

Final Notes
Skagit Watershed Council, Technical Work Group (TWG)
September 17, 2015, 1 – 4pm, SWC Conference Room

(* indicates action item; indicates decision)

Attendance: Alison Studley, (SFEG, Chair) Bob Warinner (WDFW), Devin Smith (Skagit River System Cooperative), Jeff McGowan (Skagit County), Kari Odden (Skagit Land Trust), Chris Vondrasek (SWC), Rick Hartson (Upper Skagit Indian Tribe), Doug Bruland (PSE), Erik Andersen (Aspect Consulting),

Guests – Steve Hinton (SRSC, SWC BOD), Richard Brocksmith (SWC)

The meeting was called to order at 1:12 pm. Next TWG meeting –scheduled for October 15, 2015, 1 – 4 pm.

Introductions, Agenda, Notes

- The agenda was deemed adequate.
- Some comments provided by Devin had not been incorporated by staff into the May meeting notes at the time of this meeting. ***Chris Vondrasek will incorporate those comments into the May notes and will email them to TWG members for review before finalizing in October.**

***The TWG reconfirmed their desire to have draft notes ASAP after each meeting and that compiled comments should be redistributed before the next meeting.**

Committee Reports

- **Board Updates**

TWG will be playing an important role over the next few months working on recommendations to the Board of Directors (BOD) on the Protection Strategy update. The BOD has recently had a Protection Strategy update work session (reported out previously to TWG). In addition to this the Protection Subcommittee (PSub) has been meeting regularly for months to work on development of the Protection Strategy update.

Several small amendments to the SWC budget/work plan, financial policies and personnel policies have been completed recently. Richard is available to meet with any interested TWG members to review these modifications, particularly the work plan.

Michael Kirshenbaum from the Skagit Land Trust has been elected to fill the vacancy left on the BOD by the departure of Brenda Cunningham. It was noted that the new bylaws allow the BOD between 7 - 11 members, and it is currently at 9.

The BOD recently conducted a community engagement work session. This was a positive effort and the community engagement plan is in the early stages of development. Positive input was provided on where SWC can provide value through this process.

Steve Hinton attended the TWG meeting and noted that he will continue to try and attend future TWG meetings to act as a sounding board and provide BOD related information to TWG members. Steve feels that it is important for BOD members to attend TWG meetings for the purposes of providing relevant information and answering questions that TWG may have. At this point in the meeting Steve left.

- **Protection Subcommittee**

TWG discussed which members are also on the Protection Subcommittee and Alison asked who the appropriate individual is to provide a report to the group. As Phil wasn't available and SWC staff developed much of the proposals to the Protection Strategy Update and this constitutes a significant part of the Protection Subcommittee's current work, Richard began the briefing and asked other members to weigh in where needed.

Phil Kincare, chair of the subcommittee, is retiring on or about December 3. The Protection Subcommittee will discuss this and options for moving forward. Alison discussed this with Phil and identified Chris Stuart as a potential future Forest Service (FS) PSub member. She noted that the FS is a major landowner in the Skagit basin and it is important to have a FS rep on the subcommittee.

The subcommittee nominates new members and also nominates new chairpersons, and TWG can also offer ideas.

TWG heard about protection of various parcels underway.

Protection Strategy Update

TWG was provided a briefing document that described three general categories related to the Protection Strategy update. These include:

- Problem Statements (hotlinked in the document)
- Proposals for Existing Formula Refinements
- Models and proposals for Tributary Habitat and Connectivity Metrics (also hotlinked in those documents)

The problem statements identify things in the Protection Strategy that need to be improved. A question was raised on whether the update will be focused on protection or acquisition and restoration. Protection was defined as protecting high value properties vs. acquisition and restoration which is focused on properties with

restoration potential. Currently protection is the focus of the strategy update. Richard noted that and the problem statements identify the lack of ability to assess intrinsic potential, which would expand the need to work with TWG even more. It's unclear if and when that problem could be addressed.

When discussing the Problem Statements, a question was raised about what constitutes "isolation". Prior implementation of the protection strategy was based on floodplains and channel migration zones. The 1998 strategy identifies isolation as lack of access by anadromous fish but it is unclear if current parcel ranking for potential acquisition is being implemented in a different manner. Acquisition scores were based upon a property being totally or partially isolated and can be biased based on these criteria and on-the-ground knowledge. There was also some confusion on how the definition of isolation can impact "greenlighting" funding. The Hamilton property on Carey's Slough was brought up as an example of a situation where the confusion has had a recent impact. The owner is a willing seller, but due to a definition of the property as isolated in ranking it (due to a road potentially limiting flooding and channel migration) and despite access to anadromous fish, the Skagit Land Trust has been unable to go ahead with a purchase. Due to delayed timing of the acquisition process the owner has also been approached to harvest timber. If the trees are harvested a significant part of the habitat benefits would be lost. **The process for implementing this should be resolved during the Protection Strategy update process.**

Devin identified a data layer to the group that provides information on floodplains that are isolated (or not) due to dikes, etc. ***The Carey's Slough project was brought up in this context and the group felt that likely parts of the subject properties are isolated and parts aren't, and greenlighting of the non-isolated parcels should proceed.**

Richard provided a review of the existing formula refinement options. The options are discussed in the briefing document. Discussion ensued on the variation between properties when removing cost parameters and that the species focus has been altered. It was questioned whether the grant provides for existing formula refinements and tributary work. The answer is yes.

When discussing main stem edge habitat Devin identified Appendix C of the Strategic Approach in determining edge habitat widths by type. ***A key next step will be to define the edge habitats and populate the data.**

The Strategy has a connectivity bump for adjacency and overall area protected. Kari identified that the primary interest is increasing adjacency weighting but the problem with using reach level scale is that the focus would be on reaches with acquisitions already in place. It was also identified that a modifier could be based on intrinsic potential.

For the discussion on tributaries, Chris provided a presentation on a tributary habitat modeling approach with a focus on 5 of the 8 tributaries in the Strategic Approach with parcels available for protection and without large amounts of existing public ownership.

These tributaries are not gaged except Bacon Creek which has had a gage since the late 1990s. It provides an example of the correlation of modeled and gaged flows, which is pretty consistent with some exceptions for occasionally larger observed flows than modeled. There was a brief discussion on the correspondence between the mainstem and tributaries.

The proposals provided in the tributary briefing paper were outlined with the following items identified and discussed:

- Proposal 2 assumes the use of “anadromous fish” for documented fish presence classification in subtributaries.
- The PSub is working to quantify an aspect of climate change mitigation into habitat definitions via surface water inputs.
- The modeling effort extends to the upper reach of documented steelhead habitat or extent of LIDAR data.
- Devin brought up the point that habitat considered for acquisition with greater than a 4-6% gradient should be scored lower.
- ***A data review will occur for gradient exceptions and steelhead use.**

An RFP is being drafted to get existing data into the proper format, which would further enable assessment of options for restructuring the proposal, particularly around cost problem statements. Alison identified that the grant includes incorporation of “nearshore” into the strategy update. Richard noted that the nearshore component of the update won’t be addressed in any meaningful way due to lack of money and time and workload issues. The group discussed whether this is a scope change and if so how to address it. There are two options related to this; request a scope change to remove the nearshore component as a deliverable or request additional funding and an extension. *** Richard will discuss with RCO and the PSub to determine the potential for a scope change and bring the results of these inquiries back to TWG in October for further discussion.**

Additional points and questions identified during this conversation:

- ***Richard asked the group to consider if there are other problem statements that solutions have not been identified for.**
- The next steps for the protection strategy updates through TWG were considered. *** Subcommittee members will field test options and provide recommendations to TWG.**
- ***Protection Subcommittee meeting notices and related information should be provided to TWG.**
- A smaller group of Protection Subcommittee members have been working on the strategy update between meetings. ***TWG members are encouraged to engage with this group or the PSub to prevent duplicative information sharing issues between Protection Subcommittee and TWG.**

Lead Entity Updates

A review of the final Summary of 2015 Final Applications and SWC LECC Final Ranking was provided. Changes since the last TRC meeting included:

- Milltown Island Phase 2 has been reduced in scope to a design-only project.
- Skagit County Skiyou Rock Removal project was removed from consideration by the Lead Entity Citizens Committee (LECC). The LECC has concerns about this project related to uncertain implementation affects and value to fish.
 - A discussion ensued on whether the LECC is allowed to remove projects from the list or just rank them. It appears that the LECC has this authority and if they didn't they could give those projects with major concerns a low enough ranking that it would likely preclude funding. It was noted however, that the LECC review should be based on social aspects of the project vs. technical which is the responsibility of the TRC. The pertinent RCW provides for LECC to develop the final project list. ***Richard will review the LE Guide for the level of documentation on this topic, and consider a further discussion with the Board. The TWG also felt that the LECC should have asked more questions early on instead of waiting until it was too late for the sponsor to address concerns.**
 - The next steps for the Goodell Creek Restoration Feasibility project came up. The State SRFB Review Panel identified this project as a Project of Concern (POC) surrounding perceived issues with the likelihood of success and partner funding commitments. Rick is pursuing letters of support for the project with comments due October 12. The SWC BOD is rallying behind the project. It was noted that POC's are not uncommon and generally resolved with further information and/or data.

The topic of improving the local SRFB process was tabled for future meetings due to a lack of time. ***Richard will send an email out to TWG/TRC members and request input on the topic of procedural suggestions for improvements. The input will be summarized and placed on the November TWG agenda.**

North Fork Levee Setback Project

A request for additional funding was submitted by Skagit County Public Works (project sponsor) for the North Fork Levee Setback Project. The formal request document was provided to the group for review. The existing contract is for design work and acquisition if contract conditions imposed by SWC are met. The project sponsor needs the additional funding to complete the design phase. The change can be authorized by SWC staff if the request is less than 20% of the original budget or less than \$50K, which is the case here. TWG supported the additional funding. ***Richard will notify the BOD and PSP.**

Skagit Capacity Fund proposal review

At this point Alison handed over the review facilitation of the proposals to Chris, as the SWC committee member, since Alison was conflicted on 3 of 5 proposals. Five proposals have been

submitted for funding through the Skagit Capacity Fund (SCF). The five proposals were identified in a document provided for the group to review:

1. USIT – Tier 2 tributary streamflow and temperature: Tenas Creek and Diobsud Creek.
2. SRSC – Analysis of floodplain and tributary LWD in the Suiattle drainage.
3. Skagit County with SFEG and SRSC – Habitat assessments above county owned culverts.
4. SRSC with SFEG and Skagit County – Existing fish passage and barrier data reconciliation and updates.
5. SFEG with SRSC and Skagit County – Fish barrier data updates and project advance preparations.

As much as \$100K has been budgeted by SWC to support project capacity initiatives such as the Skagit Capacity Fund. The group discussed criteria for making a decision and whether TWG needs to provide consensus on the whole list of proposals or reviewing individual proposals and making decisions? Richard identified that the proposals would ideally be prioritized to provide the BOD with the opportunity to fund some vs. others instead of all or none. An additional question was raised about the criteria being used to make decisions. Richard read the RFP that said the group would assess technical adequacy, use SWC criteria and consistency with documents, and it would all need to be consistent with SRFB funding requirements in Manual 18. Alison noted that she would prefer to prioritize all 5 of the proposals vs. voting on some and not others.

The proposals were reviewed on an individual basis.

Proposal #1 – Tier 2 streamflows:

- Data collection assumes 1 trip/month to measure discharge related to flow levels.
- Some concern was expressed about whether future projects would come from this effort. Rick answered that this is the intent of the effort. A potential Tenas Creek project, for example, will seek to remove a large hydromodification, and need to determine flows and adequacy of current culverts. USIT will then work with the FS to modify as necessary.
- A question was raised on whether one year of data was enough. The intent is to have this effort continue for multiple years but there is currently no future funding identified. USIT currently has a \$12K match.
- Tom Slocum submitted comments via email in his absence at the meeting. Tom had concerns about setting the precedent of using these funds for routine data collection. Tom didn't think this was necessarily cost effective. Rick answered that the preliminary design would include data collected through this process and that the information collected is necessary for modeling efforts. The TWG felt that there was certainty that streamflow data would be needed for project development and that USIT working with USGS would be able to appropriately site equipment. No proxy votes are allowed so it is noted that Tom's comments were brought before the group and discussed.
- A question was raised on whether USGS StreamStats data could be sufficient for this effort instead of collecting flow data.

- Devin raised the question of whether Tenas Creek would be the best choice for a project of this type if using Capacity Funds. In general, this type of project would be best if collecting data in multiple years.
- ***The TWG requested clarification on the USIT commitment to additional data collection beyond year 1 and to not ask for SWC funds routinely. If these commitments are made, the TWG believes this project would be technically sound and deserving of funds. Subsequent discussions after the TWG meeting with all TWG members yielded a recommendation to the Board to fund this project.**

Proposal #2 – Suiattle LWD:

- Chris questioned whether adding LWD structures into the Suiattle is the best option for the available stockpile of wood. Chris conducted a GIS exercise to digitize existing log jams in the Suiattle and questioned whether the river is wood starved based on the results. Chris asked if there were better options from both a cost effectiveness perspective and if other areas would benefit more from LWD instead of the Suiattle as that basic justification was not provided in the application. Devin noted that the FS watershed analysis identifies areas in the Suiattle where wood is limited, though that may have been before the 2003 flood.
- The intent of the project is to use existing and available wood from area FS campgrounds in a local application. The spirit of the proposal is that there is a large quantity of available wood and that the project should be relatively straightforward to implement. There is concern over the viability of the wood if the project is delayed. Areas outside of the Suiattle may be more difficult from an access and permitting perspective.
- The group discussed that even though helicopter time is expensive that in many cases it is the most cost effective approach to LWD installation projects.
- Richard posed the question of whether the level of proposed engineering for LWD placement was adequate to prevent negative impacts to spawning habitat and risks to people? Is the existing project review adequate for SWC to provide funding? Chris asked if the project might rise to the level of river engineering and not just simple wood augmentation?
- A question was raised about timing. If TWG is deferring its decision to the next meeting, is it likely that these questions will be answered?
- Jeff thought that the money would be well spent if the data is necessary for future SRFB funding requests.

The TWG felt they should develop a series of questions related to proposal #2 to be provided and responded to prior to the next meeting in October.

Proposals #3, 4 & 5 – Culverts:

These proposals were grouped together for discussion and referred to as the “culvert projects”. It was identified early on in the discussion that SWC cannot currently fund projects in the Samish as it is not consistent with SWC policies.

While this fact was recognized the intent of the proposal sponsors is to conduct a review of the entire basin (Skagit and Samish) not conducting this effort in a piecemeal fashion. It was identified that the funding constraints are not just related to the Samish but also Tier 3 designations that SWC does not fund projects in as well. Devin noted that:

- Clarity was requested on whether any review of potential opportunities for funding Samish projects would be forthcoming. Richard answered that it is unlikely immediately.
- Alison noted that to answer questions raised about how culvert replacements fit into the larger priority scheme, a comprehensive review needs to be completed. Completing this review would provide for on the ground projects.
- There was some discussion on whether removing the Samish would provide any additional allowance to consider including Tier 3 areas in the Skagit basin for funding as opposed to just Tier 1 & 2 areas within the Skagit.
 - Richard reiterated that he was under the impression that it is SWC policy to only fund projects in Tier 1 and/or 2 as far as he understands it but the Board can clarify the intent. Alison feels like that policy is only relevant due to it being applied through the annual SRFB Request for Proposals and may not apply in this situation.

***TWG members requested that Richard go to BOD and clarify the policy confusion. TWG feels these three proposals meet the technical criteria for funding, with the only exception being the policy questions on priority location and objectives, and are thus deserving of funds. Subsequent discussions after the TWG meeting with all TWG members yielded a recommendation to the Board to fund these projects, again depending on the policy approach.**

The next BOD meeting is the first Thursday of October.

Agenda items on Fish Barrier Removal Board Nominations and TWG work planning for fall/winter were tabled due to a lack of time.

Adjourn 4:12 pm