



Salmon Recovery Technical & Citizen Committee Meeting

Sept 9, 2020

Virtual Meeting

Introductions/announcements

Member Participants: Barbara Brock (Citizen, Co-chair), Paul Marczin (WDFW), John Lovie (Citizen), Tom Vos (SWS), Todd Zackey (Tulalip, Co-chair), Jon Decker (WCLT), Jessica Côté (Blue Coast Engineering), Tim Hillman (Citizen)

Others: Dawn Spilsbury Pucci (LE Coordinator), Anna Toledo (IC DNR), Carson Moscoso (SnoCD), Ameer Bahr (RCO), Lori Clark (IC DNR)

1) Introductions

2) Updates

- Meeting Notes Approval – July and August
- Puget Sound Partnership (PSP): 2022-2026 Action Agenda update is beginning. <https://psp.wa.gov/2022AAupdate.php>. Workshops are avail to the public ~~Sept 17 9-11:30am and Sept 22 1-3:30pm~~ to discuss desired recovery outcomes. Register [HERE](#). Laura is coming back next week!!!
- Island Local Integrating Organization (ILIO): Action Agenda workshops are important to ID priority outcomes and we need to put our input in now if we want to have our voice heard. 3 ways to provide input - through the ILIO, the workshop or through Mural ([Third bullet in the list HERE](#)). Going to put out the survey once approved by WSU available for 2 weeks. Used to prioritize vital signs locally. Will vet results with SRTCC and MRC and other stakeholders.
- Salmon Recovery Funding Board (SRFB): The Planned Project Forecast List (and 4 year Workplan) was submitted. With all LEs from across the state combined, \$280 million can be put to use in the next 2 years for recovery projects. RCO is going to request \$80 million from the 2021-2023 budget. They asked for \$25 million previous biennium and we got \$18 million. The SRFB will also hear from the Review Panel (RP) about the need for guidance and criteria for Adapt Management project review. This year, the RP was unable to review a project that was providing the fish benefits it was constructed to do but was now experiencing over-topping of the setback dike, negatively impacting agricultural neighbors. Further guidance on how to handle these projects by local LE's and the State review is needed.
- Letter of Support for the NOAA Mukilteo Field Station reconstruction was written by Dawn and reviewed by SRTCC. No objections, only support, were offered by members (with the exception of Jessica Côté, who abstained due to conflict of interests) so the letter was submitted to NOAA.
- Snohomish CD hosted a legislative tour at the Kristoferson culverts for Sen. Muzzal, Rep. Paul and Commissioner St. Clair. Barbara attended and took them to the creek upstream as well.
- FEMA rescinded a Region X Policy on Fish Enhancement Structures in the Floodway. It is unclear how this will affect our projects in Island County yet but it is causing concern throughout the region.

- *It is essential that proponents of habitat restoration projects in the floodway include in their budgets the time and resources required for the H&H analysis needed by the local community to review the project for the required floodplain development permit, and, if an increase in BFE is proposed and the community approves per local ordinance, the additional time and resources needed to obtain a CLOMR and LOMR. Some habitat restoration projects are eligible for a waiver of the fees charged by FEMA for map change requests (CLOMR/LOMR). In accordance with the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113-89, section 22), a project proponent is eligible for this fee waiver if the project meets the following criteria: 1) the primary purpose is habitat restoration (as defined in the Partners for Fish and Wildlife Act, 16 USC § 3772 (5)), and 2) the project is funded either in whole or in part with federal or state funds. This fee waiver includes projects for dam removal, culvert redesign and the installation of fish passage.”*
20200807_FINAL_Memo_GravestoSears_RescindmentofFishHabitatPolicy.pdf

- ESA definition of Critical Habitat

https://www.fws.gov/news/ShowNews.cfm?ref=u.s.-fish-and-wildlife-service-and-noaa-fisheries-propose-regulatory-&_ID=36747

<https://www.federalregister.gov/documents/2020/08/05/2020-17002/endangered-and-threatened-wildlife-and-plants-regulations-for-listing-endangered-and-threatened>

The Federal Administration is proposing a new definition of “Habitat” under the ESA that would limit what is considered “habitat” to the areas that species occupy. The fear is that it would remove protections for areas that are currently considered “critical habitat” even though they are inaccessible or not restored yet.

The comment period closed Sept 4 but letters were written from WA state agencies and Tribes.

- APPROVED!!!! Finally, the 2019 Updated to the 2005 Salmon Recovery Plan was approved and adopted by resolution C60-20 by the Board of Island County Commissioners.

3) Bylaws, Conflict of Interest and Open Public Meetings

Any questions from the training links that were sent out by email in lieu of August’s meeting?

Bylaws Review: Rescheduled to next month. The draft circulated for this meeting did not have track changes highlighted.

Conflict of Interest Review: Approved, by consensus, the draft that was circulated with meeting materials.

4) Diking District #1 Proposal to address beach erosion in front of Sunlight Shores Residences (Henny Spit alteration)

The DD#1 has applied for permits, after working with ESA to conduct erosion studies, a Biological Habitat Assessment and a monitoring plan, to address erosion and failing bulkheads on the top of

Useless Bay for the residences along Sunlight Shore Drive. The claim, that ESA supports, is that stretches of bulkhead/dike are in immediate need of fixing and that failing to do so will put private property in danger this winter due to storm events. ESA states the actions proposed are a near-term fix and longer term solutions should be sought. The actions in this project include:

- Driving piles in a perpendicular line to the beach in front of the houses
- Installing (by hand) wooden planks between the piles to a max height of 2' above current sand level
- Adjusting/removing three rock groins above the spit.
- Use the rock from the groins to rebuild the dike in 3 spots
- Empty the gravel material out of the 2600 super sacs that were installed in 2019 as an emergency
- Breach Henny Spit at its neck
- Fill the current outlet of Henny Spit on the north, connecting it to the beach

The actions proposed were the preferred alternative identified. They follow historical practices performed by the DD prior to 1980 when maintenance on the sills ceased. The spit breached naturally in the mid '90s. The idea behind the project seems to be to speed up the natural processes into the beach accretion stage of the natural erosion/accretion process that happens on a cycle of 15-25 years. The "slug" of sand moves from the south of the spit north and up the spit as the mouth of the lagoon migrates to the north until it closes off, at which point the sand "slug" continues to the west and deposits on the beach. The wave of sediment movement can be seen in historical photos and is included in ESA's Erosion study.

The public comment period for the Corps permit ends Sept 19. ESA found the project "may affect, not likely to adversely affect" listed species.

DECISION: the conversation will be extended to a follow up WebEx on Friday. Dawn will draft a letter that addresses the breach in the spit and its location. The letter will be emailed out for review. If any member is not in agreement, the letter will not be sent.

5) Oak Harbor Marina Feasibility Study Outcomes – Anna Toledo, Island County MRC.

Site Characterization report is [HERE](#).

Feasibility report is [HERE](#).

Presentation is [HERE](#).

Anna presented the alternatives drafted and scored for potential restoration actions at the Oak Harbor Marina. The Harbormaster recommended the alternative that would provide the most habitat and recreational benefits, despite having the largest cost estimate. Future funding opportunities are being researched. Update: Anna presented the alternatives to the Marina Advisory Committee on 9/14/2020. They decided to recommend Alternative 4, the alternative with the second-highest habitat and recreation benefits. The alternatives will also be presented to the Oak Harbor Parks Board for their recommendation. Both recommendations will go to the City Council for a final decision on how to move forward. Future development of the project will rely on the City identifying a potential project sponsor.

FOLLOW UP Meeting Friday 9/11/2020

Ryan Elting (WCLT), Todd Zackey (Tulalip Tribes), Rick Baker (WWS), Mona Campbell (Business)

Purpose: to complete the conversation about the DD #1's Dike Repair Project proposal that includes breaching Henny Spit across from the Sunlight Shores Beach Armor Removal Project.

A quick recap of the project was given.

Todd spoke with Jordan Bunch (ACoE).

There have been a smaller suite of actions that have been approved under an emergency JARPA and HPA. They are installing 48 pilings, 4 sills, 1800 CY of material nourishment to be placed. After-the-fact mitigation for this emergency permit will be required but has not yet been determined.

The rest of the actions in the proposal are moving forward through the current public review process. There will be discussions about mitigation for the main part of the work yet to be permitted. This is in addition to the mitigation related to emergency actions.

There may be an on-site consultation requested by other reviewers, including the Northwest Straits Foundation, Tulalip Tribes and the Sunlight Shores HOA.

DECISION: All SRTCC members that provided feedback are supportive of the letter moving forward (Jon, John, Tom, Ryan, Barbara, Mona, Todd, Rick).