



## CITY OF KIRKLAND

Department of Public Works

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### MEMORANDUM

**To:** Kurt Triplett, City Manager

**From:** Stacey Rush, Senior Surface Water Utility Engineer  
Jenny Gaus, Surface Water Engineering Supervisor  
Kathy Brown, Public Works Director

**Date:** January 8, 2015

**Subject:** INTERLOCAL AGREEMENT SUPPORTING SALMON RECOVERY IN LAKE WASHINGTON/CEDAR/SAMMAMISH (WRIA 8) WATERSHED

#### RECOMMENDATION:

Staff recommends that City Council members receive a briefing on the proposed Interlocal Agreement (ILA) (Attachment A) to support regional salmon recovery efforts. This update was requested by Councilmember Jay Arnold, who represents Kirkland on the WRIA 8 Salmon Recovery Council. Staff is seeking questions, comments or feedback from the Council as the new ILA will be presented to Council members for adoption later in 2015.

#### BACKGROUND AND DISCUSSION:

##### *Background on Chinook salmon listing*

Puget Sound Chinook salmon were listed as threatened under the Federal Endangered Species Act (ESA) in 1999. As a listed species, any actions that could be viewed as "take" of Chinook habitat could be prohibited unless steps are taken to reduce or eliminate impacts. As long as the species is listed, there is the potential of economic impacts to Kirkland because "take" can include private and public development activity, release of stormwater that carries pollutants into lakes and rivers, or operation and maintenance of the public street system. Lawsuits regarding "take" can be initiated by third parties including citizens and Indian Tribes. The four basic categories of items impacting salmon populations include: habitat, hatcheries, hydropower, and harvest. Of these, habitat is the most under control of local governments such as Kirkland, as it controls land use and operates and maintains public infrastructure that crosses and interacts with streams.

In response to the listing, local governments and stakeholders in the Lake Washington/Cedar/Sammamish Watershed (also known as Water Resource Inventory Area 8, or WRIA 8) gathered to develop a plan to address habitat protection. The Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan (WRIA 8 Plan) was completed in 2005 and approved by local government partners.

##### *Previous resolutions by Kirkland Council*

In June, 2005, Kirkland City Council adopted the WRIA 8 Plan, which sets priorities and goals for the WRIA 8 salmon recovery process. While the ESA only prohibits "take" and does not require species recovery, the WRIA 8 Plan has the goal of recovery and eventually the de-listing of Chinook salmon. In addition to preserving and sustaining a species important to Puget Sound's culture, this effort would reduce the risk of third party lawsuits limiting private/public development and City maintenance activities in Kirkland.

In November 2006, Kirkland City Council entered into an Interlocal agreement with other jurisdictions in the watershed for salmon recovery planning and implementation. This ILA is in effect until December 31, 2015 and participation in the ILA demonstrates commitment to proactively working together within the watershed to address the ESA listing.

#### *ILA purpose*

Salmon recovery is a multi-jurisdictional effort, with shared interests and responsibility for addressing watershed health and salmon habitat protection and restoration. Identification of watershed health issues and implementation of salmon habitat protection and restoration can be carried out more efficiently if done cooperatively rather than separately and independently. The ILA provides an effective, long-standing forum for regional coordination and a governance structure to implement the WRIA 8 Plan, which supports implementation of the Puget Sound Partnership Action Agenda for recovery of Puget Sound.

The WRIA 8 Salmon Recovery Council (SRC) is the governing body created to implement the ILA and the WRIA 8 Plan, currently with 28 jurisdictions sharing the costs. In addition, there are 19 stakeholder groups that elect a member to serve on the SRC (for example, Friends of the Issaquah Salmon Hatchery and WA Association of Sewer and Water Districts). These members are non-voting on financial matters, but may vote on matters of policy and are instrumental to continuing the ongoing participation of citizens and other stakeholders to ensure continued public outreach efforts.

#### *ILA and salmon recovery funding*

The total annual budget under the ILA for 2015 is \$541,900, and Kirkland's portion is \$27,128. If the new ILA is approved later in 2015, the agreement will obligate Kirkland to pay a similar annual amount, depending on how many members participate.

Funds collected via the ILA are used to support a WRIA 8 staff team (housed at King County) that performs a variety of tasks, including the following:

- coordinating the SRC work plan and meetings,
- providing links to salmon recovery at the regional, state, and federal levels,
- administering policies,
- advocating for more sustainable funding for salmon recovery projects,
- coordinating grants for salmon recovery projects and programs, and
- coordinating and tracking implementation of the WRIA 8 Plan including associated grants.

Regional salmon recovery continues to be under-funded. In the 5-year WRIA 8 Plan Implementation Report (2005-2010) (Attachment B), the WRIA 8 Plan's anticipated level of funding needed for salmon recovery is shown (page 16) along with the actual funding for the last 10 years. The SRC works with the state legislature, Congressional delegation, and state and federal agency partners every year to support state and federal funding. Attachment C is a letter to Governor Jay Inslee regarding priorities for salmon habitat restoration funding for the upcoming legislative session.

#### *Continued restoration efforts and renewal of ILA*

Recovery efforts have protected and restored priority salmon habitat throughout the watershed. However, more work remains. As a result of the lack of funding, approximately only 22% of the 10-Year Start List of priority actions have been completed. Chinook salmon population numbers can fluctuate dramatically on a year-to-year basis due to their life cycle. Recent years' monitoring of juvenile Chinook produced in the watershed appear to show encouraging signs of increasing numbers of juveniles leaving the watershed for the ocean, which indicates progress is being made.

Indian Tribes have Tribal treaty rights guaranteeing them the ability to harvest salmon. Puget Sound Tribes recently expressed their concern at the lack of progress towards habitat recovery. The tribes are requesting local, state, and federal governments do more to adopt and enforce protective regulations, and have threatened lawsuits over the continued decline of habitat and fisheries. Lawsuits could severely impact private/public development and City maintenance activities in Kirkland.

Attachment D is a table listing the proposed changes in the new ILA, including the following:

- “Whereas” statements were added to document the rationale for ILA, identify WRIA 8’s role as the “lead entity” authorized in state statute, and emphasize the use of monitoring and adaptive management to guide implementation of the WRIA 8 Plan.
- The eligible ILA partners have been expanded to include public agencies other than cities and counties that affect land use decisions (like tribes, port districts, etc.).
- The individual ILA partner cost shares may be updated more often than every three years when a substantial annexation occurs.
- An opportunity was created to establish a cost share for newly added public agencies other than cities and county members.
- Wording was changed to clarify an independent audit is optional instead of required (currently provided by an anonymous King County client satisfaction survey).

NEXT STEPS:

The presentation by WRIA 8 staff at the January 20<sup>th</sup> Council meeting will provide further explanation of the watershed, update on progress, and the schedule for renewing the ILA, which would be effective January 2016 through December 2025. The new ILA will be presented to council members for adoption in September/October 2015.

Attachment A: Draft WRIA 8 Interlocal Agreement for 2016-2025

Attachment B: WRIA 8 Plan Implementation Progress Report (2005-2010)

Attachment C: Letter to Gov. Jay Inslee regarding salmon recovery legislative priorities (11-07-14)

Attachment D: ILA proposed changes

DRAFT WRIA 8 ILA 2016-2025

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**NOTE TO REVIEWERS:** The tracked changes in this draft are meant to indicate proposed technical revisions or updates to make the ILA document reflect current WRIA 8 Chinook Conservation Plan implementation priorities and practices. The side bar comments indicate topics that may be more substantive and require more discussion to determine an agreed upon path forward.

**INTERLOCAL AGREEMENT  
For the Watershed Basins within Water Resource Inventory Area 8**

**PREAMBLE**

**THIS AGREEMENT** ("Agreement") is entered into pursuant to Chapter 39.34 RCW by and among the eligible county and city governments signing this agreement that are located in King and Snohomish Counties, lying wholly or partially within the management area of Watershed Resource Inventory Area ("WRIA") 8, which includes all or portions of the Lake Washington, Cedar River, and Sammamish River basins, all political subdivisions of the State of Washington (individually for those signing this Agreement, "party" and collectively "parties"). -The parties share interests in and responsibility for addressing long-term watershed planning and conservation ~~for the watershed basins in WRIA 8 and wish to provide for funding and implementation of various activities and projects therein.~~

WHEREAS, the parties share interests in and responsibility for addressing long-term watershed planning and conservation of the aquatic ecosystems and floodplains for purposes of implementing the Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan ("WRIA 8 Plan") and improving watershed health for the watershed basins in WRIA 8 and wish to provide for funding and implementation of various activities and projects therein; and

WHEREAS, Puget Sound Chinook salmon, including the WRIA 8 Cedar and Sammamish populations, were listed as threatened under the Endangered Species Act (ESA) in 1999; and

WHEREAS, the parties recognize their participation in the Interlocal Agreement demonstrates their commitment to proactively working to address the ESA listing of Chinook salmon; and

WHEREAS, the parties recognize achieving WRIA 8 salmon recovery and watershed health goals requires a recommitment to, and acceleration of, the collaborative implementation and funding of salmon recovery actions, and

WHEREAS, the parties have participated in an Interlocal Agreement for the years 2001-2005 to develop the WRIA 8 Plan, contributed to the federally-approved Puget Sound Salmon

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Recovery Plan, and desire to continue providing efficient participation in the implementation of such plans; and

WHEREAS, the parties took formal action in 2005 and 2006 to ratify the WRIA 8 Plan, and

WHEREAS, the parties have participated in an extension of the 2001-2005 Interlocal Agreement and an Interlocal Agreement for the years 2007-2015 to implement the WRIA 8 Plan; and

WHEREAS, the parties seek information on watershed conditions and salmon conservation and recovery needs to inform local decision-making bodies regarding actions in response to listings under the ESA; and

WHEREAS, the parties have prioritized and contributed resources and funds for implementing projects and programs to protect and restore salmon habitat; and

WHEREAS, the parties wish to monitor and evaluate implementation of the WRIA 8 Plan through adaptive management; and

WHEREAS, the parties wish to continue to use adaptive management for identifying, coordinating and implementing basin plans and water quality, flood hazard reduction, water quantity, and habitat projects in the watersheds; and

WHEREAS, the parties recognize climate change is likely to affect watershed ecosystem function and processes, and salmon habitat restoration actions are a proactive approach to making the watershed ecosystem more resilient to changing conditions, which supports watershed health for human communities and salmon populations; and

WHEREAS, the parties have an interest in participating on the Puget Sound Salmon Recovery Council and other groups associated with Puget Sound recovery because of the contributions of the Lake Washington/Cedar/Sammamish Watershed to the overall health of Puget Sound and to collectively seek funding to implement the WRIA 8 Plan; and

WHEREAS, the parties have an interest in participating on the Washington Salmon Coalition and other groups associated with the Salmon Recovery Funding Board to collectively seek funding to implement the WRIA 8 Plan; and

WHEREAS, the parties have an interest in supporting implementation of the Puget Sound Partnership Action Agenda to restore the health of Puget Sound as it relates to salmon recovery and WRIA 8 priorities; and

WHEREAS, the parties have an interest achieving multiple benefits by integrating salmon recovery planning and actions with floodplain management, water quality and agriculture; and

WHEREAS, the parties recognize that identification of watershed issues, and implementation of salmon conservation and recovery actions may be carried out more efficiently if done cooperatively than if carried out separately and independently; and

**Comment [A1]:** Consider including the following based on Salmon Recovery Council direction: WHEREAS, the parties recognize the importance of efforts to protect and restore habitat for multiple species in the Lake Washington/Cedar/Sammamish Watershed, including Lake Sammamish kokanee, and will seek opportunities to partner and coordinate Chinook recovery efforts with these other efforts where there are overlapping priorities to achieve outcomes that benefit multiple species; and

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NOW, THEREFORE, the parties hereto do mutually covenant and agree as follows:

**MUTUAL CONVENANTS AND AGREEMENTS**

1. **DEFINITIONS.** For purposes of this Agreement, the following terms shall have the meaning provided for below:

1.1. **ELIGIBLE JURISDICTIONS:** The governments eligible for participation in this Agreement as parties are the Counties of King and Snohomish, ~~and~~ the Cities of Bellevue, Bothell, Brier, Clyde Hill, Edmonds, Everett, Issaquah, Kenmore, Kent, Kirkland, Lake Forest Park, Lynnwood, Maple Valley, Medina, Mercer Island, Mill Creek, Mountlake Terrace, Mukilteo, Newcastle, Redmond, Renton, Sammamish, Seattle, Shoreline, Woodinville, and ~~Woodway~~ and the Towns of Beau Arts, Hunts Point, Woodway and Yarrow Point, and other public agencies affecting land use decisions, such as tribes, port districts, etc.

1.2. **WRIA 8 SALMON RECOVERY COUNCIL:** The *WRIA 8 Salmon Recovery Council* created herein is the governing body responsible for implementing this Agreement and is comprised of members who are designated representatives of eligible jurisdictions who have authorized the execution of and become parties to this Agreement. In addition, the *WRIA 8 Salmon Recovery Council* includes members who are not representatives of the parties and are comprised of a balance of stakeholder representatives and any other persons who are deemed by the parties to this Agreement to be appropriate for the implementation and adaptive management of the *WRIA 8 Plan*. The appointed representatives of parties will appoint the members who are not representing parties, using the voting provisions of Section 5 of this Agreement.

1.3. **LAKE WASHINGTON/CEDAR/SAMMAMISH WATERSHED (WRIA 8) CHINOOK SALMON CONSERVATION PLAN, JULY 2005:** *WRIA 8 Plan* as referred to herein is the three volume document, and any subsequent updates adopted in accordance with the procedures provided for in Section 6 below, developed in partnership with stakeholder representatives and ratified by the parties to this Agreement for the purposes of preserving, protecting, and restoring habitat with the intent to recover listed species, including sustainable, genetically diverse, harvestable populations of naturally spawning Chinook salmon.

1.4. **MANAGEMENT COMMITTEE:** *Management Committee* as referred to herein consists of five (5) elected officials or their designees which elected officials are chosen by the party members of the *WRIA 8 Salmon Recovery Council*, according to the voting procedures in Section 5, and charged with staff oversight and administrative duties on the *WRIA 8 Salmon Recovery Council's* behalf.

**Comment [A2]:** This language is intended to broaden potential ILA membership to entities with land use authority other than cities and counties in the watershed.

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- 108 1.5 **SERVICE PROVIDER(S):** *Service Provider(s)*, as used herein, means that agency,  
109 government, consultant or other entity which supplies staffing or other resources to and  
110 for the **WRIA 8 Salmon Recovery Council**, in exchange for payment. The **Service**  
111 **Provider(s)** may be a party to this Agreement.
- 112 1.6 **FISCAL AGENT:** The **Fiscal Agent** refers to that agency or government ~~who-which~~  
113 performs all accounting services for the **WRIA 8 Salmon Recovery Council**, as it may  
114 require, in accordance with the requirements of Chapter 39.34 RCW.
- 115 1.7 **STAKEHOLDERS:** Stakeholders refers to those public and private entities within the  
116 WRIA who reflect the diverse interests integral for planning, implementation, and  
117 adaptive management for the recovery of the listed species under the Endangered  
118 Species Act, ~~which-and~~ may include but are not limited to environmental and business  
119 interests.
- 120 2. **PURPOSES.** The purposes of this Agreement include the following:
- 121 2.1 To provide a mechanism and governance structure for the implementation and adaptive  
122 management of the implementation of the **WRIA 8 Plan and**
- 123 ~~2.4.2~~ ~~†~~To share the cost of the WRIA 8 Service Provider team to coordinate and provide the  
124 services necessary for the successful implementation and management of the **WRIA 8**  
125 **Plan**. The maximum financial or resource obligation of any participating eligible  
126 jurisdiction under this Agreement shall be limited to its share of the cost of the Service  
127 Provider staff and associated operating costs.
- 128 ~~2.2.3~~ To provide a mechanism for securing technical assistance and ~~any-available~~ funding from  
129 state agencies or other sources.
- 130 ~~2.3.4~~ To provide a mechanism for the implementation of other multiple benefit habitat, water  
131 quality and flood plain management projects with local, regional, state, federal and non-  
132 profit funds as may be contributed to or secured by the **WRIA 8 Salmon Recovery**  
133 **Council**.
- 134 2.5 To annually recommend WRIA 8 salmon recovery programs and projects for funding by  
135 the King County Flood Control District through the District's Cooperative Watershed  
136 Management grant program.
- 137 2.6 To serve as the salmon recovery "Lead Entity" as designated by state law (Chapter 77.85  
138 RCW) for WRIA 8, The Lead Entity is responsible for developing a salmon recovery  
139 strategy, working with project sponsors to develop projects, convening local technical and  
140 citizen committees to annually recommend WRIA 8 salmon habitat restoration and  
141 protection projects for funding by the State of Washington Salmon Recovery Funding  
142 Board, and -representing WRIA 8 in Puget Sound region and state wide salmon recovery  
143 forums.

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144 | 2.42.7 To provide a framework for cooperation and coordination among the parties on issues  
145 | relating to the implementation and management of the implementation of the **WRIA 8**  
146 | **Plan** ~~or and~~ to meet the requirement or a commitment by any party to participate in  
147 | WRIA-based or watershed basin planning in response to any state or federal law which  
148 | may require such participation as a condition of any funding, permitting or other program  
149 | of state or federal agencies, at the discretion of such party to this Agreement.

150 | 2.52.8 To develop and articulate WRIA-based positions on salmon habitat, conservation and  
151 | funding to state and federal legislators.

152 | 2.9 To provide for the ongoing participation of citizens and other stakeholders in such efforts  
153 | and to ensure continued public outreach efforts to educate and garner support for current  
154 | and future ESA efforts.

155 | 2.10 To provide information for Parties to use to inform land use planning, regulations, and  
156 | outreach and education programs.

157 | 2.11 To provide a mechanism for on-going monitoring and adaptive management of the **WRIA**  
158 | **8 Plan** -as defined in the Plan.

159 |  
160 | It is not the purpose or intent of this Agreement to create, supplant, preempt or supersede the  
161 | authority or role of any individual jurisdiction or water quality policy bodies such as the Regional  
162 | Water Quality Committee.

163 | 3. **EFFECTIVE DATE AND TERM.** This Agreement shall become effective on January 1, ~~2007~~  
164 | 2016 provided it has been signed by that date by at least nine (9) of the eligible jurisdictions  
165 | within WRIA 8 representing at least seventy per cent (70%) of the affected population, as  
166 | authorized by each jurisdiction's legislative body, and further provided that after such signatures  
167 | this Agreement has been filed by King County and Snohomish County in accordance with the  
168 | terms of RCW 39.34.040 and .200. ~~If such requirements are not met by January 1, 2016, then~~  
169 | ~~the effective date of this Agreement shall be the date on which such requirements are met. This~~  
170 | ~~agreement in conjunction with the ILA Extension of 2006 reflects the ten-year timeframe of the~~  
171 | ~~priority actions identified in the WRIA 8 Plan Start-List. The ILA Extension of 2006 provides the~~  
172 | ~~mechanism and governance structure for year one of implementation.~~ This Agreement provides  
173 | the mechanism and governance structure for implementation of the WRIA 8 Plan between 2016  
174 | and 2025, as well as the subsequent years of implementation of the Start-List Chapter of the  
175 | WRIA 8 Plan. Once effective, this Agreement shall remain in effect through December 31,  
176 | 2025 for a term of nine 10(9) years; provided, however, that this Agreement may be extended for  
177 | such additional terms as the parties may agree to in writing, with such extension being effective  
178 | upon its execution by at least nine (9) of the eligible jurisdictions within WRIA 8 representing at  
179 | least seventy per cent (70%) of the affected population,.

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180 4. **ORGANIZATION AND NATURE OF WRIA 8 SALMON RECOVERY COUNCIL.** The parties to  
181 this Agreement hereby establish a governing body for WRIA 8 and the Lake Washington-Cedar  
182 and Sammamish watershed basins and associated Puget Sound drainages (hereinafter the  
183 “**WRIA 8 Salmon Recovery Council**” the precise boundaries of which are established in Chapter  
184 173-500 WAC, or as determined by the **WRIA 8 Salmon Recovery Council**) to serve as the  
185 formal governance structure for carrying out the purposes of this Agreement in partnership with  
186 non-party members. Each party to this agreement shall appoint one (1) elected official to serve  
187 as its representative on the **WRIA 8 Salmon Recovery Council**. The **WRIA 8 Salmon Recovery**  
188 **Council** is a voluntary association of the county and city governments, and other public agencies  
189 affecting land use decisions, located wholly or partially within the management area of WRIA 8  
190 and the Lake Washington-Cedar-~~and~~ Sammamish watershed basins and associated Puget  
191 Sound drainages who choose to be parties to this Agreement. Representatives from stakeholder  
192 entities who are selected under the voting provisions of Section 5.2 of this agreement are also  
193 part of this association.

194 4.1 Upon the effective execution of this agreement and the appointment of representatives to  
195 the **WRIA 8 Salmon Recovery Council**, the party members of the **WRIA 8 Salmon**  
196 **Recovery Council** shall meet and choose from among its members, according to the  
197 voting provisions of Section 5, five (5) elected officials or their designees, to serve as a  
198 **Management Committee** to oversee and direct the funds and personnel contributed  
199 under this Agreement, in accordance with the adopted annual budget and such other  
200 directions as may be provided by the party members of the **WRIA 8 Salmon Recovery**  
201 **Council**. Representatives of the **Fiscal Agent** and **Service Provider** may serve as non-  
202 voting ex officio members thereof of the Management Committee. The **Management**  
203 **Committee** shall act as an executive subcommittee of the **WRIA 8 Salmon Recovery**  
204 **Council**, responsible for oversight and evaluation of any **Service Providers** or  
205 consultants, for administration of the budget, and for providing recommendations on  
206 administrative matters to the **WRIA 8 Salmon Recovery Council** for action, consistent  
207 with the other subsections of this section.

208 4.1.1 ~~It is contemplated that s~~Services to the **WRIA 8 Salmon Recovery Council** for  
209 the term of this agreement shall be provided by King County Department of  
210 Natural Resources which shall be the primary **Service Provider** unless the party  
211 members pursuant to the voting provisions of Section 5 choose another primary  
212 **Service Provider**. The **Management Committee** shall prepare a Memorandum  
213 of Understanding to be signed by an authorized representative of King County  
214 and an authorized representative of WRIA 8, which shall set out the expectations  
215 for services to be provided. Services should include, without limitation,

**Comment [A3]:** King County, as well as several other local governments, has moved to biennial budgeting. As WRIA 8 service provider, King County will provide a biennial budget projection for consideration in the annual WRIA 8 budget development process.

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216 identification of and job descriptions for dedicated staff in increments no smaller  
217 than .5 FTE, description of any supervisory role retained by the **Service**  
218 **Provider** over any staff performing services under this Agreement, and a method  
219 of regular consultation between the **Service Provider** and the **Management**  
220 **Committee** concerning the performance of services hereunder.

221 4.1.2 The **Management Committee** shall make recommendations to the party  
222 members of the **WRIA 8 Salmon Recovery Council** for action, including  
223 decisions related to work program, staffing and service agreements, and budget  
224 and financial operations, annually for each year of this Agreement. All duties of  
225 the **Management Committee** shall be established by the party members of the  
226 **WRIA 8 Salmon Recovery Council**.

227 4.2 The party members of the **WRIA 8 Salmon Recovery Council** shall have the authority  
228 and mandate to establish and adopt the following:

229 4.2.1 By September 1 of each year, establish and approve an annual budget,  
230 establishing the level of funding and total resource obligations of the parties  
231 which are to be allocated on a proportional basis ~~based on~~ according to the  
232 average of the population, assessed valuation and area attributable to each party  
233 to the Agreement, in accordance with the formula set forth in Exhibit A, which  
234 formula shall be updated every third year by the **WRIA 8 Salmon Recovery**  
235 **Council**, as more current data become available, and in accordance with  
236 Section ~~2.1 and 2.2~~. Individual partner jurisdiction cost shares may change  
237 more frequently than every three years for jurisdictions involved in an annexation  
238 that changes the area, population, and assessed value calculation for those  
239 jurisdictions enough to change their cost share(s) according to the formula set  
240 forth in Exhibit A. For parties that are not county or city governments, the level of  
241 funding and resource obligation will be determined in ~~negotiation~~ communications  
242 with the **Management Committee**, which will develop a recommendation for  
243 review and approval by, the **WRIA 8 Salmon Recovery Council**.

244 4.2.2 Review and evaluate annually the duties to be assigned to the **Management**  
245 **Committee** hereunder and the performance of the **Fiscal Agent** and **Service**  
246 **Provider(s)** to this Agreement, and provide for whatever actions it deems  
247 appropriate to ensure that quality services are efficiently, effectively and  
248 responsibly delivered in the performance of the purposes of this Agreement. In  
249 evaluating the performance of any **Service Provider(s)**, at least every three (3)  
250 years, the **WRIA 8 Salmon Recovery Council** ~~shall~~ may retain an outside  
251 consultant to perform a professional assessment of the work and services so

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252 provided. Evaluations of the **Service Provider(s)** shall occur in years 3, 6, and 9  
 253 of the Agreement, ~~which correspond to years 4, 7, and 10 of the **WRIA 8 Plan**~~  
 254 ~~Start-List timeline.~~

255 4.2.3 Oversee and administer the expenditure of budgeted funds and allocate the  
 256 utilization of resources contributed by each party or obtained from other sources  
 257 in accordance with an annual prioritized list of implementation and adaptive  
 258 management activities within the WRIA during each year of this Agreement.

259 4.3 The **WRIA 8 Salmon Recovery Council** through the primary **Service Provider** may  
 260 contract with similar watershed forum governing bodies or any other entities for any  
 261 lawful purpose related hereto, including specific functions and tasks which are initiated  
 262 and led by another party to this Agreement beyond the services provided by the primary  
 263 **Service Provider**. The parties may choose to create a separate legal or administrative  
 264 entity under applicable state law, including without limitation a nonprofit corporation or  
 265 general partnership, to accept private gifts, grants or financial contributions, or for any  
 266 other lawful purposes.

267 4.4 The party members of the **WRIA 8 Salmon Recovery Council** shall adopt other rules  
 268 and procedures that are consistent with its purposes as stated herein and are necessary  
 269 for its operation.

270 5. **VOTING**. The party members on the **WRIA 8 Salmon Recovery Council** shall make decisions;  
 271 approve scope of work, budget, priorities and any other actions necessary to carry out the  
 272 purposes of this Agreement as follows:

273 5.1 No action or binding decision will be taken by the **WRIA 8 Salmon Recovery Council**  
 274 without the presence of a quorum of active party members. A quorum exists if a majority  
 275 of the party members are present at the **WRIA 8 Salmon Recovery Council** meeting,  
 276 provided that positions left vacant on the **WRIA 8 Salmon Recovery Council** by parties  
 277 to this agreement shall not be included in calculating the quorum. In addition, positions  
 278 will be considered vacant on the third consecutive absence and shall not be included in  
 279 calculating a quorum until that time in which the party member is present. The voting  
 280 procedures provided for in 5.1.1 through 5.1.2 are conditioned upon there being a  
 281 quorum of the active party members present for any action or decision to be effective and  
 282 binding.

283 5.1.1 Decisions shall be made using a consensus model as much as possible. Each  
 284 party agrees to use its best efforts and exercise good faith in consensus  
 285 decision-making. Consensus may be reached by unanimous agreement of the  
 286 party members at the meeting, or by a majority recommendation agreed upon by

**Comment [A4]:** It has proven expensive to perform outside consultant performance assessments. King County has conducted an annual anonymous client satisfaction survey, which the Salmon Recovery Council has previously approved as meeting this need.

Replacing the word "shall" with "may" enables the SRC to continue to approve of the annual King County survey as meeting this need, or hire an outside consultant performance assessment to be performed.

Hiring an outside professional survey would need to be factored into the budget as an additional operating cost.

287 the active party members, with a minority report. Any party who does not accept  
288 a majority decision may request weighted voting as set forth below.

289 5.1.2 In the event consensus cannot be achieved, as determined by rules and  
290 procedures adopted by the **WRIA 8 Salmon Recovery Council**, the **WRIA 8**  
291 **Salmon Recovery Council** shall take action on a dual-majority basis, as follows:

292 5.1.2.1 Each party, through its appointed representative, may cast its weighted  
293 vote in connection with a proposed **WRIA 8 Salmon Recovery Council**  
294 action.

295 5.1.2.2 The weighted vote of each party in relation to the weighted votes of each  
296 of the other parties shall be determined by the percentage of the annual  
297 contribution by each party set in accordance with Subsection 4.2.1 in the  
298 year in which the vote is taken.

299 5.1.2.3 For any action subject to weighted voting to be deemed approved, an  
300 affirmative vote must be cast by both a majority of the active party  
301 members to this Agreement and by a majority of the weighted votes of  
302 the active party members to this Agreement. No action shall be valid  
303 and binding on the parties to this Agreement until it shall receive majority  
304 of votes of both the total number of active party members to the  
305 Agreement and of the active members representing a majority of the  
306 annual budget contribution for the year in which the vote is taken. A vote  
307 of abstention shall be recorded as a "no" vote.

308 5.2 The party members on the **WRIA 8 Salmon Recovery Council** may deem it appropriate  
309 to appoint to the **WRIA 8 Salmon Recovery Council** non-party stakeholder  
310 representatives and other persons who are appropriate for the implementation and  
311 adaptive management of the **WRIA 8 Plan**.

312 5.2.1 Nomination of such non-party members may be made by any member of the  
313 **WRIA 8 Salmon Recovery Council**. Appointment to the **WRIA 8 Salmon**  
314 **Recovery Council** of such non-party members requires either consensus or dual  
315 majority of party members as provided in Section 5.1.

316 5.2.2 The party members on the **WRIA 8 Salmon Recovery Council** may deem it  
317 appropriate to allow non-party members to vote on particular **WRIA 8 Salmon**  
318 **Recovery Council** decisions. The party members may determine which issues  
319 are appropriate for non-party voting by either consensus or majority as provided  
320 in Sections 5.1, except in the case where legislation requires non-party member  
321 votes.

322 5.2.3 Decisions of the entire **WRIA 8 Salmon Recovery Council**, both party and non-  
323 party members, shall be made using a consensus model as much as possible.  
324 Voting of the entire **WRIA 8 Salmon Recovery Council** will be determined by  
325 consensus or majority as provided in Sections 5.1 and a majority of the non-party  
326 members.

327 6. **ADAPTIVE MANAGEMENT OF THE WRIA 8 CHINOOK SALMON CONSERVATION PLAN.**

328 The **WRIA 8 Plan** shall be implemented with an adaptive management approach. Such an  
329 approach anticipates updates and amendments to the **WRIA 8 Plan**. Such amendments to be  
330 effective and binding must comply with the following provisions:

- 331 6.1 The **WRIA 8 Salmon Recovery Council** shall act to approve or remand any **WRIA 8**  
332 **Plan** amendments prepared and recommended by the committees of the **WRIA 8**  
333 **Salmon Recovery Council** within ninety (90) days of receipt of the plan amendments,  
334 according to the voting procedures described in Section 5.
- 335 6.2 In the event that any amendments are not so approved, they shall be returned to the  
336 committees of the **WRIA 8 Salmon Recovery Council** for further consideration and  
337 amendment and thereafter returned to the **WRIA 8 Salmon Recovery Council** for  
338 decision.
- 339 6.3 After approval of the **WRIA 8 Plan** amendments by the **WRIA 8 Salmon Recovery**  
340 **Council**, the plan amendments shall be referred to the parties to this Agreement for  
341 ratification prior to the submission to any federal or state agency for further action.  
342 Ratification means an affirmative action, evidenced by a resolution, motion, or ordinance  
343 of the jurisdiction's legislative body, by at least nine (9) jurisdictions within WRIA 8  
344 representing at least seventy per cent (70%) of the total population of WRIA 8. Upon  
345 ratification, the **WRIA 8 Salmon Recovery Council** shall transmit the **updated WRIA 8**  
346 **Plan** to any state or federal agency as may be required for further action.
- 347 6.4 In the event that any state or federal agency to which the **WRIA 8 Plan** or amendments  
348 thereto are submitted shall remand the **WRIA 8 Plan** or amendments thereto for further  
349 consideration, the **WRIA 8 Salmon Recovery Council** shall conduct such further  
350 consideration and may refer the plan or amendments to the committees of the **WRIA 8**  
351 **Salmon Recovery Council** for recommendation on amendments thereto.
- 352 6.5 The parties agree that any amendments to the **WRIA 8 Plan** shall not be forwarded  
353 separately by any of them to any state or federal agency unless it has been approved  
354 and ratified as provided herein.

355 7. **OBLIGATIONS OF PARTIES; BUDGET; FISCAL AGENT; RULES.**

- 356 7.1 Each party shall be responsible for meeting its financial obligations hereunder as  
357 described in Sections ~~2.1~~ and ~~2.2~~, and established in the annual budget adopted by the

November 13, 2014

358 **WRIA 8 Salmon Recovery Council** under this Agreement and described in Section  
359 4.2.1.

360  
361 The maximum funding responsibilities imposed upon the parties during the first year of  
362 this Agreement shall not exceed the amounts set forth in Exhibit A, which shall be  
363 updated every third year as described in Section 4.2.1, or as annexations result in  
364 changes to the area, population, and assessed value calculation for those jurisdictions  
365 enough to change their cost share(s) according to the formula set forth in Exhibit A.

366 7.2 No later than September 1 of each year of this Agreement, the **WRIA 8 Salmon**  
367 **Recovery Council** shall adopt a budget, including its overhead and administrative costs,  
368 for the following calendar year. The budget shall propose the level of funding and other  
369 (e.g. staffing) responsibilities of the individual parties for the following calendar year and  
370 shall propose the levels of funding and resources to be allocated to specific prioritized  
371 implementation and adaptive management activities within the WRIA. The parties shall  
372 thereafter take whatever separate legislative or other actions that may be necessary to  
373 timely address such individual responsibilities under the proposed budget, and shall have  
374 done so no later than December 1st of each such year.

375 7.3 Funds collected from the parties or other sources on behalf of the **WRIA 8 Salmon**  
376 **Recovery Council** shall be maintained in a special fund by King County as **Fiscal Agent**  
377 and as *ex officio* treasurer on behalf of the **WRIA 8 Salmon Recovery Council** pursuant  
378 to rules and procedures established and agreed to by the **WRIA 8 Salmon Recovery**  
379 **Council**. Such rules and procedures shall set out billing practices and collection  
380 procedures and any other procedures as may be necessary to provide for its efficient  
381 administration and operation. Any party to this Agreement may inspect and review all  
382 records maintained in connection with such fund at any reasonable time.

383 8. **LATECOMERS.** A county or city government, or other public agencies, such as tribes, port  
384 districts, etc.) in King or Snohomish County lying wholly or partially within the management area  
385 of WRIA 8 and the Lake Washington-Cedar and Sammamish watershed basins and adjacent  
386 Puget Sound drainages which has not become a party to this Agreement within twelve (12)  
387 months of the effective date of this Agreement may become a party only with the written consent  
388 of all the parties. The provisions of Section 5 otherwise governing decisions of the **WRIA 8**  
389 **Salmon Recovery Council** shall not apply to Section 8. The parties and the county, or city, or  
390 other public agency seeking to become a party shall jointly determine the terms and conditions  
391 under which the county, or city, or other public agency may become a party. These terms and  
392 conditions shall include payment by such county, or city, or other public agency to the fiscal  
393 agent on behalf of the parties of the amount determined jointly by the parties and the county, or

November 13, 2014

394 | city or other public agency to represent such county ~~or city~~ or other public agency's fair and  
395 | proportionate share of all costs associated with activities undertaken by the **WRIA 8 Salmon**  
396 | **Recovery Council** and the parties on its behalf as of the date the county ~~or city~~ or other public  
397 | agency becomes a party. Any county ~~or city~~ or other public agency that becomes a party  
398 | pursuant to this section shall thereby assume the general rights and responsibilities of all other  
399 | parties to this Agreement. After the inclusion of such entity as a party to this Agreement, the  
400 | formula for party contribution shall be adjusted for the following year to reflect the addition of this  
401 | new party.

402 | 9. **TERMINATION.** This Agreement may be terminated by any party, as to that party only, upon  
403 | sixty (60) days' written notice to the other parties. The terminating party shall remain fully  
404 | responsible for meeting all of its funding and other obligations through the end of the calendar  
405 | year in which such notice is given, together with any other costs that may have been incurred on  
406 | behalf of such terminating party up to the effective date of such termination. This Agreement may  
407 | be terminated at any time by the written agreement of all parties. It is expected that the makeup  
408 | of the parties to this Agreement may change from time to time. Regardless of any such changes,  
409 | the parties choosing not to exercise the right of termination shall each remain obligated to meet  
410 | their respective share of the obligations of the **WRIA 8 Salmon Recovery Council** as reflected in  
411 | the annual budget.

412 | 10. **HOLD HARMLESS AND INDEMNIFICATION.** To the extent permitted by state law, and for the  
413 | limited purposes set forth in this agreement, each party shall protect, defend, hold harmless and  
414 | indemnify the other parties, their officers, elected officials, agents and employees, while acting  
415 | within the scope of their employment as such, from and against any and all claims (including  
416 | demands, suits, penalties, liabilities, damages, costs, expenses, or losses of any kind or nature  
417 | whatsoever) arising out of or in any way resulting from such party's own negligent acts or  
418 | omissions related to such party's participation and obligations under this agreement. Each party  
419 | agrees that its obligations under this subsection extend to any claim, demand and/or cause of  
420 | action brought by or on behalf of any of its employees or agents. For this purpose, each party, by  
421 | mutual negotiation, hereby waives, with respect to the other parties only, any immunity that would  
422 | otherwise be available against such claims under the industrial insurance act provisions of Title  
423 | 51 RCW. The provisions of this subsection shall survive and continue to be applicable to parties  
424 | exercising the right of termination pursuant to Section 9.

425 | 11. **NO ASSUMPTION OF LIABILITY.** In no event do the parties to this Agreement intend to assume  
426 | any responsibility, risk or liability of any other party to this Agreement or otherwise with regard to  
427 | any party's duties, responsibilities or liabilities under the Endangered Species Act, or any other  
428 | act, statute or regulation of any local municipality or government, the State of Washington or the  
429 | United States.

November 13, 2014

- 430 12. **VOLUNTARY AGREEMENT.** This is a voluntary agreement and it is acknowledged and agreed
- 431 that, in entering into this Agreement, no party is committing to adopt or implement any actions or
- 432 recommendations that may be contained in the ***WRIA 8 Plan*** pursuant to this Agreement.
- 433 13. **NO PRECLUSION OF ACTIVITIES OR PROJECTS.** Nothing herein shall preclude any one or
- 434 more of the parties to this Agreement from choosing or agreeing to fund or implement any work,
- 435 activities or projects associated with any of the purposes hereunder by separate agreement or
- 436 action, provided that any such decision or agreement shall not impose any funding, participation
- 437 or other obligation of any kind on any party to this Agreement which is not a party to such
- 438 decision or agreement.
- 439 14. **NO THIRD PARTY RIGHTS.** Nothing contained in this Agreement is intended to, nor shall it be
- 440 construed to, create any rights in any third party, including without limitation the non-party
- 441 members, NMFS, USFWS, any agency or department of the United States, or the State of
- 442 Washington, or to form the basis for any liability on the part of the ***WRIA 8 Salmon Recovery***
- 443 ***Council*** or any of the parties, or their officers, elected officials, agents and employees, to any
- 444 third party.
- 445 15. **AMENDMENTS.** This Agreement may be amended, altered or clarified only by the unanimous
- 446 consent of the parties to this Agreement, represented by affirmative action by their legislative
- 447 bodies.
- 448 16. **COUNTERPARTS.** This Agreement may be executed in counterparts.
- 449 17. **APPROVAL BY PARTIES' GOVERNING BODIES.** The governing body of each party must
- 450 approve this Agreement before any representative of such party may sign this Agreement.
- 451 18. **FILING OF AGREEMENT.** This Agreement shall be filed by King County and Snohomish
- 452 County in accordance with the provisions of RCW 39.34.040 and .200 and with the terms of
- 453 Section 3 herein.

454  
455  
456 **IN WITNESS WHEREOF,** the parties hereto have executed this Agreement on the dates indicated below:

458 Approved as to form:	TOWN OF BEAUX ARTS VILLAGE
459	
460 By: _____	By: _____
461	
462 Title: _____	Title: _____
463	
464 Date: _____	Date: _____

# SALMON AND PEOPLE LIVING TOGETHER

## Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan

### Implementation Progress Report 2005-2010

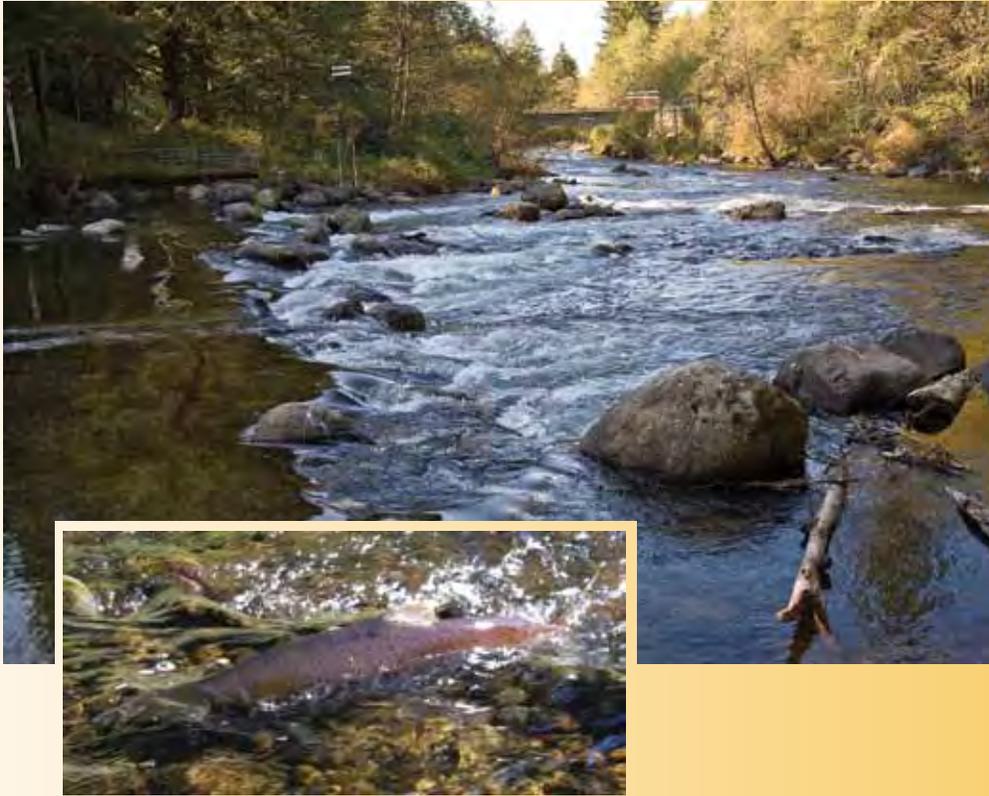


December 2011



## THE LAKE WASHINGTON/CEDAR/SAMMAMISH WATERSHED

The Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan guides our efforts to create a future where people and salmon can live together. This report documents our progress during the first five years of Plan implementation.



**“I’m thrilled** when people tell me they saw salmon near Microsoft in Kelsey Creek. That’s upstream of downtown Bellevue. It means our hard work is paying off – for both salmon and people in our watershed. When my grandkids get excited about returning salmon, it reminds me why our efforts are so worthwhile.”

*Don Davidson, Bellevue Mayor and  
Chair, WRIA 8 Salmon Recovery Council*

# I. The First Five Years and Our Future

*“Solving shared problems together on behalf of a shared place is the essence of democracy.”*

—Kemmis 2001

Author Timothy Egan described the Pacific Northwest as “any place salmon can get to.” Since 2000, members of the Lake Washington/Cedar/Sammamish Watershed (WRIA 8<sup>1</sup>) Salmon Recovery Council, and its supporting staff and committees, have worked to ensure that our watershed remains a quintessentially Northwest place where salmon return each fall.

Our shared goal is to make our watershed a place where salmon and people can live together. We are working to ensure that Chinook and other salmon species can return to sustainable, harvestable levels. In the most populated watershed in Washington State this is no small task, and it requires both optimism and resolve. The community that cleaned up Lake Washington in the 1950s is applying that same spirit and commitment to recovering salmon today.

In 1999, the federal government listed Puget Sound Chinook salmon as threatened under the Endangered Species Act. In 2000, concerned about the need to protect and restore habitat for Chinook salmon for future generations, 27 local governments in WRIA 8 came together to develop a salmon conservation plan. They were joined by citizens, community groups, state and federal agencies, and businesses. Participating local governments include King and Snohomish counties, Seattle, and 24 other cities.

In 2005, local jurisdictions ratified the WRIA 8 Chinook Salmon Conservation Plan. They agreed to pay for a small team to coordinate implementation of the WRIA 8 Plan through 2015. The WRIA 8 Plan was approved by the National Oceanic and Atmospheric Administration (NOAA) in 2006 as a chapter in the overall Puget Sound Salmon Recovery Plan. What we do for salmon in this watershed is an important component of restoring Puget Sound.

On December 3, 2010, over 100 stakeholders from throughout the WRIA 8 Watershed and Puget Sound gathered to learn about the state of our watershed and its salmon, talk about the progress we have made during the first five years of salmon recovery implementation, and chart a course for the next five years. This Watershed Summit was a vital component in the “adaptive management” of our efforts. This progress report summarizes the analysis done in preparation for the five-year Watershed Summit and points to priorities for future action based on our analysis and progress to date.



<sup>1</sup> WRIA stands for Water Resource Inventory Area, a geographic watershed area designated by the Washington Department of Ecology for watershed planning purposes. The WRIA boundaries were also used to delineate watersheds for salmon recovery planning in Puget Sound.

## II. Status of WRIA 8 Chinook Salmon

The Puget Sound region uses the Viable Salmonid Population (VSP) concept as its general approach to determine the conservation status of Chinook salmon.<sup>3</sup> A viable salmonid population is defined as an independent population with a negligible risk of extinction over a 100-year time frame. The VSP attributes used by NOAA and others (including WRIA 8) to evaluate the status of Chinook salmon are abundance, population growth rate (also called productivity), population spatial distribution, and diversity (Table 1).<sup>4</sup>



### Abundance

Abundance is what the public most often thinks of when they consider the status of a population, and is the most commonly reported indicator in the news media. Abundance is measured by counting the number of adults returning to the spawning grounds, either through estimation methods or by directly counting the number of redds (nests) that have been constructed by females.

However, this indicator is often heavily influenced by factors beyond the control of watershed managers (for example, ocean conditions and fishing pressure). Because of this, abundance is not the best overall measure for watershed managers trying to gauge the effects of local actions on salmon conservation and recovery. An accurate abundance estimate is the critical first step, however, in determining egg-to-migrant survival, one of the most important measures of freshwater productivity.

The WRIA 8 Plan lists both short-term (10-year) and long-term (50-year) goals for Chinook salmon abundance (Figure 1). Compared to the NOAA Fisheries measures reported at the time of ESA listing of WRIA 8 Chinook salmon, abundance has increased for the Cedar population and remained low for Bear/Cottage Creek (a surrogate measure for the Sammamish population).

**Table 1. Monitoring of Chinook salmon in WRIA 8**

Parameters for Evaluating Chinook Populations				
Monitoring Program	Abundance (How many fish?)	Productivity (Is the population growing?)	Distribution (Where are the fish?)	Diversity (Genetics, life history)
Spawner Surveys	Escapement, Redd Counts (Figure 1, Table 2)	Prespawning mortality rate; Redd:red productivity (Figure 2)	Redd mapping (Table 2)	Age structure, Hatchery/natural origin (Table 3)
Fry/Parr Trapping	Juvenile abundance (Figure 4)	Egg to migrant survival (%) (Figure 3) Juvenile abundance (Figure 4)		Fry vs. parr (Figure 6), Migration timing
PIT-Tag Monitoring		Migration survival		Migration timing to ocean

<sup>3</sup> McElhany, P., M. Ruckelshaus, and others. 2000. Viable salmonid populations and the recovery of evolutionarily significant units. U. S. Department of Commerce. 156 p. [http://www.nwfsc.noaa.gov/assets/25/5561\\_06162004\\_143739\\_tm42.pdf](http://www.nwfsc.noaa.gov/assets/25/5561_06162004_143739_tm42.pdf)

<sup>4</sup> Since 1998, annual Chinook salmon population status and trends monitoring has been funded primarily by King Conservation District, with collaboration and support from Washington Department of Fish and Wildlife, Muckleshoot Indian Tribe, Seattle Public Utilities, and King County.

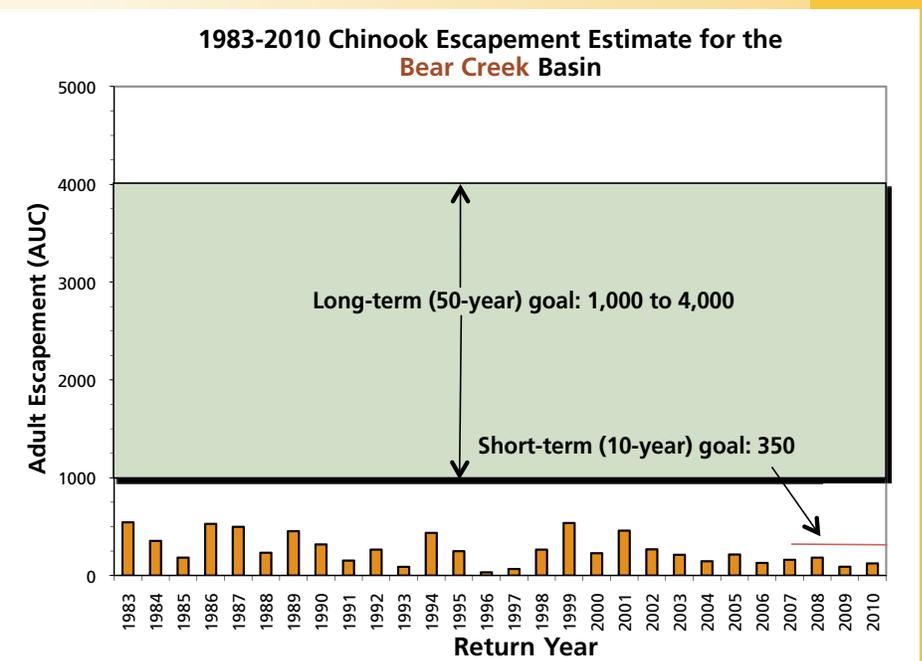
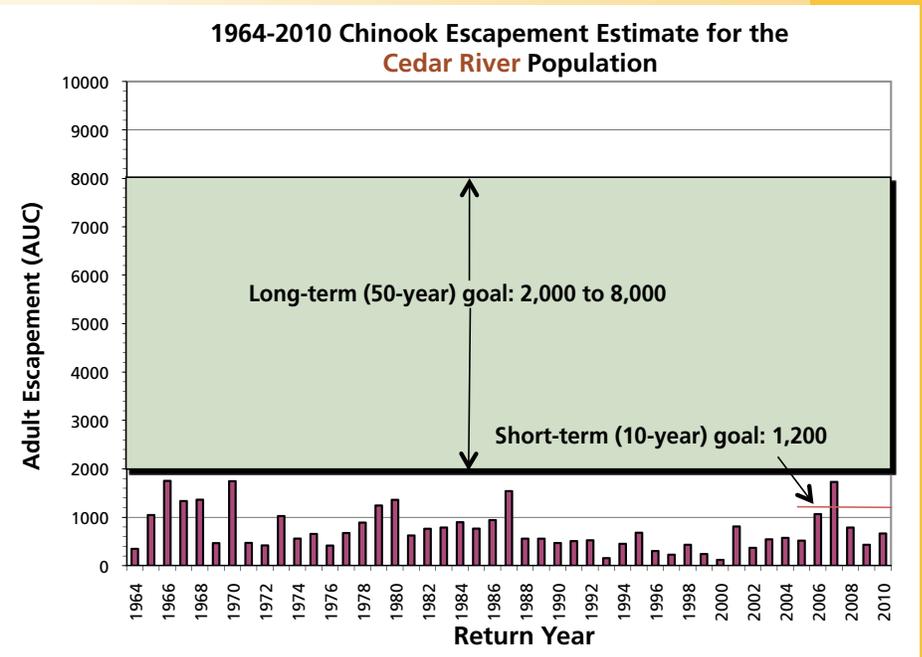
## Productivity

Productivity indicates whether a population is growing or shrinking over time. A productivity value of one indicates that for each fish returning, one fish is produced – that is, the population is essentially replacing itself. A value greater than one indicates that the population is increasing, while a value less than one indicates the population is decreasing.

Scientists can measure overall population productivity (whether the number of Chinook salmon returning to a watershed is increasing from year to year), which includes survival throughout the entire salmon life-cycle. This is complicated by a number of factors, including the variable return age for Chinook salmon (they may return to spawn after two, three, four, or even five years at sea). Redd-to-redd productivity (Figure 2) is WRIA 8's indicator of productivity over the entire Chinook life cycle, and incorporates age class proportions into the productivity estimate.

**Freshwater productivity.** Two indicators of freshwater salmon productivity that are especially important for watershed managers are *egg-to-migrant survival* (Figure 3) and *overall juvenile output* (Figure 4 and 5). Egg-to-migrant survival compares the estimated number of eggs deposited by spawning Chinook salmon in the fall (through redd counts) against the number of juvenile Chinook salmon migrating out of the watershed the following spring. This number can be compared over time as well as against regional averages. Overall juvenile outmigrant abundance provides an estimate of the overall numbers of juvenile Chinook produced in the Bear Creek and Cedar River basins. Ideally, both these numbers should increase over time if freshwater restoration and conservation efforts are successful.

**Figure 1. Number of adult Chinook on the spawning grounds in the Cedar and Bear/Cottage basins.** Escapement refers to the number of fish that escaped various causes of mortality to reach the spawning grounds. The numbers include both natural-origin and hatchery-origin adults. Bear/Cottage Creek Chinook surveys began in 1983. Data source: WDFW.



Juvenile Chinook productivity is influenced by a number of factors, including restoration efforts, flooding during the incubation and rearing period, and habitat for refuge and rearing. WRIA 8's main objective is to improve the amount and condition of juvenile habitat, which will improve both egg-to-migrant survival and overall juvenile survival. Egg-to-migrant survival in WRIA 8 remains variable, while overall juvenile output in the Cedar River appears fairly constant by comparison (Figure 4).

## Spatial Distribution

In WRIA 8 our goal is to maintain and increase the spawning and rearing distribution of both Chinook populations throughout the watershed. Annual Chinook spawning ground surveys have been conducted in WRIA 8 Chinook salmon streams since 1999 (Table 2). While spawning has varied from year to year, there is no evidence that spawning and rearing distribution has declined, with the exception of the loss of spawning on the Walsh diversion, an artificial tributary to the lower Cedar River. Streamflow from the Walsh diversion was restored to upper Rock Creek in 2009.

The construction of a fish passage facility at the Landsburg diversion dam on the Cedar River in 2003 nearly doubled the length of available habitat for Chinook salmon in that river.<sup>5</sup>

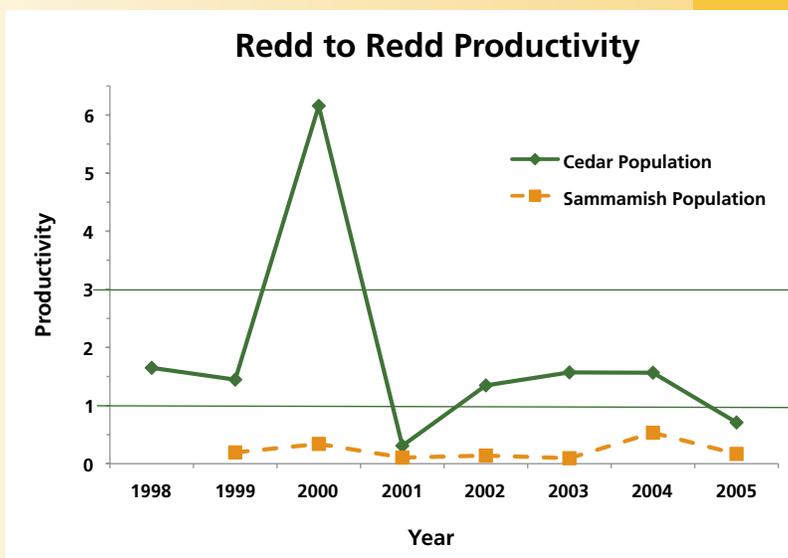
## Diversity

Scientists give three primary reasons why genetic and life-history diversity is important for species and population viability (McElhany et al. 2000):

1. Diversity allows a species to use a wider array of environments.
2. Diversity protects a species against short-term spatial and temporal changes in the environment.
3. Genetic diversity provides the raw material for surviving long-term environmental change.



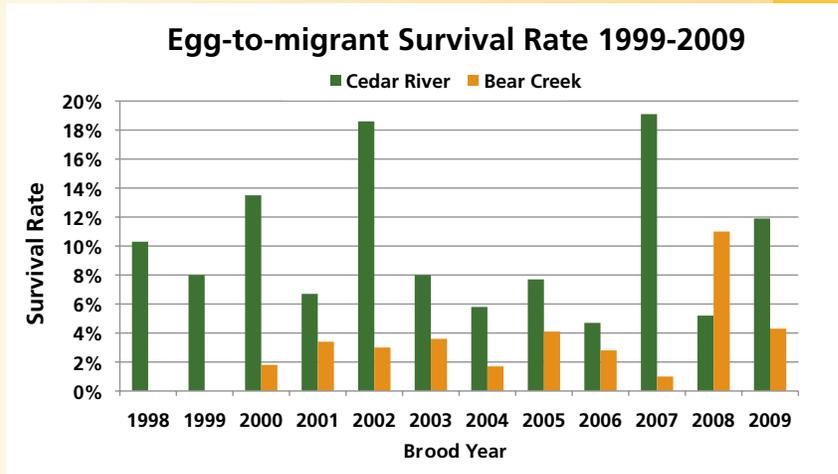
**Figure 2. Cedar River and Bear Creek redd productivity.** Each point on this graph represents the number of salmon nests (redds) counted each year divided by the number of redds counted in following years, when the salmon that hatched would be returning to create their own redds. Chinook salmon in WRIA 8 spend 2 to 5 years at sea before returning to spawn. Most Chinook in WRIA 8 return after 3 to 4 years. A population replaces itself at a value of 1; the WRIA 8 Plan has a short-term goal of 3 for the Cedar River and Bear Creek (Sammamish) population. In other words, 3 redds would need to be produced for each returning redd in the parent year. (Note: since it may take up to 5 years for Chinook to return to spawn, the 2005 spawning year is the latest for which we can accurately assess productivity.)  
Data source: King County unpublished data.



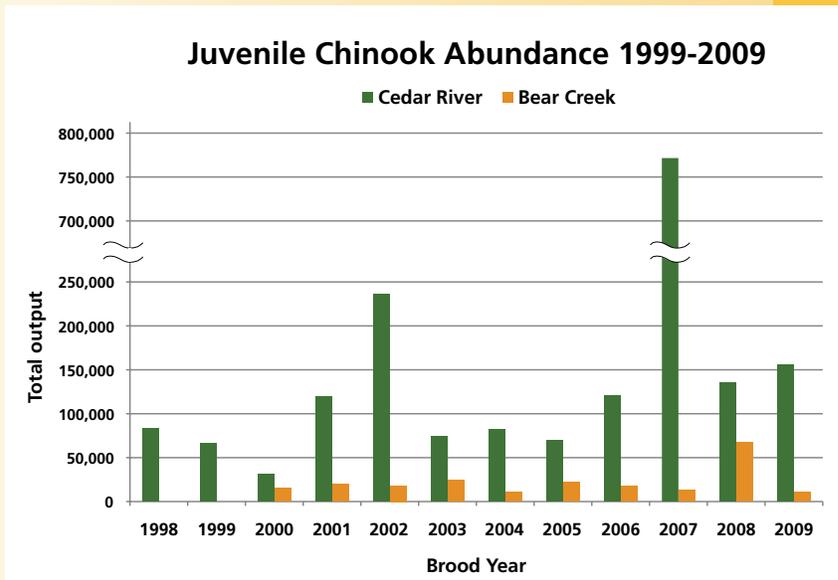
<sup>5</sup> [http://www.seattle.gov/util/About\\_SPU/Water\\_System/Habitat\\_Conservation\\_Plan/FishPassageAboveTheDam/](http://www.seattle.gov/util/About_SPU/Water_System/Habitat_Conservation_Plan/FishPassageAboveTheDam/)

In WRIA 8, we monitor diversity through assessing the age of returning adults, proportion of juvenile salmon migrating as fry or parr (Figure 6), overall timing of migration, and proportion of hatchery fish on the spawning grounds (Table 3). WRIA 8 goals are to increase the proportion of parr migrants on the Cedar River and to decrease the proportion of hatchery-origin Chinook spawning with natural-origin fish on the spawning grounds.

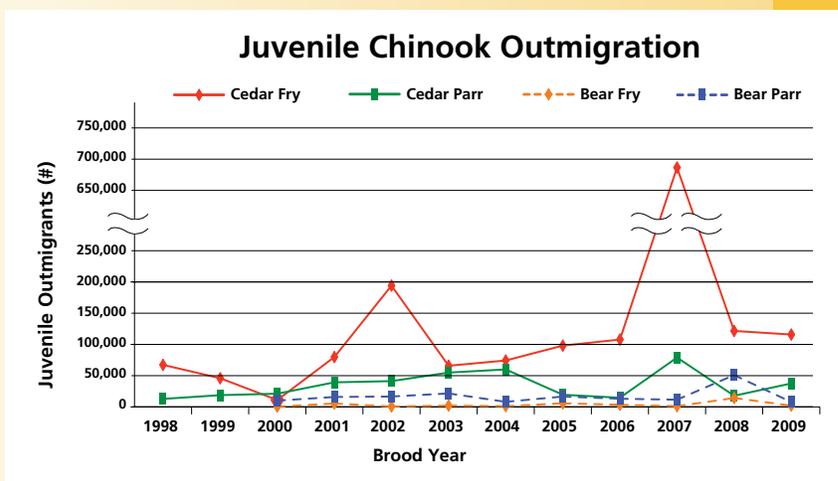
**Figure 3. WRIA 8 Chinook salmon egg-to-migrant survival rates for Bear Creek and Cedar River Basins.**  
Data source: WDFW.



**Figure 4. WRIA 8 Chinook salmon juvenile abundance estimates for Bear Creek and Cedar River populations.**  
Data source: WDFW.



**Figure 5. Juvenile Chinook outmigrants in the Cedar and Bear basins.** Juvenile Chinook salmon have two different life history strategies. Very small fish called “fry” migrate out of streams into Lake Washington between January and late March, while larger juvenile migrants (“parr”) rear in streams for a few more months and migrate later, between May and July. Chinook conservation goals in both basins include increasing the percentage of fish rearing in the basins and migrating to the lake at a larger size. Research has shown that larger migrants have a higher survival rate.  
Data source: WDFW.

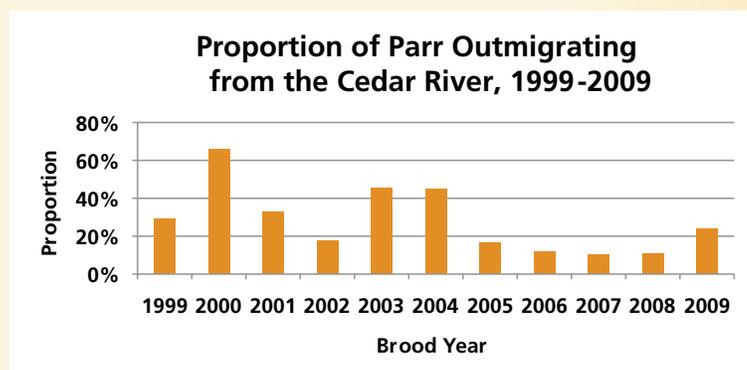


**Table 2. WRIA 8 Chinook redd survey results, 1999-2010.** Shaded cells represent years when surveys were not performed. Cells with "X" represent an artificial tributary that no longer supports spawning. *Data source: King County unpublished data.*

Creek	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Bear	140	30	42	25	24	25	40	12	20	44	9	1
Cottage	171	103	96	102	120	96	82	119	69	88	60	59
EF Issaquah				0	3	26	8	3	30	3	19	29
Little Bear	1	1	1	3	3	1	0	0	2	1	0	0
North Creek	2	4	6	10	1	4	5	9	3	8	7	3
Kelsey Creek		5	4	4	0	0	4	72	77	8	5	1
May Creek	0	1	3		5	9	1	0	7	1	2	1
Rock Creek (Lower)	0	0	0	0	0	0	0	0	0	0	0	0
Taylor Creek	0	0	7	12	11	8	7	1	30	0	0	1
Peterson Creek	0	0	0	0	1	1	1	0	0	0	0	0
Walsh Diversion	0	0	1	0	6	12	0	0	10	0	X	X
Cedar River Mainstem (and tribs above Landsburg)	182	53	390	269	319	490	331	586	859	599	285	265

**Figure 6. Proportion of parr migrants from the Cedar River, 1999-2009.**

*Data source: WDFW.*



**Table 3. Proportion of hatchery-origin Chinook salmon detected in Cedar River and Bear/Cottage Lake Creek spawning surveys since 2004.**

*Data source: WDFW and King County unpublished data.*

	2004	2005	2006	2007	2008	2009
Cedar River	34%	32%	20%	10%	11%	18%
Bear/Cottage Lake Creek		79%	80%	75%	77%	68%

## III. Status of the Watershed

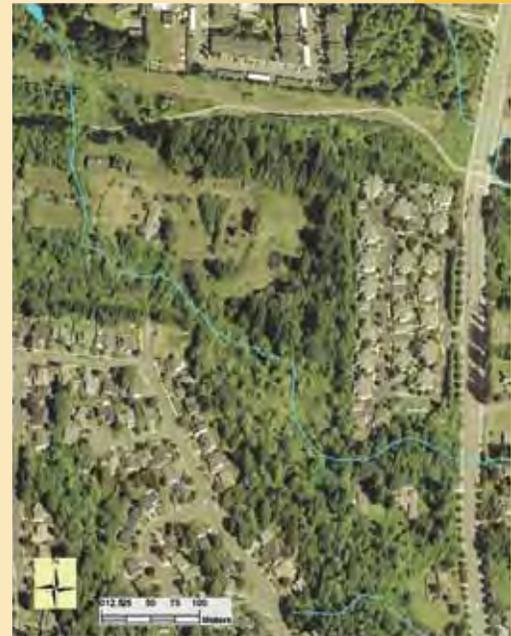
### Monitoring Watershed Conditions

In WRIA 8, we monitor for changes in habitat and water quality as recommended by the WRIA 8 Plan, to the degree possible with limited funding. Thanks to a National Estuary Program grant awarded through the Puget Sound Partnership, we assessed land cover change to gauge the rate of change in overall forest cover and streamside areas. For water quality trends in the watershed, we rely on water quality and benthic macroinvertebrate data collected by King County. Overall trends in watershed stream conditions are monitored by King County through an Environmental Protection Agency (EPA) grant co-administered by WRIA 8 and King County – a program that contributes data to the Washington Department of Ecology Status and Trends monitoring project.<sup>6</sup> Funding for this project lasts through 2013.

### Land Cover Change

The WRIA 8 Plan places a high priority on protecting forest cover wherever practical throughout the watershed. Intact forests contribute to natural watershed processes and high water quality, both of which are necessary for salmon survival. In priority areas where forest cover no longer exists or cannot be maintained, it is crucial to protect and restore riparian buffers (i.e., forested streamside areas).

Overall forest cover declined in 42 of 47 WRIA 8 subbasins between 1991 and 2006. Areas *outside* the urban growth area (UGA) boundary displayed negligible forest cover loss during that period, while forest cover *inside* the UGA boundary declined 21% in Tier 1<sup>7</sup> areas and 23% in Tier 2 areas (Figure 7). For streamside areas, the amount of impervious area increased between 2005 and 2009 in nearly all subbasins studied. Forest cover in streamside areas declined in some subbasins and stayed constant in others (Table 4). The majority of forest cover loss in the streamside areas analyzed appeared to be the result of “vested” development – that is, construction legally permitted under older sensitive areas rules.<sup>8</sup>



Between 2005 (top) and 2009 (bottom), houses and roads replaced forest along a tributary to Bear Creek.

Change between 2005 and 2009	
Forest Cover	
Inside UGA	-3.8%
Outside UGA	-1.5%
Impervious Cover	
Inside UGA	10.6%
Outside UGA	5.5%

**Table 4. Change in forest cover and impervious cover along selected WRIA 8 streams, 2005-2009.**  
Data source: King County Department of Natural Resources and Parks.

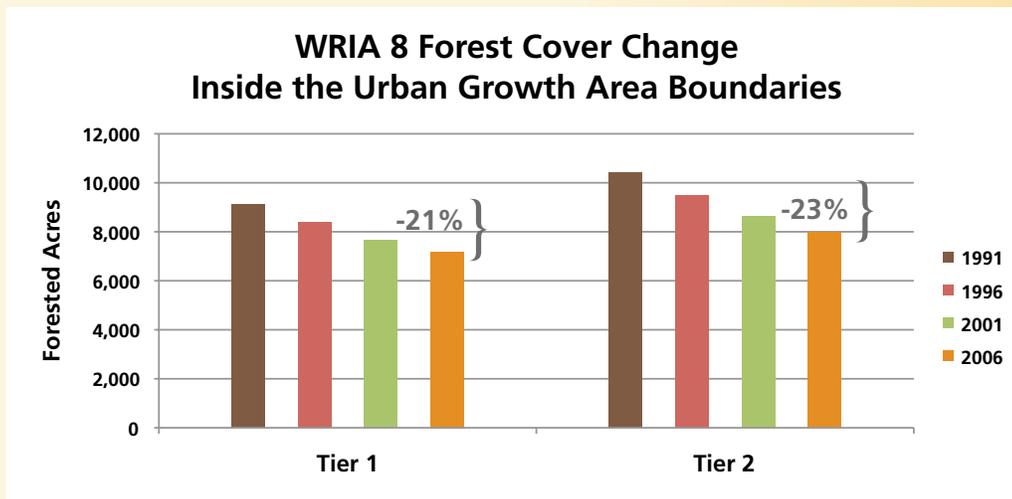
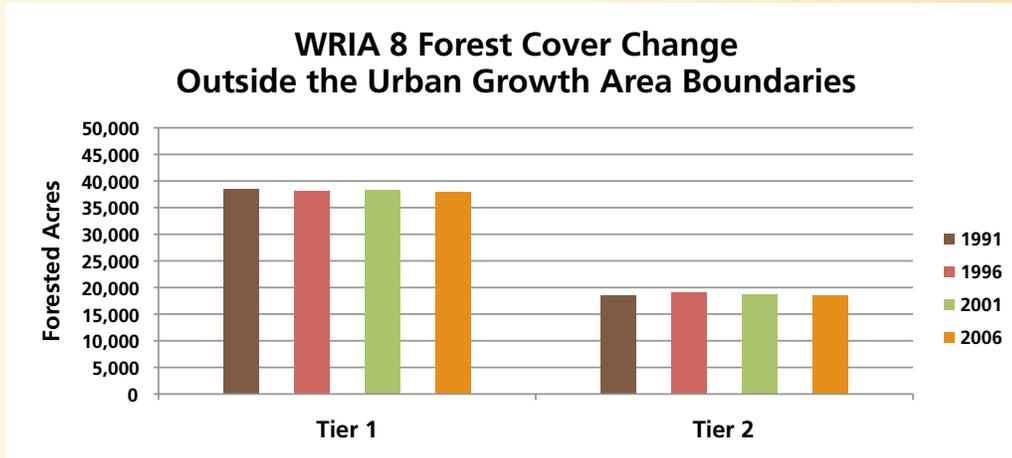
<sup>6</sup> <http://www.ecy.wa.gov/programs/leap/stsmfi/index.html>

<sup>7</sup> “Tiers” denote priority areas for Chinook salmon in WRIA 8. Generally, Tier 1 and 2 areas are highest priority and have the greatest potential for salmon habitat conservation and restoration. Tier 3 areas are important for water quality improvement and protection.

<sup>8</sup> <http://www.gowlink.org/watersheds/8/reports/W8LandcoverChangeReport7-19-2011.pdf>. See report for details.

**Figure 7. Forest cover change in Tier 1 and Tier 2 areas in WRIA 8, 1991-2006.**

Data source: King County Department of Natural Resources and Parks.



## Water Quality

The WRIA 8 Plan relies on the efforts of state and local jurisdictions to protect and improve water quality to help salmon. Likewise, WRIA 8 relies on monitoring efforts by King County and others to provide information on the status and trends in water quality in the watershed. One metric commonly used to report water quality is the Water Quality Index.<sup>9</sup>

The Water Quality Index (WQI) incorporates eight water quality parameters that include temperature, pH, fecal coliform bacteria concentration, dissolved oxygen concentration, sediment load, and nutrient levels. A higher number indicates better water quality, with 100



<sup>9</sup> <http://www.ecy.wa.gov/biblio/0203052.html>

the highest possible score. In general, stations scoring 80 to 100 meet expectations for water quality and are of "lowest concern;" scores of 40 to 80 indicate "marginal concern." Water quality at stations with scores below 40 does not meet expectations, and these streams are of "highest concern." Water quality data is presented in **Figure 8**.

## Benthic Index of Biotic Integrity

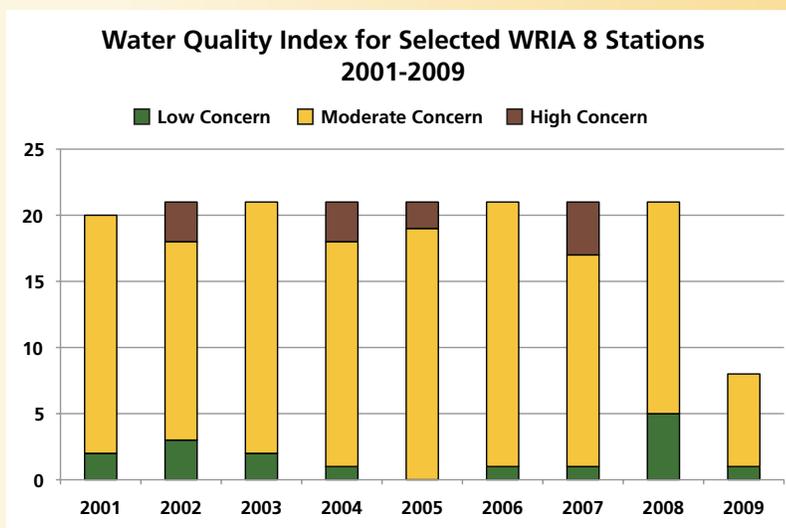
Another overall indicator of stream health, the Benthic Index of Biotic Integrity<sup>10</sup> (BIBI) incorporates information on the composition and numbers of aquatic insects living in streams into a score between 10 and 50, with 10 being very poor and 50 being excellent. In WRIA 8, between 2002 and 2010, on average 53% of the sample sites scored "Poor" or "Very Poor," 33% scored "Fair," and 14% scored "Good" or "Excellent." The data display no apparent trend during this period (**Figure 9**).

## Watershed Habitat Status and Trends

In 2009, WRIA 8 began a project to conduct physical and biological monitoring in 30 stream reaches in the watershed to characterize watershed conditions. In 2010, we added 20 stream reaches with the aid of an EPA grant written in partnership with King County. We are still analyzing data from the first few field seasons; these will inform our next progress report.

<sup>10</sup><http://www.pugetsoundstreambenthos.org/>

**Figure 8. Water Quality Index (WQI) for selected WRIA 8 streams, 2001-2009.** Cuts to the King County water quality monitoring program in 2009 reduced the number of stations in WRIA 8 (hence the shorter bar for 2009). *Data source: King County Department of Natural Resources and Parks Water Quality Monitoring Program.*



**Figure 9. Benthic index of biotic integrity scores for WRIA 8 streams.** Percentages represent aggregate scores of 79 to 89 survey reaches per year. *Data source: King County Department of Natural Resources and Parks Ambient Monitoring Program.*

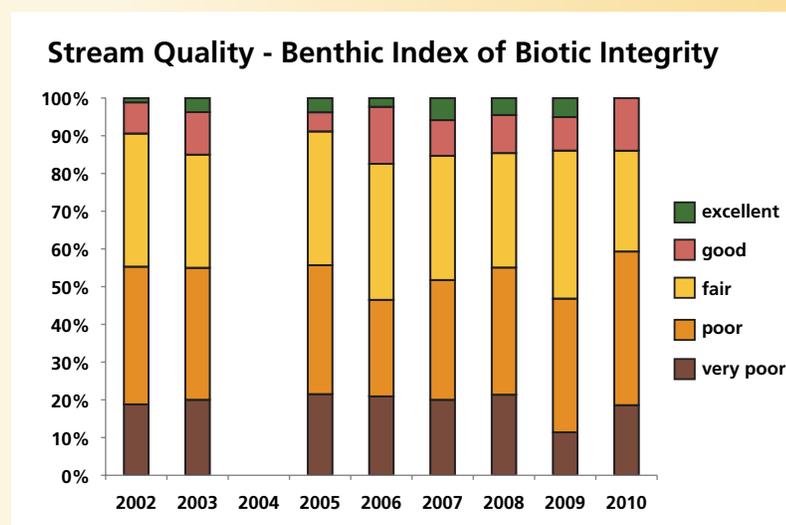
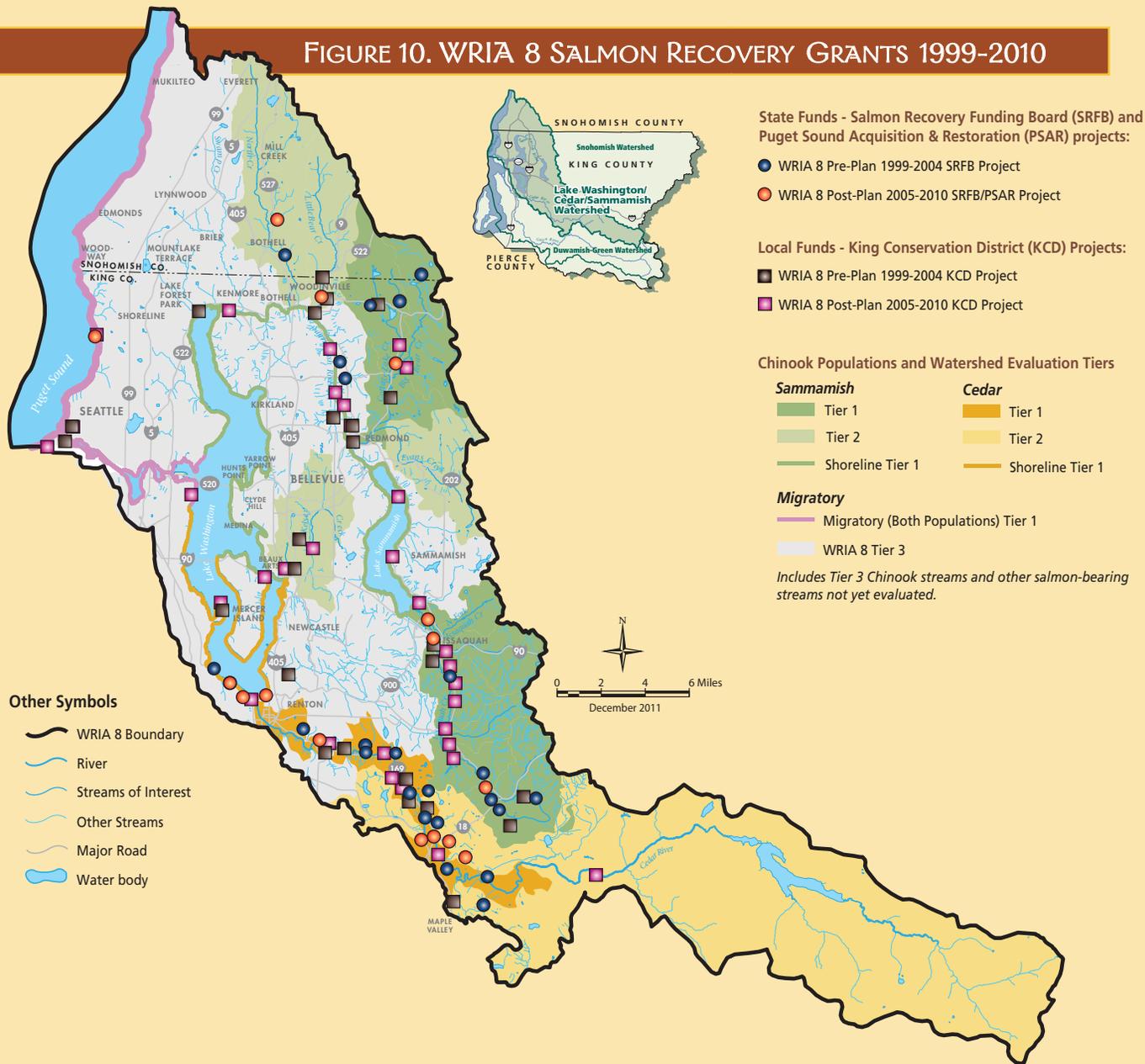


FIGURE 10. WRIA 8 SALMON RECOVERY GRANTS 1999-2010



Since 1999, salmon recovery partners in the Lake Washington/Cedar/Sammamish Watershed received over 90 grants for priority salmon habitat protection and restoration projects.

This map shows grants awarded between 1999 and 2010 to projects throughout the watershed from the Salmon Recovery Funding Board, Puget Sound Acquisition and Restoration program, and King Conservation District. The projects are divided between those that were funded between 1999 and 2005, before ratification of the WRIA 8 Plan in 2005, and those funded between 2005 and 2010 to implement the Plan.

The watershed is divided into "tiers," which denote priority habitat areas for Chinook salmon in WRIA 8. Tier 1 areas are highest priority and include primary spawning areas as well as migratory and rearing corridors. Tier 2 areas are second priority and include areas less frequently used by Chinook salmon for spawning. Tier 3 areas are infrequently used by Chinook salmon, but are still important areas for water quality and flow management.



## IV. Habitat Protection and Restoration Progress

The Lake Washington/Cedar/Sammamish Watershed has a long history of habitat protection and restoration (**Figure 10** – map on previous page). For decades, local governments have led habitat efforts in the watershed. In addition, many WRIA 8 partners are doing habitat projects that are not specifically called for in the WRIA 8 Plan but still benefit salmon.

### First Five Years of Project Implementation (2005 - 2010)

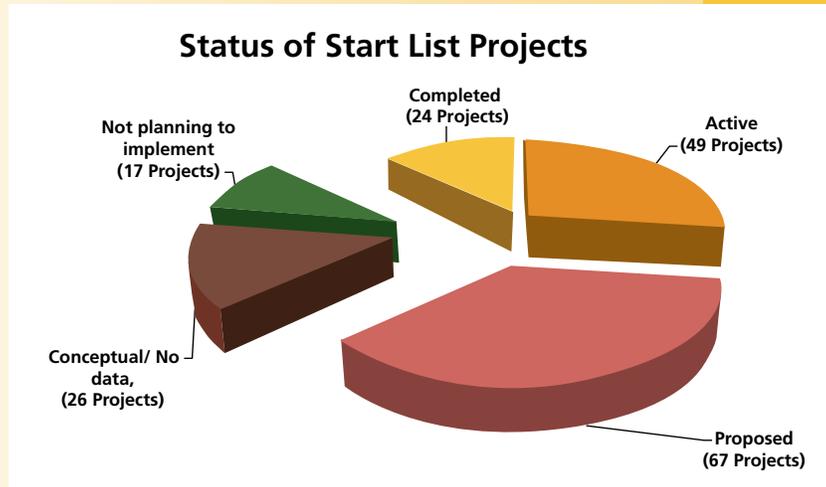
The Plan recommends nearly 700 site-specific protection and restoration projects approved by teams consisting of scientists, local experts, knowledgeable citizens, and technical staff from state and federal resource management agencies and local jurisdictions. From this list, a subset of the highest-priority projects was chosen for implementation during the first 10 years of the Plan (the “Start List”). The Start List is updated as implementation advances, to reflect changes in project status, and to add new projects as they become ready or opportunities arise.

### Status of Implementation

Of the 166 projects currently on the Start List, 44% either have been completed (24 projects) or are funded and in progress (49 projects). An additional 40% (67 projects) have been proposed and await funding. Twenty-six projects (16%) are either conceptual project ideas that a sponsor has not developed into a proposed project, or are projects for which we lack data on their status and are assumed to be conceptual (**Figure 11**).

### Priorities for recovery actions

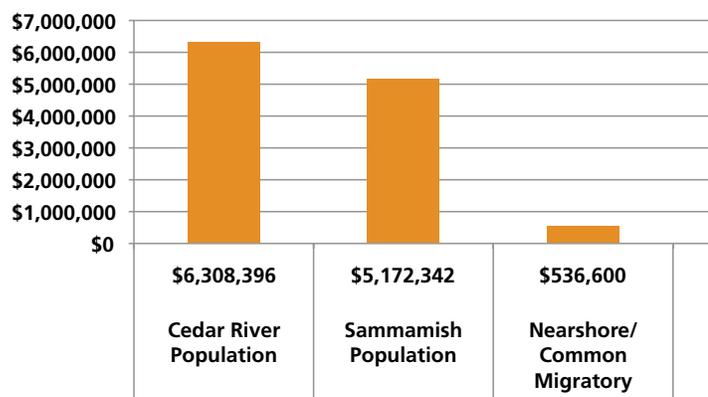
Conservation actions that benefit the Cedar population are our highest priority, followed by actions to benefit the Sammamish population. To date, grant funding distribution generally follows these priorities, although funding for actions in the nearshore and common migratory areas has been lower than it should be (**Figure 12**).



**Figure 11.** Status of all Start List projects since 2005 (183 projects). There are 166 projects currently on the Start List. Seventeen projects have been deemed infeasible and removed from the Start List.

**Figure 12.** WRIA 8 grant funding (Salmon Recovery Funding Board, Puget Sound Acquisition and Restoration, and King Conservation District grants) for habitat protection and restoration between 2005 and 2010, distributed to areas supporting the Cedar population, Sammamish population, and nearshore/migratory areas common to both populations.

### Grant Funding by Chinook Population (2005-2010)



## Habitat Successes

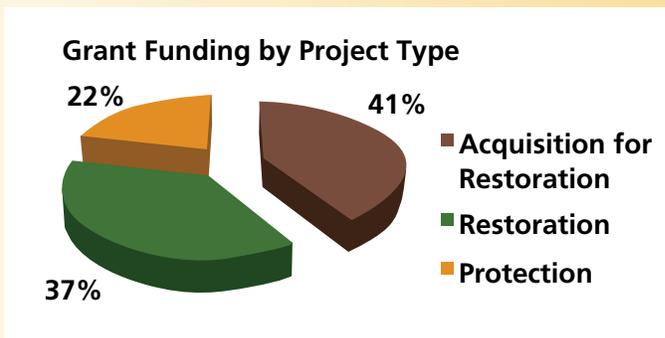
Although a lack of funding has slowed the pace of habitat restoration and protection, WRIA 8 partners continue to implement projects throughout the watershed (Table 5). Recovering salmon in our watershed requires protecting or restoring habitat processes. This typically requires large areas and often encompasses multiple properties. During the first five years of implementing the WRIA 8 Plan, nearly two-thirds of the available funding was dedicated to acquisition projects to protect existing high-quality habitat or to enable future habitat restoration (Figure 13). The remaining one-third went to restoration projects. As the “last best places” are protected, more of the land acquired for future restoration will be restored.

**Table 5. Project sponsors completed 24 projects between 2005 and 2010.** Projects are organized by areas supporting the Cedar population, Sammamish population, and migratory and nearshore areas common to both populations.

Completed Habitat Projects 2005 – 2010	
Cedar Population	Project Sponsor
<b>Cedar River</b>	
Cedar Rapids Floodplain Acquisition: Acquired 15 acres of floodplain for future levee removal and floodplain restoration	King County
Cedar Rapids Floodplain Restoration: Removed levee and restored 15 acres of floodplain	King County
Rainbow Bend Acquisition: Purchased 40 acres, including mobile home park and nine single-family homes; relocated residents from 55 mobile homes	King County
Lions Club Side Channel Restoration: Restored 800 foot historic side channel and floodplain	King County
Lower Taylor Creek Floodplain Restoration: Relocated 800 feet of stream away from Maxwell Road, and restored floodplain habitat	King County
<b>Migratory Area – South Lake Washington Shoreline</b>	
Chinook Beach (Rainer Beach Lake Park): Removed marina and bulkhead, and restored shoreline	City of Seattle
Martha Washington Park Shoreline Restoration: Removed armoring and restored shoreline	City of Seattle
Seward Park Riparian (Shoreline) Habitat Restoration: Restored 300 feet of lakeshore habitat	City of Seattle
Lake Washington Shoreline Restoration (Section 4): Daylighted Madrona Creek and restored shoreline	Friends of Madrona Creek
<b>Sammamish Population</b>	
<b>North Lake Washington Tributaries</b>	
Twin Creeks Project: Expanded existing restoration project to restore riparian and floodplain habitat	Snohomish County
Little Bear Creek Forest Protection: Protected 105 acres of forest on Little Bear Creek	Snohomish County
Fish Passage on Kelsey Creek: Improved fish passage by replacing culvert on NE 8th St.	City of Bellevue
<b>Issaquah Creek</b>	
Sammamish State Park Restoration: Restored wetlands, streams and lakeshore areas	Mountains to Sound Greenway Trust
Sammamish State Park Recreation Management: Updated park management plan to improve park management and enforcement to protect site from human disturbance	Washington State Parks
Anderson Property Acquisition: Acquired property at the confluence of Issaquah Creek and East Fork Issaquah Creek, to be restored and added to Issaquah Creek Park	City of Issaquah
Guano Acres Acquisition: Acquired 8 acres on lower Issaquah Creek	City of Issaquah
Juniper Acres Acquisition: Acquired 5 acres along Issaquah Creek	City of Issaquah
Squak Valley Park Restoration: Restored 8 acres of riparian and floodplain habitat and 1,000 lineal feet of stream	City of Issaquah
Issaquah Creek Protection: Acquired 118 acres on Issaquah Creek in the Log Cabin reach	King County
Fish Passage Improvements on Issaquah Creek: Replaced partial fish barrier culvert at 298th St. within Taylor Mountain Park	King County
<b>Migratory Area – Lake Sammamish and Sammamish River</b>	
Sammamish River Bank Restoration: Regraded banks, created habitat benches and restored riparian areas on nearly 2,000 lineal feet of river	City of Redmond
Wildcliff Shores Riparian Wetland Enhancement and Reconnection: Reconnected riparian wetlands to Sammamish River and restore vegetation at Wildcliff Shores, across from Swamp Creek	City of Kenmore
Zacusse Creek Restoration: Daylighted Zacusse Creek and restored creek mouth along Lake Sammamish	City of Sammamish
<b>Both Populations – Common Migratory Areas and Marine Nearshore</b>	
Salmon Bay Natural Area: Restored 700 feet of shoreline	City of Seattle

## Cedar Population

After five years of acquiring and protecting habitat, several project sites now have enough land to begin large-scale restoration activities. This is most notable in the Cedar River, where the WRIA 8 Plan identifies reconnecting the river to the floodplain to increase habitat for juvenile Chinook as the most important action. The Cedar Rapids project was the first large-scale floodplain restoration project on the river (see below). Other floodplain habitat restoration projects are moving forward in the next three years. While these projects will greatly improve habitat conditions for both adult and juvenile Chinook salmon, more large-scale floodplain restoration is needed.



**Figure 13.** Distribution by project type of \$12.1 million in grant funding received from Salmon Recovery Funding Board, Puget Sound Acquisition and Restoration program, and King Conservation District between 2005 and 2010. This distribution reflects grant funds only, and does not include funds used to match grant funds. Between 2005 and 2010, over 60% of grant funding has gone to protecting habitat and acquiring land for future restoration. As the remaining high quality habitat is protected, more funding will support restoring land acquired for restoration.

## CEDAR RAPIDS FLOODPLAIN RESTORATION PROJECT



*Cedar Rapids pre-project (2007)...*



*...and post-project after flooding in both 2009 and 2011.*

This project, one of the first major floodplain reconnection projects on the Cedar River, aims to both reduce flood hazards and restore salmon habitat.

In 2008, the levees and bank armoring were removed from a 30-acre site, allowing the river to reconnect with its floodplain. Setback levees were built on the site's outer edges to protect adjacent homes and Jones Road. The project was designed to allow the river to migrate freely within the new setback levees.

The Cedar River experienced major flooding in 2009 and 2011 that reshaped the site dramatically. The river shifted its mainstem channel, a new large gravel bar formed, and historic side channels filled with water. However, logs and logjams moved downstream during the flooding and had to be removed.

King County will be applying lessons learned from this project to future restoration projects, including the Rainbow Bend site, where a levee will be removed and 40 acres of floodplain will be restored. Construction will begin in 2013.

Unique to WRIA 8 in the Puget Sound region, lakes are an important part of Chinook migratory habitat. Therefore, restoring stream mouths and beach habitats along the shoreline is particularly important. WRIA 8 partners have implemented several important shoreline restoration projects from Seward Park south to the mouth of the Cedar River. These projects provide important habitat for juvenile Chinook as they migrate from the Cedar River through Lake Washington.

### **Sammamish Population**

Actions to support the Sammamish population have focused on protecting existing habitat and restoring areas of Issaquah Creek and Bear Creek, the two primary spawning areas for the Sammamish population. The Sammamish River is a critical migratory corridor for the Sammamish population, emphasizing the need to restore riparian areas and off-channel habitat. We have also protected and restored habitat on Little Bear and North Creeks, which provide additional diversity of spawning habitat for the Sammamish population.

### **Nearshore/Common Migratory areas**

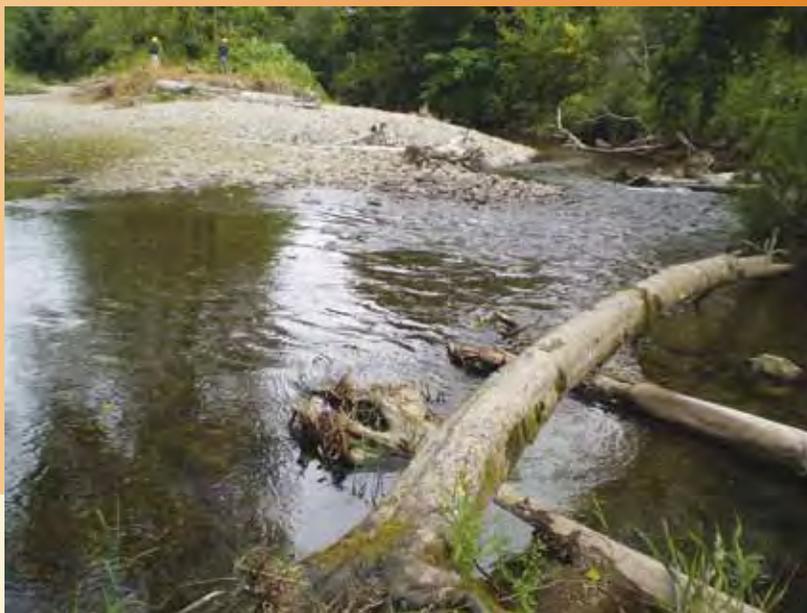
Twice during their lives, as an outmigrating juvenile and a returning adult, Chinook salmon from both WRIA 8 populations migrate through the Ballard Locks, Ship Canal, and along the marine nearshore. Salmon face several challenges in this migratory bottleneck, and work is needed to improve fish passage.

- Passing through the Ballard Locks is hazardous for both juvenile and adult salmon. Some improvements have been made, but much more needs to be done.
- High water temperatures in the Ship Canal may be harmful or even lethal.
- The railway along the marine shoreline limits the opportunity to restore natural processes.

## **ISSAQUAH RESTORES SQUAK VALLEY PARK NORTH**

In 2010, the City of Issaquah restored eight acres of fish and wildlife habitat at Squak Valley Park North. This is one of the largest restoration projects in the City's history.

The City removed portions of a levee along Issaquah Creek to reconnect it to the floodplain. The area had been a straight, uniform channel more than 1,000 feet long, providing poor fish habitat. Public benefits include a new nature park, with trails and stream overlooks, and reduced flooding in the Sycamore neighborhood.



## V. Funding Salmon Recovery

To protect and restore the habitat necessary for salmon recovery, the WRIA 8 Plan set an ambitious funding goal of over \$17 million annually from federal, state, and local sources. Funding during the first five years of implementing the Plan has fallen short of funding goals in most categories (**Table 6** and **Figure 14**).

Salmon recovery in WRIA 8 relies on grant funding from several local, state, and federal sources. Between 2005 and 2010, WRIA 8 partners received over \$12 million in grants for habitat protection and restoration projects (**Figure 13**).

### Federal and State Funding

The Salmon Recovery Funding Board (SRFB) has been a crucial, consistent source of federal and state funds for salmon habitat protection and restoration. From 2005 to 2010, annual SRFB funding was one-third of what the WRIA 8 Plan anticipated from this source.

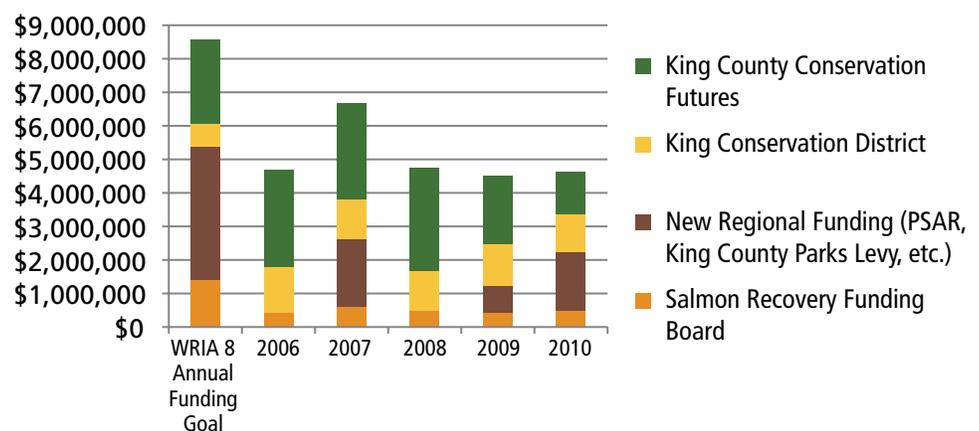
In 2007, recovering Puget Sound became a greater state and federal priority. This additional focus on Puget Sound brought new regional funding to accelerate the pace of salmon recovery efforts. In the 2007 biennial budget, the state legislature appropriated \$42 million through the newly created Puget Sound Acquisition and Restoration (PSAR) program to Puget Sound watersheds. This increased funding to implement the highest priority salmon habitat protection and restoration projects.

WRIA 8 received \$2,015,099 in 2007 PSAR funds and \$1,623,911 in 2009 PSAR funds. Although PSAR only provided about half of the anticipated new funding from regional grants, it was a substantial, much-needed investment. The PSAR program is not a guaranteed funding source, and the legislature appropriates it every two years. It is important for WRIA 8 partners to actively support PSAR funding and demonstrate the on-the-ground habitat improvement that results from this investment.

Federal funding has been much lower than anticipated. In particular, U.S. Army Corps of Engineers funding has been far lower than expected in the Plan goals, largely a result of reduced congressional allocations to the Corps of Engineers and some potential project partners deciding to seek funding elsewhere rather than go through the Corps project funding process.

Funding Sources	WRIA 8 Plan Annual Funding Goal
Salmon Recovery Funding Board	\$1,400,000
New Regional Funding	\$4,000,000
Other State (agency grants, etc.)	\$800,000
Federal (Army Corps of Engineers, Environmental Protection Agency, other federal grants, etc.)	\$3,500,000
King Conservation District	\$660,000
King County Conservation Futures	\$2,500,000
Other Local Match (utility fees, stormwater management fees, etc.)	\$4,500,000
TOTAL	\$17,360,000

**Table 6.** WRIA 8 Plan anticipated funding sources and annual goal. WRIA 8 is unable to track all funding sources; shaded rows indicate funding sources tracked by WRIA 8.



**Figure 14.** WRIA 8 Plan annual funding goals for four primary funding sources compared to actual annual funding levels during the first five years of implementing the Plan.

However in 2009, with the increased focus on recovering Puget Sound, several important WRIA 8 priorities received over \$4 million in federal grant funding from the EPA. EPA grants are advancing the following priorities:

- Monitoring watershed conditions in up to 50 stream reaches (King County)
- Establishing a stormwater flow control plan for the Piper’s Creek watershed (City of Seattle)
- Developing an incentives and credits program to improve ecosystem functions and processes along shorelines of single-family waterfront homes (City of Seattle)
- Supporting a partnership to restore riparian ecosystems and eradicate invasive species (City of Seattle)

### Local Funding

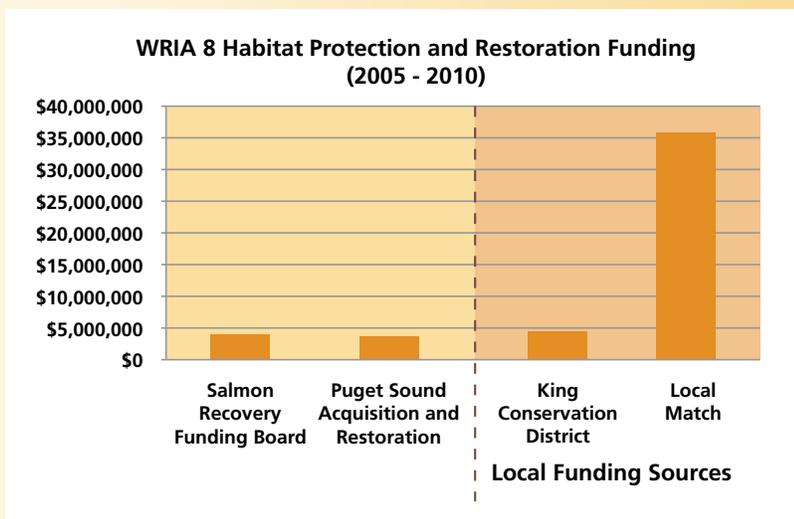
During the past five years, local funding for salmon recovery has contributed over \$40 million towards implementing priority habitat projects, much of which serves to match state and federal grants (Figure 15). Local funds come from a number of sources, most notably King Conservation District (KCD), King County Conservation Futures, King County Parks Levy, and local government surface water management fees, utility fees, and other sources. With the doubling of KCD funds in 2006, KCD has contributed nearly twice the funding for habitat restoration and protection anticipated in the WRIA 8 Plan. Additionally, King County Conservation Futures provides annual funding from property taxes levied throughout King County and its cities for the purchase and permanent protection of habitat and open space. Beginning in 2008, the King County Parks Levy also provides annual funding to acquire open space and restore county parkland that supports salmon habitat. These local funding sources serve as indispensable match to leverage grant funds for habitat protection and restoration projects.

### Recovering Salmon in Challenging Economic Times

The last few years have been difficult for salmon recovery funding. Beginning in 2009, as a result of the recession, funding suffered as local, state, and federal budgets were greatly reduced. The PSAR program was reduced from \$42 million in the 2007-2009 biennial budget to \$33 million in the 2009-2011 biennial budget. In coming years, with the prospect of continued budget shortfalls at all levels, we could see further reductions in salmon recovery funding. This will continue to hinder implementation of the WRIA 8 Chinook Recovery Plan.

Although the reality of funding for habitat protection and restoration has fallen well short of the goals set by the Plan (Table 6), we have used the available funding to accomplish substantial priority project work. We will not be able to increase the pace and effectiveness of habitat restoration and protection without additional funding sources.

**Figure 15.** Amount of WRIA 8 grant funding by grant source compared to the amount of local funding. State and federal grant funds are leveraged heavily by local matching funds. Although King Conservation District grants are separated from local match in the figure, they should be included in the total local funds that serve as match to state and federal grants.





### **Program is controlling Cedar River knotweed**

Invasive knotweed is an aggressive invader of riparian habitats, forming dense stands along stream banks. A collaborative program has been working to control knotweed along the Cedar River and its tributaries. This is often an essential first step in restoring native habitat.

The King County Noxious Weed Control Program began working on knotweed with landowners on the Cedar in 2007. In 2010, King County, Seattle Public Utilities, Forterra (formerly Cascade Land Conservancy), and the Friends of the Cedar River Watershed joined together to form the Cedar Stewardship in Action Program.

Partners reach out to all property owners, public and private, seeking permission to control knotweed on their property and promoting better land stewardship. Hundreds of volunteers participate in over 50 events each year to remove invasives and replant. The process is time-intensive; it takes about a year to treat (and re-treat) two river miles.

## **VI. Programmatic Actions**

### **Implementation of Actions Related to Land Use and Education & Outreach**

Programmatic actions in the Plan related to land use and public outreach may seem less directly tied to salmon in a WRIA 8 stream than on-the-ground habitat projects. But they are actually more critical to the long-term success of our salmon recovery efforts. WRIA 8 is the most populated watershed in the state, and it is still growing. How well we manage growth and development, and motivate people who live in our watershed to take positive actions to benefit salmon, will determine our success in recovering Chinook salmon.

In 2008, the WRIA 8 team administered a survey to jurisdictions in the watershed to assess progress made in implementing programmatic recommendations in the Plan.

The survey found a high rate of implementation for the following actions, ranked as being of “high importance” by a WRIA 8 staff group:

- Forest cover/riparian buffer education
- Water quality education
- Promoting stormwater best management practices
- Critical Areas Ordinances
- Shoreline Master Plan updates
- Tree protection regulations
- Stormwater regulations
- Regulatory flexibility to promote habitat protection/restoration

For these highly-ranked actions, WRIA 8 partners should be vigilant to keep the implementation level high. They should also look for ways to measure their effectiveness.

The following programmatic actions were found to have lower levels of implementation and were ranked as being of high or medium importance to salmon recovery. These Plan recommendations should be revisited by the WRIA 8 Salmon Recovery Council and supporting committees to identify ways to increase implementation:

- Outreach regarding the benefits of large wood in streams
- Education programs for landscape designers/contractors on sustainable design
- Programs to address illegal water withdrawals
- Incentives to protect/restore ecological function
- Outreach to property owners to protect forest cover/habitat
- Promotion of low-impact development
- Natural Yard Care education

WRIA 8 partners are working collaboratively to address many outreach and education actions in the Plan. For example, many WRIA 8 jurisdictions, as part of implementing their stormwater permit requirements, are participating in the Stormwater Outreach for Regional Municipalities (STORM) Consortium. STORM coordinated extensive outreach campaigns related to reducing the water quality impacts of car washing and yard care, which are both high-priority outreach recommendations in the WRIA 8 Plan. Also, lakeshore jurisdictions in the

watershed have partnered with state and federal agencies on the Green Shorelines campaign to work with lakeshore property owners to improve shoreline habitat for salmon (see below). Pooling resources and collaborating has not only been more efficient in these cases, but has also led to much more effective outreach programs.

Non-governmental organizations and community groups and other WRIA 8 partners who were not part of the implementation survey are important partners in implementing many plan recommendations. For example, many nonprofit organizations such as the Mountains to Sound Greenway Trust, Friends of the Cedar River Watershed and Adopt-a-Stream Foundation, offer volunteer stewardship events. Local water districts offer educational programs and incentives to promote water conservation. The Washington Department of Ecology, Parks and Recreation Commission, and Puget Soundkeeper Alliance all have programs and materials to help boaters reduce pollution from recreational boating and boat maintenance.

## Connecting People and Salmon

People are more likely to take actions to protect salmon, streams, and beaches if they have a personal experience that connects them with the resource. For several years, WRIA 8 has supported efforts to create personal connections through the annual Salmon SEEson campaign. Salmon SEEson promotes events sponsored by several cities and organizations where people can see salmon traveling upriver to spawn. Trained interpreters from Friends of the Issaquah Salmon Hatchery, Friends of the Cedar River Watershed, Salmon Stewards, City of Redmond, and elsewhere are on site at specific locations to provide information and answer questions.

WRIA 8 also supports the Cedar River Salmon Journey (CRSJ), Beach Naturalists, and Salmon Watchers through King Conservation District grants. These programs train volunteers about the watershed's natural resources and how to educate diverse audiences. Motivated people who know the science and can engage others are valuable resources for salmon recovery.

## BRINGING BACK THE BEACH FOR BETTER HABITAT

Bulkheads and rip rap that line the shores of Lakes Washington and Sammamish have greatly reduced essential habitat for juvenile Chinook salmon. WRIA 8 has been working to encourage homeowners to restore their shoreline by adding beaches and native vegetation.

The City of Seattle developed an attractive and informative Green Shorelines guidebook for lakeshore property owners. Thousands of guidebooks have been distributed by jurisdictions, shoreline consultants and contractors, and through other means.

In 2009, WRIA 8 held a series of four green shorelines workshops about the definition of green shorelines, the permit process, incentives, and green shoreline design.

In 2010, lakeshore property owners received mailers with color photos and information about green shorelines. WRIA 8 also developed a Green Shorelines website. WRIA 8 plans to continue Green Shorelines work through outreach to professionals, project case studies, and new media.



## VII. Our Future: Challenges and Opportunities



### Watershed Report uses video to inspire high school students

How do you engage a new generation in protecting our watershed? Try making them leaders in producing a video.

Friends of the Cedar River Watershed (FCRW) has been working with high school students to research, narrate, and produce The Watershed Report. The innovative project is a series of short video reports on positive sustainability trends in the 13 school districts and 27 cities of the greater Lake Washington Watershed.

Updated every year, the report is like a collaborative report card. The report is featured each year on 19 public access channels.

The first report premiered in June 2010 with over 150 community leaders in attendance. The video won an award for watershed films sponsored by the Whole Watershed Restoration Initiative.

FCRW recruits students for the report through sustainability presentations in all 13 school districts in the watershed.

We have much to celebrate after the first five years of implementing the Chinook Conservation Plan. We have reason to believe that salmon will continue to be a vibrant, thriving part of our watershed into the future. We appear to be holding the line on Chinook salmon population trends and maintaining forest cover in the rural parts of the watershed. Collectively, we are taking the right actions in the right places for salmon recovery. Our commitment to improving the health of our watershed, and recovering salmon, remains strong.

### Too Little Progress in Implementing Plan Recommendations

Although the commitment to salmon recovery is strong in WRIA 8, at the five-year point of implementing the Plan we are not as far along as we anticipated when we ratified the Plan in 2005. We've only implemented 14% of the projects on our "Start List" of high priority habitat projects, and we should be closer to 50%. As discussed in Section VI, we've identified land use and outreach recommendations in the Plan needing more focused implementation efforts. A primary reason we have not made more progress is that, like most watersheds in Puget Sound, we are behind on our ambitious goals for funding salmon recovery.

In 2011, the National Marine Fisheries Service issued its five-year status review of implementation of the Puget Sound Chinook Recovery Plan (of which the WRIA 8 Chinook Plan is a chapter). It found that habitat is still declining Puget Sound-wide and that not enough is being done to protect and restore habitat.

### New Focus Areas for the Next Five Years

Based on our watershed analysis and Chinook salmon population trends, we need to:

- Restore more Cedar River floodplain habitat.
- Continue working with lakeshore property owners through our Green Shorelines outreach program.
- Protect and restore riparian areas in both the urban and rural parts of the watershed.
- Find solutions to address the barrier to restoring natural shoreline processes caused by railroads along the WRIA 8 marine nearshore.
- Improve fish passage through the Ballard Locks and Ship Canal.

### Opportunities and New Partnerships

With so many partners and our strong record of local match for state and federal funding, WRIA 8 is an influential voice for change. We need to ask for continued state and federal funding for salmon recovery and work with other Puget Sound watersheds and partners to develop new funding sources. We need to look at creative partnerships for implementing recovery actions, and focus on actions that provide multiple benefits. We can be more effective and efficient at implementing some actions in the WRIA 8 Plan when we collaborate and share the load. We should also work more with nonprofit and community groups to advance the most important projects and programs. We need to tell our salmon stories, highlight our challenges, celebrate our successes, and invite watershed residents to join us in our work to ensure a future for salmon in the Lake Washington/Cedar/Sammamish Watershed.

## WRIA 8 Coordination Team

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*Green Shorelines Outreach Coordinator*

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## Photos courtesy of:

---

Ned Ahrens, Hans Berge, Geoff Clayton, Friends of the Cedar River Watershed, Ray Heller, Charlotte Spang, Roger Tabor, U.S. Army Corps of Engineers, Washington Department of Fish and Wildlife, Dar Webb, and Jo Wilhelm.



## Progress Report Preparation

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**Graphic Design:** Sandra Kraus (King County IT Services, Visual Communications Group)

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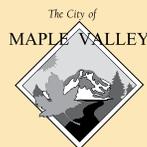
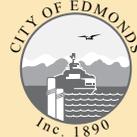
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Financial support to coordinate implementation of the 2005 Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Chinook Salmon Conservation Plan is provided by the following local governments and the Washington Department of Fish and Wildlife:



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**WRIA 8 website: [www.govlink.org/watersheds/8/](http://www.govlink.org/watersheds/8/)**



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Cedar River Council  
Friends of the Cedar River Watershed  
Friends of the Issaquah Salmon Hatchery  
Greater Seattle Chamber of Commerce  
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Northwest Marine Trade Association  
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Fish and Wildlife  
Natural Resources  
Washington Association of Sewer and Water Districts  
King Conservation District

November 7, 2014

The Honorable Jay Inslee  
Office of the Governor  
PO Box 40002  
Olympia, WA 98504-0002



RE: Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Salmon Recovery Council State Legislative Priorities

Dear Governor Inslee:

On behalf of the Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Salmon Recovery Council, I wish to share our enclosed priorities for the 2015 State legislative session. Your leadership is critical to ensuring we can continue our efforts—and Washington State's commitment—to protect and restore habitat for salmon listed as threatened under the Endangered Species Act. Additionally, salmon habitat restoration is a proactive approach to making watershed ecosystems more resilient to a changing climate.

The state's investment in salmon recovery and Puget Sound ecosystem restoration for the 2013-2015 biennium is permitting watersheds and the region to make significant progress on our highest priorities. Your support for the ***Puget Sound Acquisition and Restoration*** program helps watersheds enhance our science-based salmon recovery efforts and advance regional recovery objectives. Additionally, funding in the current biennium for the ***Coordinated Investment in Puget Sound Floodplains*** program is greatly advancing implementation of multiple benefit floodplain management projects that restore critical salmon habitat, reduce flood hazards, and improve water quality. Thank you for supporting these programs, the results of which are in progress.

For the 2015-2017 biennium, we encourage you to build on the progress and momentum for salmon recovery and watershed health in Puget Sound and statewide. Specifically, we ask that you support the following:

- The ***Puget Sound Acquisition and Restoration*** capital budget request through the Recreation and Conservation Office, which at \$140 million for the biennium will fund a prioritized list of 22 large salmon recovery projects around the Puget Sound region and will provide funding to each Puget Sound watershed for implementing smaller-scale—but critically important—habitat projects.
- The ***Floodplains by Design*** (formerly the Coordinated Investment in Puget Sound Floodplains) capital budget request through the Department of Ecology, which will dedicate \$50 million to a prioritized list of floodplain management projects around the state that enhance salmon habitat and protect public health and safety.
- Up to \$40 million in general obligation bonds as the state match for the ***Salmon Recovery Funding Board*** grant program through the Recreation and Conservation Office, which funds habitat protection and restoration statewide.

The Honorable Jay Inslee

11/7/2014

Page 2 of 2

- ***Restoration of the state match used to support the watershed-based salmon recovery “Lead Entity” organizations tasked with implementing recovery efforts.*** A commitment of \$770,000 in state general funds to the Recreation and Conservation Office’s operating budget will position Washington State to be more competitive to receive a greater share of the federal Pacific Coastal Salmon Recovery Fund (PCSRF), which supports implementation of priority habitat protection and restoration projects in communities throughout the state.
- ***New watershed-based funding mechanisms that recognize the link between salmon recovery, water quality, and stormwater and floodplain management.*** With salmon recovery funding continuing to be limited, alternative funding mechanisms focused on overall watershed health are vitally important in helping us achieve our salmon recovery goals.

WRIA 8 appreciates the challenges involved in making state budget decisions and applauds your leadership. Thank you again for your work to continue Washington State’s commitment to salmon recovery, restoring the health of Puget Sound, and working to address effects of climate change.

If you have any questions about projects funded in WRIA 8 or how these priorities advance our salmon recovery objectives, please feel free to contact Jason Mulvihill-Kuntz, the Lake Washington/Cedar/Sammamish Watershed Coordinator at 206-477-4780 or [jason.mulvihill-kuntz@kingcounty.gov](mailto:jason.mulvihill-kuntz@kingcounty.gov). Thank you for your consideration.

Sincerely,



Larry Phillips  
Chair, WRIA 8 Salmon Recovery Council  
Chair, Metropolitan King County Council

Enclosure

cc: Sheida Sahandy, Director, Puget Sound Partnership  
Kaleen Cottingham, Director, Washington State Recreation and Conservation Office  
Maia D. Bellon, Director, Washington Department of Ecology  
Phil Anderson, Director, Washington Department of Fish and Wildlife  
David Troutt, Chair, Washington State Salmon Recovery Funding Board  
Darcy Batura, Chair, Washington Salmon Coalition  
Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Salmon Recovery  
Council members  
Jason Mulvihill-Kuntz, Lake Washington/Cedar/Sammamish Watershed  
Coordinator



# Legislative Priorities for Puget Sound Watershed Health and Salmon Habitat Recovery

*Lake Washington/Cedar/Sammamish Watershed (WRIA 8) Partners*

Updated: September 2014

## ***State Priorities***

### **Capital Budget:**

- **Support \$140 million for the Puget Sound Acquisition and Restoration Fund** capital funding request. PSAR funds support implementation of the highest priority habitat protection and restoration projects throughout Puget Sound. The request includes two components: 1) \$30 million divided among Puget Sound watersheds for a habitat projects grant round, and 2) \$110 million dedicated to fund a prioritized list of specific large, high-priority capital projects submitted by Puget Sound watersheds. Funds are derived from State general obligation bonds (RCW 77.85).
  - WRIA 8's \$1.4 million allocation in the 2013-2015 biennium helped fund the following priority projects (all projects have substantial local match):
    - Cedar River floodplain acquisition and relocation of residents out of harm's way to enable future floodplain restoration in unincorporated King County.
    - Riparian area stewardship on the Cedar River, including controlling invasive knotweed and replanting with native plants.
    - Issaquah Creek riparian and in-stream habitat restoration.
    - Nearshore creek daylighting and salt marsh restoration in Edmonds.
    - Side channel restoration on the Sammamish River in Bothell.

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FOR INFORMATION ABOUT THESE PRIORITIES PLEASE CONTACT:

Jason Mulvihill-Kuntz, Watershed Coordinator, Lake Washington/Cedar/Sammamish Watershed (WRIA 8)

[jason.mulvihill-kuntz@kingcounty.gov](mailto:jason.mulvihill-kuntz@kingcounty.gov) • (206) 477-4780 • <http://www.govlink.org/watersheds/8/>

- In 2014, WRIA 8 partnered with City of Renton to secure an additional \$150,000 PSAR project development grant for Renton to conduct a habitat restoration assessment and preliminary project design in the lower Cedar River.
  - A portion of this funding also supports local watershed capacity for project development and implementation.
- **Support request of up to \$40 million in general obligation bonds in the capital budget for the state portion of the Salmon Recovery Funding Board grant program to protect and restore salmon habitat.**
  - **Support the \$50 million Floodplains by Design capital budget request.** In the 2013-2014 biennium, the legislature allocated \$33 million to the Department of Ecology to support a list of multiple benefit floodplain restoration and management projects. As part of this allocation, King County received a \$4.1 million grant to support completion of the Cedar River Rainbow Bend floodplain restoration project and assist with relocating residents of a mobile home park as part of the Riverbend floodplain restoration project. In the 2015-2017 biennium, Ecology will request \$50 million for a prioritized list of floodplain management projects. WRIA 8 supported development of a King County and Seattle Public Utilities proposal to acquire floodplain properties in priority reaches of the Cedar River and develop final design of the Riverbend floodplain restoration project.

### **Operating Budget:**

- **Support request for \$770,000 in state general funds in the operating budget to support and continue the role of salmon recovery Lead Entities** in recruiting, reviewing and prioritizing community-based salmon restoration projects for submittal to the Salmon Recovery Funding Board for funding. This will return the funding to a 50-50 state to federal match, making Washington State more competitive for federal funding. State funding is provided in the Recreation and Conservation Office operating budget to match federal Pacific Coastal Salmon Recovery Fund (PCSRF) funding from NOAA in the 2015-2017 biennium. Over the past few years, the state's portion of the match has been reduced 50% and has been backfilled using federal PCSRF funds. This reduction in state match

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makes Washington less competitive with NOAA for federal funding. Reinstating the state dollars would make Washington more competitive to receive a greater share of PCSRF funding. For the past 13 years, WRIA 8 has received a \$60,000 Lead Entity grant, as part of this funding, to support project development, grant coordination, and tracking implementation.

### **Policy Legislation:**

- **Support continued efforts to explore new watershed-based funding authorities to support multiple-benefit projects that address salmon habitat protection and restoration, water quality, stormwater management, and flood management.** Since 2011, recognizing the limited funding available to implement salmon recovery, WRIA 8 supported and participated in cross-watershed discussions to identify alternative funding mechanisms to implement multiple-benefit watershed priorities, including but not limited to salmon recovery habitat restoration, stormwater management, and flood management. These efforts and discussions are on-going and may result in future legislation.

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## WRIA 8 ILA Renewal for 2016-2025 - Proposed Changes as of November 2014 (from previous ILA)

Item	Proposed Change	Document Reference	KC Explanations and Considerations for Proposed Changes	COK Staff Comment
1	<b>Add a series of "Whereas" statements to help document the rationale for the ILA and some history of the effort.</b>	Preamble (p.1-2)	<ul style="list-style-type: none"> <li>Helps explain the impetus for establishing/renewing the ILA;</li> <li>Documents history of the effort during the first 10 year period covered by the initial ILA;</li> <li>Documents WRIA 8's interest in regional and state recovery efforts;</li> <li>Recognizes the role salmon recovery action plan in helping to address the effects of climate change;</li> <li>Acknowledges the importance of kokanee recovery actions, and indicate WRIA 8's intent to seek opportunities to partner where kokanee and chinook recovery priorities overlap.</li> </ul>	Support change; provides helpful background and clarification. Staff supports adding the whereas statement recognizing efforts to protect and restore habitat for multiple species (including kokanee), and to seek opportunities to coordinate with other efforts.
2	<b>Expand the eligible ILA partners to include public agencies other than cities and counties that have land use jurisdiction, including tribes, ports, utilities, etc.</b>	Definitions – Eligible Jurisdictions (Section 1.1, p3); Organization and Nature of WRIA 8 Salmon Recovery Council (section 4, p.6); Latecomers (Section 8, p.11)	<ul style="list-style-type: none"> <li>Broadens potential ILA membership and coordination;</li> <li>Spreads annual ILA cost share among more partners, reducing annual cost shares of individual partners</li> <li>Would likely require changes to the proportional/ weighted voting rules in Section 5.1.2;</li> <li>Would allow entities other than cities and counties more influence in WRIA 8 decisions, but could also dilute the local governments' decision making authority.</li> </ul>	Support change; increases membership and reduces cost shares. This change is in response to WA Association of Sewer & Water Districts filling their position with the commissioner of Skyway Water & Sewer, and the addition of the commissioner from Alderwood Water and Sewer District. There is the possibility of having too many public utilities influencing WRIA 8 decisions, so in the future there may be a need to change the weighted voting rules but not a problem at this time.
4	<b>Add description of WRIA 8's role as the salmon recovery "Lead Entity" under state law to convene local watershed-based technical and citizen's committees to review, prioritize, and recommend projects for funding to the state Salmon Recovery Funding Board.</b>	Purposes (Section 2.6, p4)	<ul style="list-style-type: none"> <li>Documents WRIA 8's formal designation and role as the salmon recovery "Lead Entity" in the watershed.</li> </ul>	Support change.
5	<b>Add additional emphasis on the use of monitoring and adaptive management to guide implementation of the WRIA 8 Plan.</b>	Purposes (Section 2.11, p.5)	<ul style="list-style-type: none"> <li>Including language to support use of monitoring and adaptive management.</li> </ul>	Support change.
6	<b>Incorporate the current practice of updating individual ILA partner cost shares more often than every three years when there is a substantial annexation that changes the area and population calculation for affected jurisdictions enough to change their individual cost shares.</b>	Organization and Nature of WRIA 8 Salmon Recovery Council (Section 4.2.1, p.7); Obligations of Parties; Budget; Fiscal Agent; Rules (Section 7.1, p.10)	<ul style="list-style-type: none"> <li>Formalizes a common practice</li> <li>Results in a less predictable cost share distribution, and requires tracking annexations more closely</li> <li>Need to define "substantial" (i.e. what threshold would prompt an update to occur?)</li> </ul>	Support change, but the threshold/definition of a "substantial annexation" needs to be determined, including if 1 annexation would be used to meet a specific threshold or if multiple annexations in one year could be combined to meet the threshold of substantial.
7	<b>Add description of how the level of funding and resource obligation for public agencies other than cities and counties would be determined in negotiation with and approved by the Salmon Recovery Council.</b>	Organization and Nature of WRIA 8 Salmon Recovery Council (Section 4.2.1, p7)	<ul style="list-style-type: none"> <li>Creates a flexible mechanism to establish an appropriate, fair cost share for public agencies other than cities and counties that are approved ILA partners by the Salmon Recovery Council</li> <li>Requires Salmon Recovery Council approval</li> <li>Is not a predictable and clear cost share for potential ILA partners and existing ILA partners</li> </ul>	Support change. This change allows for the SRC to determine the cost share for public agencies other than cities and counties, but the formula for cost share has not been determined yet. This change in language is needed now that utility districts are included in SRC.
8	<b>Replace "shall" with "may" in section on service provider evaluation, which enables SRC to approve use of an annual anonymous service provider (currently King County) client satisfaction survey to meet the service provider performance evaluation requirement or to hire an outside consultant to provide a professional service provider assessment.</b>	Organization and Nature of WRIA 8 Salmon Recovery Council (Section 4.2.2, p.7)	<ul style="list-style-type: none"> <li>Formalizes a current practice approved by the Salmon Recovery Council</li> <li>Requires Salmon Recovery Council approval</li> <li>Saves costs associated with retaining an outside consultant to perform an assessment of service provider performance</li> </ul>	Support change. Provides us the option of an independent audit by someone other than KC but does not require it. The current internal survey practice has been adequate so far, but in the future the SRC might feel it is needed.