



## WASHINGTON COAST SUSTAINABLE SALMON PARTNERSHIP

### SUMMARY OF REGIONAL MEETING

**December 16, 2009**

**Port of Grays Harbor, Aberdeen, WA**

10 am – 2 pm

#### **In attendance:**

Mark Swartout, Chair, WCSSP  
James Sellers, Quinault Indian Nation  
Miles Batchelder, WCSSP staff  
Dana Dietz, WCSSP staff  
Phil Miller, Governor's Salmon Recovery  
Office (GSRO)  
Don Webb, a Wishkah River farmer

#### **North Pacific Coast Lead Entity Group**

Rich Osborne, Lead Entity Coordinator  
Devona Ensmenger, Wild Salmon Center  
Katie Krueger, Quileute Indian Tribe

#### **Quinault Lead Entity Group**

John Sims, Lead Entity Coordinator  
Dave Bingaman, Quinault Indian Nation

#### **Grays Harbor County Lead Entity Group**

Lee Napier, Lead Entity Coordinator  
Eric Delvin, The Nature Conservancy  
Nicole Hill, Cascade Land Conservancy  
Mark Swartout, Thurston County

#### **Pacific County Lead Entity Group**

Mike Johnson, Lead Entity Coordinator  
Key McMurry, WBWRCC, Key Environmental  
Solutions

#### **ILA Designated Representatives**

Katie Krueger, Quileute Indian Tribe  
Mark Swartout, Thurston County

#### **UPCOMING MEETINGS:**

<b>Wednesday, January 20</b>	<b>10 am – 2 pm</b>	<b>Web meeting</b>
<b>Wednesday, February 17</b>	<b>10 am – 2 pm</b>	<b>Port of Grays Harbor, 111 S. Wooding, Aberdeen</b>

### **PUBLIC COMMENT**

Don (surname unknown), a citizen who farms on the Wishkah River, explained that he'd seen the meeting announcement in the newspaper and came to see what we do. A \$50,000 culvert was put on his land which could've been created for \$10,000. (It wasn't clear whether he had paid for this personally or not.) His concern is that there aren't any more salmon in the rivers than there were 5 years ago. He thinks that too much time is spent worrying about wild versus hatchery fish, even though you can't tell the difference. In order to increase the number of salmon, he suggests (1) allow each fisherman to catch only so many fish a year, (2) let fishermen catch any kind, hatchery or non-hatchery – it would save a lot of money cutting fins, figuring out if a fish is wild or hatchery, etc., and (3) get the eggs from as many hatchery fish as possible and put them into the streams. He

doesn't think we're doing a very good job; he thinks we're doing a very poor job and have failed to increase the fish population while expending public resources. He thinks the main problem is distinguishing between hatchery and wild fish, which doesn't make any difference and wastes a lot of resources. If we let 80% through and harvested 20%, the populations would increase. Even if this group doesn't have any say in harvest, he thinks we could influence it. He didn't stay for the remainder of the meeting. It was noted that his comments were appreciated.

## **BUSINESS MEETING**

### **Agenda**

Chair Mark Swartout asked if there were any changes or additions to the Agenda. Katie Krueger wants to relate comments she received from some timber folks at Workshop #1. Devona Ensmenger wants to give update on Needs Assessment.

### **Approval of November 18, 2009 Meeting Summary**

Dana Dietz asked if there were any changes, additions or corrections to the November 18, 2009 Meeting Summary. Hearing none, she said they were approved.

### **Extension of Interim Organizational Status and Chair/Co-Chair's Terms of Office**

Miles Batchelder reviewed the situation which was that when Mark Swartout and Jim Sellers were elected Chair and Co-Chair in March 2009, it was agreed to place a six month sunset on that arrangement. That sunset is today, which means we need to either extend it or replace it. Since we haven't proceeded far enough to replace it, and since Swartout and Sellers have agreed to continue to serve if a time limit is set, he proposed that we extend the arrangement, for perhaps a period of three months. Batchelder's objective is to have the organizational decisions made by February 2010.

Since the Bylaws say that the Chair and Vice Chair are elected every September at the Annual Meeting, there needs to be an exception spelled out in the Bylaws so that a Chair and Vice Chair can be elected at the first meeting of the governing body, pending the first Annual Meeting in September 2010.

Phil Miller noted that not only will the Bylaws need to be approved by the IAC, but they will also need to be formally approved by the governing body as set up in those Bylaws when that body first convenes. Dave Bingaman raised the question of whether we were compromising our contract deliverable which was to have Bylaws in place by December or January. Miller assured him that an extension on that deliverable is granted, although he would like to see the organization to be as solid as possible as soon as reasonably possible.

Katie Krueger moved that we extend the terms of the current Chair and Co-Chair until we can have a formal election under our new Bylaws. Key McMurry seconded the motion. Bingaman moved that we amend the motion to "until we have a formal election under our new Bylaws or until March 31, 2010, whichever comes first." Krueger seconded the amendment. Swartout asked if there were any objections. Hearing none, he declared the motion approved.

### **Update on Wild Salmon Center's Needs Assessment**

Ensmenger reported that the Wild Salmon Center has requested an extension of the 'period of performance' on the Needs Assessment from Dec 31, 2009 to March 31, 2010. This will give enough time to incorporate all the suggestions from the workshops, to get more readings in and to create the final maps. This is for the stronghold mapping effort, which is the second phase in the overall Needs Assessment. In response to a question, she said that she felt they could also accept further edits of the Final Report from the first part of the project, that collected existing documents and clarified data gaps across the region. She noted that WSC will be paying for work to be done during this extension out of their unrestricted funds, so they need to be cautious about the amount of work they take on.

## **Report on Planning Workshop #1**

Krueger reported that she had heard from timber industry representatives who were at our Planning Workshop #1 at Lake Quinalt that in one or more workshop sub-groups there had been talk that the Plan we're creating would have some regulatory aspects, which is not true. She suggested that we need to be mindful of making such misstatements, and that we need to make sure we all, members and facilitators alike, know that the Plan will not have any regulatory authority. She had gotten this report from both the Rainier representative and the WFPA representative.

Miles Batchelder reported that because of issues such as Krueger reported, as well as to thank participants, he is going to prepare and distribute a write-up about Workshop #1. The other issue that has arisen is that some folks were disappointed that it appears that the only outcome of the workshop was 8 focal targets. He pointed out that the Planning Committee had outlined a series of objectives for the workshop, and they were all achieved – identifying 8 focal targets and several socioeconomic targets, reviewing the next steps and an overview of the CAP process, and involving many stakeholders in the decision making process. This meant whittling down many diverse perspectives and opinions into eight simple words that will be the basis of developing the plan. The next steps will rather quickly add a lot of complexity. And, he reminded the group, the buy off achieved by including so many at the workshop will reap rewards later in plan acceptance and implementation, even though that is an intangible result of the meeting.

Key McMurry said that her concern is that all the hard work and good discussions that led up to those eight words would be lost. She felt that Batchelder's 3-page written summary of the workshop captures that perspective.

Mike Johnson commented that he was somewhat unhappy with the targets chosen, but he was satisfied that the group had come to a decision and that his targets would be accommodated within the chosen targets. That is what these kinds of group meetings are about.

Phil Miller pointed out that we have to go through this process, and develop a region-wide plan for the "rest of the world" to know how the region prioritizes actions and why; this is the way the region will get more funds to do actual projects. A Plan is a lot more powerful than one individual advocating what they think is best to do.

Batchelder reported that before the next workshop, we will be getting together with the technical participants to flesh out the 8 targets in more detail, as well as put them into a larger perspective, so that we have a sense of what we need to accomplish at the first technical meeting.

Lee Napier pointed out that one thing that seems apparent is that there is a lot more work to be done, and that we have underestimated the resources that will be required to go through the process needed to create a Plan. To her the priority of the group right now (in addition to creating Bylaws) is allocating the resources to the Planning process.

Miller added that he thinks a Plan Outline would be very helpful at this point: to begin actually creating a Plan, to show how elements of the CAP process feed into the Plan, how LE Strategies feed into the Plan, and to have an evolving working tool as the process unfolds.

Krueger reminded us that one reason for the winnowing process is to intentionally lose some of the complexity, so that we can agree on the top items to work on.

Dave Bingaman commented that there were both policy people and scientific people at the workshop, and, in his view, the choice of the policy people "won" out at the end of the day. This will make it somewhat more difficult for him to keep his scientists interested and involved in the process, and thinks this might be a general problem since it will be scientists who in the end put the Plan together. Miller commented that the next phase of the process involves extensive input from scientists in order to further lay out the basics and directions of the Plan. Devona Ensmenger observed that probably very few workshop participants are aware of the use of "nested targets" in the

CAP process, which will undoubtedly bring in all the life cycle stages, and should engage the scientists' perspective to a greater extent.

Eric Delvin commented that he thinks a healthy dose of skepticism is a good perspective in the process, to make sure both we and the process produce a comprehensive Plan. He wanted everyone to know that there's ample opportunity in the process to rework the Targets to make sure we capture what we need to. Both Delvin and Osborne encouraged Bingaman to keep the Quinault scientists involved in the process. Delvin also wanted to reiterate the Nature Conservancy's perspective on development of a Plan for the Coast Region – their stake is that they want salmon to be protected and restored as well as possible, they think that the CAP process has proven effective in developing such plans, and that their contribution and participation is in offering their expertise in the CAP process. He added that he thought the facilitation could have been better, and perhaps that is the reason participants feel disappointed. A better facilitator can tie all the work together at a workshop and help the participants understand the whole process. He feels fine with where we're at in the process because he's participated in several such planning processes, but he can understand how others might not.

In relationship to that, Johnson observed that Kara Nelson's facilitation was a lot more focused than Dickerson's. McMurry concurred, thinking that if both groups had equally considered who will be the most important readers of the finished Plan (legislators, funding sources, etc.), that the two groups might have come to more agreement. Delvin disagreed, saying that it really could have "gone either way," but that in any case participants weren't effectively shown how the whole process will work.

Miller noted that in order to best proceed into future workshops, both feedback from participants as we're hearing as well as input from the Nature Conservancy about what can best assist them. He appreciates the resources that the Nature Conservancy is putting into the planning process for WCSSP, and wants to make sure that the planning funds WCSSP does have are most effectively spent in support of the Plan. Batchelder reported that he had had this conversation with Nelson the day before, and that she and the other TNC folks as well as he were not too impressed with Dickerson's facilitation.

Bingaman made another observation, that the acoustics were not good when we were in the two large groups. Everyone agreed that we need to find a location where multiple groups can easily converse without acoustical frustrations.

### **Organizational Structure: Bylaws**

Swartout suggested that we go section by section through the Bylaws. Batchelder said he wanted to observe that we did get detailed comments from a few people, but we didn't get comments from very many people. His concern is that in order to progress at an acceptable pace, we need members to study draft documents and provide their feedback. Doing it in the meetings is fine, but it takes more time. Johnson and McMurry responded, saying that when they know Krueger has edited a document for content, legality and grammar, they think a document has been improved to the fullest extent, and therefore they don't need to focus on it in detail. However, Krueger noted that this is not her area of law so her suggestions are more from her general understanding of what should be included.

Sellers reminded everyone that Bylaws are not set in stone; they are a living document. They need to be tested over time, and adjusted as needed in the future. So this first step is to outline the guiding principles and procedures to get started. We don't need to stress over creating the perfect set of Bylaws with perfect language, because they're not permanent.

John Sims proposed that we need to include in the Bylaws guidance precluding conflict of interest. He has some language from other organizations that he will forward to the staff for distribution.

The group then discussed and edited each of the Sections under "Purpose and Form" and "Board of Directors." When the discussion of each section was completed, Swartout reread what he thought had been agreed upon and asked for any objections. In each instance, there were no objections to the following language (in italics) agreed upon for those sections. Note that it was agreed by the group to completely remove the original "Section 3. Replacement" under "Board of Directors."

## **I - Purpose and Form**

*SECTION 1. ORGANIZATIONAL PURPOSE – The Washington Coast Sustainable Salmon Partnership, hereinafter referred to as "WCSSP," is a cooperative venture of the Lead Entity Groups for Water Resource Inventory Areas 20-24, also known as the "Washington Coast Region," established and organized for the purpose of facilitating collaborative decision-making in support of salmonid restoration and sustainability.*

*It is the mission of WCSSP to:* (This remains blank, to be completed at a future meeting.)

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*SECTION 2. ORGANIZATIONAL FORM AND STRUCTURE – WCSSP shall be constituted as a Joint Board pursuant to the Interlocal Cooperation Act, RCW 39.34 and the Salmon Recovery Act, RCW 77.85.*

*The Lead Entity Groups for Salmon Recovery within WCSSP have, through the development of an Interlocal Agreement, voluntarily chosen to act jointly as WCSSP in a federation of strong Lead Entities. These Lead Entity Groups are the North Pacific Coast Lead Entity Group (WRIA 20), Quinault Indian Nation Lead Entity Group (WRIA 21), Grays Harbor County Lead Entity Group (WRIAs 22 and 23), and Pacific County Lead Entity Group (WRIA 24).*

## **II – Board of Directors**

*SECTION 1. GENERAL POWERS – WCSSP shall be managed by its Board of Directors, subject to any limitations set forth in these Bylaws.*

*SECTION 2. NUMBER AND MEMBERSHIP – The Board of Directors of WCSSP shall consist of the following four Lead Entity Groups, each of which has one vote:*

*North Pacific Coast Lead Entity*

*Quinault Indian Nation Lead Entity*

*Grays Harbor County Lead Entity*

*Pacific County Lead Entity*

*Each Lead Entity Group shall be represented by between one and six members of the Lead Entity Group, appointed or elected by that Lead Entity Group by a procedure that each Lead Entity Group, at its discretion, shall designate.*

*SECTION 3. COMPENSATION – Members of the Board of Directors shall not receive compensation for their services as board members, but by resolution of the Board of Directors, may be reimbursed for her or his expenses for attendance at each meeting of the Board of Directors or for expenses incurred on behalf of WCSSP. Nothing herein precludes a member of the Board of Directors from being compensated for their services by other entities.*

*SECTION 4. EX OFFICIO ADVISORS – The Board of Directors may designate non-voting Ex-Officio Advisors to the Board of Directors for as long as the Board deems appropriate.*

Batchelder confirmed that he would clean up the Bylaws using decisions made today, and forward to everyone along with suggestions from John Sims and Nicole Hill on conflict of interest language.

**EXECUTIVE SESSION: 12:45 – 1:15 pm**

*Staff persons Miles Batchelder and Dana Dietz left the room while the group discussed and made staffing decisions.*

**Personnel**

Swartout reported that during Executive Session the group unanimously agreed that, because they were pleased with the job performance of Batchelder and Dietz, they decided to extend the two contracts for 18 months. To formalize this, Napier moved to request Grays Harbor County to contract with Batchelder and Dietz for the period January 1, 2010 through June 30, 2011, with Batchelder appointed as Executive Director and Dietz as Program Assistant, at a pay rate to be determined after review of the current budget. In addition, acknowledging the ongoing nature of the increased workload, the use of temporary employment services is approved, and staff are requested to inform the group of any other staffing assistance they require. McMurry seconded the motion. It was unanimously approved.

Miller clarified that the intent is for Napier, Batchelder and Dietz to negotiate pay scales based on an assessment of the biennial budget in light of tasks to be accomplished during the biennium.

**Financial Report**

Dietz noted that this month she had created the Cumulative column for all the months before the current one, noted that Workshop #1 cost a total of about \$4300 (facilitation, facilities and lunch) and that the 4 - 5 hour use of conference calling last month, with 3 connections, cost about \$45. She confirmed that the \$43,195 noted in the box as remaining is the unallocated total having taken into account the \$5600 allocated for temporary help, the \$3400 allocated for Workshop #1 facilitation and \$4200 allocated for computer and website assistance.

In response to a question, she explained that at the top of the righthand column is the percentage we are through the biennium time-wise (that is, as of Nov. 2009, we're 20.8% = 5 months divided by 24 months). This allows comparison to the percentages of money expended in each line item in the righthand column. Our goal is to spend funds as regularly as possible over the biennium since this budget will be looked at when future budget negotiations occur.

### **Triangle & Associates Invoice**

Batchelder asked if there was any objection to paying the most recent invoice from Triangle for Lake Ozette facilitation services. No objections were voiced.

### **Facilitation for Sub-Allocation Process**

Batchelder asked for general approval from the group to explore the possibility of contracting facilitation assistance for the annual sub-allocation process. If generally approved, he will bring a specific proposal to the January meeting for review and approval. In response to a question, he clarified that the agreement at the June 2009 meeting was to look at watershed area as a basis for sub-allocation; however, there was no firm decision to actually use watershed area. There are LEGs that contend the use of watershed area as a basis, so decisions are required, which facilitation would ease. Everyone seemed to agree that this decision needs to be made by March 2010. Ensmenger asked that Batchelder ask for technical input and assistance to identify different kinds of data that might be used, and that the facilitator be prepared with several ways the sub-allocation amounts might be decided. Batchelder agreed. Swartout said that everyone seemed to agree to have Batchelder proceed with exploring facilitation options, and come to the January meeting with a specific proposal. No objections were voiced to this summary.

### **Use of Technical Funds in Planning Budget**

Batchelder reported that a sub-committee of the Planning Committee had reviewed the Needs Assessment and other input that they were aware of, in light of how best to use the \$50,000 Technical amount we were granted as part of the \$100,000 Planning Budget. That committee asked that Ensmenger create a matrix of all the needs revealed by the Needs Assessment, filling in the specifics of how well each one would fulfill our needs, budget and Planning timeline. Batchelder thanked Ensmenger for the enormous amount of work she did to create the matrix.

Based on the matrix, the Planning Committee is leaning towards recommending to the larger group that some of the funds be used for the NetMap tool. There is an original, basic cost of \$25,000 for NetMap, after which there will be some ongoing expenses to generate specific analyses and likely contract with a part time data steward. It will take some time for staff to explore what these specific additional costs might be, so Batchelder explained that today he'd like to get general, overall approval for staff to spend the time to explore these costs, as well as to explore how NetMap might fit into our planning process time-wise. The staff would then come to the January meeting with a specific proposal for review and approval.

Johnson pointed out that Pacific County staff instead of NWIFC could perhaps do the SSHIAP work mentioned in the matrix. Ensmenger apologized and said she hadn't thought of that option.

Ensmenger also wanted to clarify for the record that her participation was to research and create the matrix as part of her Wild Salmon Center work on the Needs Assessment; she did not participate in the Planning Committee's tentative decision to recommend NetMap.

McMurry reiterated that the NetMap cost has come down from \$80,000 to \$25,000 because of a separate project that is currently getting NetMap layers for all watersheds in the coast area that contain any federal land at all. Once a layer is created in NetMap, it is available to everyone.

Miller pointed out that the purchase of NetMap is time-sensitive because it needs to serve the planning process as much as possible. If the staff has approval to spend the time to bring a specific proposal to (or before) the January meeting, an expenditure could perhaps be approved in January, or, if not, February. This would be a good timeline to integrate NetMap into the Planning process.

Napier said she is concerned about purchasing NetMap so (relatively) quickly when there are so many unidentified needs in the upcoming planning process that likely might require funding. It hasn't been spelled out how NetMap advances the Plan; she doesn't think we're clear enough on what the planning process looks like to be assured that NetMap might advance that process. She doesn't feel comfortable approving its purchase at this time.

Batchelder agreed that we do really need to know how NetMap will dovetail into Plan development before we commit to it. With that in mind, there is a meeting set for January 11<sup>th</sup> between the Earth Systems Institute (creator of NetMap), TNC's regional office and ourselves to explore this question. TNC is interested in how NetMap fits into the general CAP process.

There was some discussion about NetMap. A lot of significant questions were raised that Batchelder said staff would try to get answers to. Johnson said that he thinks it is important that everyone agrees on NetMap, because, as has been said, it is the one tool that can integrate data across the region, but if everyone doesn't use it, then it wouldn't be worth it. Swartout commented that his experience is that how a tool like this is maintained, kept in use, that is the significant factor in a tool's usefulness and the first question that should be answered.

Batchelder said that he got the sense that the group wants staff to pursue getting answers to the questions about functioning, funding and future use of NetMap, as well as proposing what additional funds will be required to complete the Plan. There were no objections to this statement.

### **Report on SRFB Meeting**

Batchelder reported that we won't know what next year's allocation will be until February, but it looks like it will be similar to this year, \$1.8 million. WCSSP's project list was wholly accepted. There was public objection to the Big River project, and the SRFB asked some tough questions, but it was approved in the end. Out of seven or eight "noteworthy" projects in the State, three of them were from the Coast (two GHLEG and one PCLEG); he congratulated those sponsors and Lead Entity Groups. He also noted that the Coast's match was comparatively high in the high 40%.

### **Adjournment**

The meeting was adjourned by Chair Swartout.

Respectfully submitted,  
Dana Dietz