

*SALMON RECOVERY FUNDING BOARD
MINUTES - REGULAR MEETING*

August 13, 2009

Natural Resources Building Room 172
Olympia, Washington

SALMON RECOVERY FUNDING BOARD MEMBERS PRESENT:

Steve Tharinger (Chair)	Clallam County
Harry Barber	Washougal
David Troutt	DuPont
Don "Bud" Hover	Okanogan County
Bob Nichols	Olympia
Carol Smith	Designee, Conservation Commission
Melissa Gildersleeve	Designee, Department of Ecology
Jon Peterson	Designee, Department of Transportation
Sara LaBorde	Designee, Department of Fish and Wildlife

ITEM #1: MEETING CALLED TO ORDER

Chair Steve Tharinger opened the meeting at 9:05 a.m.

At the chair's request, Steve McLellan, the new policy director/legislative liaison for the Recreation and Conservation Office (RCO) introduced himself to the Salmon Recovery Funding Board (board).

Chair Tharinger determined that the board met quorum and called attention to the updates to the meeting agenda.

Kaleen highlighted the late additions to the board notebooks.

The board approved the August 2009 meeting agenda as presented.

ITEM #2: REVIEW AND APPROVAL OF MAY 2009 MEETING MINUTES

Bud Hover MOVED to approve the May 2009 meeting minutes as presented. Bob Nichols SECONDED.

The board APPROVED the May 14 – 15, 2009 minutes as presented.

ITEM #3: MANAGEMENT STATUS REPORT

Kaleen Cottingham, RCO Director, presented this agenda item.

Kaleen Cottingham started her report by noting that RCO is awaiting the final allocation for the 2010 Pacific Coast Salmon Recovery Fund (PSCRF). The House has put forth \$50 million and the Senate proposed \$80 million. For 2009, RCO applied for \$30 million out of \$80 million and received \$26.5 million; the agency expects to receive a similar amount in 2010.

Chair Tharinger asked if the board could do anything to help Senator Murray to maintain the \$80 million request. Bud Hover asked if Senator Murray would have a hard time holding the amount in the House or the Senate.

Kaleen responded that there are two issues with the PCSRF funds:

1. Whether the pacific region should have its own program, versus a national program for habitat and species recovery; and
2. Considering the Pacific Salmon Treaty and the Salmon Stronghold Partnership, whether the region is asking for more money than the rest of the country.

Sara Laborde added that another issue is the Mitchell Act, which provides for the conservation of the fishery resources of the Columbia River in Oregon, Washington, and Idaho.

Bud asked if anyone has spoken with Norm Dicks about PCSRF. Sara responded that he is plugged into the issue and is moving in the same direction as Senator Murray. Sara added that the Wild Salmon Center has collected support letters from states in the region, and the board could ask them to collect again. Chair Tharinger noted that in the past, Eastern Washington County Commissioners set up meetings to advocate for the bottom-up salmon recovery process, and that the approach was very effective. Bud stated that he wants to see the funds tied to the mandates originally established by Congress.

Sara LaBorde mentioned that Fish and Wildlife has been very clear in moving the “4-H” agenda forward and PCSRF is a priority for the state of Washington. Kaleen added that the board has a letter from the three governors supporting PCSRF. Kaleen pointed out the “Are We Making a Difference?” document, which was effective in persuading legislators. David Troutt added that the Washington tribes are working aggressively with other tribal leaders to prioritize salmon issues. David suggested that the board and the tribes work together to tighten up the strategy and give a united message to Senate and House. Chair Tharinger asked RCO staff to compose a letter to Senator Murray and the delegation for his signature. The board noted that the letter should emphasize the economic importance of salmon in Washington and ramifications for the salmon listing.

Kaleen announced that the Governor’s Salmon Recovery Office (GSRO) merged into RCO this spring. She explained that the RCO conducted a recruitment for the GSRO Executive Coordinator position, but that the top candidate declined the job offer so a new recruitment will reopen. She asked the board for help getting the word out about the job announcement.

ITEM #4: BUDGET, CONGRESSIONAL, AND LEGISLATIVE UPDATE

Megan Duffy, RCO Policy Specialist presented this agenda item.

Megan Duffy gave an update on the NOAA Habitat Restoration economic stimulus grants awarded to Washington State, noting that five of the six proposed projects went through the Governor’s endorsement process. Chair Tharinger commended the RCO and Kaleen on the work to secure the funds. Kaleen responded most of the work was a team effort including Jason Mulvihill-Kuntz at the Puget Sound Partnership, and Chris Drivdahl and Phil Miller with GSRO.

Megan added that RCO was tasked by SHB 2157 to look at opportunities to coordinate watershed planning and salmon recovery efforts. RCO is in the process of scheduling meetings with regional recovery organizations, RFEGs, and watershed planning lead agencies. SHB 2157 also requires RCO to work with the Governor’s Office of Regulatory Assistance to identify a potential region for a pilot project that would demonstrate permitting that supports an integrated watershed approach.

Chair Tharinger asked if the board will have a role in the process. Megan responded that 2157 directs RCO to report to the Governor's Office, but ESHB 1244 contains a budget proviso that directs RCO to seek efficiencies in the salmon recovery infrastructure. This assessment is also due by December 1, 2009 and the SRFB will be more directly linked to this effort. Kaleen explained that the reports would be organized by region.

Kaleen added the *Transforming the Natural Resources* report is due to the governor by early September. Melissa Gildersleeve added that under SHB 2157, grants that Ecology manages for riparian work could be moved to the RCO/SRFB.

Megan added that RCO is not anticipating any agency request legislation for the 2010 legislative session. Megan asked the board if there are any legislative requests from the board. Chair Tharinger directed board members with policy requests to provide comments to Megan Duffy and Steve McLellan.

ITEM #5: REPORTS FROM PARTNERS

Jeff Breckel, Executive Director, Lower Columbia Salmon Recovery Board, and Phil Miller, Governor's Salmon Recovery Office presented the Council of Regions Report. Richard Brocksmith and Barbara Rosenkotter provided the LEAG update.

Kaleen announced that the Washington Forum on Salmon Recovery and Watershed Health (Forum) would be approving High Level Indicators (HLIs) for salmon recovery at its September meeting. The Forum will approve HLIs for watershed health at a subsequent meeting.

Jeff Breckel gave a brief Council of Regions (COR) update. Regions have successfully been working with Kaleen during the transition of GSRO to RCO. The August 21 COR meeting agenda includes a discussion of regional and Columbia Basin issues, namely concerning regional monitoring. COR will discuss HLIs, prioritizing under a tighter budget, and actively participating in the Forum's discussion of how the board financially supports monitoring efforts.

There are a number of initiatives taking place in the Columbia Basin, mostly driven by the Columbia Hydro system BiOp. Viable Salmon Populations monitoring has been the focus for the Columbia Basin. Sub-regional workshops to focus on monitoring needs within each region are to be completed by mid-September. Chair Tharinger asked how the sub-regions fit into the board's regional structure. Jeff responded that it fits well, and regions do fit ESUs.

Richard Brocksmith and Barbara Rosenkotter provided the Lead Entity Advisory Group (LEAG) update. At the July 14, 2009 LEAG meeting, the group discussed updates from different lead entities, contracting and budget issues, and elections. Lead entity contracts are being well supported by RCO. Chair Tharinger asked if all of the lead entity contracts are signed. Rachael Langen responded that while most contracts are signed, the wrong deliverables were sent with the contracts, so staff has been working to send corrected deliverables through amendments. RCO staff is assisting lead entities with invoicing and reimbursement training. Moving forward, RCO will support the lead entity program as much as possible, although there will be minor cuts with LEAG.

The second portion of the LEAG meeting was dedicated to discussing the future of LEAG, and the development of a LEAG organizational plan. The overall response from lead entities was that it would be difficult to maintain a consistent message and open communication without the Lead Entity Advisory Group. It was determined that LEAG would be an advisory group to lead entities statewide. Barbara added that lead entities are figuring out how they can take on more responsibility while not overloading the already busy staff.

Chair Tharinger appreciated the unified message to the board.

State Agency Updates

Sara LaBorde, Department of Fish and Wildlife (WDFW), noted that the original \$32 million cut at WDFW will be offset by the \$10 million dollar surcharge to licensing fee. There were 163 full time FTEs cut at WDFW and staff is currently evaluating the additional two percent cut, resulting in a \$1.3 million reduction. The agency is attempting avoid staff cuts in the 2 percent cut budget exercise. The Habitat Section is prioritizing staff time for salmon recovery plan implementation. Highlights for Hatcheries are that the Fish and Wildlife Commission has a draft Hatchery Reform policy out for public comment. Sara mentioned the Conservation and Sustainability Fisheries Plan, which is implementing the HSRG's guidelines and recovery plan in hatcheries and harvest. At the end of August, WDFW will place three selective fishing gears in the water to test.

Melissa Gildersleeve, Department of Ecology, mentioned the SHB 2157 efforts and the opportunity to move grants to be managed by the RCO and Salmon Recovery Funding Board. Ecology has been discussing improving coordination with the Conservation Commission so that riparian projects produce clean water. Ecology lost staff in watershed planning, and is currently working through the two percent cuts, as well as a 10 percent cut exercise. Melissa noted that projects funded by the American Recovery and Reinvestment Act have been difficult for Ecology to process.

Jon Peterson, Washington State Department of Transportation (DOT), highlighted the Fish Passage report, which explains DOT's 10-year plan. DOT has an agreement with WDFW to coordinate fish passage projects. Chair Tharinger asked if Jon had any information about efforts to use mitigation dollars more strategically, but Jon was unable to provide an answer.

Carol Smith, Washington Conservation Commission, noted that data management and the Pioneers and Conservation Program were most affected by the budget cuts. The Conservation Reserve Enhancement Program (CREP) is working to change water quality practices in the program, which is a difficult and lengthy process. Recently Conservation Districts attended a Natural Resources Conservation Service workshop to strategically plan for ecosystems. Chair Tharinger asked about capacity dollars for Conservation Districts to attend meetings and engage in the large recovery process. Carol responded that it is a problem, and the Conservation Commission is working on improving funding for involvement.

Joe Ryan, Puget Sound Partnership (PSP), explained that the PSP is working on implementing the Puget Sound Action Agenda. The PSP's Ecosystem Coordination Board is receiving the funds generated by the gas fee for stormwater cleanup.

Chair Tharinger noted that as the Action Agenda moves forward, he hopes they will be making sure that salmon recovery does not get lost in the mix of their lengthy list of tasks.

ITEM #6: SALMON RECOVERY MANAGEMENT REPORT

Brian Abbott, Salmon Section Manager, Rachael Langen, Deputy Director, and Richard Brocksmith presented this agenda item.

Brian Abbott provided the following updates:

- Project applications are due by September 1. He expects the board will fund about 200 projects with \$43 million available funds. During the week of October 12-16, the Review Panel will host the regional presentations for the 2009 grant round.
- All but two projects from the 2008 grant round are under contract. Chair Tharinger asked about the timeline for getting the remaining 2008 projects under contract. Brian responded that staff is working to get projects under agreement. David Troutt asked if the conditioned projects are close to getting under contract. Brian responded that one project is close to agreement, and the board approved the other project, Alder Creek, in February.
- The Salmon Section put out a Request for Qualification and Quotations for the board's Technical Review Panel and received 19 proposals. All 19 proposals were qualified, and it was decided to retain the current Review Panel and add two new members. New additions include habitat specialist Jim Brennan and fish biologist Paul Schlenger.
- PRISM updates and improvements, including progress reports, will be ready for implementation in January.

Rachael Langen then gave a presentation with Richard Brocksmitth on the transition for the Governor's Salmon Recovery Office and the lead entity administration. Rachael explained the shared roles and responsibilities between RCO and GSRO and the close working relationship.

Bob Nichols asked about the status of the reporting mechanisms that GSRO has played a key role in compiling in the past. Kaleen responded that Steve Leider has stepped up to take on the State of the Salmon, but as for the other reports, RCO is still determining the division of labor for reporting.

David Troutt asked about the responsibility of salmon recovery policy issues. Kaleen responded that Steve McLellan will be the point of contact. Bud clarified that Steve would be responsible for managing, not establishing, policy.

Rachael Langen noted that the RCO was efficient in getting the lead entity and regional contracts mailed. She also noted that RCO's share of the two percent general fund state cuts totals \$49,000, and explained that the cuts would come from lead entity administration and contracts, GSRO, the technical review panel, salmon support, Invasive Species Council, Monitoring Forum, and Biodiversity Council.

Rachael noted that supporting LEAG would be the biggest challenge for her and Richard. She asked the board about their expectations for LEAG. Richard reminded the board that lead entities are funded with general fund dollars, so they would get bigger cuts than other parts of the human infrastructure that the board funds.

Harry Barber asked if the cuts would affect the RFEGs. Sara responded that they would not because RFEGs are funded through the sale of fish carcasses. Bud asked if there are efficiencies that could be gained by working through the regions, with the regional directors integrating the two bodies to save dollars. David Troutt responded that there is a tremendous value in LEAG meetings, which bring all of the voices to the table, and he is fearful that LEAG will fall apart without a certain amount of staff support for the group. He wants to look at ways to maintain staff support without burdening the budget and added that it would be important to have a budget line dedicated to the true amount of an FTE's time.

Richard responded to Bud Hover by noting that there are lead entities who would not feel covered by regional representation.

Chair Tharinger asked if the Governor's Office has a position that could strengthen the board's approach in expressing funding needs by improving the coordination of regions and lead entities. Sara expressed concern that regions are tied to a salmon recovery plan, whereas lead entities look at all salmonid populations in their watershed.

Bud added that during this tough budget climate, he understands that it can be a touchy situation, but it is important to evaluate all options for efficiencies.

Richard responded that lead entities and regions do not vertically integrate perfectly, and lead entities are project focused, while regions are not. Harry Barber added that if the board had the chance to reorganize the salmon recovery structure, it would not be what it currently is, so we should take this opportunity to examine and revise the structure to make it make better sense.

Phil Miller commented that in the transition of GSRO to RCO, one opportunity is to revise the focus from supporting the regions exclusively. Sara LaBorde asked Rachael if it is more expensive to run the lead entity program than it was with DFW. Rachael responded that RCO thought they could cut \$140,000 from the program, but they have not fully achieved those savings.

David Troutt asked about the role of the RFEGs and project sponsors in the lead entity and regional structure. Chair Tharinger responded that there may be efficiencies in the technical review processes happening at all levels. He also noted that the grant application process may take too much time and effort. David agreed, but said that the grant process was a separate discussion from the issue at hand. He identified that issue as determining whether there is value of having the lead entities gather and present their perspective to the board, and if so, how to do it efficiently. Chair Tharinger clarified that the LEAG question is a small part of the larger question of how to continue funding the human capacity.

Bob Nichols noted that he views the two as intimately related, so to look at LEAG, you must first examine overall efficiencies.

Richard explained that the board has the discussion to integrate lead entities and regions, so it is time to map the integration.

ITEM #7: ENGINEERED LOGJAMS

Megan Duffy, RCO Policy Specialist presented this agenda item.

Chair Tharinger reminded the audience that if they were interested in commenting on the issue, they should fill out a comment card.

Megan Duffy introduced herself and Sandy Kilroy from King County Department of Natural Resources and Parks (KCDNR). She explained that she would provide background and process information, Sandy would then let them know what KCDNR is doing, and then they would cover the staff recommendation.

Megan explained that the board directed staff to look at the issue of public safety and projects that involve engineered logjams (ELJs) or large woody materials (LWM) within the SRFB funding process. Megan listed the research that she and Lloyd Moody conducted to learn how the issue is addressed by other states, British Columbia, and other jurisdictions within Washington. She also noted that the Puget Sound Partnership (PSP) funded a similar report for KCDNR. Megan explained that staff identified a range of options, which the agency's assistant Attorney General (AAG)

reviewed from a liability perspective. Staff considered the AAG opinion and considered the spectrum of options in light of legal advice, the purpose of the SRFB and its funding, the potential burden on sponsors, benefits of ELJ and LWD projects, and the likelihood that the option would yield public safety benefits. She stated that staff then narrowed the list to one option that she would discuss later. She then turned the presentation over to Sandy, noting that King County has done significant work on this issue.

Sandy Kilroy, KCDNR, manages the rural and regional services section for the county's water and land resources division, including all watershed protection and restoration programs. She stated that she wanted to talk about the use of wood as part of the county's capital projects on main stem rivers and address how King County has been dealing with recreational issues. Sandy noted that wood is a natural element of our river systems and is a critical element in the recovery of our listed salmonid species. She noted that the salmon recovery plans mention that woody debris is critical to functioning and productive habitat. The placement of wood as part of floodplain project has been an important project element in terms of structural and biological integrity functions.

Sandy explained that there are three main reasons they use wood:

- (1) The ecological value produced by ELJ structures for projects that are solely habitat restoration;
- (2) The flood hazard management program uses wood to deflect flows, slow velocity, reduce bank erosion, and protect public infrastructure; and
- (3) Mitigation for the floodplain program and transportation projects where they use wood to mitigate adverse environmental impacts.

People use the rivers as well. She noted that they have both experienced and amateur boaters, kayakers, canoeists, rafters, and "recreational floaters."

Sandy noted that KCDNR has worked closely on this issue with the King County Sheriff's Office (KCSO) for a long time. The KCSO states that there has never been an injury or death in King County rivers associated with a placed piece of wood. There also is rarely, if ever, wood involved in injury or deaths in rivers. The lack of life jackets is the predominant cause of drowning in county rivers.

Sandy then explained the history of the issue in the county. In the 1990s, the county started involving interest groups in the design of projects. In particular, they involved a boater safety commission, which is now the River Safety Council. She explained that the county would take conceptual designs to stakeholder groups to get their input from a recreational safety standpoint. The approach worked well, but ensuring safety has become a greater consideration in the past few years. In 2007, the King County Council (KCC) passed a motion to develop procedures for the placement of large wood. In 2008, the KCDNR responded with a recommended set of protocols that included input from stakeholder groups. She noted that these protocols were referenced and included in the SRFB materials. Some citizens remained concerned that the protocols did not go far enough in addressing safety concerns or restricting the places where wood could be placed. This year, KCDNR formed another LWM advisory committee to review and possibly modify the protocols. Also this year, the KCC passed another ordinance that requires the KCDNR to adopt the protocols as a public rule with safety as a primary consideration.

Sandy explained that the protocols lay out a multi-step process in which they identify the projects that will involve placement of wood, discuss the reasons they are placing the wood (e.g., its function or significance), and then use best practices, professional engineering, and scientific expertise to design projects. She noted that consideration of public safety is an important element of the design and is evaluated in all design options. KCDNR invites stakeholder input into the process through a

variety of means. They have an annual meeting at which they present all of the projects that are under design for construction, and talk about the wood placement. They invite anyone interested to work with the lead engineer or project manager on details of design to address the safety concerns for particular projects.

Sandy also noted that education and outreach are important. KCDNR places signs during and sometimes after construction. They also have information on their web site about the projects. Recently, they have started to monitor the projects to see changes over time and identify whether the safety conditions associated with a project have changed.

She showed pictures of some examples of design modifications they have made. The first was a habitat restoration project on Auburn Narrows, a side channel of the Green River. She noted that the wood was pulled back out of ordinary high water, and embedded into the bank to make it secure and stable. The second project was a bank stabilization project where they wanted to use the wood to deflect flows, reduce velocity, and reduce bank erosion. In this case, the root ends were tucked in very close to the shoreline and overlapped with the blunt ends of the logs. The purpose is to pull it close to the shore to minimize the risk that boaters can get trapped in the wood.

David Troutt asked what time of year the pictures had been taken. Sandy replied that she thought that they were low-flow summer. The first (Auburn Narrows) showed low flows, which is during summer. The second one was during construction, which is during the fish window in August.

The next example was on the Snoqualmie River where they used pilings to secure and tether the logs back against the bank. The pilings help keep boaters back during different flows. She then showed other examples where they look to embed the wood further back in the bank and put up log booms to keep boaters from coming into direct contact with the wood.

Sandy noted that all of the projects were built two or three years before they implemented the protocols. The important element of their process to include public safety is the annual meeting to present the projects. She reiterated that they address the recreational concerns through design modification, signage, education, and outreach. Sandy noted that the education element is an important piece that is broader than a county issue, and that general river safety education is vital. She stated that everyone has documented a need for improved education and outreach, but that they haven't figured out how it should happen and what level of government is the most appropriate to handle recreational education. King County does some amount of general river safety education for their rivers.

Sandy then noted that the LWM advisory committee also is considering changing the protocols by adding a threshold. She explained that they used a PSP grant to survey recreational use of the rivers to find out where it is happening. They hope to use the information to focus the intensity of their efforts; for example, they might not implement the full protocol in areas with low recreational use. The committee is exploring those options. They also are exploring the public input process so that they can clarify how input is received and handled. She then reiterated Megan's comment that King County used the PSP grant to research how other jurisdictions address this issue and found that no other jurisdictions were looking at safety with the same intensity and thoroughness as King County.

Sandy concluded that wood is important for both structural and biological functions. Public safety must be a primary consideration in the placement of wood, especially in an urban area like King County. Balancing the needs requires cooperation, coordination, and compromise.

Chair Tharinger asked if there were any questions.

David Troutt asked if an effort to identify areas where wood would not be placed was part of the King County discussion. Sandy replied that one of the safety concerns raised is whether there are places where wood is not appropriate. These areas might include the outside bend of river because that is where the flow would tend to take recreational users. David asked if they have designated those as off limits. Sandy replied that they have not made that decision, but it is something that is considered in the design options. There have been discussions about the appropriate places for wood, and whether there are alternative locations that could give the same ecological benefit and avoid the most dangerous areas for recreational users.

Sara asked about the effect of the protocols on private landowners. She noted that outer bends of rivers could work their way onto the land and threaten property and homes, so landowners may want to use rock or wood to protect their infrastructure. She asked if the policy would apply to them. Sandy responded that everything she talked about applies only to county-sponsored projects because they are internal protocols and administrative rules. In 2008, they recommended that public safety could be considered by private or non-county government projects, but the rules would not apply. The permitting agency for King County would be the one to trigger any consideration of public safety for private landowners.

David asked if any of the projects that she showed were SRFB projects. Sandy responded that Auburn Narrows and Fenster were SRFB projects, and noted that they were a few years old.

Megan then presented the staff's recommendation. Staff recommended that the SRFB give RCO direction to get public comment on the approach, which is based on King County's process protocols. Staff would like input from the public and other state agencies that are looking at the issue. As examples, Megan noted that DOT is looking at the issue from an implementation perspective, while DNR is considering it from landowner perspective.

Megan then described the recommended approach, noting that it is based on King County's Appendix C protocol that Sandy referenced and was in the board materials. They are suggesting that it be recommended that sponsors follow the protocol but that it not be a requirement. Key procedural steps would be identified from Appendix C to determine which would be most applicable from statewide perspective. Megan also noted that design guidelines are referenced in Manual 18 under the WDFW section, and that they provide some guidance on instream placement of wood.

Bud asked Megan to explain more about the AG's opinion said as far as liability. Megan responded that there are legal doctrines that would likely shield the board, although all legal doctrines are not infallible. Kaleen stated that it is the public duty doctrine.

Bud noted that he is on the UCSRB, and when he gets these questions, he tries to run them by staff to get their input on it. One of the concerns about this item is to get an update on the status of the aquatic lands lease with DNR as far as these things go. It could have the effect that it would increase the costs and possible deniability. Kaleen asked Lisa (from DNR) if she was prepared to provide any information about DNR's approach. She noted that DNR would be publicly introducing its approach soon.

Steve Tharinger noted that he had several public comment cards. He said he appreciated that the options were considered in light of the criteria identified, including liability, the SRFB's key objectives, the impact on habitat projects and the likelihood of improving public safety. He noted the primary purpose of the board is to fund habitat and restoration projects that contribute to salmon

recovery. Steve indicated that the board is aware of the public safety issue and has been discussing it over the course of the last year and appreciates King County's efforts. He stressed however that the primary role of the SRFB is salmon recovery. Education and outreach, information that indicates where LWD projects are located, and signage are very important for informing the public, but the board's primary role is salmon recovery.

Public Comment:

Alan Barrie WRIA 9. Mr. Barrie introduced himself as a 38-year member of Washington Council of Trout Unlimited, a charter member of the Mid Puget Sound Fisheries Enhancement Group, having recently served as board president, and a member of the WRIA9 Steering Committee and Forum for the past twelve years. He stated that he was asked to represent the WRIA 9 Forum in this discussion. Mr. Barrie read from a statement that is summarized below.

"In my years of sport fishing and fishery involvement, I have boated many rivers in western Washington, and have seen first-hand the hazards of natural wood, and also the benefits of wood to a riparian habitat.

The engineers that do the research, identify the scope of the job and design the wood installation are all licensed professionals. The objective of restoration of our salmonid resources is placed in a secondary role as King County identified safety as the premier objective.

At a recent large wood workshop held on Mercer Island, the King County Sheriff's department gave some 'unofficial' findings that showed the prevailing rescue need came from stranding mid-stream, being on the wrong side of the river, and slipping and falling on rocks.

My wife and I attended 'Reunion Picnics' at Flaming Geyser State Park. We witnessed countless recreational floaters accessing the Green River in the park while walking by a large sign posted by the park department warning of the potential dangers downstream. None of these floaters were wearing any personal floatation devices or other protective equipment.

If the objective of saving our salmonid resources is to be met, the placement of another hurdle to habitat restoration in the name of safety cannot be allowed.. The 'standard' line by the safety folks is 'Would you want your child or Grandchild to be the victim of carelessly placed wood?' Of course the answer is NO. In the marine boating regulations, every person 12 and under MUST be wearing a PFD while the boat is in motion!! Recreation on any river or moving water is inherently hazardous and safety precautions MUST be used. Sacrificing our Salmonid resources is unacceptable to those of us that are willing to spend our time and treasure to assure survival."

Chair Tharinger referenced a letter dated February 27, 2008 that was received by the RCO in August 2009. He noted that the letter was from Dow Constantine to the chair of the King County Council, and read the following from the letter: "We support people informing King County about hazardous conditions on rivers to improve public awareness of safety considerations and dangers. We support placement of wood in rivers in a way that reduces risk to river users while fulfilling the essential ecological functions of wood."

Joan McBride, Deputy Mayor of Kirkland, and vice-chair WRIA 8 Salmon Recovery Council. Ms. McBride noted that they are a council of 27 local governments working together to implement plans to restore salmon in their watershed. Wood is a very important of the restoration plan, so this is a very important issue for them. She asked whether there has been an assessment of the problem. She stated that King County has been working with boaters since 1998 on wood in rivers, and is not aware of any incident in which anyone has been killed or injured in that county. She stated that the

facts speak volumes, and make her ask “where is the problem, what is the problem, and are we addressing the problem?” In addition, she would like to caution the board not to create another statewide hurdle for salmon project implementation. Ms. McBride stated that another issue is that the project sponsors already work hard to meet the permit requirements, and that the engineers are responsible, licensed, professionals who must consider public safety in designing the habitat restoration projects. She believes that the King County ordinance does not balance safety issues and habitat restoration, noting that section 1, item f, states that the “greatest safety for river users will be the primary consideration” is not language of balance. She continued that in her city role, she has to always look at public safety but that on the WRIA, she just needs to be concerned about fish. She stated that if you are concerned about fish, this is a hugely important issue. Wood makes sense from an economic standpoint, it’s good for the environment, and it’s pleasing to recreational boaters. Someday, we may get to the point where if we really want to ensure safety, we’ll just build water parks. Right now, she does not see a safety problem.

Joe Ryan, PSP, said that the other speakers had already addressed what he wanted to say about the inherent dangers of wood in rivers and the need for boaters to wear PFDs, so he would like to speak briefly to the proposal to go out for public comment. He wonders if it is the best step at this time. His concern is that it builds up a head of steam for an outcome that the board may not be seeking. If we put up some guidelines, and then someone doesn’t follow them, then the sponsor’s liability is actually increased, so the pressure to make these required rather than suggested will increase over time. He continued that he looks at some of the procedural steps, in particular outreach activities and the work with stakeholders, and wonders where those funds will come from. He asked if the costs would be built into the capital funds of the project, or would there be some other source. He also asked if it is the best use of salmon recovery funds to do that. He concluded that the PSP has great concerns about the recommended approach, and would be happy to work with the board on the issue.

Peter Birch, Deputy Asst. Director for Habitat Program for WDFW stated that Sandy and others have done a good job of outlining the value and importance of large woody debris and its function in stream restoration work. It’s a critical component to the habitat. He added the point that if you look at the SCC 2005 limiting factors summary report, it notes that 85% of the watersheds researched had a poor rating for large woody debris. This is higher than for any other aquatic limiting factor. With that in mind and the importance of it, he noted that WDFW supports properly designed and engineered large woody debris, so they have worked with other agencies and produced two manuals that have already been mentioned – Integrated Streambank Protection Guidelines and the Habitat Restoration guidelines. He stated that both manuals give the sort of information needed for these types of projects. He explained that they do mention safety, but that WDFW would like to see an upgrade and update of the manuals. He stated that they support the idea of considering safety, and are available to help with the RCO, River Safety Council, or King County to incorporate the procedural guidelines. WDFW would like to look at it as a way to update the manuals. Peter continued that they need to look at this as being two goals: a goal of safety, and a goal of augmentation of large woody debris in streams, not one or the other. He stated that the King County language concerns him because it does not provide that balance. Safety concerns need to modify the way in which we look at large woody debris installation, not reduce, or slow down, the rate. He said that we have to consider both of those things, and some of the procedures in Appendix C look reasonable as prerequisites in preparing an application for restoration project. They do “due diligence” to the things that need to be done with signage and public involvement. A balance needs to be struck between safety and recovery.

Judy Filips, Chair of the River Safety Council (RSC). Judy explained that the RSC is comprised of representatives of the Mountaineers, American White Water, Washington kayak Club, Paddle Trails

Canoe Club, Rescue 3 Northwest, and Downstream River Runners. She stated that they spend a lot of time on the rivers. She explained that she lives on the Cedar River, which is a salmon bearing stream, and wants to see the salmon runs restored. She stated that she worked on developing the Cedar River Basin plan 15 years ago, served on the Cedar River Council for 12 years, and stenciled storm drains. This is an issue she believes in, but wanted to tell the board that the Cedar River Council is based in a rural area, and has two representatives from the King County Council. They hear from citizens about kids on inner tubes who wash into wood and get sucked under it. They stand for election, and can't take an arbitrary stance on safety or no safety. The recent ordinance requiring safety as a primary consideration in construction is a result of what they have heard over the last dozen years and the experiences that have occurred in the Cedar River basin. The ordinance passed unanimously. Judy continued that King County is taking many good steps in moving forward on the procedures that will help improve safety. Outreach is an issue, but there is not enough money to do it. They are going to have to look at alternatives, such as You-Tube videos that engage rather than lecture, and that is quite a task. She explained that the RSC does not want to be standing on stream banks pointing out hazards, the same hazards that they have been pointing out for 12 years. She stated that there are safer ways of putting wood in rivers, and that she would rather have wood than tires or fencing to hold back the banks. The RSC would like the engineers to take responsibility for making designs safer rather than the interim step of having the public point out the problems. She stated that it is doable, and they will be held accountable, and that she believes it is a good thing. She shared a document – Herrera Environmental Consultants' Recreational User and Public Safety Checklist for wood placement project in riverine environments. She stated that the RSC thinks it is a reasonable approach once the engineers are on board and designing, knowing the hydraulics, to have the neighbors tell them what the use is and what they haven't considered. The knowledge and responsibility should be with the professionals.

Bud Hover asked if the River Safety Council is exclusively concerned with manmade structures. Judy responded that they have focused on manmade structures, with the exception of an annual media campaign about inner-tube safety.

Bud responded that he is concerned that they are giving the impression that the designs are somehow "inner-tube safe" or "boater safe", and that when people encounter a natural logjam, which could be very dangerous, they will assume the same thing. They should be treating all logjams and woody structures as hazards. Judy agreed that they should all be approached as if they were dangerous. She noted that some of the logjams are backfilled with gravel and impervious surfaces so no water gets through them, so the primary safety issue is snags. Bud clarified that naturally occurring logjams aren't created that way. The goal is to bring the river back to what it would be naturally, and that it seems like we're reaching too far to say we can make these things completely "boater friendly."

Judy responded that they have focused more on where the logjams are placed, rather than what they are. The outside of the bend is a very dangerous place because it naturally collects debris, and the river will take people there. There are safer places to put the wood. Bud noted that the wood is being placed there as a function of salmon recovery, and therefore needs to be placed according to what will do the job, not necessarily what is the safest. He stated that they should not put the log strip where it's safe if, as a result, it does not provide what they need to achieve their goals.

Harry Barber noted there is a misconception that logjams are log dams. As such, they are not deflectors of the current, but are velocity breaks. The purpose is to aggregate gravel below the logjam to create spawning areas. He explained that with the logjams he has been involved in, it is difficult to tell if it's manmade or natural. Harry continued that placement is important, but a one size fits all approach is a concern because something that may be needed by King County citizens and is

not necessarily appropriate for the upper Washougal River, or where they have logjams that are built by helicopter or in isolated areas.

Chair Tharinger suggested that they reach a board decision. He noted that he has been arguing with his road department to mark out some Olympic discovery trail crossings on the county roads. They have told him the road standards say not to do that because it gives bikers and pedestrians a false sense of safety. He stated that Bud is correct that it is an issue that if you give boaters a false sense that you have a way to manage log jams.

Chair Tharinger asked Sandy if the directive had been adopted. Sandy responded that King County adopted an ordinance in June that directed the KCDNR to adopt public rules by March 2010. They are reviewing the protocols developed in 2008, will move them through rule adoption process. It is typically an administrative rule, but there could be a council presentation.

Chair Tharinger said that unless there was more public comment, he would like the board to give direction on how to proceed. Staff has given proposed next steps. There was some comment about whether to solicit public input, and that is one issue. The other issues are fairly straightforward, and he asked if the board or staff had thoughts on that or other parts of the recommendation.

Bud wanted to know more about what the other agencies are doing. The chair noted that the agencies have been working on this for a while and that the RCO should take the lead in looking for ways to coalesce policy around this.

David noted that state agency partners offered to work with the RCO to look at the issue and come up with additional recommendations or ideas. He wants to take advantage of that and not go to public review now. He stated that they should spend time doing additional homework. He identified two issues: what do we do about installation of large woody debris with regard to the issue of safety, and an issue as a board in funding projects in areas where local regulations don't support salmon recovery and result in projects that don't maximize the benefit to fish. He asked if the board should continue to fund those projects.

Chair Tharinger referred to the factors that staff considered options "in light of" and suggested prioritizing them. He stated that he looks at it as a hierarchy of priorities. The first priority, legal liability, is an issue, but the board has some protection under the public duty doctrine. The second priority is salmon recovery and that is the board's role. The chair stated that the board's recommendation is to come back after talking with other agencies based on this hierarchy of options. He instructed staff not to go out for public comment until they have talked to the agencies.

Bud clarified that he is sensitive to the dangers and hazards, and agrees that public safety is important. He stated that the board is taking the wrong approach if we try to make something that is inherently unsafe appear to be safe, instead of educating the public in what they should or should not do around these things. He noted that the board has a function to perform, so they look at it from a different perspective. Public safety is important, but the board has to see what will help them achieve the goal and then educate the public.

Harry supported the recommendation to have staff talk to other agencies, and also suggested that they should look at what's in place in municipalities or counties or permitting agencies that looks at the safety side of things.

Steve noted that the nexus with local policy is the guidance in the project manual related to this issue. Sara noted that the guidance in the project manual is the WDFW stream habitat and

restoration guidelines, developed in 2003 by the experts. She stated that they have been working with RCO and Partnership to come up with a way to update the guidelines. It is a great document developed by the best in restoration science.

David Troutt supported Bud's comment that the board is concerned with public safety, but noted that humans have altered the environment for so long, that the fish cannot survive under those conditions. He stated that they are trying to get the fish back, and putting on additional restrictions that don't maximize ability to restore or recover is not doing our job. On the issue around whether we distinguish between installed and natural woody debris, he noted that people die annually on the Nisqually due to natural woody debris.

Chair Tharinger asked Megan if she had any clarifying questions. Megan stated that she understood the board's direction to be (1) no public comment at this time, (2) work with sister state agencies to develop some other options to bring back at a future board meeting.

ITEM #8: REGIONAL AREA PRESENTATION: YAKIMA REGION

Alex Conley, Executive Director, Yakima Basin Fish & Wildlife Recovery Board, presented this agenda item.

Alex Conley provided an overview of salmon recovery efforts in the Yakima Basin. He covered salmon bearing water systems, habitat degradation influences of stock declines, a history of the recovery work over the past twenty years, and the major funding sources. Alex also presented data showing the results of recovery efforts in terms of numbers of spawners and adult fish. He concluded his presentation with information about next steps, including recovery priorities, water quality and flow issues, fish passage at dams, and floodplain and habitat restoration.

Harry Barber asked who manages the prioritization of each funding source. Alex responded that each entity prioritizes its own funding.

Bob Nichols asked if Alex is going to combine the bull trout and steelhead plans together. Alex responded that the old plan in 2005 combined the two, and it was unwieldy. The new focus is on a strong steelhead plan.

Harry also asked about the breakout between wild and hatchery fish. Alex responded that the steelhead are all wild, the coho are a mix of a localized brood stock and out of basin hatchery stock, and the spring Chinook are about half wild and half supplemented that are managed as a single genetic whole. Harry Barber pointed out about small mouth bass as a limiting factor, to which Alex responded that it has not been for listed species. The biggest predation issue is birds.

Carol asked about the status of recovery plan progress in the Yakima and about habitat indicators. Alex responded that there are four populations. For two, they are almost there, but for the upper Yakima is the most difficult to determine. Alex responded that mainstem survival is the biggest habitat indicator.

David asked if the Hatchery Science Review Group (HSRG) worked with the basin, and Alex responded that the YBFWRB has not directly worked with the HSRG. Sara praised Alex on a cross-H presentation, and illustrating Yakima's work as meeting the purpose of the recovery boards.

Bob asked about the role of irrigation screening in the Yakima, and its role in the recovery strategy. Alex responded that the Yakima has gone from mediocre screening in the 1980s, and now most streams are screened.

ITEM #9: ROAD MAINTENANCE AND ABANDONMENT PLANS

Megan Duffy, Policy Specialist, and Brian Abbott, Salmon Section Manager presented this agenda item.

Megan explained that as noted at the May 2009 board meeting, current board policy states that, with some exceptions, forest practices related to road maintenance and abandonment plans are ineligible for funding by the board. In some cases, this policy may conflict directly with RCW 77.85.130 (6), which addresses the procedures and criteria for allocation of funds for the board.

At the direction of the board, Recreation and Conservation Office (RCO) staff consulted with the agency's Assistant Attorney General (AAG) and developed three options to address the issue. Megan explained the options and noted that within options two and three there are a number of variations. She explained that option 1 would retain existing board policy and that option 2 would apply existing board policy to small forest landowners and allow RMAP projects for larger landowners if the certain elements from RCW 77.85.130(6) were demonstrated. Option 3 would require that all RMAP related projects, regardless of landowner size, meet the elements from RCW 77.85.130(6), but that the match percentages would apply only to large landowners.

Brian noted that almost all of the small forest landowners currently apply through the Family Forest Fish Passage Program.

Bud Hover asked how forest service roads fit into the policy. Mary McDonald, Department of Natural Resources Assistant Division Manager Forest Practices, responded that United States Forest Service lands do not fall under DNR jurisdiction or RMAP requirements. Kaleen asked Brian how many projects are on Forest Service land. Brian responded that quite a few projects are on Forest Service land, with a local or tribal sponsor, and that the process would remain status quo for them, regardless of this policy discussion.

Harry asked how the presented options compare with funded board projects. Kaleen responded that the projects still must undergo the lead entity ranking process.

David asked how the board might distinguish whether a project is solely for mitigation. Megan responded that legal interpretation provided that the various elements of the Habitat Conservation Plan (HCP) and associated WACs would have to be interpreted individually but it should not be assumed that all elements of the HCP are solely mitigation. David also asked about the different amounts of match for sediment reduction and fish passage projects. Brian Abbott responded that it was designed to address the ability to demonstrate benefit to fish.

Bud Hover asked if the current policy allows the board to fund small forest landowners, but not large forest landowners. Megan responded that Commissioner Hover's interpretation was correct.

Carol stated that she was concerned that board funds would be used to fund HCPs, and how that could affect the board's ability to fund projects. Steve Tharinger responded that he agreed it was a concern, but that the options presented addressed it. Megan noted that all projects must go through the local technical and citizen review process and state technical review.

Harry asked what distinguishes a small landowner from a large forest landowner. Megan noted that it is statutorily defined as no more than an average of 2 million of board feed harvested over the past two years. Carol expressed concern about using board funds to support HCP-specific actions and projects that are solely mitigation.

Carol stated that she would like to see the “not solely mitigation” language tightened so that the board does not fund HCP actions and mitigation. Megan clarified that it is statutory language and it would be difficult to address in policy.

Public Comment:

Ed Bowen, North Pacific Coast Lead Entity (NPCLE) citizen at large, spoke about comments from the lead entity’s citizens committee. NPCLE is in a geographic area that is predominately timber, so they advocate the “with limitations” proposals. One of the natural resources citizens’ members suggested Road Maintenance and Abandonment Plan as a final step in habitat restoration. Ed Bowen said that he personally supports option 2B. There is one reservation about the match portion. Ed also noted that NPCLE has brought forth an RMAP project that would preserve habitat.

Robert Fancher, Engineering Manager for Rainier. He supports using board funds to support RMAP projects because they (1) complete fish passage projects sooner and to a higher standard; (2) combine SRFB projects with other landowners to realize greater benefits to fish; and (3) SRFB grants for industrial landowners would allow the inclusion of projects that are not required under RMAP, such as blockages on orphaned roads.

Alan Chapman, Lummi Lead Entity, noted that sediment is one of the major limiting factors in the Nooksack River. He suggested that the board could put money into the project, then a lien could go on to the property to recover money at a later date. Kaleen responded that it would take statutory changes, because it would turn the grant program into a revolving loan program.

Bud Hover MOVED to adopt option #2B, to apply existing board policy to small forest landowners and make RMAP projects for larger landowners eligible if they demonstrate elements from RCW 77.85.130(6), as outlined in the August 2009 staff memo to the board and provide either a 35% landowner match for fish passage projects or a 50% landowner match for sediment reduction projects.

Jon Peterson asked about building a new road after the barrier has been restored. Mary McDonald responded that they would need to get an HPA to build, and that would require fish passage.

David Troutt asked about opening roads and about the permanence of the closure. Chair Tharinger responded that the process is thorough and noted that if they want to open it back up, the criteria are different. Kaleen responded that the engineering and regulatory standards are much different, and now at a higher level. Mary added that if a company chooses to abandon a road, it is usually economic or regulatory issues, so it is unlikely that they would rebuild. David wondered if it truly protects the land permanently. Bud responded that he does not believe that large landowners should be held to a different standard than small landowners.

Sara reminded the board that whatever the board passes, projects will go through a local process. She would change the language to 35% match for sediment reduction projects. Chair Tharinger responded that 50% match could help projects get done more efficiently. Bud supports maintaining the 50% match level.

Kaleen asked Brian if he envisioned the match being a landowner match or just a general match. Brian responded that he views the match as with the landowner.

Harry SECONDED the motion. Motion approved unanimously.

ITEM #10: OPTIONS AND CONSIDERATIONS FOR GRANT ROUND SCHEDULE

Megan Duffy, RCO Policy Specialist, and Brian Abbott, Salmon Section Manager presented this agenda item.

Megan Duffy reminded the board that staff presented various options at the May 2009 meeting. She explained that based on the feedback, they adjusted the options and solicited input from project sponsors, lead entities, and regional organizations. Staff sent a survey to 300 individuals and received 52 responses. Megan briefly reviewed the survey results, noting in particular that there was no consensus from the respondents on the options.

David asked if it is worthwhile to examine the larger issue of the grant cycle and funding the most important projects.

Chair Tharinger noted that there are links with the SHB 2157 assessment, the issue of keeping funds in the regions, and funding larger projects to have a greater effect. He agreed that there might also be efficiencies to be gained by looking at the entire grant cycle.

Harry stated that it might be better not to expend the staff time on additional inquiries, given the current efforts to reorganize the system.

Kaleen wants the board to be aware of staff time and priorities, and suggested that any further work be done after the assessments currently underway, rather than simultaneously.

Sara also suggested looking at the Estuary and Salmon Restoration Program (ESRP) model for funding complex projects in phases. Harry would like a well-defined strategy to guide large projects. The board discussed their general ideas and the need to find ways to fund larger ecosystem-based or phased projects.

Chair Tharinger noted that this is not a priority for the board and that the review needs to be tied to current assessment efforts. Kaleen noted that it may be more appropriate to prepare options for the 2011 grant round, and the board agreed.

Brian noted that for 2010, staff would like to bring changes to Manual 18 in December instead of in February. Chair Tharinger agreed that it was a good approach that meets the needs of sponsors, and suggested that staff look for easy ways to simplify the process. Brian stated that they would work with lead entities and sponsors on the changes.

The meeting adjourned for the day at 4:01 p.m.

SALMON RECOVERY FUNDING BOARD MEMBERS PRESENT:

Steve Tharinger (Chair)	Clallam County
Harry Barber	Washougal
David Troutt	DuPont
Don "Bud" Hover	Okanogan County
Bob Nichols	Olympia
Carol Smith	Designee, Conservation Commission
Melissa Gildersleeve	Designee, Department of Ecology
Sara LaBorde	Designee, Department of Fish and Wildlife

Meeting reconvened at 9:01 a.m.

ITEM #11: REGIONAL FISH ENCHANCEMENT GROUPS

Paul Ancich, Alison Studley, Rachael Vasak, Rebecca Benjamin, Tony Meyer, and Anne Boyce provided a panel presentation for this topic.

Brian Abbott introduced the Regional Fish Enhancement Groups. He stated that they are an important group of sponsors. From 2000 until 2009, the board has funded 1,164 projects. Of those, RFEGs have sponsored 20 percent of all projects and Conservation Districts funded another 20 percent.

Paul Ancich introduced the panel and noted that RFEGs are about community-based restoration.

Allison Studley, the Executive Director for Skagit Fish Enhancement provided a general overview of the history of RFEGs, noting that there are 14 RFEGs in Washington. They were established in 1990, work closely with the lead entities and work collaboratively. In 2003, they formed a coalition to speak with a united voice. She stated that RFEGs are funded by the Department of Fish and Wildlife through the surplus sale of carcasses and a percentage of anadromous fish license sales, as well as a United States Fish and Wildlife Service pass-through grant.

Bud Hover asked Alison about a slide showing a photo of Sherwood Creek Railroad Bridge, and asked about the project's funding source. Lance Wineka of the South Puget Sound Salmon Enhancement Group responded that the Navy, which owns the railroad, and SRFB funds, funded the bridge.

Chair Tharinger asked if there is a specific part of the design checklist or formal analysis that addresses recreational safety. Tony Meyer, Lower Columbia Fish Enhancement Group responded that there is a checklist that they use during the planning and design process.

Bud Hover asked if there is a way to engineer logjams (ELJs) to be more safe/boater friendly. Alison responded different designs are used for areas that are used by the public, but they can still be effective. Paul Ancich added that engineers are designing ELJs to withstand higher flows, noting that before the safety issues they were built to withstand 100-year floods, but now are build for 500-year

floods. Rachel Vasak described how they worked with engineers on the Nooksack to design a logjam in an area with high recreational use. She noted that they need to balance human safety, property and infrastructure issues, and salmon recovery. Bud asked if the engineers are compromising the effectiveness of the logjams by altering the designs to respond to safety concerns. Rachel responded that while the smaller logjams can't have the same results as the original half-mile long naturally-occurring logjams, the designs are still increasing substrate sorting, pool development, and holding habitat.

David Troutt noted that RFEGs are keeping safety in mind without rules/requirements imposed by the board. Alison responded that the RFEGs are mindful of safety concerns, and the liability issues.

Bob Nichols asked where the expertise comes from in the volunteer base. Paul Ancich responded that most of the RFEGs have biologists and scientists on-hand to oversee and coordinate volunteers.

Bob asked if there is a before and after productivity data for nutrient enhancement. Tony sent Harry Barber a report with the results of nutrient enhancement, structure improvements, and the combination of improving structure and nutrient enhancement from Dr. John Stocker, University of British Columbia. He state there is a big payoff when structures and nutrients are added.

Alison explained the impact of education and outreach. Bob asked if the RFEGs are connected with Office of the Superintendent of Public Instruction and DFW's efforts. Alison noted that students who participated in the Restoration Education of Young Stewards (REYS) demonstrated improved WASL scores, compared to those who did not get out in the field.

Alison described the monitoring programs done by the RFEGs to evaluate the success of their efforts. Chair Tharinger asked about the consistency among monitoring efforts. Alison responded that volunteers conducting redd surveys use WDFW standards. However, they may have different methods for vegetation monitoring because areas differ. They use the established protocols that work best in their areas. Alison highlighted the use of volunteers for collecting data.

David Troutt asked how the RFEGs are equipped to take on more projects in the future, since it is tough to find sponsors. Alison responded that her organization is hiring a new habitat biologist, but RFEGs need more sponsors. Chair Tharinger asked about the possibility of RFEGs combining to share resources. Alison responded that RFEGs currently share tasks with the lead entity in Skagit. Paul Ancich noted that coalition helps to coordinate efforts between RFEGs. Tony Meyer added that geographic size determines the capacities and limitations for an RFEG.

Harry Barber asked if RFEGs are involved in HB 2157 and 1244, and encouraged them to become familiar and attend the board meetings.

Chair Tharinger asked what the board can be aware of to help RFEGs. Alison responded that base funding is critical, understanding that RFEGs are capable, and if there is a need, they can help fill the need. Paul Ancich added that more funds for monitoring would be key. Anne Boyce added that lead entity capacity funds have helped RFEGs.

Tharinger asked if the Puget Sound Partnership's EcoNet is a good tool. Rachel responded that Nooksack is involved in beginning the process in Whatcom County.

Bob asked to what extent are the RFEGs nested within the recovery plans and process. Alison responded that it varies among RFEGs, while some are connected to lead entities and regional

recovery priorities, however some RFEGs are helping landowners to restore fish habitat that are not included within the regional priorities. RFEGs align with regional boundaries, and WRIAs.

ITEM #12: DISCUSSION OF UPCOMING POLICY ISSUES

Dominga Soliz, RCO Policy Specialist, presented this agenda item.

Dominga Soliz introduced three upcoming policy issues: allowable activities and structures on SRFB-funded acquisitions; scope change requests involving acquisition projects; and alignment of SRFB with the Puget Sound Partnership Action Agenda.

Dominga explained that the first issue (Allowable Activities and Structures on SRFB-Funded Acquisitions) was designed to address activities and structures on land purchased with board funds that may be incompatible with the statutory purposes of the board's program. She noted that a related issue was that activities and structures that generate revenue can violate restrictions on the state tax-exempt bonds that funded the acquisition. She explained that staff was assessing the issue and working with the RCO's assistant attorney general, representatives from state agencies, and the governor's office to explore policy options.

Bud Hover asked if the land in question is held in fee simple or as conservation easements. Kaleen responded that for Washington Wildlife and Recreation Program (WWRP), farmlands have moved to 100 percent conservation easements, because fee simple lands create tax issues.

On the issue of scope change requests, Dominga explained that staff is proposing to develop a clearer scope change policy regarding replacement land in order to provide consistency in decision-making, guidelines to sponsors, and program accountability. Since the issue affects this board and the Recreation and Conservation Funding Board (RCFB), staff will ask both boards to clarify and adopt more consistent policy concerning replacement land later this year.

Dominga noted that the Conservation Districts had sent a letter to the board to stress the importance of consistent board policy for scope changes.

Kaleen added that the RCO would like to create consistency between the two boards, and define terms such as "contiguous" and "geographic envelope" to make sure the process is open and fair.

Harry Barber added that as a subcommittee member, he would like more guidance on this topic.

Chair Tharinger pointed out that the RCFB has different goals than the Salmon Recovery Funding Board.

Bud Hover responded that if the original project went through the process, the money should go back rather than being spent on a contiguous parcel or piece of land. David Troutt countered that the competition is within the watershed, so the outcomes of the competitive process are still upheld. Chair Tharinger suggested that if they did that, the project would need to be evaluated, since the board has not developed consensus to keep the money within the region.

Bud Hover stated that he would like to see the money move to the next project on the prioritized list, rather than giving a sponsor the chance to find another piece of land to purchase. Carol agreed that any project that is funded, needs to have a technical review.

On the issues of alignment with the action agenda, Dominga explained that the legislation calls for projects that are in conflict with it to not be funded. That mandate is effective January 1, 2010. Staff is working with the Puget Sound Partnership on implementing this and the other mandates. Bud Hover asked if all of the salmon recovery entities within the Puget Sound area are Puget Sound partners. Dominga explained that the criteria to become a Puget Sound Partner is still being established.

Board members discussed how the partner designation would affect the project ranking, noting that one result could be that lower-ranked projects could be funded instead of a higher-ranked project, depending on how the Partnership designates partners. Dominga stated that she will bring options for the board to consider at its December meeting.

ITEM #13: NATIONAL FISH AND WILDLIFE FOUNDATION

NFWF Staff Cara Rose and Brian Abbott, Salmon Section Manager presented this agenda item

Brian introduced the memo, and noted that the proposal has been distributed to lead entities. He stated that this presentation was intended to get feedback for the October meeting.

Cara Rose gave a brief introduction of the NFWF Community Salmon Fund (CSF) and noted that she would discuss budget-related program changes.

NFWF's Community Salmon Fund program funds smaller scale projects that usually would not be funded by the board. The project limit is \$75,000. The focus is to engage and educate the community.

The funding from the board in previous years was about \$1.5 million, but has been cut for 2010 to \$700,000 for the program. NFWF staff met with RCO staff in May and staff asked NFWF to prepare options for funding. Cara presented two options and asked the board to indicate its preference.

The first option, called the "Regional Option" would offer CSF programs by salmon recovery region, with Puget Sound split into three sub-regions, for a total of 10 regional grant rounds. Funding for the regions would be divided using the board's regional allocation strategy. If additional SRFB and NFWF funding is available for the 2011 program year, a second round of regional CSF programs would be conducted.

The second option, called the "Two-Year (with Lottery) Option" would offer the CSF program in all lead entity areas, but in two annual grant rounds. Only the funding for the first round (in 2010) would be guaranteed. The second round program (in 2011) would be contingent on further federal and state appropriations. To address this risk, round one participants would be selected by lottery from all those willing and able to proceed in the first year.

Cara stated that NFWF would work with RCO staff after the board meeting to develop a more detailed proposal for the option preferred by the board, then come back to the board in October to request funding.

David Troutt asked about the overhead charges for the grants. Cara responded that the administrative costs cover the ability to manage the grants.

Sara LaBorde asked why the board has only heard from two lead entities. Brian responded that the lead entities were instructed that they would get more information by October.

Tharinger asked if the board needed to choose one option. Cara responded she would like to receive feedback about the preferred option, then prepare a proposal for the October meeting.

Public Comment:

Ed Bowen, North Pacific Coast Lead Entity, noted he is concerned about board's allocation percentages for the Community Salmon Fund. Ed suggested a biennial process (holding the funds until 2011 then making allocations), if allowed, would give the lead entities more time to develop projects.

Barbara Rosenkotter, San Juan Lead Entity Coordinator, explained that she recently polled most of the Puget Sound lead entities. She found that most chose the regional option, but one was in favor of the two-year option and another preferred that the money go to the board's project money. Puget Sound is willing to determine the split between north, central, and south Puget Sound.

The board directed NFWF to move forward with the regional option, developing a more detailed plan for allocating funds, and gathering feedback from the regions. The board would like to see the overhead costs come down. Cara added that the federal dollars require two non-federal match sources.

Harry Barber pointed out the letter from Ron Craig on harvest, noting the information going before the Fish Commission that was added to the board notebooks. Harry added that he would like a presentation on how the policies affect hatchery and harvest. Kaleen suggested that the presentation could be done in December.

ADJOURN

Meeting adjourned at 11:31 a.m.

Steve Tharinger, Chair

Next meeting: October 16, 2009
Olympia, WA