

**Skagit Watershed Council – Final Notes**  
**Meeting of the Board of Directors, via Zoom**  
**March 3<sup>rd</sup>, 2022, 10:00am to 12:00pm**

(Underline indicates decision point; \***Bold indicates action item**)

**Attending:** John Stein (Chair), Brendan Brokes, Bill Blake, Jon Vanderheyden, Devin Smith, Michael Kirshenbaum, Brian Lanouette, Peter Browning, Andrew Bearlin, Aundrea McBride, Richard Brocksmith, Holli Watne, David Hawkins (USIT), Will Honea (Skagit County), Jack Fiander (SSIT), Amy Trainer (SITC)

**Call to Order 10:03am**

- Introductions, quorum achieved.
- Motion by Peter, second by Andrew, to approve the agenda. Passed unanimously.
- Approved Board Notes for February 15<sup>th</sup>, 2022. Motion by Bill, second by Brian, approved unanimously.

**Executive Director and Committee Reports**

- \***Financials tabled until April because unavailable.**
- Community Engagement Committee-debriefed about Illuminight and Storming the Sound. Discussed making a map of opportunities in the watershed. Discussed STEAM Train.
- Protection Subcommittee-Greenlighted one property near Barney Lake. Approved the Approval Process for Restorable lands and sent to TWG with the issue of how to fund restoration assessments still unresolved. Looked at draft Sauk Protection Strategy map.
- Technical Work Group-Received a presentation on 2 riparian restoration sites by SFEG (Lower Day Slough and Marblemount Boat Launch). They continue to have good luck with companion planting spruce with other trees. Discussed Approval Process for Restorable Lands. Got an update on the grant round—Letters of Intent due March 11<sup>th</sup>.
- Monitoring & Adaptive Management-Discussed 4 projects for possible funding this grant round: Linking flow model predictions with fish and fish habitat use as a predictive model; invasive cattail impacts on Chinook food webs; estuarine channel branching and fish density at Milltown Island; and possibly updating the riverine hydromodification survey. Following discussion with PSP and PSEMP found all projects looked promising.
- Riparian Work Group-Reviewed post conference survey results. Will keep conference virtual in future to maintain good attendance. Continuing to compile data from planting practitioners into common database. Looked at some riparian data for 2019 and 2020, e.g. spending 1/6 effort on planting compared to maintenance.

- Biannual report on acquisitions-One property was purchased in the Lower Sauk (45 acres) during the past 6 months. Three properties were reviewed and greenlighted for a total of 82 acres, two on the mainstem middle Skagit and one on the Cascade River.
- Salmon Recovery Funding Board (SRFB)-They are working on cost increase request policies that are becoming more frequent with COVID and inflation. Extra federal money from Investing in Infrastructure and Jobs Act will be going to targeted investment this year instead of to watershed-level lead entity allocations. Our Milltown Phase 2 Construction project may be able to compete for that but must make it through regional and state competitions.

## **Old Business**

### **Bylaws**

- Changes to Bylaws required to happen at Council of Members meeting, with a quorum of members, by consensus or 2/3 majority vote if needed. Changes are recommended to Members by the Board.
- Opening comments by the county:
  - It is not our intent to break up the Watershed Council.
  - Intent is to create the right venue for a shared vision including agriculture, the three Treaty Tribes, the county, WDFW, and Drainage Districts as final decision makers on financial issues.
- USIT has concerns regarding tension between representative governments' standing and nonprofits. They have respect for the work of NGOs but there is a difference between governments and NGOs. There needs to be more deference given to governments. Tribes are too often forced to establish their standing and Treaty rights in many venues.
- Tribes should have self-appointment authority, and that should be reflected in the bylaws.
- We need to get private landowners to the table and the NGO voice is often needed to build trust and enable that, which would be hindered without a community-based partnership.
- Feds (e.g. USFS as major landowner) need to be more involved as they were in the past.
- There needs to be a right for a tribal representative on the Board from each tribe.
- Currently, to be a Board member you must be a member of the Watershed Council. Otherwise, a bylaws amendment would be necessary to amend this requirement.
- The concept of a broader working group with separate, smaller decision-making body for technical work and detail development, that can then be worked up through a policy body or set of governments is efficient. It has been done in the Baker agreement and adjacent watersheds. Referred to as a "tiered approach."
- Swinomish supports a broader Board composition with NGOs for the narrow purposes that the Watershed Council is responsible for. Haven't seen a problem statement for what we are trying to fix?

- Do governments want more control over money? SSIT suggests this sentiment is a misunderstanding, and instead this is about governmental representation.
- Representative governments need to be at the top level, speaking with one voice where possible, to bring landowners along. The county objective is to bring ag along.
- Question if restructuring the SWC Board will bring agriculture to the table?
- Would a change in structure rattle down to committees? Seems that's up to the Board.
- **\*We have consensus on tribes self-appointing their representatives to the Board. Staff and John can draft some language for self-appointment by tribes to the Board. Likely includes county, but where do we draw the line of self-appointment? Need assessment of unintended consequences and pros/cons. They will send it to Peter and David for review.**
- Two layer structure is like an LIO and may be complicating/risking a simple and effective system with broad involvement. The more the scope becomes about regulatory issues, the more appropriate an LIO form would be.
- Politically difficult decisions may get harder with a smaller deciding body.
- WDFW supportive of designated slot for three tribes and county and their self appointment. Respect comanagers roles but think changing the structure of the Board away from egalitarian approach may not be for the best if focused on voluntary, cooperative projects.
- 2 tiered board is an idea but hasn't been drafted yet.
- **\*Staff could draft Board alternates, guest, and executive session bylaws language as well.**
- County intent is to 'plus effort up' to tackle bigger projects and agrees regulatory issue dialogue would be problematic in this venue.
- Jenna Friebel would be ideal for the Board, closest thing to representative government for ag infrastructure community.
- It has been difficult to get ag involvement despite efforts to engage them and offer board level.
- Regulatory changes can impact ag willingness to be involved.
- SWC is the implementor of policies already set by governments, the lead entity operating within these program sideboards.
- Question has been out there about to what extent SWC is a place for facilitating broader discussions. How do we get governments together? Is the SWC Board the place for that? Making it such will complicate its core functions as a lead entity.
- Should set boundaries for keeping out of political issues. This has been SWC history.
- SWC role is played best staying out of regulatory issues. Copper mine was an exception, thought through.
- There are other arenas for regulatory issues, and the opportunity always exists for governments to convene inside or outside of SWC.
- There is a desire for organization to re-gear itself for larger projects.

- 3 options discussed: leave the Board as is (but with tribes, and possibly others, self-appointing their representatives), make two tiered structure with executive board of governments, shrink Board to just governments.
- **\*More discussion next month and consideration of draft language.**

**Adjourn 12:00 pm**