

RESOLUTION 30781

1
2 A RESOLUTION ratifying the Water Resource Inventory Area (WRIA) 8 Chinook Salmon
3 Conservation Plan.

4 WHEREAS, in March 1999, the National Oceanic and Atmospheric Administration (NOAA)
5 Fisheries listed the Puget Sound Chinook salmon evolutionary significant unit as a threatened species
6 under the Endangered Species Act (ESA); and

7 WHEREAS, in November 1999, the United States Fish and Wildlife Service (USFWS) listed the
8 Puget Sound bull trout distinct population segment as a threatened species under the ESA; and

9 WHEREAS, under the ESA, it is illegal to take a listed species, and the ESA defines the term
10 "take" to include actions that could harm listed species or their habitat; and

11 WHEREAS, actions that are directly or indirectly authorized by local governments could
12 potentially expose local governments to civil or criminal penalties under the ESA; and

13 WHEREAS, under the ESA, Section 4(f), NOAA Fisheries (for Chinook salmon) and USFWS
14 (for bull trout) are required to develop and implement recovery plans to address the recovery of the
15 species; and

16 WHEREAS, an essential ingredient for the development and implementation of an effective
17 recovery program is coordination and cooperation among federal, state, and local agencies, tribes,
18 businesses, researchers, non-governmental organizations, landowners, citizens, and other stakeholders as
19 required; and

20 WHEREAS, Shared Strategy for Puget Sound, a regional non-profit organization, has assumed a
21 lead role in the Puget Sound response to developing a recovery plan for submittal to NOAA Fisheries
22 and the USFWS; and

23 WHEREAS, Shared Strategy intends that its recovery plan will include commitments from
24 participating jurisdictions and stakeholders; and

WHEREAS, local jurisdictions have authority over some habitat-based aspects of Chinook
survival through land use and other policies and programs; and the state and tribes, who are the legal co-
managers of the fishery resource, are responsible for addressing harvest and hatchery management in
WRIA 8; and

WHEREAS, in WRIA 8, habitat actions to significantly increase Chinook productivity trends are
necessary, in conjunction with other recovery efforts, to avoid extinction in the near term and restore
WRIA 8 Chinook to viability in the long term; and



1 WHEREAS, the City of Seattle values ecosystem health; water quality improvement; flood
2 hazard reduction; open space protection; and maintaining a legacy for future generations, including
commercial, tribal, and sport fishing, quality of life, and cultural heritage; and

3 WHEREAS, the City of Seattle supports cooperation at the WRIA level to set common priorities
4 for actions among partners, efficient use of resources and investments, and distribution of responsibility
for actions; and

5 WHEREAS, 27 local governments in WRIA 8 jointly funded development of *The WRIA 8*
6 *Steering Committee Proposed Lake Washington/Cedar/Sammamish Watershed Chinook Salmon*
Conservation Plan (the Plan), published February 25, 2005 following public input and review; and

7 WHEREAS, while the Plan recognizes that salmon recovery is a long-term effort, it focuses on
8 the next 10 years and includes a scientific framework, a start-list of priority actions and comprehensive
action lists, an adaptive management approach, and a funding strategy; and

9 WHEREAS, the City of Seattle has consistently implemented habitat restoration and protection
10 projects, and addressed salmon habitat through its land use and public outreach policies and programs
over the past five years; and

11 WHEREAS, it is important to provide jurisdictions, the private sector and the public with
12 certainty and predictability regarding the course of salmon recovery actions that the region will be
taking in the Lake Washington/Cedar/Sammamish watershed, including the Puget Sound nearshore; and

13 WHEREAS, if insufficient action is taken at the local and regional level, it is possible that the
14 federal government could list Puget Sound Chinook salmon as an endangered species, thereby
decreasing local flexibility; NOW, THEREFORE,

15 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR**
16 **CONCURRING, THAT:**

17 Section 1. The City of Seattle hereby ratifies *The WRIA 8 Steering Committee Proposed Lake*
18 *Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan* (the Plan), dated
19 February 25, 2005. Ratification is intended to convey the City of Seattle's approval and support for the
20 following:

21 A. The following goals for the Plan:

- 22 1) The Plan mission statement to conserve and recover Chinook salmon and other
23 anadromous fish, focusing on preserving, protecting and restoring habitat with the intent to
24

1 recover listed species, including sustainable, genetically diverse, harvestable populations of
2 naturally spawning Chinook salmon.

3 2) The multiple benefits to people and fish of Plan implementation including water quality
4 improvement; flood hazard reduction; open space protection; and maintaining a legacy for
5 future generations, including commercial, tribal and sport fishing, quality of life, and cultural
6 heritage.

7 B. Continuing to work collaboratively with other jurisdictions and stakeholders in the Lake
8 Washington/Cedar/Sammamish watershed (WRIA 8) to implement the Plan.

9 C. Using the scientific foundation and conservation strategy as a basis for local actions
10 recommended in the Plan and as one source of best available science for future projects, ordinances, and
11 other appropriate local government activities.

12 D. Adopting an adaptive management approach to Plan implementation and funding to address
13 uncertainties and ensure cost-effectiveness by tracking actions, assessing action effectiveness, learning
14 from results of actions, reviewing assumptions and strategies, making corrections where needed, and
15 communicating progress. Developing a cost-effective regional monitoring program as part of the
16 adaptive management approach.

17 E. Using the comprehensive list of actions, and other actions consistent with the Plan, as a source
18 of potential site-specific projects and land use and public outreach recommendations. Jurisdictions,
19 agencies, and stakeholders can implement these actions at any time.

20 F. Using the start-list to guide priorities for regional funding in the first ten years of Plan
21 implementation, and implementing start-list actions through local capital improvement projects,
22 ordinances, and other activities. The start-list will be revised over time, as new opportunities arise and as
23 more is learned through adaptive management.

24

1 G. Using an adaptive approach to funding the Plan through both local sources and by working
2 together (within WRIA 8 and Puget Sound) to seek federal, state, grant, and other funding opportunities.
3 The long-term ultimate goal is to fund the Plan through a variety of sources at the current 2004 level
4 plus 50 percent, recognizing that this resolution cannot obligate future Councils to a financial
5 commitment and that the funding assumptions, strategies, and options will be revisited periodically.

6 H. Forwarding the Plan to appropriate federal and state agencies through Shared Strategy for
7 Puget Sound, to be included in the Puget Sound Chinook salmon recovery plan.

8 Section 2. The City of Seattle recognizes that negotiation of commitments and
9 assurances/conditions with appropriate federal and state agencies will be an iterative process. Full
10 implementation of this Plan is dependent on the following:

11 A. NOAA Fisheries will adopt the Plan, as an operative element of its ESA Section 4(f) recovery
12 plan for Puget Sound Chinook salmon.

13 B. NOAA Fisheries and USFWS will:

14 1) take no direct enforcement actions against the City of Seattle under the ESA for
15 implementation of actions recommended in or consistent with the Plan,

16 2) endorse the Plan and its actions, and defend the City of Seattle against legal challenges by
17 third parties, and

18 3) reduce the regulatory burden for the City of Seattle's activities recommended in or
19 consistent with the Plan that require an ESA Section 7 consultation.

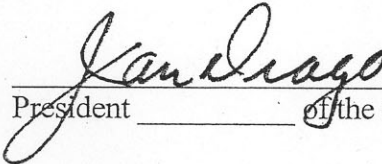
20 C. Federal and state governments will:

21 1) provide funding and other monetary incentives to support Plan actions and monitoring
22 activities,

- 2) streamline permitting for projects implemented primarily to restore salmonid habitat or where the actions are mitigation that further Plan implementation,
- 3) offer programmatic permitting for local jurisdiction actions that are consistent with the Plan,
- 4) accept the science that is the foundation of the Plan and support the monitoring and evaluation framework,
- 5) incorporate actions and guidance from the Plan in future federal and state transportation and infrastructure planning and improvement projects, and
- 6) direct mitigation resources toward Plan priorities.

Section 3. This resolution does not obligate the Seattle City Council to future appropriations beyond current authority.

Adopted by the City Council the 18th day of July, 2005, and signed by me in open session in authentication of its adoption this 18th day of July, 2005.



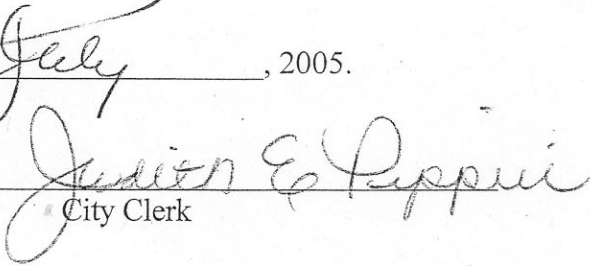
President _____ of the City Council

THE MAYOR CONCURRING:



Gregory J. Nickels, Mayor

Filed by me this 25th day of July, 2005.



City Clerk