

Skagit Watershed Council
Meeting of the Board of Directors – Final Notes
February 5, 2015 SWC Office, Mount Vernon, WA

(* indicates action item; indicates decision)

Attendance: Richard Brocksmith, Brenda Cunningham, Loren Everest, Margaret Fleek, Steve Hinton, Carolyn Kelly, Colleen McShane, and Jon-Paul Shannahan.

Not in attendance: Chair Ken Dahlstedt, Bob Everitt

The meeting was called to order at about 9:03 am with a quorum. Vice-chair Hinton led the meeting.

Draft Agenda Review

Brenda moved and Carolyn seconded approval of the agenda, which the Board approved unanimously.

Meeting Notes

Loren moved, Brenda seconded approval of the December 11, 2014 Board retreat meeting notes, which the Board approved unanimously.

Colleen moved and Brenda seconded approval of the December Board meeting notes, which the Board approved unanimously.

Executive Director Report

Financial Report - Richard made general comments about the December 2014 financials, and the Board asked for a few clarifications:

- Richard cannot point to any large expense that caused the balance to be slightly negative in the last two months. We're spending less money than is budgeted though overall, and indirect rate reimbursement is proving quite accurate.
- The \$38,000 income line item attributed to Seattle City Light has been invoiced though the work has not yet been wholly completed and the invoice has not yet been paid. It's not a reimbursable grant like all of the other income sources. The funding is for SWC's watershed and project functions as well as strategic approach updates and steelhead initiatives as outlined in the work plan.
- We left a \$1.47 balance with Skagit County for a \$30,000 calendar-based contract that was spent down by the end of November 2014. We've signed a new 2015 contract. The SWC financials are based on the state's fiscal year calendar (July - June), creating some complexity in financial reports.

Carolyn moved, Margaret seconded , and the Board unanimously approved the November and December 2014 financials as included in the Board packet.

Legislative Priorities - Governor's budget for Puget Sound Acquisition and Restoration (PSAR) showed \$50 million, reduced from the award last biennium of \$70 million. Our adopted priorities would be to at least maintain last year's level. Richard and Chairman Dahlstedt met with 5 of 9 state elected leaders for our area based on their roles with natural resource policy

and budget committees in Olympia to highlight SWC's local decision-making process, our successful outcomes to date, and to garner their continued support for this funding. Richard relayed that at the local scale these meetings mostly wrapped up this year's effort, though he also felt that ***we can increase the likelihood of outcomes by working with a broader set of partners at the regional level to reach out in coming months.**

Bills have been introduced that would limit the conversion of farmland for salmon and habitat purposes (but not limiting their conversion to development), but haven't made it out of committee, yet. ***The Board would like Richard to keep an eye on this issue and any other such relevant concerns. He should share these with the Board though not necessarily dig deeper without input.**

New Members - Hamilton and Mt. Vernon have voted to join SWC and Sedro Woolley City Council is considering joining SWC. NOAA NMFS would like to participate in an ex-officio—non-voting—role, but they haven't submitted formal paperwork for this yet. Skagitonians to Preserve Farmland's (SPF) Board voted to withhold their membership at this time until SWC has provided more evidence of their recognition of the Skagitonian's mission. Their executive director will provide more input to Richard on this in the near future.

3FI (Farms, Fish, and Flood Initiative) and DFI (Drainage Fish Initiative) - Certain components of 3FI are moving forward, but there are some issues and questions being worked through at the broader Oversight Team level. The hydrodynamic modeling project is going well. There will be future opportunities to engage with that.

The SPF and broader agricultural issues deserve detailed time and attention from SWC. Where are all the moving pieces of the agriculture topic in Skagit, and how does that interact with our mission? The Board could use some dedicated time and background in a work session to educate themselves and continue a thoughtful deliberation of the road ahead. ***We agreed to schedule a morning work session in May for this purpose. This meeting will be followed by the Board's business meeting, though shorter than usual.**

Skagit Capacity Fund – SWC put out an RFP. Three applications were submitted:

- SFEG – project development capacity for four SRFB projects.
- SRSC - mapping project of historical photos for general project development.
- Upper Skagit Indian Tribe – Hansen Creek sediment surveys above highway for project site evaluation and relevant info to upcoming projects downstream.

These projects will go to the TWG for approval and come back for a Board vote in March. Richard indicated the first project which needs to commence soon may need to be backdated.

Contracting - Jay Watson of Environmental Policy Matters assisted SWC with policy updates previously (i.e. retirement, bylaws, etc). Richard asked for an expansion of the contract by \$3,500 to complete additional work on personnel policies. ***The Board decided to move this to next month's agenda.**

Committee Reports

The Board felt that the committee notes are very informative and there were no questions on their content. ***The Board would like the draft committee notes emailed to them so that the information is available sooner, rather than be delayed for distribution until approval. The Board agreed that no approvals will be made based on draft notes.**

With the successful hiring of Chris Vondrasek as the Watershed Coordinator, it's time to replace Richard with Chris for the technical role on the Technical Work Group and Protection Subcommittee since Richard's formal membership was on an interim basis. Carolyn moved and JP seconded the appointment of Chris Vondrasek on both committees to replace Richard.

Protection Subcommittee - The Skagit Land Trust, with the help of Seattle City Light and others, provided an updated tally of high quality habitat protected with SRFB funded grants. About 213 acres have been acquired in the last six months.

Monitoring and Adaptive Management Subcommittee - This subcommittee has met twice for their "phase 2" effort. They have drafted a scope of work with 12 tasks to get to a draft monitoring plan. If implemented, this would satisfy a contract deliverable for SWC to WA Recreation and Conservation Office (RCO). This will take a lot of cooperation to accomplish, and members are helping out tremendously. Concentrating on first 3 of the 12 tasks initially which will help flesh out effort to complete remaining tasks. Two to four subcontracts will likely be required, including one for Abby Hook of Hook Environmental already executed at Richard's (and the subcommittee's) discretion for \$2,500. Richard outlined who is participating on the subcommittee.

Richard asked for a \$7,200 expansion of the contract with Hook Environmental as a sole source provider with the specific expertise and project knowledge to complete the project. We have a well-established, working relationship with her which expedites the process; she was integral to phase 1 and has a high level of knowledge with this specific effort; and PSP has cost shared much of this already. Richard acknowledged that this would require a waiver of SWC financial policies requiring 3 informal bids, but that it was 100% compliant with WA rules that are less restrictive than those we adopted (allowing sole source up to \$20,000). Carolyn spoke to the value of SWC financial policies we enacted and the need to avoid any display or perception of favoritism to members of the SWC for the other potential subcontracts. Carolyn moved and Colleen seconded to temporarily waive our informal bidding process in this contract range based on unique attributes of this contractor and to authorize an additional \$7200 continuation of contract work by Hook Environmental. ***Richard will write up the sole-source justification.**

SWC Steelhead and Bull Trout Subcommittee Briefing Report - The subcommittee met for the first time in January. They are looking for specific objectives and clear guidance to be confirmed by the TWG and the Board. Everyone wants to avoid duplication of efforts with the recovery planning process.

The tributary analysis has brought forward some interesting recommendations and shows overlaps on steelhead and Chinook recovery efforts. The subcommittee believes there is a

simple approach possible for making steelhead projects eligible in this grant cycle coming up in March 2015, building on the tributary analysis.

***The Board agreed that the subcommittee should meet in February as planned regarding interim guidance for 2015.** There was however extensive discussion and some concern about duplication of efforts if the subcommittee continued to meet concurrently with the recovery planning process. ***The subcommittee should be asked for their perspective on their interim role while recovery planning proceeds.**

The Board discussed appointing Loren as the chair. Loren is very interested in supporting this effort, though his workload in the next couple of months is limiting.

Old Business

SWC Strategic Approach - Remaining Policy Topics - Richard reviewed the briefing report provided in the Board packet. He will meet with Alison Studley tomorrow to discuss TWG agenda and remaining details. The TWG will review the recommendations of the Tier 2 Tributary Working Group and Steelhead/Bull Trout Subcommittee.

The Board discussed the Tier 2 recommendations provided to date and some of the policy implications. There were no concerns raised. There were positive perspectives about the rigor of the technical analysis presented. The Board supported the recommendations continuing through the vetting process in the next month.

Outreach questions: How do we acknowledge outreach and education in these processes? What policies and strategies should be supported in our approach and funding? Does the Board want to go further than current practices? Currently outreach is left up to each sponsor, and it is an eligible expense as long as it is a minority of the project costs. How much funding are we talking about? ***The Board agreed that this topic is an important interdependent strategy. However, without a broader community engagement strategy in place and an assessment of what has been done to date and remaining gaps, it would be difficult to provide additional sideboards for projects. This should be developed further in the future as time allows. No cap should be placed on that project element this round.**

New Business

Lead Entity Program Guide

- Open Public Meetings Act discussion: Nonprofits aren't subject to this generally, but governments are. RCO is recommending that lead entity programs follow this, so staff is recommending that the updated Guide speak to this and require appropriate training, open meetings, and public disclosure where applicable. Public comment or publically announcing meetings are not required for SWC according to RCO given our size. More concern exists from the Board's perspective in public disclosure than public meetings-related acts. The Board supports incorporating this.
- Supplemental Questions: The new draft (on page 10) requires sponsors to complete supplemental Community Impact and Education questions. The Board supports incorporating this to facilitate more robust LECC reviews and decision-making.

- 3-year Work Plan discretion: The work plan due date has been changed, and a 3-year work plan isn't required by PSP until 2016. This provides SWC discretion to when the work plan gets updated. The Board supported reflecting this discretion in the guide and likely pushing this off until later in 2015.
- Tier 3 projects: A single line was inserted into the draft RFP confirming current policy that while projects with Tier 3 components are eligible for SRFB funding through SWC, SRFB funding won't be provided for those Tier 3 areas. That funding needs to be from a different source but can be used as match. The Board supports this approach.
- Projects in Overlapping Tiers are eligible and scored based on proportion in each Tier. The Board supported this TWG recommendation for clarification.
- Steelhead operations and 2015 Interim Steelhead Strategy: The Lead Program Entity Guide will need to be amended to reflect steelhead eligibility and scoring. ***Richard is drafting this to reflect steelhead and bull trout subcommittee conversation and will continue to work it through the committees for Board consideration in March.**
- Monitoring Project Eligibility: Lead entities may be able to propose monitoring projects with the support of PSP. For years, local monitoring hasn't been eligible for funding, but this idea is gaining a foothold. SWC wants to retain the option to withhold up to 10% of the available project funds (which is 10% of the SRFB allocation for ~\$120,000 available annually). There may be some constraints added by the state. The Board agreed it's good to retain the option for now. ***Operational details should be pursued if SRFB approves this policy statewide.**
- Outreach and Education: As noted above, there should not be a cap imposed without additional planning.

February 11 Council of Members Agenda - Strategic Approach update is ready for presentation, including the tributary analysis and recommendations. Also, committees should present their work to the membership. There is strong interest regarding steelhead in the community and we should communicate that we are stepping up to the challenge, though without more details in the outcomes of recovery planning it is hard to predict what actions SWC should support. Feds are taking the lead on regional recovery planning and co-managers for watershed level recovery planning. The update to the membership should reflect these, simply.

***Richard can redraft the agenda and send it to the Board for review this afternoon for Board comment. Richard will then be able to revise as necessary and send it out tomorrow.**

Election of Officers for 2015 – Ken Dahlstedt, Steve Hinton, and Carolyn Kelly are willing to continue their roles as Chair, Vice-Chair and Secretary/Treasurer, respectively. Steve moved that Chair Ken Dahlstedt remain chair and Carolyn remain as Secretary/Treasurer. Loren seconded and the Board approved unanimously (note that Margaret had left already at this point in the meeting and Carolyn abstained). Carolyn moved that Steve remains Vice-Chair. Colleen seconded and the Board approved unanimously (with Steve abstaining).

Richard relayed for information sharing purposes that PSP and Ecology asked SWC for their input and to attend workshops on Floodplain by Design.

The meeting adjourned at 12:07 pm.