

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

RESOLUTION NO. 05-034

A RESOLUTION OF SNOHOMISH COUNTY RATIFYING THE WATER RESOURCE INVENTORY AREA (WRIA) 8 CHINOOK SALMON CONSERVATION PLAN

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

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

WHEREAS, both listings under the ESA are for species that exist within the jurisdiction of Snohomish County; and

WHEREAS, the County has previously stated its commitment to work toward the recovery of these listed species; and

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

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

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

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

WHEREAS, local jurisdictions have authority over some habitat-based aspects of Chinook survival through the regulation of land use, water quality, and other policies and programs; and the state and tribes, who are the legal co-managers of the fishery resource, have the legal authority and responsibility for the management of harvest and hatcheries in WRIA 8; and the state has legal authority and responsibility to control certain land use activities, groundwater withdrawals, the protection of water quality, natural resources, and fish and wildlife; 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

WHEREAS, Snohomish County values ecosystem health; water quality improvement; flood hazard reduction; open space protection; and maintaining a legacy for future generations; that includes commercial, tribal, and sport fishing, aesthetics and quality of life, healthy natural resources, and cultural heritage; and

WHEREAS, Snohomish County supports cooperation at the WRIA and regional level to set common priorities for actions among partners, efficient use of resources and investments, and distribution of responsibility for actions and expenditures;

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

WHEREAS, while the Plan recognizes that salmon recovery is a long-term effort, it focuses on 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

WHEREAS, Snohomish County has consistently implemented habitat restoration and protection projects, and addressed salmon habitat through its land use and public outreach policies and programs over the past five years as outlined in Exhibit A; and

WHEREAS, it is important to provide jurisdictions, the private sector and the public with 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

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

NOW, THEREFORE, BE IT RESOLVED THAT Snohomish County Council hereby ratifies The WRIA 8 Steering Committee Proposed Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan, dated February 25, 2005 (the Plan). Ratification is intended to convey Snohomish County's approval and support for the following:

Section A:

1. *The following goals for the Plan:*
 - a) *The Plan mission statement to conserve and recover Chinook salmon and other anadromous fish, focusing on preserving, protecting and restoring habitat with the intent to recover listed species, including sustainable, genetically diverse, harvestable populations of naturally spawning Chinook salmon.*
 - b) *The multiple benefits to people and fish of Plan implementation including water quality improvement; flood hazard reduction; open space protection; and maintaining a legacy for future generations, including commercial, tribal and sport fishing, quality of life, and cultural heritage.*
2. *Continuing to work collaboratively with other jurisdictions and stakeholders in the Lake Washington/Cedar/Sammamish Watershed (WRIA 8) to implement the Plan.*

3. *Using the scientific foundation and the conservation strategy as the basis for local actions recommended in the plan and as one source of best available science for future projects, ordinances, and other appropriate local government activities recognizing the County's authority to choose policies that work for our residents.*
4. *Adopting an adaptive management approach to Plan implementation and funding to address uncertainties and ensure cost-effectiveness by tracking actions, assessing action effectiveness, learning from results of actions, reviewing assumptions and strategies, making corrections where needed, and communicating progress. Developing and implementing a cost-effective regional monitoring program as part of the adaptive management approach.*
5. *Using the comprehensive list of actions, and other actions consistent with the Plan, as a source of potential site specific projects and land use and public outreach recommendations. Jurisdictions, agencies, and stakeholders can implement these actions at any time. Actions within unincorporated Snohomish County and on County property consistent with the Plan are in Exhibit B.*
6. *Using the start-list to guide priorities for regional funding in the first ten years of Plan implementation, and implementing start-list actions through local capital improvement projects, ordinances, and other activities. The start-list will be revised over time, as new opportunities arise and as more is learned through adaptive management.*
7. *Using an adaptive approach to funding the Plan through both local sources and by working together (within WRIA 8 and Puget Sound) to seek federal, state, grant, and other funding opportunities. The long-term ultimate goal is to fund the Plan through a variety of sources at the current 2004 level plus 50 percent, recognizing that this resolution cannot obligate future councils to financial commitment and that the funding assumptions, strategies, and options will be revisited periodically.*
8. *Forwarding the Plan to appropriate federal and state agencies through Shared Strategy for Puget Sound, to be included in the Puget Sound Chinook salmon recovery plan.*

Section B: *Snohomish County recognizes that negotiation of commitments and assurances/conditions with appropriate federal and state agencies will be an iterative process. Full implementation of this Plan will be supported by the following:*

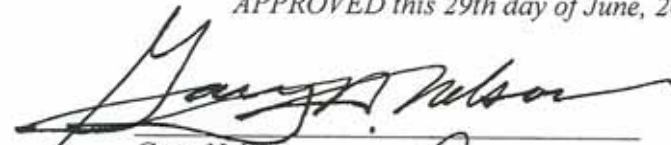
1. *NOAA Fisheries will adopt the Plan, as an operative element of its ESA Section 4(f) recovery plan for Puget Sound Chinook salmon.*
2. *NOAA Fisheries and USFWS will:*
 - a) *take no direct enforcement actions against Snohomish County under the ESA for implementation of actions recommended in or consistent with the Plan,*
 - b) *endorse the Plan and its actions, and defend Snohomish County against legal challenges by third parties, and*
 - c) *reduce the regulatory burden for Snohomish County activities recommended in or consistent with the Plan that require an ESA Section 7 consultation.*
3. *Federal and state governments will:*
 - a) *provide funding and other monetary incentives to support Plan actions and monitoring activities,*


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

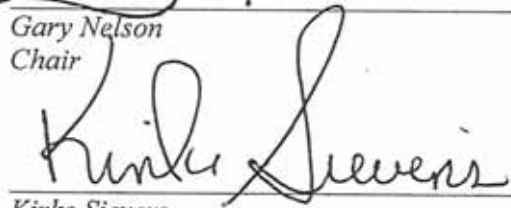
Section C: To the extent that the commitments described in Section A require future appropriations beyond current appropriation authority, then the commitments are conditioned upon future appropriations by Snohomish County. This resolution does not obligate the County Council to future appropriations beyond current authority.

The Council also resolves that it will review its participation and implementation commitment in five years.

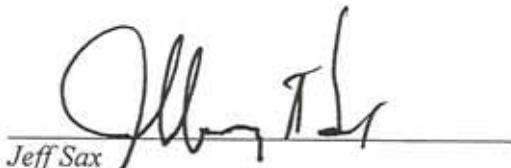
APPROVED this 29th day of June, 2005


 Gary Nelson
 Chair


 John Koster
 Vice-Chair


 Kirke Sievers
 Councilmember


 Dave Gossett
 Councilmember


 Jeff Sax
 Councilmember

ATTEST:


 Sheila McCallister
 Asst. Clerk of the Council

Exhibit A to Snohomish County Council Resolution 05-034

Snohomish County Projects and Programs Implemented in the Lake Washington/Cedar /Sammamish Watershed (WRIA 8) since 1998

PROGRAMMATIC ACTIONS

Snohomish County has actively participated in and developed programs to address salmon recovery. These include:

- A. Participating in the NOAA-Fisheries-approved Regional Road Maintenance Program since 1999.
- B. Providing staff and support to the multi-jurisdictional, multi-stakeholder Lake Washington/ Cedar/ Sammamish Forum, Steering Committee, and Technical Committee for development of the *Proposed Chinook Salmon Conservation Plan* (2005) including its supporting and preceding documents, including the *Lake Washington/ Cedar/ Sammamish Watershed (WRIA 8) Near-Term Action Agenda For Salmon Habitat Conservation*.
- C. Providing leadership and support to regional recovery efforts including the Tri-County and the Shared Strategy for Puget Sound.
- D. Developing County *ESA Salmon Conservation Early Action Program* in 1999.
- E. Providing lead staff support for the Snohomish County Marine Resources Committee since 2000. Actions have included a marine shore inventory, forage fish spawning habitat survey, nearshore enhancement pilot projects, and identification of candidate sites for nearshore habitat protection and restoration, and annual public education events.
- F. Developing sub-basin plans and actions that improve salmon habitat.
- G. Fulfilling obligations under the County's NPDES permit through annual implementation of the County NPDES program. This consists of a range of activities including water quality monitoring, pollution investigation, education, stewardship, and water-quality-related drainage improvement and riparian restoration projects.
- H. Updating policies, programs, and regulations in accordance with the Growth Management Act and Shoreline Master Program guidelines. The current status of these updates is:
 - **Comprehensive Plan.** Snohomish County is in the process of updating its Comprehensive Plan to require the use of Best Available Science to protect critical areas and shorelines. This is scheduled to be adopted in late 2005.
 - **Critical Areas Regulations.** Snohomish County is in the process of updating the Critical Areas Regulations and these are scheduled to be adopted by December 2005. This update considered the recommendations in the *WRIA 8 Chinook Salmon Conservation Plan*.

- **Shoreline Master Program.** Snohomish County is in the process of updating the Shoreline Master Program and these are scheduled to be adopted by December 2005. This update considered the recommendations in the *WRIA 8 Chinook Salmon Conservation Plan*.
- I. Providing outreach and technical assistance to landowners to support best management practices. Additional assistance is provided to agricultural landowners by a County contract with the Snohomish Conservation District.
 - J. Initiating a multi-year program in 1999 to inventory habitat and bank conditions in Snohomish County wadable streams.
 - K. Maintaining a river flow and gauging network that provides real time data for flood emergencies, as well as long-term data used for calibrating hydrologic models and restoration actions.
 - L. Classifying and analyzing landcover data derived from satellite imagery, an important tool for hydrologic modeling, native plant restoration, river management, and flood hazard planning projects and programs.
 - M. Water quality monitoring. Monthly ambient monitoring of long-term sites since 1993, biological assessment, monitoring summer temperatures, and monitoring outfalls to streams.
 - N. Monitoring habitat restoration projects to evaluate effectiveness, increase scientific understanding, and promote efficient expenditure of restoration funding.

CAPITAL PROJECTS

Snohomish County has actively and consistently pursued and implemented protection and restoration projects. Key projects in the Lake Washington Watershed include:

- A. **Paradise Valley Conservation Area.** Acquired over 660 acres in 2000 with grants from Snohomish County's Conservation Futures Fund and the Governor's Salmon Recovery fund as a conservation area to protect the headwaters of Bear Creek.
- B. **Twin Creeks.** Protected 60 feet of eroding streambank near homes while enhancing riparian and stream conditions along 900 feet of North Creek
- C. **Small Scale Projects.** Completed many riparian planting projects and in-stream/streambank structures that improve habitat features, water quality, and riparian conditions.
 - a. Hadlock Restoration. Snohomish County SWM designed and paid for a streambank enhancement project along Great Dane Creek.
 - b. Parrish – Swamp Creek
 - c. Butternut Road – Swamp Creek
 - d. Upper Little Bear Creek (162nd SE)
 - e. Silver Creek Riparian Enhancement (Twin Creeks and Brookside)

D. Culvert Replacement for Fish Passage.

Little Bear Creek -	SE 244 th St. (County line) SE 188 th St (Great Dane Creek) 134 th Ave NE (Supported Woodinville effort through ILA with Snohomish County)
North Creek -	SW 192 nd (Silver Creek – Brookside) SW 192 nd (Silver Creek – Nature’s Walk) SW 185 th (Silver Creek) 22 nd Ave SE (Tambark Creek)
Swamp Creek -	Jefferson Way 17235 Alder Way 23 rd Pl. W. (Swamp Creek)

Exhibit B to Snohomish County Council Resolution 05-034

Snohomish County Commitments related to Capital Projects

These are the top priority projects that Snohomish County would lead or participate in, as funding is available. More detail on these projects is in the *WRIA 8 Steering Committee Proposed Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan*.

RIPARIAN AND STREAMS

- Complete North Creek School Project for riparian and stream enhancement.
- Initiate Alpine Rockeries project for riparian and stream enhancement.
- Expand, as possible, the Twin Creeks riparian and stream restoration project (North Creek).
- Explore feasibility and compatibility of North Creek stream enhancement at North Creek Regional Park
- Continue to implement, as feasible, recommended habitat improvement projects from the Drainage Needs Program that are consistent with Plan goals and objectives
- Work with partners to develop a coordinated restoration and mitigation strategy to help improve efficiency of Plan implementation in Snohomish County.
- Explore and develop other capital projects and collaborate with other WRIA partners as appropriate and described in the Plan.

NEARSHORE

- Participate in the development of strategies and projects to protect and restore shorelines habitat and natural processes, including alternatives to bulkheads.
- Continue to provide support to the Marine Resources Committee and implement projects to restore marine habitat.
- Work with partners to develop a coordinated restoration and mitigation strategy to help improve efficiency of nearshore project implementation.
- Determine feasibility of enhancement compatible with multiple uses at county owned land (such as at Picnic Point and Meadowdale beaches).