

**Dungeness River Management Team**  
**October 11<sup>th</sup>, 2006**  
**DRAFT Meeting Notes for Review**

Team Members/Alternates in Attendance:

Cathy Lear, Clallam County	Virginia Clark, Dungeness/Quilcene Planning
Scott Chitwood, Jamestown S’Klallam Tribe	Les Jones, (Alt) Dungeness/Quilcene Planning
Shawn Hines, (Alt) Jamestown S’Klallam Tribe	John Beitzel, City of Sequim
Al Moore, Riverside Property Owners	Hansi Hals, (Alt) North Olympic Land Trust
Don Hatler, Sport Fisheries	Pete Schroeder, Riverside Property Owners
Randy Johnson, WDFW	Annette de Knijf, Dungeness Nat. Wildlife Refuge
Cynthia Nelson, WA Department of Ecology	Joe Holtrop, Clallam Conservation District

Others in Attendance:

Welden Clark, Dungeness R. Audubon Center	Cheryl Baumann, NOPLC Coordinator
Jessica Coyle, Graysmarsh	Thom Johnson, WDFW
Shirley Nixon, Center for Env. Law & Policy	Bob Boekelheide, Dungeness R. Audubon Center
James Karr, Resident	Melissa Coughlin, Independent Contractor

**I. Introductions / Review Agenda / Approval of 07/12/06, 08/09/06 and 09/13/06 Meeting Notes**

Cynthia Nelson called meeting to order, introductions were conducted

- In Steve Tharinger’s absence, Cynthia Nelson served as vice-chair for this meeting
- New addition: Melissa Coughlin will be taking meeting notes, under contract with the County
- Add to agenda: Review list of 3-year project sent by Hansi Hals (during Cheryl Baumann’s agenda item)
- July and September notes for approval, August minutes are not yet available
  - Cynthia Nelson moved to approve July 12<sup>th</sup> meeting minutes; Al Moore seconded; motion passed unanimously
  - Cynthia Nelson moved to approve September 13<sup>th</sup> meeting minutes; Virginia Clark seconded; motion passed unanimously

**II. Center for Environmental Law & Policy (CELP) Acting Executive Director (Shirley Nixon)**

- Shirley Nixon: joined CELP as staff attorney in 2002, has a master of law degree in Law & Marine Affairs from the University of Washington and a JD from Michigan’s Thomas M. Cooley Law School. Shirley has been a civil deputy prosecuting attorney in Clallam and Jefferson counties, a judicial clerk for the Washington State Court of Appeals Division II, an adjunct professor of law, and a legislative analyst/government affairs liaison. She currently lives in Seattle, but keeps a residence in Clallam County.
- CELP: Non-profit organization founded 1993 by Ralph Johnson, based on Public Trust Doctrine that certain things belong to the public, air and water – and they need protection. Became a non-profit in 1996. CELP is currently the only organization in Washington to focus on water quantity. Pollution, toxins are even worse with less water. CELP is comprised of water lawyers who take precedential cases to argue litigation of clean water. The aim is to make water decisions worthy of 7 generations from now.
- Water rights are granted based on quantity limitations and purpose and place of use limitations.
- In 2003, the Washington Legislature passed the Municipal Water Law (the “Muny Bill”), making three major changes: (1) confers municipal status on private water systems and developers, thus exempting them from water relinquishment laws (use it or lose it); (2) retroactively validates water rights that were previously unused and should have been forfeited, and (3) allows water purveyors to expand their services without public oversight. Legislature OK’d water rights and total quantity to be used anywhere in municipality service area; automatically changed the purpose of use, changed the dynamics, places of use changed -> recharge is impaired; CELP

views this as unconstitutional. It also redefined municipality to include any private water system with over 15 hookups.

- How does this affect DRMT? Don't know yet, but be aware that private developments, campgrounds, etc. are now defined as municipalities and have expanded privileges. Can raise havoc in watershed planning. A good question to answer would be, how many new municipalities do we have here now?
- CELP has been closely monitoring Watershed Planning. They don't have a very favorable view of watershed planning, as it's been spotty on how it's going. CELP wants to see the people who know the watershed best do the planning. Fight for the recommendations you feel are right
- Ecology has to give final guidance, but there are basic things that can't be done: cannot limit water – development has to happen
- State needs to hear from local watershed planner groups to protect resources with strong prohibition on development regardless of pressures from the state who get pressured from other entities to cut back on watershed recommendations
- Pete Schroeder: Question on the Elwha watershed: Port Angeles is building water plant in excess of what it will need. What are limits of what they can do?
  - a. Shirley Nixon: Pertinent to the Municipal Water Law and the places of use. Ask City of Port Angeles - what are water rights/ purpose of use? There are a number of places where interbasin transfer is the answer to water shortage. Sometimes the transfers go 200-300 miles away. California is drafting a water right permit overriding public consideration. Water is lost to the watershed of origin. Washington is looking at some of these issues of the "drier" states. Lots of conflicting interests
- Don Hatler: How would water rights be affected if I-933 passed:
  - a. Shirley Nixon: Waive regulation or pay claim. Water rights are included in this. With this focus on payment - State will be bankrupt. Government will be paying lawyer fees for bogus claims
- Shirley Nixon and Cynthia Nelson discussed how Department of Ecology works together with CELP, even though CELP litigates against Ecology at times
- Closing comment: Joe Holtrop: wanted to acknowledge how instrumental CELP was in implementing the Irrigation Efficiency Program

### **III. North Olympic Peninsula Lead Entity Update (Cheryl Baumann, NOPLE Coordinator)**

#### **Update on Proposed Split off of WRIA 20**

- NOPLE is the liaison between the state funders and other funders, and the projects that need funding
- State Salmon Recovery Board is moving toward regional funding and has recommended splitting WRIA 20 (coastal watersheds) from NOPLE
- NOPLE has requested funding for WRIA 20 from WDFW
- Trying to nail funding so WRIA 20 can hire staff person and move forward on their own
- NOPLE will issue a professional sub-contractor to administer WRIA 20 with funds from WDFW
- WRIA 17,18, 19 will meet on their own / WRIA 20 will begin meeting on its own
- No formal separation from NOPLE until commitment for funding
- Batch of letters from WRIA 20: City of Forks, Tribes, Jefferson County endorsing separation has been sent
- Additionally, will follow-up with letters of support for separation asking WDFW to support with funding
- Would appreciate any other letters of support asking for funding support for WRIA 20 from WDFW – will bundle as packet – if you write a letter – send to NOPLE and add a cover letter with Cheryl's name on top of other letter (for date stamping)
- Questions?
  - Pete Schroeder: at a meeting where NOAA presented recovery plan, seemed so logical to cut WRIA 20 – any feedback from NOAA following that meeting?
  - Cheryl: hadn't heard any formal comments from NOAA

### **Update of 7<sup>th</sup> Round SRFB Process**

- \$785,000 – 3 Projects on the north Olympic Peninsula will receive funding:
  - 1<sup>st</sup>: Dungeness River Estuarine Restoration Project that Hansi and Byron worked on, proposed by JSKT
  - 2<sup>nd</sup>: Nearshore Assessment had been recommended for funding
  - 3<sup>rd</sup>: Clallam/Cline Dungeness water conservation project – Joe Holthrop and Clallam Conservation brought forward
    - Those projects takes it about \$44,000 over budget
  - Added 4<sup>th</sup> Project: fish/woody debris project – LEG favored project (couldn't reprioritize higher); Optimistic on getting \$300,000 – might move it if NOPLC can't help
- Top 3 projects were in this area; reflects time, energy and commitment put into these projects – work is paying off
- Trying to move things up
- Meeting on WRIA 17, 18, and 19 on Friday, 10/20 to look at process

### **Community Salmon Fund Update**

- There will be \$100,000 for salmon restoration projects on the north Olympic Peninsula
  - Requests for proposals come out in December (includes WRIA 20) and private landowners can apply for funds
  - Deadline in April / Decision in June

### **Project List/ Shared Strategy (Legislative wish-list)**

- Jim Kramer sent out an e-mail requesting list for legislature of projects for salmon restoration and for cleaning up Puget Sound
  - Assumed projects would come from 3-year list; due October 23<sup>rd</sup>. There will be significant money for salmon restoration
  - Will bring tentative list to them tomorrow:
    - Ideas Cheryl has already received: Joe Holthrop's Conservation project will probably cost increase, asking for \$150,00 for that; fish project, Morse Creek project, Salt Creek project, Elwha estuary project
  - Need project list from Dungeness area from 3 year list by next week
- Hansi handed out the 3-year project list draft as a reminder to Team (see handout: Dungeness 3 year Project List –Draft); First three projects relate to Bebe acquisition
  - Discussion ensued regarding whether dike setback is ready for the list, Cheryl asked again for preliminary list
  - Monitoring discussion: Do projects plan for monitoring? Funding for monitoring?
    - James Karr (public comment): (1) If we aren't evaluating whether these projects are successful or not, it is a misuse of funds (2) Do not call it monitoring, use instead: "restoration evaluation program"; easy to cut "monitoring" from budgets
  - Randy Johnson: Put forth all the projects for funding, get dollars and move forward
  - DRMT agreed that Cathy Lear should inform County that DRMT support all the projects, including dike setback
  - Noted that 3-year list should be updated every year

### **IV. Request for Letter of Support (Cathy Lear, Clallam County – for Ed Chadd, Streamkeepers)**

Streamkeepers are applying for Centennial Clean Water Funds Grant

- On Ed's list of tasks (see handout "Draft tasks for Centennial Clean Water Fund")
  - Intent to integrate more completely with watershed planning
  - Improve analysis and synthesis to interpret data
  - Develop enhanced tools to report data findings to various audiences
- Streamkeepers letter was circulated among meeting attendees for review and signature
- Cynthia: In favor of Letter of Support – all agreed

### **V. NASA Project – Cathy Lear, Clallam County**

- A year ago DRMT was a partner in submitting a proposal to NASA to improve tool for making water resource decisions, working with Idaho National Lab and PNW Lab
- NASA decided to fund the project
  - Asked DRMT to form a subcommittee as first users group to talk with researchers about limitations of existing tool and come up with suggestions to improve tool
- Note from Tom Martin:
  - As we get going, user will be driving technology development
  - What kind of information is needed from the enhanced model – follow through with feedback to researchers
  - DRMT subcommittee will need to stay one step ahead of the researchers in terms of what we need

Tony Ingersoll:

- Grant is more about the network, making the tool work
- 3 critical parties: researchers, operator and user (DRMT)
- Using DRMT and Elwha experience and taking it nationwide
- Kick-off meeting in November (not yet finalized):
  - Subcontractors complete, with DRMT, defined tasks, expectations, and timelines
  - Roles defined in detail
  - Funds will be allocated
  - Streamkeepers will have a role
  - Meeting will benefit researchers, Olympic National Park, Elwha research, partners involved – hear all about the project, opportunity for questions

#### **VI. Summer Chum Update (Thom Johnson, WDFW)**

- Summer chum abundances reached record lows in 1989 and 1990, with fewer than 1,000 spawners returning each year to Hood Canal/Strait of Juan de Fuca streams
- Habitat degradation, over harvest in fisheries, and poor freshwater conditions identified as factors for decline
- In 1992, fisheries resource co-managers began conservation measures needed to preserve and rebuild populations
- Immediate protective actions were implemented for activities under co-manager control
- Recognized need for comprehensive plan for recovery
- Summer Chum Salmon Conservation Initiative (SCSCI) – WDFW and PNPT in 2000
  - <http://www.wa.gov/wdfw/fish/chum/chum.htm>
- Hatchery Programs (supplementation)
- Ongoing Supplementation and Reintroduction Programs
- SCSCI Supplementation and Reintroduction Programs
  - Preliminary results:
    - Rebuilding a Chum Population can take a decade or more – a self-sustainable population can take even longer
    - We can provide insights on potential to recover summer chum stocks using supplementation and re-introductions
  - Jimmycomelately Creek
    - Summer chum was rated at high risk of extinction based on precipitous decline in abundance
    - Objectives (of all programs): Contribute to restoration of a healthy, natural, self-sustaining population that maintains the genetic characteristics of the native stock
- Supplementation programs are working:
  - Summer chums are spawning naturally in Jimmycomelately Creek, Salmon Creek and Chimacum Creek and the habitat is producing summer chum adult returns
  - Each Spawner is producing from around 1.5 or more adults, likely enough for the population to sustain itself
- Current Outlook for the ESU
  - Average total escapement has increased from 2,367 (1988-1991) to 39,000 (2001-2004)

- From 2001 to 2005, supplementation-origin fish accounted for 46%, 40%, 26%, 17% and 30% of annual summer chum escapement, respectively
- Extinction risk has decreased for all stocks
  - 1985-1988: 4 High, 2 Moderate, 2 Low risk
  - 2001-2004: 0 High, 2 Moderate, 6 Low risk
- Due to successful reintroduction programs, spawners have returned to three streams where they had been extinct (Chimacum Creek, Big Beef Creek, Tahuya River)
- Summer Chum Recovery – Must address all factors affecting summer chum production
  - Hatcheries: well-designed and implemented supplementation and reintroduction programs can and have contributed to adult returns and lowered extinction risk for populations and the ESU
  - Harvest: conservation regimes are in place with incidental exploitation rates mostly <5%
  - Habitat: Restoration/acquisition projects and protection measures are now in place and in progress in SJF and HC regions; HCCC recovery plan under review by NOAA Fisheries
- Conclusion:
  - Community-based groups can effectively provide a vision and guide and assist with salmon recovery programs
  - Education and local involvement is the key
  - It is hard work and takes a long time and commitment

**VII. Chinook Update (Scott Chitwood, Jamestown S’Klallam Tribe)**  
Postponed due to time.

**VIII. Adjourn**

Handouts:

- Agenda for October 11 DRMT meeting
- Draft DRMT Meeting Notes from July
- Draft DRMT Meeting Notes from September
- Dungeness 3 yr Project List - Draft
- Streamkeepers of Clallam County – Draft tasks for Centennial Clean Water Fund grant to be submitted Oct. 31, 2006
- Untitled Roles and Activities NOP RC&D Council and NASA Summary