

- <u>Problem</u>: The processes of funding and permitting stream restoration projects can be slow and poorly coordinated.
- This can slow the pace of implementing projects.
 - Can create disincentives for landowner participation.
 - Can divert limited project resources which can strain project budgets as well as partner relationships.
 - Can impede restoring streams at a meaningful scale and pace, and thus can have an unintended negative impact on the conservation and restoration of species.



 <u>Purpose</u>: identify and deliver enhanced and accelerated restoration projects for private landowners and landowner coordinators.

Goal: to facilitate more restoration actions by private landowners in and along streams across the state to improve freshwater health in a timelier manner.



Broad involvement of stakeholders including

Oregon Solutions: Ken Bailey, Convener

Sponsoring Stakeholders: The Freshwater Trust (formerly Oregon Trout) and Oregon Department of State Lands

State Agencies: Oregon Department of Agriculture; Oregon Department of Environmental Quality; Oregon Department of Fish and Wildlife; Oregon Department of Forestry; Oregon State Governor's Office; Oregon Watershed Enhancement Board; Office of Regulatory Streamlining; Oregon Department of Geology and Mineral Industries; Oregon Department of Land Conservation and Development.

 Federal Agencies: USDA Natural Resource Conservation Service; Northwest Power and Conservation Council, NOAA National Marine Fisheries Service; US Army Corps of Engineers; US Fish and Wildlife Service, US Forest Service, Bureau of Land Management
Non-Profits: Defenders of Wildlife; Jubitz Foundation; Meyer Memorial Trust; The Nature Conservancy, Willamette Partnership, Network of Oregon Watershed Councils, Oregon Association of Conservation Districts, Oregon Association of Counties

Private Sector: Individual agricultural producers, landowners, Parametrix



 Focus on using new tools and new thinking to address institutional barriers to efficient voluntary restoration actions, primarily in the project funding and permitting arenas
Enhance efficiency without sacrificing restoration project quality.



- The desired outcomes include:
 - comprehensive advancement of needed project development elements,
 - Improved, timelier permitting processes
 - more efficient movement of restoration dollars to the ground,
 - improved ability to focus time on landowner outreach and project development instead of paperwork,
 - greater ecological and local economic benefit from this work through increased scale of actions, and
 - Greater landowner interest in restoration.



Complications

- Complexity of the programs as well as the duplication of programs - complicated by Congress and laws passed over time
- Lack of clarity of what is regulated (different authorities, regulations, exemptions).
- "Work-arounds" of state and federal requirements tend to result in sub-optimal restoration projects.
- Historical and cultural artifacts and modern infrastructure are common in riparian environments

		Common In-water Activities					
Agency	Program	Streambank stabilization	Wetland fills & excavations	Bridges and culverts	Water diversions	Wetland restoration stream restoration	Dams & impoundments
DSL	Removal-Fill Permit	Yes	Yes	Yes	Yes	Yes	Yes
	Proprietary approval	Maybe		Maybe	Maybe	Maybe	Maybe
DEQ	Stormwater Permit		Maybe	Maybe		Maybe	
	Water Quality Certification	Yes	Yes	Yes	Yes	Yes	Yes
ODFW	Fish passage requirements			Yes	Yes	Maybe	Yes
	In-water timing guidelines	Yes		Yes	Yes	Maybe	Yes
	Habitat mitigation recommendations	Yes	Yes	Yes	Yes		Yes
	Scientific Take Permit	Maybe		Maybe	Maybe	Maybe	Maybe
	In-water Blasting Permit			Maybe		Maybe	Maybe
	Fish screening requirements				Yes		Maybe
OPRD	Ocean Shore Permit	Maybe		Maybe		Maybe	Maybe
	Scenic Waterway Notification	Maybe	Maybe	Maybe	Maybe	Maybe	Maybe
	Archeological review	Yes	Yes	Yes	Yes	Yes	Yes
WRD	Water Use Permit				Yes	Maybe	Yes
DLCD	Coastal Zone Certification	Maybe	Maybe	Maybe	Maybe	Maybe	Maybe



- Because the permitting requirements are based in state and federal law, fundamental change must address these foundations:
 - federal exemptions for restoration activities
 - federal deferral to state authority over restoration activity
 - elimination of state law,
 - etc.
- Short of legislative changes and time, we must work better and more creatively together to implement and accelerate the pace of restoration projects.
 - The development of risk assessment tools can allow regulatory agencies to focus their resources on projects that have greatest potential to cause the greatest harm



Outcomes to date include

- Testing and improvement of StreamBank web tool
- Identification & Investigation of technology fixes
 - Electronic forms, GIS utilization
- Development of new permitting options
 - Large wood and boulder DSL GA & USACE RGP
 - USFS/BLM Restoration DSL GP & USACE RGP
 - 13 actions (buffet style) covers most common actions
 - Can be applied off federal land when BLM/FS is a partner
 - Culvert barrier removal workgroup
 - Unable to develop a permit but did ID resources and tools
 - Development of Tool Box and clarifying guidance

Useful tools for restoration work Adding Value vs. Cost to Change



Reference: Modified from Wideman, R. 1991