

**BRIEFING PAPER ON  
LEGISLATION AND FUNDING  
RELATED TO  
SALMON RECOVERY EFFORTS**

**Office of Program Research**

Charlie Gavigan

Jeff Olsen

Alicia Paatsch

**December 2004**

# Summary of Washington State's Salmon Recovery Efforts Since 1997

## I. Scope of the Report

The House Fisheries, Ecology and Parks Committee, the Appropriations Committee, and the Capital Budget Committee included a project in their 2004 Interim Plans to summarize salmon recovery programs and funding history. The focus of this report is to describe significant legislation and funding from the 1997 legislative session through the 2004 session related to salmon recovery. In addition, an overview of state and local salmon recovery programs is provided with a brief description of the major activities.

## II. Summary

In anticipation of several species of salmon being listed as threatened or endangered under the Endangered Species Act (ESA), the legislature and governor began a focused effort on salmon recovery with the creation of a legislative task force in 1997 and the governor's Joint Natural Resources Cabinet. Beginning with the 1998 legislative session, several bills were enacted to address declining salmon populations. These bills focused on the development and coordination of local planning efforts to present a state salmon recovery plan to the federal government to meet the requirements of the ESA. Lead entities were created to develop local salmon recovery habitat restoration project lists, a salmon recovery funding process was established for planning efforts and local projects, forest and fish agreements and rules were adopted, and watershed health monitoring was enacted. The Governor's Salmon Recovery Office was created to coordinate regional and state salmon recovery efforts.

Since 1997, approximately \$770 million was appropriated directly for salmon recovery, \$360 million in additional operating budget appropriations and \$410 million in the capital budget. It is estimated that 77% of the total operating and capital appropriations related to habitat, 10% to harvesting, 7% to hatcheries, and 6% for other salmon recovery efforts.

The legislature is likely to face several challenges and decisions related to salmon recovery in upcoming sessions, including (1) whether to reauthorize the Governor's Salmon Recovery Office which is scheduled to expire in 2006, (2) funding requests related to implementation of regional salmon recovery plans which are nearing completion, (3) appropriate monitoring and benchmarks for reviewing the effectiveness of salmon recovery efforts, and (4) the relationship of salmon recovery efforts to other issues such as water resources/supply, water quality, and the state's economy.

### III. Endangered Species Act Listings and Washington's Response

The National Oceanic and Atmospheric Administration - Fisheries Service (NOAA-F) began listing salmon in Washington as threatened or endangered under the federal Endangered Species Act (ESA) in the early 1990's. In 1999, several additional species were listed under the ESA including chinook, chum, steelhead and sockeye salmon populations impacting nearly three-quarters of the state (see Appendix 1).

In anticipation of potential impacts to the state from the ESA listings, the legislature established a Legislative Task Force in August of 1997 to examine the problem of declining salmon runs. The Task Force held public hearings to gather information regarding salmon recovery programs and recovery efforts. The Task Force report described activities adversely impacting salmon populations and salmon habitat including habitat alteration, fishery harvests, hatchery operations, and hydropower projects. The Task Force report also included a description of the state's current salmon recovery efforts and a number of actions the state could take to respond to the ESA listings including taking a proactive approach on salmon protection, reducing mortalities through more selective fisheries, funding habitat improvements, and improving fish passage.

Governor Locke established the Joint Natural Resources Cabinet (JNRC) in May 1997 to serve as the state's framework to promote interagency communication, coordination, and policy direction on natural resource issues. One of the goal's of JNRC was to restore healthy salmon, steelhead and trout populations by improving the habitats on which the fish rely (JNRC Vision Statement, July 8, 1997). The JNRC also drafted the *Statewide Strategy to Recover Salmon "Extinction is not an Option."* The Strategy discusses the major challenges for recovering salmon and the core elements of salmon recovery including habitat, harvest, hatcheries, and hydropower (the 4 H's).

### IV. New Salmon Recovery Policies

Beginning with the 1998 legislative session, several salmon recovery bills were enacted to address declining salmon populations and the ESA listings. The following table lists several salmon recovery and watershed related bills from 1998 through the 2004 legislative session.

<b>Bill</b>	<b>Title</b>	<b>Chapter Law</b>
ESHB 2496	Salmon Recovery Planning	Chapter 246, Laws of 1998
ESHB 2514	Watershed Planning	Chapter 247, Laws of 1998
ESHB 2836	Lower Columbia River Salmon Recovery	Chapter 60, Laws of 1998
2ESSB 5595	Salmon Recovery Funding	Chapter 13, Laws of 1999, 1st Special Session

ESHB 2091	Forest Practices and Salmon Recovery Act	Chapter 4, Laws of 1999, 1st Special Session
SSB 5637	Watershed Health and Monitoring	Chapter 298, Laws of 2001

Below is a brief summary of these salmon recovery and watershed bills. For additional details see Appendix 2.

Salmon Recovery Planning (ESHB 2496, Chapter 246, Laws of 1998)

The Salmon Recovery Act of 1998 established several new provisions including the creation of the Governor's Salmon Recovery Office (GSRO), the requirement for a biennial State of the Salmon Report, an Independent Science Panel (ISP), the creation of local salmon habitat recovery groups or "lead entities", and an Interagency Review Team to disperse funds for habitat restoration projects. Currently, there are 26 lead entities organizations in Washington (see Appendix 3).

Watershed Planning (ESHB 2514, Chapter 247, Laws of 1998)

The Watershed Management Act of 1998 allows local governments to conduct watershed planning. If a local government conducts watershed planning, they must include a water quantity element, and may include water quality and habitat elements and the recommending of minimum instream flows. The watershed planning area, similar to lead entities, may be conducted on a single or multi-WRIA basis. Currently there are 37 planning units representing 45 WRIsAs conducting watershed planning (see Appendix 4).

Lower Columbia River Salmon Recovery (ESHB 2836, Chapter 60, Laws of 1998)

The Fish Run Recovery Pilot program of 1998, ESHB 2836, established a pilot program for steelhead recovery in southwest Washington within the habitat area classified as Evolutionarily Significant Unit (ESU) 4. The pilot program includes Clark, Cowlitz, Lewis, Skamania, and Wahkiakum counties. The pilot program was due to expire in 2002; however, HB 1035 (Chapter 135, Laws of 2001) removed the pilot program language and changed the termination date to July 1, 2006.

Salmon Recovery Funding (2ESSB 5595, Chapter 13, Laws of 1999, 1st Spec. Sess.)

The Salmon Recovery Funding Act of 1999 primarily established the Salmon Recovery Funding Board (SRFB) within the Interagency Office for Outdoor Recreation (IAC), but also included several other salmon recovery provisions. The SRFB makes grants for salmon habitat projects and salmon recovery activities pursuant to legislative appropriation. The IAC provides grant and loan administration assistance to the SRFB. The SRFB must develop procedures and criteria for allocating funds on a state-wide basis to address the highest priorities for salmon habitat protection and restoration.

Forest and Fish (ESHB 2091, Chapter 4, Laws of 1999, 1st Spec. Sess.)

The Forest Practices and Salmon Recovery Act, also referred to as the Forest and Fish report,

includes new forest practices rules designed to improve water quality and habitat for aquatic species, including salmon. ESHB 2091 authorized the Forest Practices Board to adopt emergency rules to protect aquatic resources. The new rules were designed to identify and protect unstable slopes, improve the construction and maintenance of forest roads, improve the management of riparian areas, and require an adaptive management component. Also included were provisions for a timber excise tax credit, the creation of a Small Forest Landowner Office, a riparian easement program, and other provisions.

#### Watershed Health and Monitoring (SSB 5637, Chapter 298, Laws of 2001)

The Watershed Health Monitoring and Assessment Act of 2001 established a Monitoring Oversight Committee (MOC) to review the progress of watershed-related monitoring and make recommendations. The MOC consisted of natural resource agencies with the director of the GSRO and the chair of the SRFB serving as the co-chairs. Several areas were specified for the MOC to address when developing the monitoring strategy and action plan including the standardization of monitoring protocols for salmon recovery and watershed health, the integration of monitoring information into decision-making, the recommendation of stable sources of funding, as well as other factors. In addition, the MOC was required to recommend organizational and governance structures for oversight and implementation of the coordinated monitoring framework, and identify administrative actions to be undertaken by state agencies to implement elements of the coordinated monitoring program.

### **V. Funding History of Salmon Recovery Programs**

Since the early efforts of the Joint Legislative Task Force in 1997, summarizing funding on salmon recovery programs has proven to be a difficult task. Challenges include determining whether funding is specifically for salmon recovery or for activities that benefit salmon recovery indirectly, how to categorize the salmon recovery funding, and addressing the fact that agencies and the legislature do not track salmon recovery as a separate budget line item.

Recognizing that baseline salmon recovery funding data did not readily exist, the Joint Legislative Task Force staff in 1997 conducted a survey of federal, state, and local salmon recovery programs that "directly" or "indirectly" affected salmon recovery. Direct salmon recovery activities included the management or production of salmonids or the protection or restoration of salmon habitat. Examples of direct salmon programs include fish management, operation of salmon hatcheries, and fish passage projects. Indirect programs include broader activities that indirectly benefit salmon, including water quality programs and forest practices. The survey identified over \$143 million in state funds was spent in the 1997-99 biennium on direct salmon recovery expenditures, with indirect expenditures of \$478 million, for a total of \$621 million in direct and indirect expenditures.

During the 1999-01 biennium, the Governor's Salmon Recovery Office compiled a detailed State Agencies' Action Plan that identified specific state activities and funding for salmon recovery activities. Taking a different approach than the Task Force survey, the Action Plan did not

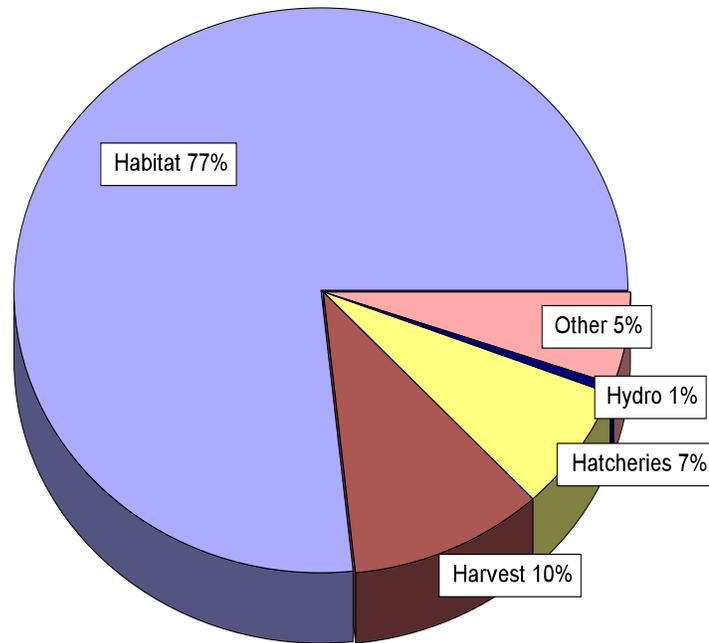
include all state agency salmon recovery activities, but focused on new actions or modifications to existing activities that provide additional protection for salmon. The actions are linked to goals and objectives identified in the Statewide Strategy to Recover Salmon. The 1999-01 Action Plan identified \$247.1 million in funding in the Operating, Capital, and Transportation budgets for activities to implement the Strategy. Action Plans have been completed for 2001-03, and 2003-05; however, they no longer include specific agency expenditures for each activity.

### Salmon Recovery Appropriations over the Last Four Biennia

Following is an estimate of salmon recovery funding based on legislative budget information regarding operating budget salmon recovery appropriations and capital budget projects for the last four biennia. Salmon recovery funding includes projects and activities relating to water quality and instream flows primarily to benefit salmon, in addition to direct salmon recovery projects and activities.

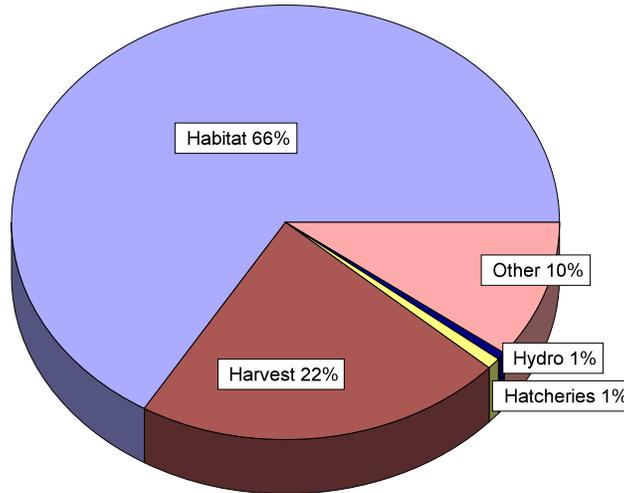
Over the last four biennia, an estimated \$360 million was appropriated for direct salmon recovery efforts in the operating budget, and \$410 million in the capital budget over the same period, for a total of \$770 million. Of the total amount, funding related to habitat accounted for 77% of operating and capital funding efforts from 1997-99 through 2003-05; harvest was 10%, hatcheries 7%, other efforts were 5%, and hydropower was less than 1%.

**\$770 million in Operating and Capital Funding: 1997 - 2005**



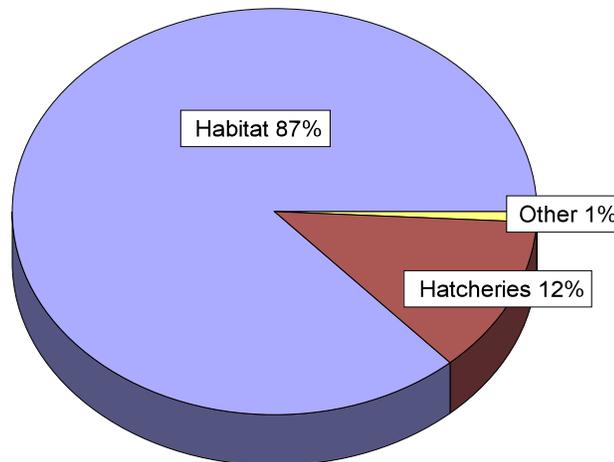
The pie graphs below illustrate the comparison of the Operating and Capital budget funding by category over the last four biennia. In the Operating budget, of the \$360 million appropriated over the last four biennia, 66% of total funds have been for habitat, 22% for harvest, and 12% for other activities including hatcheries, hydropower, and enforcement.

**Operating Budget by Type: \$360 million (1997-2005)**

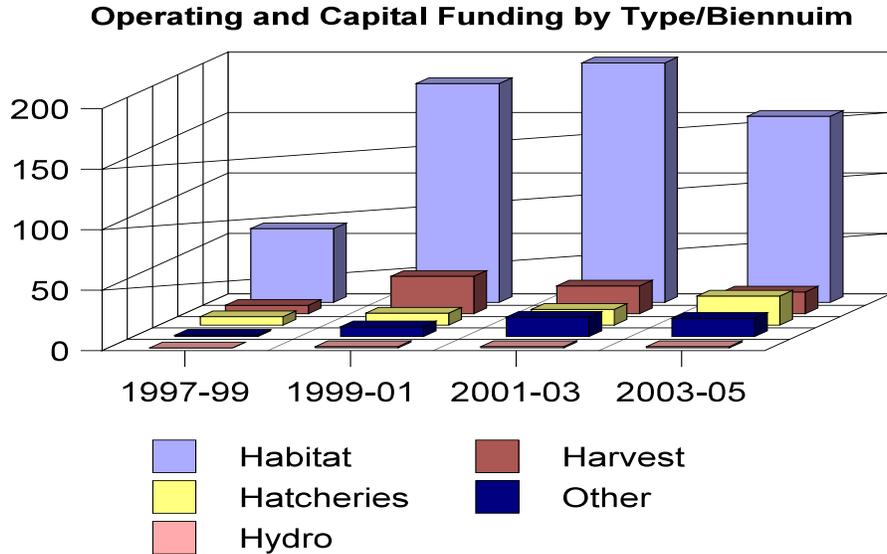


Of the \$410 million appropriated in the Capital budget, 87% has been for habitat and 12% for hatcheries over the last four biennia. This is illustrated as follows:

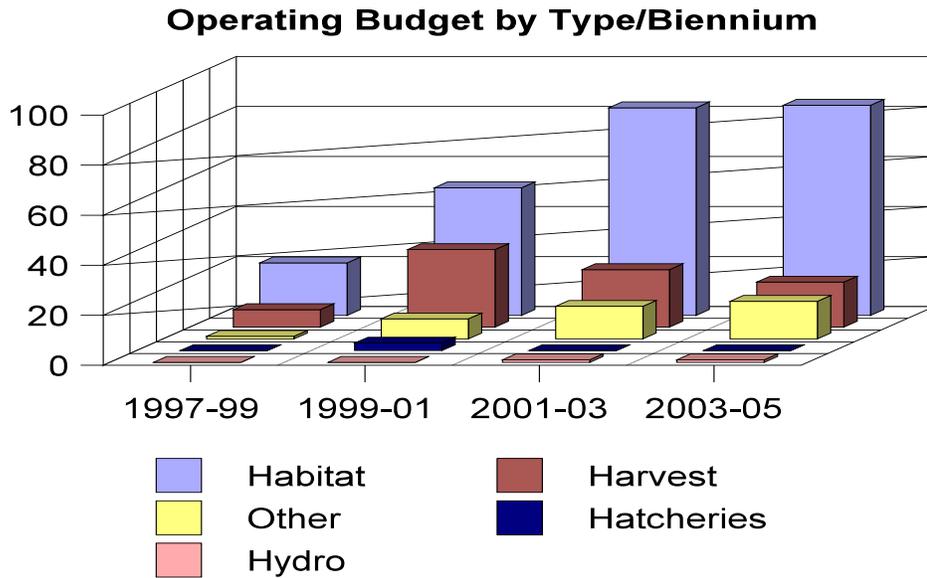
**Capital Budget by Type: \$410 million (1997-2005)**



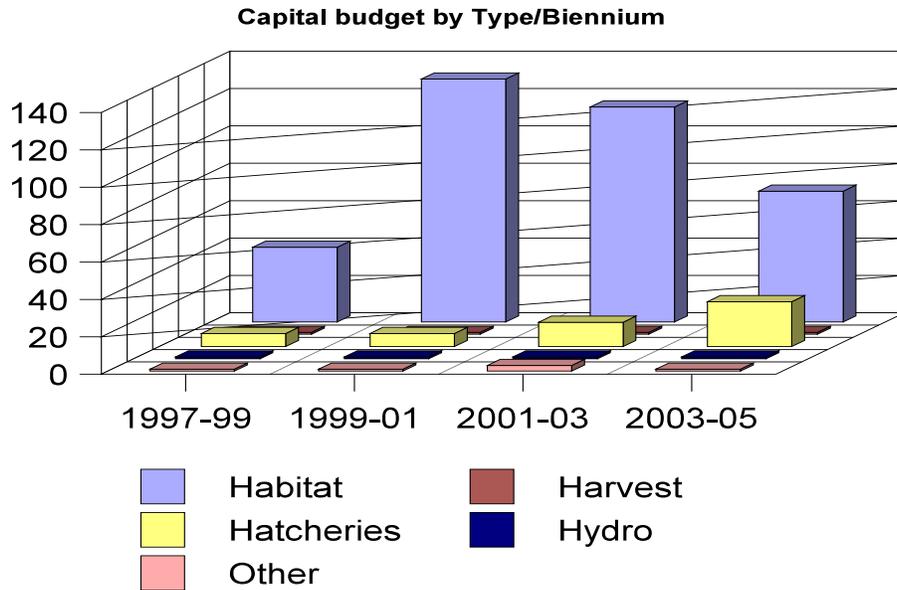
The following charts describe Operating and Capital funding by category from the 1997-99 biennium through the 2003-05 biennium. Overall, funding was highest in the 2001-03 biennium in total Operating and Capital appropriations, totaling \$251 million.



In the Operating budget, total salmon recovery funding was highest in the 2001-03 biennium at \$120 million, and is estimated at \$118 million in the 2003-05 biennium. Habitat receives the majority of funding.

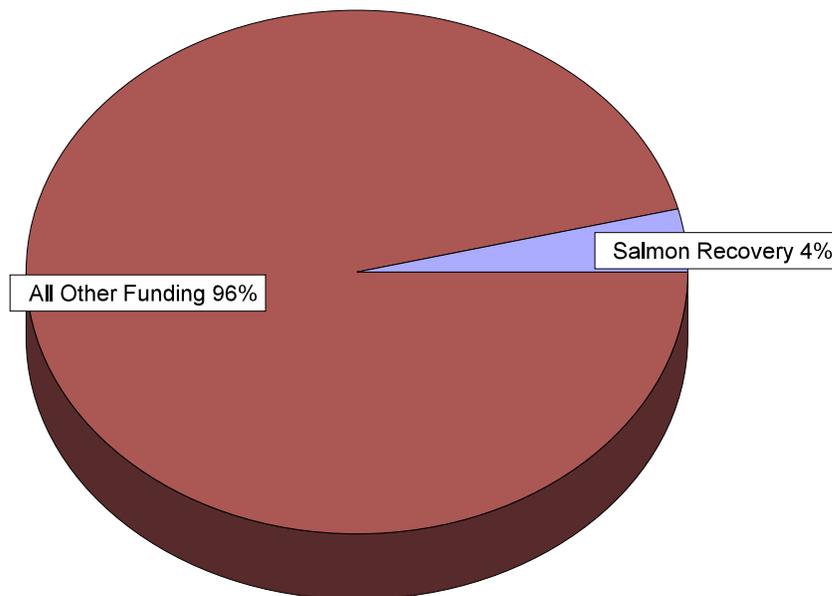


Appropriations in the Capital budget have also focused on habitat, peaking at \$130 million for habitat and \$138 million in total spending in the 1999-01 biennium. The 2003-05 Capital budget contains \$94 million in total direct spending on salmon recovery.



Funding for salmon recovery over the last 4 biennia totaled approximately 4% of total capital budget appropriations over this period of time.

**Salmon Recovery in the Capital Budget (1997-2005)**



For additional funding information, see appendix 6 for a summary of Operating and Capital funding by type and biennia, see appendix 7 for a summary of Capital budget appropriations in the last four biennia, and see appendix 8 for a summary of Operating budget adds.

## **VI. Current Salmon Recovery Efforts**

### **Federal**

The ESA is administered by the Secretaries of Interior and Commerce, with the NOAA-F responsible for marine species. The purpose of the ESA is to "provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved" (16, USC 1531). Species may be listed as either endangered, meaning in danger of extinction throughout all or a significant portion of its range, or threatened, meaning a species is likely to become endangered within the foreseeable future.

The ESA requires that critical habitat be designated for threatened and endangered species and recovery plans be developed. The NOAA-F has determined that recovery plans should be based on evolutionarily significant units (ESUs), and recovery plans should be based on the ESU level. The NOAA-F has worked with the state to develop guidelines for model recovery plans.

Washington has also received federal funding assistance from a variety of federal agencies and funding sources, including the Pacific Coastal Salmon Recovery Fund (PCSRF). The PCSRF was established by Congress in federal fiscal year 2000 to provide grants to Pacific coast states and tribes to assist state, tribal, and local salmon conservation and recovery efforts. From federal fiscal year 2000 through 2004, Washington has received \$101.4 million directed through the SRFB. At the request of NOAA-F, the SRFB provided \$5.1 million of the PCSRF funds to the five regional salmon recovery boards to support salmon recovery activities during the 2003-05 biennium.

### **State Agency Activities**

State salmon recovery activities are identified in the State Agencies Action Plan Activities Report, produced by the Governor's Salmon Recovery Office. The Action Plan tracks activities identified in the Statewide Strategy to Recover Salmon. Below is a summary of activities for several of the state agencies involved in salmon recovery.

The ***Governor's Salmon Recovery Office*** (GSRO) provides technical and policy assistance to regional recovery boards including pursuit of ESA assurances for regional recovery plans. The GSRO also prepares the Governor's State of the Salmon Report and has published technical assistance materials such as the *Guidance on Watershed Assessment for Salmon* and the *Roadmap for Watershed Habitat Conservation Planning*. In addition, the GSRO has co-chaired the development of the Statewide Monitoring Strategy, and continues to assist in the development and implementation of trend monitoring and coordination of state agency monitoring activities. The GSRO is scheduled to sunset in June 2006.

The ***Washington Department of Fish and Wildlife*** (WDFW) provides overall management oversight of salmonid resources including co-management of salmon harvest with treaty tribes, development of comprehensive salmon management plans, monitoring and enforcing commercial and recreational fisheries, and operation of an extensive hatchery system. In addition, the WDFW provides scientific and technical assistance to local and regional salmon recovery efforts, and assists in compiling the inventory of fish passage barriers and screening problems and correcting those barriers.

The ***Salmon Recovery Funding Board (SRFB)***, administered by the Interagency Committee for Outdoor Recreation (IAC), provides grants for salmon recovery projects and activities. The SRFB has conducted 5 grant cycles awarding a total of \$161.7 million. The SRFB and IAC have also been involved in the development of project monitoring and status and trend monitoring with the WDFW and the GSRO.

The ***Department of Ecology*** (DOE) oversees the Watershed Planning Act, administers the Shoreline Management Act, and manages the state's water quality program. Specific activities identified in the Action Plan include submitting water cleanup plans, controlling impacts of stormwater on salmon habitat, adopting shoreline guidelines, setting instream flows in high priority basins, and reducing the number of polluted water bodies.

The ***Department of Agriculture*** implements several activities associated with the agricultural strategy to improve fish habitat including developing and implementing a pesticide endangered species protection plan, eradicating *Spartina*, and implementing comprehensive irrigation district management plans.

The ***Conservation Commission*** also implements components of the state agricultural strategy including implementing the Conservation Reserve Enhancement Program (CREP). The Commission has also conducted a limiting factors analysis on salmon bearing water resource inventory areas (WRIAs), and assisted in the Agriculture, Fish and Water (AFW) process to negotiate changes to existing farm conservation practices to address water quality and fish habitat issues.

The ***Department of Natural Resources*** (DNR) is responsible for managing timber harvests on state forest lands and implementing many of the items in the forest habitat portion of the statewide strategy. The DNR has implemented new forest practices rules consistent with the Forests and Fish Report, reviews and monitors road maintenance and abandonment plans, established and manages a Small Forest Landowner Office, and conducts statewide monitoring of timber practices.

The ***Department of Transportation*** (DOT) implements mitigation measures for transportation projects utilizing the Advanced Mitigation Revolving Account and continues to remove fish passage barriers.

The *Puget Sound Action Team* (PSAT) oversees implementation of the Puget Sound Management Plan and Work Plan, which lists activities necessary to restore and protect Puget Sound. Specific PSAT activities include implementing the Puget Sound ambient monitoring program and providing technical assistance to local governments and landowners.

The *Department of Community, Trade, and Economic Development* (DCTED) administers the state Growth Management Act (GMA). Specific items in the statewide strategy include publishing a Critical Areas Ordinance (CAO) handbook and sample ordinance that includes guidance for local governments on the inclusion of best available science and to give special consideration to the conservation of salmon in the development of CAOs.

## **VII. Potential Salmon Recovery Issues and Challenges**

### **1. Funding and Implementation of Salmon Recovery and Watershed Plans**

Processes to recover salmon and conduct watershed planning involve many entities including federal, state, tribal, and local governments, lead entities, watershed planning groups, regional recovery groups, and in some watersheds sub-basin planning for the Northwest Power and Conservation Council. Many of these salmon and watershed processes are at the point of developing watershed level or regional salmon recovery plans. These governance structures and planning processes may need to continue in some form or be modified as the plans are implemented.

Five regional organizations have formed to address salmon recovery on an evolutionary significant unit (ESU) scale. Of those established, two regional recovery organizations have been created statutorily, the Lower Columbia Fish Recovery Board (ESHB 2836, Chapter 60, Laws of 1998), and the Snake River Salmon Recovery Board (2004 Supplemental Capital Budget, ESHB 2573, Chapter 277, Laws of 2004, Partial Veto). The other three regional entities include the Shared Strategy for Puget Sound, the Yakima Sub-basin Fish and Wildlife Planning Board, and the Upper Columbia Salmon Recovery Board. (See appendix 5). Regional recovery groups are in the process of completing regional recovery plans. When completed, the plans will contain strategies to address habitat, harvest, hatchery, and hydropower activities for recovering salmon populations within the region. It is likely the state will be asked to assist in financing projects to implement these plans. Plans are anticipated to contain projects and activities expecting to cost in the millions of dollars to complete over a number of years. It is also likely that regional groups will request additional funding for coordinating implementation of the plans, monitoring, and continued local and regional administration activities.

### **2. Reauthorization of the Governor's Salmon Recovery Office (GSRO)**

The GSRO is scheduled to sunset on June 30, 2006. The legislature will decide whether to reauthorize the office. If the GSRO is not reauthorized, its current activities will need to be evaluated. These activities include coordinating the regional planning efforts and compiling a state approach for the federal government that meets the requirements of the ESA, providing guidance on statewide monitoring, and producing the State of the Salmon Report.

### **3. Monitoring**

Early efforts to monitor progress on salmon recovery included developing a Salmon Recovery Scorecard to translate salmon recovery goals and objectives into high level outcomes. With the passage of the Watershed Health and Monitoring Act (SSB 5637, Chapter 298, Laws of 2001), recommendations for a statewide watershed health and monitoring system were provided to the legislature in 2002. Most of the recommendations did not receive funding, and on July 12, 2004, the Governor issued an Executive Order creating the Governor's Forum on Monitoring Salmon Recovery and Watershed Health. The Forum must make recommendations on biennial reporting of monitoring results and progress in watershed health and salmon recovery. The Forum must also develop a broad set of measures that will convey results and progress on salmon recovery and watershed health in ways that are easily understood by the public, legislators, and Congress. Future monitoring activities and costs may need to be evaluated to determine if current efforts are providing sufficient information to evaluate the state's salmon recovery efforts and compliance with the ESA.

## **VIII. Appendices**

Appendix 1: Salmon Listings in Washington State.

Appendix 2: Salmon Recovery and Watershed Bill Summaries.

Appendix 3: Lead Entities in Washington State.

Appendix 4: Watershed Planning Units in Washington State.

Appendix 5: Salmon Recovery Groups and Regions.

Appendix 6: Summary of Operating and Capital funding by type and biennia.

Appendix 7: Summary of Capital Budget appropriations in the last four biennia.

Appendix 8: Summary of Operating Budget adds in the last four biennia.

**Appendix 1 Salmon Listings in Washington State (Updated June 17, 2004)**

<b>Salmonid Species</b>	<b>Evolutionarily Significant Unit (ESU)</b>	<b>Current ESA Status</b>	<b>Recommended Proposed Listing Determination</b>
Sockeye Salmon ( <i>O. nerka</i> )	Snake River (Listed November 1991)	Endangered	Endangered
Sockeye Salmon ( <i>O. nerka</i> )	Ozette Lake (Listed March 1999)	Threatened	Threatened
Chinook Salmon ( <i>O. tshawytscha</i> )	Lower Columbia River (Listed March 1999)	Threatened	Threatened
Chinook Salmon ( <i>O. tshawytscha</i> )	Upper Columbia River Spring-Run (Listed March 1999)	Endangered	Endangered
Chinook Salmon ( <i>O. tshawytscha</i> )	Puget Sound (Listed March 1999)	Threatened	Threatened
Chinook Salmon ( <i>O. tshawytscha</i> )	Snake River Fall Run (Listed April 1992)	Threatened	Threatened
Chinook Salmon ( <i>O. tshawytscha</i> )	Snake River Spring/Summer Run (Listed)	Threatened	Threatened
Coho Salmon ( <i>O. kisutch</i> )	Lower Columbia River (Candidate July 1995)	Candidate	Threatened
Chum Salmon ( <i>O. keta</i> )	Hood Canal Summer Run (Listed March 1999)	Threatened	Threatened
Chum Salmon ( <i>O. keta</i> )	Columbia River (Listed March 1999)	Threatened	Threatened
Steelhead ( <i>O. mykiss</i> )	Lower Columbia River (Listed March 1998)	Threatened	Threatened
Steelhead ( <i>O. mykiss</i> )	Middle Columbia River (Listed March 1999)	Threatened	Threatened
Steelhead ( <i>O. mykiss</i> )	Upper Columbia River (Listed August 1997)	Endangered	Threatened
Bulltrout ( <i>S. confluentus</i> )	Columbia River/NE WA/Coast (Listed June 1998/ November 1999)	Endangered	Endangered

## Appendix 2 Salmon Recovery and Watershed Bill Summaries

<b>Bill</b>	<b>Title</b>	<b>Chapter Law</b>
<b>ESHB 2496</b>	<b>Salmon Recovery Planning</b>	<b>Chapter 246, Laws of 1998</b>
<b>ESHB 2514</b>	<b>Watershed Planning</b>	<b>Chapter 247, Laws of 1998</b>
<b>ESHB 2836</b>	<b>Lower Columbia River Salmon Recovery</b>	<b>Chapter 60, Laws of 1998</b>
<b>2ESSB 5595</b>	<b>Salmon Recovery Funding</b>	<b>Chapter 13, Laws of 1999, 1st Special Session</b>
<b>ESHB 2091</b>	<b>Forest Practices and Salmon Recovery Act</b>	<b>Chapter 4, Laws of 1999, 1st Special Session</b>
<b>SSB 5637</b>	<b>Watershed Health and Monitoring</b>	<b>Chapter 298, Laws of 2001</b>

### Salmon Recovery Planning (ESHB 2496, Chapter 246, Laws of 1998)

The Salmon Recovery Act of 1998 established several new provisions including the creation of the Governor's Salmon Recovery Office (GSRO), the requirement for a biennial State of the Salmon Report, an Independent Science Panel (ISP), the creation of local salmon recovery groups or "lead entities", and an Interagency Review Team to disperse funds for habitat restoration projects. The act also described the state's desire to retain control over managing the state's resources rather than abdicating responsibility to the federal government. Also, the act identified the need to use credible scientific review and oversight, monitoring and adaptive management, and a coordinated framework with a strong locally based recovery effort for the state's salmon recovery framework.

The primary purpose of the GSRO is to coordinate and assist in the development of salmon recovery plans for evolutionarily significant units (ESUs), and submit those plans to tribal governments and federal agencies in response to the ESA. The GSRO may also act as a liaison with Congress, federally recognized Indian tribes, local governments, and the federal executive branch for issues related to the state's salmon recovery plans. The GSRO also produces the State of the Salmon Report. The GSRO is due to expire June 30, 2006.

The biennial state of the salmon report may include a description of the amount of funds spent on salmon recovery in response to listings under the ESA, a summary of habitat projects including accomplishments in identifying and removing salmon passage barriers, the role of volunteer initiatives in salmon habitat restoration efforts, and other salmon restoration efforts undertaken in the past two years.

Counties, cities, and tribal governments are authorized to establish "lead entities". The lead entity must compile a list of habitat restoration projects, establish priorities for individual projects, define the sequence for project implementation, identify potential funding sources, and submit the habitat restoration project list for funding consideration. The area covered by the habitat project

list must be based at a minimum on a Water Resource Inventory Area (WRIA), combination of WRIsAs, or any other area agreed to by the counties, cities, and tribes. Funding for lead entities is appropriated to the SRFB, which passes funding through to the WDFW to support lead entities. The WDFW distributes approximately \$3.1 million in varying amounts to each lead entity. Currently, there are 26 lead entities organizations in Washington (see Appendix 3).

Critical pathways methodology must be used for development of the habitat project list and habitat work schedule. The critical pathways methodology must include a limiting factors analysis for salmon in the region, identify local habitat projects that sponsors are willing to undertake, identify how the projects will be monitored and evaluated, and describe the adaptive management strategy that will be used.

The Interagency Review Team (IRT) is composed of representatives of the Conservation Commission, the Department of Transportation, and the Department of Fish and Wildlife and was established to dispense funds for habitat restoration projects. 2ESSB 5595 enacted in 1999 terminated the IRT.

ESHB 2496 also established an Independent Science Panel (ISP) consisting of five scientists appointed by the Governor. The ISP is responsible for reviewing salmon recovery plans at the request of the GSRO.

#### Watershed Planning (ESHB 2514, Chapter 247, Laws of 1998)

The Watershed Management Act of 1998 allows local governments to conduct watershed planning. If a local government conducts watershed planning, they must include a water quantity element, and may include water quality and habitat elements and the setting of minimum instream flows. The watershed planning area, similar to lead entities, may be conducted on a single or multi-WRIA basis. Currently there are 37 planning units representing 45 WRIsAs conducting watershed planning (see Appendix 4). The maximum amount of money that may be granted by the Department of Ecology (DOE) to a planning unit for each of three phases of planning is: for Phase I (for organizing), up to \$50,000 for one WRIA or up to \$75,000 for multiple WRIA's; for Phase II (for watershed assessments), up to \$200,000/WRIA; and for Phase III (for developing a watershed plan and recommending actions), up to \$250,000/WRIA.

If the initiating governments include a habitat component as part of the watershed planning process, the watershed plan must be coordinated or developed to protect or enhance fish habitat in the management area. Planning for habitat must be integrated with strategies developed under other processes to respond to listings of fish species under the ESA. A Memorandum of Understanding was signed in 1998 to coordinate state agencies implementation of Watershed Planning and Salmon Recovery.

In 2001, ESHB 1832 modified provisions relating to watershed grant funding for watershed planning units. For Phase II planning, a planning unit that is doing an instream flow or water quality component in its watershed planning or that conducts certain studies for multi-purpose water storage may apply for up to \$100,000 in additional funds for each component included or

for the studies. The DOE is authorized to retain monies a planning unit is eligible to receive for setting instream flows if the unit will not be setting the flows or, if requested by a unit's initiating governments, for amending existing instream flows. A planning unit may also request a different amount of funding than the amounts specified by law for Phase II and Phase III under certain circumstances

Lower Columbia River Salmon Recovery (ESHB 2836, Chapter 60, Laws of 1998)

The Fish Run Recovery Pilot program of 1998, ESHB 2836, established a pilot program for steelhead recovery and other salmonid species in southwest Washington within the habitat area classified as Evolutionarily Significant Unit (ESU) 4. The pilot program includes Clark, Cowlitz, Lewis, Skamania, and Wahkiakum counties. The legislation established a management board consisting of 15 voting members. The management board created within ESU 4 is responsible for implementing the habitat portion of the Lower Columbia Steelhead Conservation Initiative (Initiative) approved by the state and the NMFS. The management board is also required to participate in the development of a recovery plan to implement the habitat portions of the Initiative; prioritize and approve projects and programs related to the recovery of steelhead runs; establish criteria for funding projects and programs based upon their likely value in steelhead recovery; coordinate local government efforts prescribed in the recovery plan; and, assess the factors for decline along each prioritized stream listed in the Initiative. The pilot program was due to expire in 2002, however, HB 1035 (Chapter 135, Laws of 2001) removed the pilot program language and changed the termination date to July 1, 2006.

Salmon Recovery Funding (2ESSB 5595, Chapter 13, Laws of 1999, 1st Spec. Sess.)

The Salmon Recovery Funding Act of 1999 primarily established the Salmon Recovery Funding Board (SRFB) within the Interagency Office for Outdoor Recreation (IAC), but also included several other salmon recovery provisions.

2ESSB 5595 created the ten-member SRFB to make grants and loans for salmon habitat projects and salmon recovery activities. Five voting board members are chosen by the Governor, subject to Senate confirmation. Five nonvoting members represent the Department of Fish and Wildlife, Conservation Commission, Department of Transportation, Department of Ecology, and Department of Natural Resources.

The SRFB makes grants for salmon habitat projects and salmon recovery activities pursuant to legislative appropriation. The IAC provides grant administration assistance to the SRFB. The SRFB must develop procedures and criteria for allocating funds on a state-wide basis to address the highest priorities for salmon habitat protection and restoration. Habitat project lists must be submitted to the board for funding at least annually. The IAC is directed to track all funds for salmon habitat projects and salmon recovery activities on behalf of the SRFB, including funds allocated by the board and funds allocated by other state and federal agencies for salmon recovery or water quality improvement.

The Interagency Review Team (IRT) created in the Salmon Recovery Act in 1998 was terminated on July 1, 2000.

The Governor and the GSRO are required to develop a statewide salmon recovery strategy and submit it to the federal regulatory agencies by September 1, 1999. The strategy must be updated through an active public involvement process beginning September 1, 2000.

The Independent Science Panel (ISP) must recommend standardized monitoring indicators and data quality guidelines for salmon recovery efforts, and recommend criteria for the systematic and periodic evaluation of monitoring data in order to answer critical questions about the effectiveness of the state's salmon recovery efforts. The ISP and the GSRO must provide a report to the Legislature and Governor that contains recommendations regarding monitoring by December 31, 2000.

Forest and Fish (ESHB 2091, Chapter 4, Laws of 1999, 1st Spec. Sess.)

The Forest Practices and Salmon Recovery Act, also referred to as the Forest and Fish report, includes new forest practices rules designed to improve water quality and habitat for aquatic species, including salmon. ESHB 2091 authorized the Forest Practices Board to adopt emergency rules to protect aquatic resources. The new rules were designed to identify and protect unstable slopes, improve the construction and maintenance of forest roads, improve the management of riparian areas, and require an adaptive management component. Also included were provisions for a timber excise tax credit, the creation of a Small Forest Landowner Office, a riparian easement program, and other provisions.

In 2003, 2SHB 1095 (Chapter 311, Laws of 2003) changed road maintenance and abandonment plan requirements for small forest landowners and established a cost-share program to provide financial assistance to small forest landowners for the removal of fish blockages.

In addition to state funding to implement the Forest and Fish agreement, Washington has received \$4 million a year in earmarked funding from the federal Pacific Coastal Salmon Recovery Fund, appropriated to the SRFB.

Watershed Health and Monitoring (SSB 5637, Chapter 298, Laws of 2001)

The Watershed Health Monitoring and Assessment act of 2001 established a Monitoring Oversight Committee (MOC) to review the progress of watershed-related monitoring and make recommendations. The MOC consisted of natural resource agencies with the director of the GSRO and the chair of the SRFB serving as the co-chairs of the monitoring oversight committee. Several areas were specified for the MOC to address when developing the monitoring strategy and action plan that are consistent with the recommendations contained in the report of the Independent Science Panel (ISP). These include the standardization of monitoring protocols for salmon recovery and watershed health, statistical designs that are appropriate to the objectives, ensuring data consistency and coordination, integration of monitoring information into decision-making, recommending stable sources of funding, as well as other factors. In addition, the MOC is required to recommend organizational and governance structures for oversight and implementation of the coordinated monitoring framework, and identify administrative actions that will be undertaken by state agencies to implement elements of the coordinated monitoring program. The MOC must provide a monitoring strategy and action plan to the Governor and

appropriate legislative committees by December 1, 2002, for achieving a comprehensive watershed-related monitoring program with a focus on salmon recovery.

The MOC submitted final recommendations including a comprehensive monitoring strategy and an action plan and time line for implementing the strategy by 2007. The strategy identified several categories for monitoring such as instream flows and freshwater habitat, and the current status of the monitoring efforts. The final report includes recommendations for establishing a watershed monitoring council, a natural resources data portal for data sharing, and identifying consistent funding. The Action Plan developed by the MOC identified 60 action items requiring \$115.6 million. Of this amount, \$19.9 million was identified as a high priority, with most of the cost for additional fish, fish habitat and water monitoring. The report also identified \$54 million per biennium in current monitoring activities.

**Appendix 3 Lead Entities in Washington State, June 2004**

	<b>Lead Entity Organization Name</b>	<b>WRIA/s</b>
1	Whatcom County	1
2	San Juan Conservation District	2
3	Skagit Watershed Council	3, 4
4	Stillaguamish	5
5	Island County	6
6	Snohomish County	7
7	Lake Washington/Cedar/Sammamish	8
8	Green/Duwamish and Central Puget Sound	9, 8*, 10*, 15*
9	Pierce County	10, 12
10	Nisqually River Salmon Recovery	11
11	Thurston Conservation District	13
12	Mason Conservation District	14*
13	Kitsap County	15*
14	Hood Canal Coordinating Council	16, 14*, 15*, 17*
15	North Olympic Peninsula	17*, 18, 19, 20
16	Quinault Nation	21
17	Grays Harbor County	22, 23
18	Pacific County	24
19	Lower Columbia Fish Recovery Board	25, 26, 27, 28, 29*
20	Klickitat County	29*, 30
21	Snake River Salmon Recovery Board	32, 33*, 35
22	Yakima River Basin Salmon Recovery Board	37, 38*, 39
23	Chelan County	40*, 45, 46, 47
24	Foster Creek Conservation District	44, 50
25	Okanogan County & Colville Tribe	48, 49
26	Pend Oreille Conservation District	62

## Appendix 4 Watershed Planning Units in Washington State



Nooksack	WRIA 1	Rock Glade	WRIA 31
San Juan	WRIA 2	Walla Walla	WRIA 32
Lower/Upper Skagit-Samish	WRIA 3/4	Palouse	WRIA 34
Island	WRIA 6	Middle Snake	WRIA 35
Snohomish	WRIA 7	Lower/Upper Yakima/Naches	WRIA 37/39/38
Nisqually	WRIA 11	Stemilt-Squilchuck	WRIA 40a
Chambers-Clover	WRIA 12	Upper Crab/Wilson	WRIA 43
Deschutes	WRIA 13	Moses Coulee/Foster	WRIA 44/50
Kennedy-Goldsborough	WRIA 14	Wenatchee	WRIA 45
Kitsap	WRIA 15	Entiat	WRIA 46
Skokomish-Dosewallips	WRIA 16	Methow	WRIA 48
Quilcene-Snow	WRIA 17	Okanogan	WRIA 49
Elwha-Dungeness	WRIA 18	Lower Spokane	WRIA 54
Lyre-Hoko/Soleduck-Hoh	WRIA 19/20	Little/Middle Spokane	WRIA 55/57
Lower/Upper Chehalis	WRIA 22/23	Hangman	WRIA 56
Grays-Elochman/Cowlitz	WRIA 25/26	Colville	WRIA 59
Lewis/Salmon-Washougal	WRIA 27/28	Kettle	WRIA 60
Wind-White Salmon	WRIA 29	Pend Oreille	(WRIA 62)
Klickitat(WRIA 30) Rock Glade	(WRIA 31)		

## Appendix 5: Salmon Recovery Groups and Regions

### Salmon Recovery Regional Groups

- Lower Columbia Fish Recovery Board
- Snake River Salmon Recovery Board
- Shared Strategy for Puget Sound
- Yakima Sub-basin Fish and Wildlife Planning Board
- Upper Columbia Salmon Recovery Board

### Salmon Recovery Regions



## Appendix 6

### Salmon Recovery Operating and Capital Budget Funding Over the Last 4 Biennia (\$ in millions)

<b>Operating</b>	<b>1997-99</b>	<b>1999-01</b>	<b>2001-03</b>	<b>2003-05</b>	<b>4-biennia total</b>
Habitat	21	51	83	84	239
Harvest	7	31	23	18	79
Hatcheries	0	3	0	0	3
Hydropower	0	0	1	1	2
Other	1	8	13	15	37
<b>Total</b>	<b>29</b>	<b>93</b>	<b>120</b>	<b>118</b>	<b>360</b>

<b>Capital</b>	<b>1997-99</b>	<b>1999-01</b>	<b>2001-03</b>	<b>2003-05</b>	<b>4-biennia total</b>
Habitat	40	130	115	70	355
Harvest	0	0	0	0	0
Hatcheries	7	7	13	24	51
Hydropower	0	1	0	0	1
Other	0	0	3	0	3
<b>Total</b>	<b>47</b>	<b>138</b>	<b>131</b>	<b>94</b>	<b>410</b>

<b>Total Operating/Capital</b>	<b>76</b>	<b>231</b>	<b>251</b>	<b>212</b>	<b>770</b>
--------------------------------	-----------	------------	------------	------------	------------

Notes:

1. Capital funding is new appropriations.

2. Operating and capital funding are estimates of direct salmon recovery funding. Direct salmon recovery funding is defined as programs, projects, or activities that involve the management or production of salmon, steelhead, or bull trout; or that protect or restore habitat primarily for the benefit of salmon, steelhead, or bull trout.

3. Salmon recovery funding in the operating budget represents new and ongoing funding since the 1997-99 biennium. Funding in the operating budget does not include agency expenditures that began prior to the 1997-99 biennium nor does the funding represent base funding that may be present in agency budgets. Operating budget data is from the House Appropriations Committee's database.

## Appendix 7

### Direct Salmon Recovery Capital Budget Funding Over Last Four Biennia

\$ in millions

	1997-99		1999-01		2001-03		2003-05		Total		
	State	Federal	State	Federal	State	Federal	State	Federal	State	Federal	Total
Various Hatchery Improvements (F&W)	7.0		7.2		1.1	12.2	8.0	16.2	23.3	28.4	51.7
CREP (SCC)	5.0			0.0	1.0		4.0		10.0	0.0	10.0
Salmon Restoration (F&W)	11.7		0.4				2.0		14.1	0.0	14.1
Centennial Clean Water (DOE) - salmon proviso	17.5						6.0		23.5	0.0	23.5
Jobs for Environment proviso (DNR)	2.0								2.0	0.0	2.0
Salmon Recovery Grants Program (IAC)			37.0	82.9	26.4	48.6	12.0	34.4	75.4	165.9	241.3
Small Timber Landowner Program (DNR)			2.5		1.3		4.0		7.8	0.0	7.8
Water Rights (DOE)			1.0		7.0				8.0	0.0	8.0
Dam removal/renovations (F&W)			1.1						1.1	0.0	1.1
Mitigation projects (F&W)			2.1	4.0	3.6	0.6			5.7	4.6	10.3
Fish Screens (F&W)					1.5	3.5	1.0		2.5	3.5	6.0
Water Irrigation Efficiencies (DOE)					9.0				9.0	0.0	9.0
Water Measuring Devices (DOE)					3.4				3.4	0.0	3.4
Forest/Fish agency lands upgrades (F&W)									0.0	0.0	0.0
Local/Regional Salmon Recovery Planning (F&W)					1.0				1.0	0.0	1.0
Culverts									0.0	0.0	0.0
Family Forest Fish Blockage Program							2.0		2.0	0.0	2.0
Riparian Open Space Program (DNR)							1.0	1.5	1.0	1.5	2.5
WWRP (IAC)	4.0								4.0	0.0	4.0
Misc					5.9	4.3	2.0		7.9	4.3	12.2
<b>Totals</b>	<b>47.2</b>	<b>0.0</b>	<b>51.3</b>	<b>86.9</b>	<b>61.2</b>	<b>69.2</b>	<b>42.0</b>	<b>52.1</b>	<b>201.7</b>	<b>208.2</b>	<b>409.9</b>

Estimated Direct Operating Budget Adds  
for Salmon Recovery in the Last Four Biennia  
(\$ in thousands)

		1997-99	1999-01	2001-03	2003-05	4-biennia Total
<b>Habitat</b>						
F&W	Fish Passage Barriers/SSHEAR	450	3,139	600	300	4,489
DNR	DNR Forest Roads/Fish Barrier Inventory	0	2,037	3,800	0	5,837
F&W	Lower Skykomish HCP	0	0	250	0	250
F&W	Wild Salmon Management	1,657	0	0	0	1,657
F&W	Lake Whatcom Kakanee	0	0	200	0	200
F&W	Salmon Stamps (2ESHB 1871)	0	200	0	0	200
F&W	Habitat Mitigation Agreements	0	0	0	200	200
<u>Forest and Fish Agreement</u>						
F&W	Forest Practices (ESHB 2091)	0	1,551	1,041	0	2,592
DNR	Forest Practices Rules (ESHB 2091)	300	2,989	6,025	1,977	11,291
DOE	Forest Practices Rules (ESHB 2091)	0	554	0	0	554
IAC	Forest and Fish Agreement	0	0	8,000	0	8,000
F&W	Small Forest Landowners (2SHB 1095)	0	0	0	157	157
DNR	Small Forest Landowners (2SHB 1095)	0	0	0	278	278
CC	Conservation Reserve Program	1,000	1,000	0	0	2,000
CC	Limiting Factors Analysis	0	1,968	0	0	1,968
PSAT	Puget Sound Estuary Program	365	0	0	0	365
<u>Water Supply/Quality</u>						
DOE	Instream Flow	0	0	600	1,043	1,643
CC	Tide gates (E2SHB 1418)	0	0	0	239	239
AG	Pesticide Surface Water Monitoring	0	0	490	828	1,318
AG	Herbicide Study	0	0	0	50	50
DOE	Fertilizer Regulation	417	0	0	0	417
<u>Local Planning, Grants, and Technical Assistance</u>						
F&W	Watershed Steward Team Support/Grants	100	2,000	2,629	0	4,729
F&W	Lead Entities, Coordinate Grants	0	2,500	3,250	0	5,750
CC	Volunteers For Salmon Restoration	1,000	500	0	0	1,500
CC	Farm Plan Development	0	250	0	0	250
CC	Lead Entities/Conservation Districts	0	900	1,700	0	2,600
CC	Agriculture, Fish and Water Negotiations	0	0	500	0	500
Statewide Salmon Strategy/Independent						
GSRO	Science Panel	0	200	0	0	200
IAC	Lead Entities	0	0	0	3,250	3,250
AG	Water & Salmon Policy Participation	0	260	0	0	260
DNR	Small Landowner Tech Assistance	0	1,492	0	0	1,492
Salmon Recovery Board Administration						
IAC	(E2SSB 5595)	0	275	358	0	633
GSRO	Salmon Recovery Funding Board	0	125	1	0	126
<u>Salmon Recovery Projects</u>						
Salmon Restoration Projects/Federal						
F&W	Salmon Enhancement Grants	4,250	1,125	0	0	5,375
F&W	Core Salmon Recovery Activities	0	0	1,150	0	1,150
<u>Watersheds</u>						
F&W, CC	Watershed Assessments	1,500	0	0	0	1,500
DOE	Community Watershed Planning, Assistance, Management, Grants	10,345	8,598	3,314	0	22,257

Estimated Direct Operating Budget Adds  
for Salmon Recovery in the Last Four Biennia  
(\$ in thousands)

DOE	Federal Funding of Watershed Grants	0	6,260	0	0	6,260
	Total Habitat	21,384	37,923	33,908	8,322	101,537
<b>Harvest</b>						
F&W	Mass Marking Coho/Chinook (2SSB 6264)	2,325	1,625	0	0	3,950
F&W	Commercial License Buy Back Program	4,670	26,965	6,700	332	38,667
F&W	By catch Monitoring	0	300	0	0	300
F&W	Selective Harvest	0	100	0	0	100
	Total Harvest	6,995	28,990	6,700	332	43,017
<b>Hatchery Management</b>						
IAC	Hatchery Improvement Activities	0	3,332	0	0	3,332
<b>Hydropower Relicensing</b>						
		0	0	389	0	389
<b>Other/Adaptive Management: Statewide Planning, Monitoring, Data Collection, Science</b>						
CC	Statewide Monitoring Strategy	0	0	1,500	0	1,500
DOE	Monitor Progress of Salmon Recovery	0	363	0	0	363
DNR	Monitoring/Evaluation/Research	0	1,472	352	0	1,824
DNR	Puget Sound Ambient Monitoring Program	0	0	0	300	300
DNR	Mapping of Near shore Habitat	0	80	0	0	80
DNR	Forest & Fish Info System	0	0	0	1,200	1,200
IAC	Watershed Monitoring Council	0	0	0	250	250
IAC	Watershed Health Report Card	0	0	0	50	50
IAC	Salmon & Watershed Information Management Coordinator	0	0	0	168	168
IAC	Natural Resource Data Portal	0	0	0	82	82
GSRO	Salmon Recovery Office	500	500	0	0	1,000
F&W	Independent Science Team	50	50	0	0	100
<u>Water Planning</u>						
DOE	Puget Sound Action Plan	528	0	0	0	528
DOE	Water Storage Task Force	0	150	0	0	150
DOE	Stream Flow Monitoring (Gauges)	0	0	1,613	221	1,834
DOE	Ground Water Data System	0	0	125	0	125
PSAT	Hood Canal Early Action	0	0	0	100	100
	Total Adaptive Management	1,078	2,615	3,590	2,371	9,654
<b>Other/Enforcement, Legal Services</b>						
F&W	Enforcement of Existing ESA Laws	0	3,487	0	662	4,149
F&W	Increased Legal Services-ESA	0	75	75	0	150
F&W, DOE, DNR	U.S. v Washington (Culverts)	0	0	509	458	967
DOE	Compliance With Existing Laws/Water Law	0	1,120	1,148	0	2,268
DOE	Compliance	0	0	318	0	318
DOE	Water Resource Attorney Support	0	0	318	0	318
	Total Enforcement & Leagal Services	0	4,682	2,050	1,120	7,852
<b>Total All Salmon Recovery Adds</b>		<b>29,457</b>	<b>77,542</b>	<b>46,637</b>	<b>12,145</b>	<b>165,781</b>