish in the watershed; counties, cities, and other local government entities within the watershed; agricultural producers within the watershed; commercial and recreational fishing organizations; business organizations; salmon recovery organizations; forestry and agriculture organizations; and environmental and conservation organizations. State agencies may also participate in the watershed-based group at the invitation of the watershed-based group or if they are an existing member of a watershed-based group that is expanded or combined to implement the Program.

Implementation proposal:

- *Watersheds should have flexibility regarding which existing watershed-based group or groups take(s) the lead on developing the watershed-based strategy in each watershed.*

2.1.3. Sufficiently fund planning, implementation, and monitoring of the riparian restoration strategies and projects that result from the efforts outlined below, while prioritizing near-term funding for riparian restoration and acquisition projects identified as priorities in already adopted watershed-level plans.

Implementation proposals:

- *Funding under Recommendation 2.1.3 should include funds for technical and facilitation contractor support in watersheds where those services are needed.*

- *Award funding for the riparian restoration projects resulting from the Program through a solicitation of Requests for Proposals where feasible.*
 - *Include the following as minimum requirements for consideration of funding:*
 - *The project must be included in a riparian watershed-based implementation strategy adopted by representatives of the groups set forth in Recommendation 2.1.2. The strategy must identify priority riparian restoration and protection actions at the reach or project level and have established specific targeted outcomes for riparian restoration and protection in the watershed as set forth in Recommendation 2.2.10.*
 - *Include the following as factors in the scoring of projects being considered for funding. These are consistent with Recommendations 2.2.2 to 2.2.7.*
 - *Prioritize projects that achieve restoration of the full Riparian Management Zone (RMZ), as defined by WDFW. If a project does not achieve restoration of the full RMZ, project proponents must provide a valid reason why restoration of the full RMZ is not achievable, and a scientific justification for how the project optimizes riparian habitat benefits, based on technical and scientific expertise (Recommendations 2.2.2 – 2.2.4).*
 - *Prioritize restoration and protection activities in reaches of streams that Ecology has included in its list of impaired waters in its Clean Water Act Section 305(b) Report (Recommendation 2.2.5).*
 - *Prioritize projects that provide connectivity between areas of riparian habitat providing high levels of functionality (Recommendation 2.2.6).*
 - *Prioritize fish-bearing waters and non-fish-bearing waters that have a significant nexus to salmon and steelhead recovery (Recommendation 2.2.7).*
 - *For projects that will impact agricultural lands or production, prioritize multi-benefit projects that include components that support the viability of agriculture within the watershed (Recommendations 2.2.9 and 2.3.4).*

- *Make higher landowner payments available that, where feasible, align with market rental rates and commodity pricing, particularly for landowners that install riparian restoration and protection at larger widths and for landowners where a project provides connectivity for key stream segments (Recommendation 2.3.2).*
- *Require project sponsors receiving funding to report to the watershed-based group the project's contribution towards the targeted outcomes set forth in Recommendation 2.2.10.*

2.1.4. Use decision making processes that foster and support collaborative and cooperative planning to meet salmon and steelhead recovery goals while maintaining the viability of the agriculture industry.

2.2. Each lead entity, existing watershed-based group that is not a lead entity, or newly formed watershed-based group shall adopt or amend an existing riparian watershed-based implementation strategy, or develop and adopt a new watershed-based riparian implementation strategy, that identifies and prioritizes specific riparian restoration and protection projects within the watershed that support salmon and steelhead protection and recovery. The watershed-based riparian implementation strategies shall:

2.2.1. Be based upon existing regional or watershed-scale plans or processes such as the regional recovery plans created under RCW 77.85.090; watershed-scale recovery plans and habitat project lists developed pursuant to RCW 77.85.050; the action agenda developed under RCW 90.71.260; Voluntary Stewardship Work plans created pursuant to RCW 36.70A.705; Total Maximum Daily Load water quality improvement plans developed pursuant the Section 303(d) of the federal Clean Water Act; and watershed health plans developed pursuant to chapter 90.82 RCW. If a plan has already been adopted pursuant to one of these authorities, and that plan identifies and prioritizes riparian restoration and acquisition projects, near term funding should be directed in the first instance towards implementation of those projects.

Implementation proposal:

- *If a plan or process identified in Recommendation 2.2.1 has already identified riparian restoration and protection priorities at either the reach or project level, watershed-based groups should be permitted to rely on those existing plans' prioritization of riparian restoration and protection actions. Watershed-based groups should still be required to address other applicable portions of Recommendation 2, including establishing targeted outcomes for riparian restoration and protection and monitor and report progress towards those targeted outcomes as set forth in Recommendations 2.2.10 and 2.2.11.*

2.2.2. Establish a clear goal of achieving restoration of the full Riparian Management Zone (RMZ), as defined by WDFW, while recognizing exceptions where that standard is not achievable.

2.2.3. Establish criteria for determining when restoration to the outer edge of the RMZ is not currently achievable. Examples of criteria that the watershed-based groups could consider include, but are not limited to, the presence of structures or infrastructure, topography constraints, location of property lines, parcel size or configuration, economic hardship and the likelihood that restoration to the outer edge of the RMZ might become achievable in the future.

2.2.4. In those instances where restoration to the outer edge of the RMZ is not currently achievable, establish restoration and acquisition strategies to optimize riparian habitat benefits, based on technical and scientific expertise. Alternatively, the watershed-based riparian restoration plans shall adopt a process for determining such strategies on a case-by-case basis.

2.2.5. Prioritize restoration and protection activities in reaches of streams that Ecology has included in its list of impaired waters in its Clean Water Act Section 305(b) Report.

2.2.6. Prioritize connectivity between areas of riparian habitat providing high levels of functionality. This is intended to prioritize restoration efforts in riparian areas that do not currently have barriers to connectivity and to prioritize removing barriers to connectivity between areas that currently have disconnected areas of high levels of riparian functionality.

2.2.7. Include restoration criteria for both fish-bearing and non-fish-bearing waters in accordance with Washington Department of Fish and Wildlife recommendations. For non-fish-bearing waters prioritize those that have a significant nexus to salmon and steelhead recovery over non-fish-bearing waters that do not have a significant nexus to salmon and steelhead recovery.

2.2.8. Be coordinated with local governments' GMA Comprehensive Plans and provide policy guidance for the development of local GMA Critical Areas Ordinances, and SMPs.

2.2.9. With regard to agricultural viability, in addition to the riparian restoration programs discussed in this Recommendation 2:

2.2.9.1. Identify and quantify critical factors for ensuring the viability of agricultural production within the watershed, utilizing available resources including the SCC's Agricultural Viability Toolkit;

Implementation proposals:

- *The following available resources should be considered in implementing Recommendation 2.2.9.1:*

- SCC's [Agricultural Viability Toolkit](#).
- *The Voluntary Stewardship Program county workgroups that have undertaken efforts to assess agricultural viability in their region (e.g., San Juan County conducted [surveys](#) in 2017 and 2020 to evaluate agricultural viability within the county).*
- WSDA's [Agricultural Competitiveness and Business Viability Study](#) (anticipated by June 2025).
- *The [Northwest Agriculture Business Center](#) (NABC) resources and guidance to agricultural producers.*

2.2.9.2. Identify and implement public and private sector strategies to ensure an adequate land base for continued viable agricultural activity;

Implementation proposals:

- *See implementation proposals for Recommendation 2.3.4, below.*
- *Promote the permanent protection of farmland both within and outside the floodplain.*

2.2.9.3. Identify and implement strategies to increase productivity of non-riparian agricultural lands within the watershed. Examples include investments in infrastructure and technology, support for collaborative water solutions, support for increasing markets and market access, technical assistance, and other proactive strategies to support agricultural viability. Where available, utilize and ensure sufficient funding for existing programs that promote agricultural viability to implement these strategies. To fill gaps, provide flexible funding for local governments, conservation districts, and agricultural support organizations to plan for and implement agricultural viability projects;

Implementation proposal:

- *Flexible funding should be provided to SCC and WSDA that allows riparian restoration and protection projects on agricultural lands to include components that increase the productivity of non-riparian agricultural lands within the watershed, tailored to meet the needs of the agricultural producer(s) involved in the project. The scope of this funding should be broad enough to encompass the examples of strategies listed above and in the body of Recommendation 2.2.9.3.*

2.2.9.4. Support succession planning for farmers and establish programs that encourage land access for the next generation of farmers; and

Implementation Proposals:

- *Provide additional funding to the following programs:*
 - SCC's [Office of Farmland Preservation](#) to update SCC's workbook, [Planning the Future of Your Farm](#), and to provide additional staff capacity for outreach to support transition planning.
 - American Farmland Trust's (AFT's) [Land Transfer Navigators Program](#), funded by USDA Natural Resource and Conservation Service; Washington State University Extension; Northwest Agriculture Business Center; and Farm Credit Services of America.

2.2.9.5. Establish and fund a monitoring program that inventories the amount of farmland conversion and loss within the watershed as a result of voluntary riparian protection and restoration actions as well as all other drivers of farmland conversion and loss.

Implementation proposals:

- *Build upon the following existing efforts to implement this Recommendation 2.2.9.5:*
 - *Voluntary Stewardship Program workgroups report on outcomes every five years; this reporting is ecosystem focused but often also includes an evaluation of farmland conversion and loss within the county.*
 - *PSP's Land Use and Habitat strategies, which include development and tracking of farmland conversion and preservation and agricultural land viability indicators and metrics, developed in collaboration with AFT.*

2.2.10. By June 30, 2027, establish specific targeted outcomes at the watershed level with respect to quantity and quality of riparian habitats to be restored or protected by December 31, 2030. These targeted outcomes are to be updated every four (4) years thereafter. At a minimum, these outcomes must be established for the following categories:

- a) acres planted in riparian areas,
- b) miles of streambank planted,
- c) average riparian width,
- d) miles of streambank protected by land or easement acquisition, and
- e) acres of restored land maintained.

Implementation proposal:

- *Require watershed-based groups to establish targeted outcomes for the above metrics by June 30, 2027.*

2.2.11. Include a monitoring and adaptive management program that includes project monitoring using quantitative metrics that are designed to evaluate whether the restoration performed under the plan achieves the four-year targeted outcomes established in the strategy. At a minimum, these quantitative metrics must include the following Recreation and Conservation Office (“RCO”) metrics used to measure:

- a) acres planted in riparian areas,
- b) miles of streambank planted,
- c) average riparian width,
- d) miles of streambank protected by land or easement acquisition, and
- e) acres of restored land maintained.

The results of this monitoring and adaptive management program shall be reported to GSRO every two years and shall be timed to allow this information to be timely included in the biennial reports on the statewide status of salmon recovery and watershed health required under RCW 77.85.020.

Implementation proposal:

- *Require watershed-based groups to monitor progress towards these metrics and report that progress to GSRO every two years, timed to allow this information to be included in the biennial State of the Salmon report required under RCW 77.85.020.*

2.3. Ensure sufficient, flexible, reliable and rapidly accessible long-term funding to implement the priority riparian projects identified in the watershed-based riparian implementation strategies. Target funding to achieve significant landowner participation, implement adopted riparian restoration plans, and support stewardship and monitoring of restored riparian areas, including but not limited to:

2.3.1. Provide substantial, near-term funding for the implementation of riparian restoration and conservation projects identified as priorities in already adopted watershed-based plans.

Implementation proposals:

- *Continue funding the two programs for riparian restoration and protection that were first funded in the 2023–25 biennium:*
 - *Salmon Recovery Funding Board Riparian Grant Program (Recreation and Conservation Office [RCO]) – project funding to enhance salmon recovery through*

the protection and restoration of fully functioning riparian areas. This program was first funded in the 2023–25 biennium. (\$25 million capital budget).²

- *Riparian Grant Program (Conservation Commission) – project funding to conservation districts to restore and protect riparian habitat. This program was first funded in the 2023–2025 biennium. (\$25 million capital budget).³*
- *In addition, provide additional funding for riparian incentive payments under Ecology’s nonpoint program:*
 - *Riparian incentive grants (Ecology) – project funding to accelerate implementation of riparian buffers, implement water quality cleanup plans, and support climate resiliency. This expands a pilot program and augments Ecology’s water quality funding programs with additional funding for incentive payments. (\$30 million capital budget).⁴*
- *RCO, SCC, and Ecology should consider Recommendations 2.2.1 through 2.2.7 and Recommendation 2.3.1 in developing or updating their guidelines for these voluntary riparian restoration incentive programs, to further align these programs with each other and with Recommendation 2.*

2.3.2. On agricultural lands, provide landowner payments that align with market rental rates and commodity pricing.

Implementation proposals:

- *Provide funding to Ecology, SCC, and RCO towards expansion of successful pilot programs that include higher landowner payments, including those that better align with market rental rates and commodity pricing. This includes pilot programs such as the Spokane Conservation District’s Commodity Buffer Program, the Hangman Creek Riparian Restoration Program, and the targeted riparian incentive efforts along the Tucannon River. Higher payments should be prioritized for landowners that install riparian restoration and protection at larger widths as well as in instances where a project provides connectivity for key stream segments. This funding could be*

² Governor’s Salmon Recovery Office, 2025–2027 Governor’s Salmon Strategy Biennial Work Plan at 6 (2024) (hereinafter, Salmon Strategy Biennial Work Plan).

³ Salmon Strategy Biennial Work Plan at 6. Some Task Force participants have emphasized the need for the SCC to revise and update its interim guidance under this program to ensure grant funds adequately restore and protect riparian functions, consistent with Recommendations 2.2.1 through 2.2.7 of the June 2024 Final Recommendations.

⁴ Salmon Strategy Biennial Work Plan at 6.

incorporated into the RCO, SCC, and Ecology riparian grant funding programs referenced in the implementation recommendations for Recommendation 2.3.1., above.

- *Provide funding to support the work of the SCC's Science Hub related to aligning landowner payments with market rental rates and commodity pricing:*
 - *Science Hub (Conservation Commission) – ongoing funding for the implementation of science-based solutions to protect and enhance natural resources and agricultural viability.⁵*

2.3.3. Complement and leverage federal funding opportunities.

Implementation proposals:

- *Provide funding for Conservation Districts through SCC to ensure sufficient staffing and knowledge of all available federal and state voluntary riparian restoration and protection grant opportunities.*
- *Continue to fund the ongoing work of PSP, which has leveraged significant federal funding through the National Estuary Program and other federal programs.*
- *Fund the state match requirement for the Regional Conservation Partnership Program (RCPP), as requested by SCC.*
- *Support the Climate Resilient Riparian Systems Lead Program (CR2SL), which is providing federal funding for Ecology, SCC, and Bonneville Environmental Foundation to develop and implement a grant program to improve the climate resiliency of riparian systems and support implementation of sustainable and effective reach-scale riparian restoration and protection.*
- *Support SCC's ongoing evaluation of the Conservation Reserve Enhancement Program (CREP).*

2.3.4. Identify opportunities to better align state and federal funding sources for farmland and riparian protection to support multi-benefit projects.

Implementation proposals:

- *Review and revise grant programs and permitting processes to ensure they allow multi-benefit projects, particularly those providing benefits to both fish and farmland.*

⁵ Salmon Strategy Biennial Work Plan at 20.

- Expand the [Snoqualmie Fish, Farm, Flood](#) process to other watersheds in Washington by providing grants to interested watersheds.
- Continue to fund [Floodplains by Design](#),⁶ a public-private partnership led by Ecology, the Bonneville Environmental Foundation, and American Rivers that seeks to reduce flood damage, improve working lands, and restore habitat along Washington’s streams and rivers. Promote the permanent protection of farmland both within and outside the floodplain.
- Provide funding to the SCC’s Science Hub to investigate additional opportunities to better align state and federal funding sources for farmland and riparian protection to support multi-benefit projects.

2.3.5. Fund a substantial outreach and education effort addressing the importance of riparian habitat restoration and protection and providing information about available opportunities to support agricultural viability.

Implementation proposal:

- Provide additional funds to Conservation Districts and other established local and regional organizations in both rural and urban areas through SCC for on-the-ground use of the SCC conservation toolkit in conversations with landowners, as well as additional funds to equip Conservation Districts and others with information about available opportunities to support agricultural viability.

2.3.6. Fund technical assistance for aggregating projects and funding sources to provide greater riparian habitat improvement and protection. Ensure funding to support the continued work of the inter-agency Align Partnership (RCO, PSP, Ecology, WDFW, and SCC) to identify and implement administrative improvements in state voluntary restoration funding programs and implementation of its recommendations. Provide funding to establish a “one stop shop” website or database for riparian grant funding opportunities for applicants.

Implementation proposal:

- Provide ongoing funding for conservation districts to provide technical assistance and educate landowners about practices that keep waters clean for salmon such as conservation and farm planning, nutrient management, and habitat restoration. (SCC \$20 million operating budget request).⁷

⁶ See Salmon Strategy Biennial Work Plan at 8 (“Floodplains by Design (Ecology)–project funding for integrated floodplain projects that combine flood hazard reduction with restoring floodplain conditions to improve salmon habitat in Washington’s major river corridors. (\$84 million capital budget”).

⁷ Salmon Strategy Biennial Work Plan at 9.

2.3.7. Provide for creative contracting approaches, such as pay for success contracts, that allow landowners and restoration practitioners to implement riparian restoration projects with payments based on delivery and verification of outcomes.

Implementation proposals:

- *To advance Pay for Success contracts, establish a non-appropriated account specifically for the purpose of enabling pay-for-success/performance contracting for riparian restoration (or an existing account could be converted for this purpose).*
- *Provide funding to implement Ecology's recommendations for developing and implementing a nutrient credit trading program, specifically for the additional modeling to support future nonpoint source trading discussed in the [technical research report](#). Funding could include identification of a pilot watershed that would be particularly well suited to water quality trading involving nonpoint sources under the Nutrient General Permit and identification of technical and administrative needs specific to advancing such a water quality trading program in that pilot watershed.*

2.3.8. Leverage Climate Commitment Act funding to develop voluntary carbon credit payments to farmland owners that establish, enhance, and maintain riparian areas to accelerate conservation at scale.

Implementation proposals:

- *Provide Climate Commitment Act funding to conduct an evaluation of available opportunities for agricultural landowners to participate in voluntary carbon markets and programs through the establishment, enhancement, and maintenance of riparian areas on their lands. This could include analyses of (i) existing agriculture carbon crediting programs and protocols and (ii) whether and how Climate Commitment Act funds and other public funds could be used to finance activities that generate voluntary carbon credits.*
- *Ecology should explore, in current or future rulemaking processes, providing opportunities to make its offsets program more available to agricultural landowners seeking to establish, enhance, and maintain riparian areas, including allowing offset projects that permanently preserve and steward already-restored riparian areas on agricultural lands that currently do not have permanent protection.*

2.3.9. Ensure long-term or dedicated funding for multi-year implementation of larger restoration projects and for ongoing stewardship, maintenance, monitoring and adaptive management of already implemented riparian restoration projects.

2.3.10. Provide funding for the SCC Integrated Science Hub for Agriculture and Ecosystems specifically to support riparian ecosystem restoration and protection.

Implementation proposals:

- *Support ongoing funding to the SCC Science Hub for the implementation of science-based solutions to protect and enhance natural resources and agricultural viability. (SCC \$5 million operating budget request).⁸*

2.3.11. Provide on-request funding for technical assistance with riparian restoration project identification and prioritization for watershed groups and facilitate information and technology sharing among watershed-based groups.

Implementation proposal:

- *Provide funding to both RCO and SCC to facilitate information and technology sharing among the watershed-based groups that convene pursuant to Recommendation 2.1.2 to develop and implement the riparian watershed-based implementation strategies.*

2.3.12. Provide continued funding for WDFW monitoring of riparian management zones as part of WDFW's change detection monitoring program, including sufficient funding to include detection of both gains and losses in riparian ecosystems.

Implementation proposals:

- *Fund the following WDFW efforts, which should include continued funding for WDFW's high-resolution change detection data product as well as funding to explore opportunities for WDFW to incorporate current and projected riparian ecosystem ecological uplift arising from riparian restoration and protection actions into its data products:*
 - *Online decision support tool: WDFW has requested funding to continue its work to create an online decision support tool that maps current riparian systems and enables analysis relative to salmon distribution, fish passage, water quality, and other conditions that are critical to salmon and other native species. (Riparian systems assessment; WDFW \$2 million operating budget request).⁹*
 - *Scientific data modernization: ongoing funding for a comprehensive scientific data management program to enhance conservation efforts. This program will introduce cloud storage, a modern data library, and a collaborative scientific*

⁸ Salmon Strategy Biennial Work Plan at 20.

⁹ Salmon Strategy Biennial Work Plan at 7.

data analytics environment for the department and its partners. (WDFW \$6.9 million operating budget request).¹⁰

2.3.13. Provide funding to conduct a study and develop a report evaluating the status and trends of environmental factors that sustain healthy riparian ecosystems, including but not limited to riparian water supply, river flow regimes, groundwater levels, changes in disturbance regimes, effects of climate change, and other potential threats to Washington state riparian ecosystem sustainability.

2.3.14. Fund and support ongoing permit streamlining efforts for riparian restoration projects.

Implementation proposals:

- *Continue to support state agency participation in the Puget Sound Multi-Agency Review Team (MART), which uses an interagency process to streamline the permitting process for Puget Sound Basin habitat recovery projects.*
- *Revise WDFW's Habitat Recovery Pilot Program (HRPP) to implement lessons learned from the pilot project and permanently codify the program.*

2.4. Consider whether the watershed-based riparian implementation strategies should be reviewed, monitored, adaptively managed, and actively supported through existing state salmon recovery structures and roles that could include GSRO and/or the Salmon Recovery Funding Board, and including WDFW, Ecology, WSDA, SCC, PSP, federally recognized Tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations.

Implementation proposals:

- *Provide funding for contractor technical and facilitation services if watersheds need outside support to finalize watershed-based riparian implementation strategies, develop priority riparian restoration and protection actions, and establish specific targeted outcomes for riparian restoration and protection.*
- *Make future funding for riparian restoration and protection actions and agricultural viability support contingent on developing watershed-based riparian implementation strategies and reporting progress towards targeted outcomes to GSRO as set forth in Recommendation 2.2.11.*

¹⁰ Salmon Strategy Biennial Work Plan at 20.

- *Establish county governments as the first level of governmental oversight if watershed groups are unable to develop an adequate riparian implementation strategy.*
- *Have state agencies serve in an advisory or assistance capacity to county governments as they work with watershed groups to develop riparian implementation strategies.*
- *If a watershed fails to meet its targeted outcomes in a three-year period, require a watershed to conduct adaptive management with the objective of achieving the targeted outcomes.*
 - *If adaptive management is unsuccessful, employ regulatory or compensation strategies as set forth in Recommendation 3.*

2.5. The Program shall provide a simplified process and include incentives to ensure robust participation in implementation of the watershed-based implementation strategies, including:

2.5.1. Sufficient funding for landowner outreach and technical assistance within each watershed.

Implementation proposals:

- *This recommendation could be implemented through the implementation proposals discussed above under Recommendation 2.1; Recommendation 2.1.3; Recommendation 2.3.3; Recommendation 2.3.5; Recommendation 2.3.6; Recommendation 2.3.10 and Recommendation 2.3.11.*

2.5.2. Creating a single, simplified application process that is readily usable by all potential funding recipients across watersheds.

Implementation proposal:

- *The Request for Proposal process discussed in the implementation proposals for Recommendation 2.3.1, above, should be used to provide a single application process while also ensuring that project funding implements all of the components of Recommendation 2.*

2.5.3. Providing incentives for early participation such that “early adopters” are rewarded, including through higher landowner payments and exemption from the state regulatory and/or compensation approaches set forth in Recommendation 3.

2.5.4. Creating a Sustainable Farm and Fish certification program under WSDA that builds on existing certification programs and includes requirements for riparian and habitat conservation consistent with and implementing the watershed-based riparian implementation strategies. Develop agreements that provide certainty to landowners to ensure that landowners committing to long-term enrollment are deemed compliant with established and new regulatory requirements

Implementation proposal:

- *Fund an evaluation of (i) existing certification programs and (ii) landowner agreements providing regulatory certainty under local, state, and federal laws to analyze the potential of these programs and agreements to serve as a platform for such a Sustainable Farm and Fish certification program; recommend modifications to those programs and agreements, and new programs and agreements, to implement the provisions of Recommendations 2 and 3; and recommend pilot programs that should be developed to further implement this recommendation.*

Recommendation 3 text and implementation proposals

As part of the 2025 Riparian Roundtable effort funded through Engrossed Senate Substitute Bill 5950, Sec. 116(4), Chapter 376, Laws of 2024, the Riparian Roundtable should continue discussing regulatory or compensation strategies that would come into effect if the concrete targets adopted in the watershed-based implementation strategies are unable to be met through the voluntary actions identified in Recommendation 2. These strategies should not be employed where intervening events out of the control of the watershed-based groups prevent targets from being achieved. Examples of such events include natural events such as drought, wildfire or earthquake; or acts of war. These continued discussions should include continued exploration of the following concepts.

Implementation proposals:

- *If concrete targets in a watershed-based implementation strategy are not being met through the voluntary programs discussed in Recommendation 2, the initial response should be to reconvene the group that developed the watershed-based implementation strategy to discuss and implement adaptive management actions aimed at addressing the reasons specific targets are not being met, as discussed in Recommendation 2.4 and its implementation proposals.*
- *Any regulatory or compensation strategy should include a specific carve out for early adopters such that landowners who agree to participate in the voluntary, watershed-based implementation strategies discussed in Recommendation 2, either immediately or when funding is made available for actions on their land, would not be subject to the regulatory or compensation strategy developed as part of Recommendation 3 (if and when that strategy came into effect).*
- *In the Task Force meetings in February through June 2025, the Task Force should continue to discuss all of the strategies included in Recommendation 3.1 and 3.2, below, with a goal of developing a single mandatory approach that would come into effect if a watershed is not meeting its established restoration targets.*
- *While several of the Task Force participants representing agriculture have made clear that they will not support any mandatory approaches, the Facilitation Team recommends continuing to work with willing Task Force participants to develop a*

mandatory approach that will come into effect if watersheds do not meet their established targets.

3.1 A Washington state riparian acquisition program targeted toward land within a particular watershed if, once all voluntary and incentive actions have been exhausted, such acquisition is necessary to achieve the established outcomes as determined by local watershed groups for acres planted in riparian areas, miles of streambank planted, average riparian width, miles of streambank protected by land or easement acquisition, and acres of restored land maintained. The state's targeted riparian acquisition program would pay fair market value for property interest acquired and would acquire the minimum ownership interest required to achieve long-term outcomes.

3.2 Regulatory approaches for achieving the concrete targets adopted in the watershed-based implementation strategies, including, without limitation:

3.2.1 Innovative approaches such as a riparian calculator that calculates impacts and determines the number of riparian credits a landowner needs to offset the lack of a buffer on their property.

3.2.2 Requiring public and private landowners owning property adjacent to a riparian area that do not participate in the voluntary incentive programs discussed in Recommendation 2 above, to establish, maintain, and protect a riparian management zone on their property.

3.2.3 Removing exemptions and exceptions under GMA/SMA in the Riparian Management Zone.

3.2.4 Imposing a development moratorium on properties within the watershed until outcomes are met.

3.2.5 Regulatory approaches that have succeeded in other jurisdictions or under different regulatory frameworks, such as the Minnesota Buffer Law,⁸ which requires perennial vegetative buffers of up to 50 feet along lakes, rivers, and streams and buffers of 16.5 feet along ditches.

3.2.6 Abatement actions, whereby the State of Washington would enter onto property to install riparian plantings in a riparian area, possibly charging the property owner for that installation.

Implementation proposals:

- *In addition to the above concepts, the Task Force should continue to explore the two-step, hybrid buffer concept developed by the Facilitation Team.*
- *In addition to the above concepts, the Task Force should continue to explore the proposal from Task Force participants representing county government under which the Task Force would work to develop a process for assigning riparian restoration obligation*

values on a per-acre basis to every parcel of land that includes riparian areas (this may need to be narrowed), with an ultimate solution of involuntary restoration if necessary.

- *The Task Force should continue to explore what specific situations could trigger a mandatory approach in a watershed and what sequential steps could be taken to meet restoration targets in that watershed, including technical assistance, offers of funding, and civil penalties to meet riparian habitat goals.*

Recommendation 4 text and implementation proposals

For the next two years, maintain or increase the level of funding for the voluntary riparian restoration incentive programs established in the 2023-25 capital budget (ESSB5200 Section 3074 (for RCO) and Section 3087 (for SCC). RCO and SCC shall consider Recommendations 2.2.1 through 2.2.7 and Recommendation 2.3.1 in developing or updating their guidelines for these voluntary riparian restoration incentive programs.

Implementation proposal:

- *In addition to the RCO and SCC riparian grant programs referenced in Recommendation 4, provide continued or increased funding for existing state programs supporting riparian restoration and protection and salmon recovery.*