

## **W6: Implementing the Recovery Plan – How We Organize Ourselves for Action**

### **Introduction: Bill Ruckelshaus**

- NOAA will approve plan, but even before that we can begin implementation.
- Coordinating mechanism for monitoring, measuring needed. But all functions don't have to be in one entity.
- What are the questions that need to be raised? What kinds of functions need to be carried out?
- We are just beginning the conversation on what implementation will look like; no one knows what the result will be.

### **Presentation #1: David Dicks, Brown, Reavis & Manning PLLC**

- Key question is amount of funding from federal, state and private sectors. Plan as currently presented will have cost of \$100-200 million per year. One time capital investments included in that. Between \$40 and \$60 million are being spent annually at this point.
- Forest and Fish agreement brought lands to ESA protection. Clinton's forest plan did a lot on forest lands.
- Two points of emphasis to start with:
  - Communicate what is going on and how it will impact people's lives. Clarify which entity is doing what – beauty of shared strategy is one cohesive center. Single coherent plan.
  - Political reality at federal, state and local level is that it will take a large effort to get funds. Prioritize actions. Gates Foundation and others may play a role. Demonstrate real progress this way.
- Summary: Find way to make this understandable and clear and to prioritize actions within watersheds and across watersheds.

### **Presentation #2: Dan Siemann, WSU-UW Policy Consensus Center**

- Presentation offers preliminary observations of implementation issues from 3 points of view: 1) those familiar with Puget Sound; 2) lessons from elsewhere nationally – CalFed, Everglades, and Chesapeake Bay; 3) principles regarding process design.
  - Key questions:
    - What will the structure look like? (no one yet knows)
    - Where will funding come from?
    - How will resources be allocated?
    - How will science be used?
    - How can we ensure that implementation is supported over time?
    - How do we get from here to where we need to go?
  - This is the beginning of the conversation; there are many elements to consider; no one knows what the approach to implementation will ultimately look like.
1. Structure:
    - big salmon bureaucracy will not work, not a regulatory layer, not a one size fits all approach.

- Draw on strengths of existing entities, such as watershed groups.
  - Visible center
  - Enhancing coordination and integration.
2. Form and Function of Structure:
    - Will it implement projects/programs?
    - Allocate money?
    - Lobby for funds?
    - How will it interact with existing entities? Coordinating group?
    - Form will follow function: identify needed functions not adequately supported currently and consider how to best achieve them
  3. Funding:
    - Federal, state, local, regional resources will play role
    - Stable, long-term funding stream may be needed (examples include dedicated revenue source, embedded funding in agency budgets, mitigation money; a key to support is that all constituencies pay a proportionate share)
  4. Allocation of funding:
    - Possible principles for allocation: 1) Direct resources to highest value activities; 2) Ensure that all watersheds improve; 3) develop clear acceptable criteria for funding; 4) develop open, trusted decision process
  5. Grant making & priority setting functions – housed together?
    - Pro: greater familiarity with projects, challenges; how individual decisions affect big picture.
    - Con: separation provides checks and balances
    - This is just one example of the many complex considerations involved in designing an implementation approach
  6. Science:
    - Independent science panel (protected from politics but integrated with policy and decision-makers)
    - Broad representation, not just agency scientists
    - Adaptive management: monitoring and evaluation is important but needs to be funded; integrate learning mechanisms into project design and use results to adjust priorities, projects and strategies
    - Identify “critical uncertainties,” design research to improve understanding
  7. Data Management:
    - Many entities collecting independent data
    - Need mechanism to bring data together without threatening propriety of data. Example: Chesapeake Bay web-based system.
  8. Maintaining Public Support:
    - Engage interests in the process (esp. business, ag, local government, electeds)
    - Communicate and inform: Clear statement of the problem and actions is needed
    - Broad public support -> political support -> funding support
    - On the ground projects also bring more support and engage people
  9. Communications in Chesapeake:

- Clear mission: Improve water quality
  - Memorable goals and gimmicks: e.g., Sneaker index; Acquire 2010 miles of riparian forest buffer by 2010
  - Differentiated communication strategy for different sectors
10. Where do we go from here? Principles for next steps:
- All stakeholders should be involved in designing new system (even those not currently involved).
  - Seek sponsorship from constituency leaders
  - Staff to designers must be credible, objective, responsive to all interests
  - Conduct joint or collective fact-finding

**Issue Experts:**

Brad Ack, Puget Sound Action Team

Mark Baker for Chuck Clarke, Seattle Public Utilities

Joan Crooks, WEC

Senator Ken Jacobsen, Washington State Senate

Representative Skip Priest, WA State House of Rep

Mary Ruckelshaus, NMFS

Neil Warner, Hood Canal Regional Fisheries Enhancement Group

Bill Wilkerson, WA Forest Protection Association

Sean Yanity, Stillaguamish Indian Tribe

Kathy Fletcher, People for Puget Sound

Ken Jacobsen – If there is agreement at home then will have support in Olympia. At both national and state level there is a fiscal crisis. Everyone has to take responsibility.

Mary Ruckelshaus – technical advisory team. Main message is accountability. Implementation can be organized in a way that we can learn as we go, evolve over time. Adaptive management.

Neil Werner – rules have changed from when the Hood Canal Regional Fisheries Enhancement Group started 15 years ago. Legislative action in 1990, were able to leverage funding in 90's. As more sources for funding became available strategies came about. We were first to put strategy together for salmon and chum. Priorities changed and we were no longer able to continue. Now there is strong support. It is bigger than Hood Canal, much larger than that. We look at what's best for salmon overall, not just the Hood Canal. We work with landowners, as a liaison between government and landowners.

Bill Wilkerson – In original Timber Fish and Wildlife (TFW) agreement, adaptive mgmt was at the forefront. We learned a lot from TFW process, and applied lessons learned to Forest and Fish. Science is critical but policy is equally critical. Adaptive mgmt needs a leadership entity. Since TFW regulatory agencies have set up structure that says we'll go where science takes us. That's what adaptive management program must do. There must be continuous assessment of risk. We have \$12 million in projects just in forestry alone over next 10 years. Sincere effort to prioritize based on true risk.

Sean Yanity – Tribe recognized in 1976. Have had a recovery plan and salmon plan since then. We got fishing rights before we were recognized. There have been a few stumbling blocks for tribes – getting local jurisdictions and governments to stick to plans. Different issues don't always mesh with tribal needs. About 75% of our habitat is a critical watershed. We have concern about forest processes. Part of our agenda is recovery of those areas. Need ~\$ 42.6 million dollars for projects over the next 10 years. Another issue that is difficult is conflicting laws. Fed, state and local governments need to be on board.

Brad Ack – Can't save salmon without saving Puget Sound. Salmon is subset of saving Puget Sound. Are we talking about the whole thing or are we talking about salmon? If we're talking about the whole thing, then we need to involve many jurisdictions and levels of govt and we need a clear message. How to facilitate implementation in the most coordinated and effective way? Responsibility and authority must be matched up. Coordination and communication is our first objective. Second is who gets what?

Mark Baker – standing in for Chuck Clarke, Seattle Public. Critical Area Ordinance efforts needed. Involvement at all levels integrating science into actions. Spent last 5 years learning about science; now we need to put funding in those areas where science has shown there is need. Need to start helping regulators rather than putting barriers in their way. Need to be better at determining the goal, and building a framework for action. How do policy makers get access to science? How do you implement it into decisions you are making?

Kathy Fletcher – Greatest strength of Shared Strategy is also its greatest weakness—the watershed by watershed approach works against seeing Puget Sound as ecosystem. The strength of watershed approach is the people involved. Look at NW Straits Initiative and how those organized with lead agencies, grassroots element. Another area is regulation. It's not all about money and projects, it's also about regulation and implementation. Need to look at plan for salmon within larger context of Puget Sound.

Joan Crooks – Implementation will make or break this plan. We need a flexible approach that builds upon watershed approach, but we also need regional entity, and it needs to be visible, single entity. Accountability is needed. Reward those who are stepping forward and take action against those not doing their share. Monitoring important but also doing something about compliance.

**Discussion:**

- Regarding regulations. connect local regulation efforts. There are many disconnects. Pull local and state regulations together.
- Have to alleviate fear that implementation plan is separate from the past 4 years of work.

- Concerned about mission. It's a compelling notion that Puget Sound is a larger system. Also funding must have broad message for public. Not just about salmon but other species and terrestrial concerns. Be careful of process fatigue. Connect things together without whole new system for implementation.
- There's not a lot of talk about feasibility. Not only what should we do, but also what could we do?
- Whatcom county is not on Puget Sound, it's part of an ecosystem larger than Puget Sound. It's insular to think just about the Puget Sound. The second issue is including NGOs in the implementation plan. They have been doing this for 5 years, and are already in implementation phase.
- Northwest Straits Marine Resources Committees mentioned as model. Would like to hear more about that. Challenge on freshwater side – prioritizing across watersheds.
- Each of 7 counties has a local Marine Resources Committee designated by county government. These have accomplished for nearshore what watershed groups have accomplished for freshwater systems. Bottom up approach must be more strategic. Lead entities get money from Salmon Recovery Funding Board and others don't.
- Each watershed is raising its own money. We should put funding where we'll get most for the buck. Some say everyone who does watershed plan should get funding, but that depends on what source of funding we're talking about.
- Government structure needs accountability for ratepayers. WE have to be able to show how they are delivering for their dollar. Also must be able to pass test for developing independent science.
- Salmon Recovery Act - Prioritization of projects, funded thru salmon recovery board, also adaptive management and monitoring. It's now 7 years later and we're still talking about the same things.
- Lessons from CalFed, Chesapeake, and Everglades regarding mission, financing and support: each focus on large iconic areas, have a lot of science behind them, have clear mission, and integrate multiple interests (e.g., Cal Fed integrates environment and water supply for municipalities and agriculture). This has allowed them to generate significant support and funding at the federal and state levels. California has successfully based multiple bond measures.
- Puget Sound Water Quality Authority was developed. Had an economic recession. That's why were down to action team now. Media interests dropped off.
- Attracting federal funding is good but have the other projects had results. Before we hop to the icon model what is their environmental success?

- Shared Strategy is different than Salmon Recovery Funding Board. It solves problems at the local level. Problem with that is local entities that don't have money allocation function have resentment with others that do. What are the functions that need to take place? Regarding the Chesapeake Bay effort – I was EPA administrator at the time. Chesapeake Bay Foundation – nonprofit run by Will Baker asked what progress they were making against various water quality standards. The foundation doesn't have any real power, so there was a lot of frustration. We can learn from that.
- Talking to CalFed and others, they are envious of us for having a bottom up approach. Shared Strategy is the best example of that.
- How effective are those collaborative institutions is a valuable question. Why are we here today? Existing institutions are not doing the job.
- We should ask: if successful, what results would you see? Know what results you're shooting for.
- What are the functions that we want to assign to a regional entity? The technical piece is critical. Institutionalize it at a regional scale. Independent science is critical to this.
- Argument I use is if you want water right, go through this and you will get one. Some of these groups are not thinking of Puget Sound as a gem, not happy with regulation. When we talk about limitations, at local level we need to come up with a message that provides value with those constituent groups. Marine Resource Council has done a lot, has shown value in projects they have done. Need to be better at refining message and communicating it.
- Shared Strategy is unique organization that has built a lot of trust from many stakeholders. Trust in the process and in the organization. It's difficult to find an entity that can lead us forward the way Shared Strategy has. If it's not Shared Strategy, maybe it can be a modified version of it.
- Shared Strategy was designed to go out of existence when planning was done. Functions of supporting a planning process may be very different from the functions of supporting implementation. . Understanding the principles of success and replicating them is important. It must be voluntary, inclusive and open. What do we need to do to make these plans a reality?
- Watersheds have been effective planning bodies that have brought many stakeholders to the table. Salmon Recovery Funding Board has been able to bring millions of dollars that we have been able to leverage. Acquiring and protecting land, and capital projects. Continue major role of watersheds. Nest regional functions with local watershed functions.

- We are not losing sight of integration across agencies. Small cities and nonprofits were involved in planning process but don't have the resources to implement. Link them with existing resources to build capacity.
- A scientific engine has to be institutionalized. How do you keep the Technical Recovery Team (TRT) going? Make it more effective.
- We need communication and education at all levels. We are using technology that we have to build databases, that can respond to simple queries. We can also do that on education. Permit process – currently takes 3 years, we need to look at that.
- As constituents change their attitudes, legislators also change theirs. We need bills, so suggest what you think the laws should be.
- We need an improved way for people in harvest, habitat and hatcheries to communicate. We need political and management support for how they can coordinate.
- Functions in the platform paper seem to be strategies. Why would you choose these? What are you trying to achieve?
- The discussion is focused on plan, process and implementation. Rather than making strong distinction between planning and implementation, see it as a process. Implementation is what you're going to achieve based on all of the things that were brought up.

#### Jon Brock – Summary

- Ability of management systems to be effective comes from whether they were product of broader agreement. Groundwork laid in watersheds get other mechanisms, grassroots involvement gives them political clout. Broader agreement brings the authority that is needed.
- In order to gain legitimacy, have to get broad agreement through openness and inclusiveness and will have to involve people heavily engaged in Shared Strategy as well as people who have been opposed or on the margins. All need to be even more engaged to get that legitimacy. Regionalized coordination.
- Maintain Continuity from Shared Strategy effort. People involved in planning, and the trust that has been built, should be preserved. Look at other resources that should also be recognized as strengths that should be continued.
- Offer clear opportunities for input. Organizations & individuals should be able to come to table in organized way. It should be very accessible.
- Science and politics. Scientific and technical capability is very important. It is adaptive work, there should be accountability in coordinating mechanism. Also has to be able to absorb political mechanisms. Sufficient sophistication of the mechanism to absorb politics and protect science from politics.

- Unified dimension of need for trade-offs. Opportunities for funding, political will. Groundwork has been laid but it has to be maintained. If it doesn't represent local interests, watersheds and others.
- Accountability – important for political process, taxpayers, ratepayers. It is important for motivation.
- Maintenance of rights. It's difficult to bring people together if they can't maintain rights that they have. Rights are preserved, and it becomes safe place. There must be guarantees of those rights. Regulations are different across jurisdictions. Those have to be addressed. When that is looked at without giving up rights people gain ability to trade off.
- Most successful implementation mechanisms and problem solving have come after stumbles, difficulties and failures. Those often forge bonds and teach lessons that can be carried forward. Continuity with what has worked, learning from what has not.
- May be willing to provide more authority to some central entity if it provides support needed.

#### Easel Pad Comments:

#### Establishing Governance Mechanisms:

- Don't forget the permitting efficiency of restoration projects already reviewed by at least two technical panels.
- Protect from frequent rollover of elected officials – not all eggs in one basket
- Rural vs. urban/equity?
- Incentive: for every \$ local government puts towards habitat recovery they qualify for highway or utilities public monies.

#### Accountability Mechanisms:

- Some level of trust first
- Has to be based on something that is actually under jurisdiction/entity control, i.e. can't be number fish return. Also, in the long run its about carrots, not sticks

#### Adaptive management

- 1<sup>st</sup> compare plans already in place within a watershed
- regional road maintenance program as a “road map”?

#### Mission – What Focus?

- Education
- Iconic?

#### Governance mechanisms:

- Form follows function?
- Or Function follows form?



- Primary need is for entity that networks information on multiple levels: scientific; policy/program; \$ political (lobbying). The information will then “feed the machine” = WRIA’s own governance.
- Lead entity should be a non-agency multi stakeholder group similar in structure to shared strategy
- What has worked in other areas? Everglades?
- Should watershed committees be granted more authority?

#### Local/Regional Considerations:

- Recognize area of authority – don’t overlap
- Some regional prioritization, but “No WRIA Left Behind” (explosive issue)
- MRCs for all P.S. Counties (bottom up driver)
- Very important for a scientific peer group that is independent, transparent process
- Does science dictate policy? Consider science informing policy. Need input early and often from all affected groups, citizens
- Current lack of cumulative effect of value of other actions: TMDL, NPDES, Volunteer task force, water supply protection
- Rural/urban equality. How do we get past politics? Can politics be an asset?
- Don’t make field people fill bureaucratic roles in areas with limiting staff resources
- Regional org/structure doesn’t implement – only local do – regs and projects. Regional will plan, coordinate, report
- Long-term maintenance function- set of habitat utility w/volunteer support
- Community college training program for util staff and vol’s.

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*Below you will find a summary of additional comments submitted by people in **Summit Comments & Evaluation forms**; (these comments were submitted post-breakout, and may reflect the views and opinions of individuals who did not participate in the breakout session dialogue.)*

- Implementation entity needs to be formally endorsed by State, NOAA fisheries, and USFWS.
- It must have the ability to coordinate but also to enforce.
- We need coordination of roles at the federal, state, and local level in monitoring and decision making processes of adaptive management.
- **Two trains of thought for implementation strategy:**
  - *Local:*

- Implementation happens at local level, not regional level. Whoever helped write the recovery plan should be involved in implementation.
  - Focus on growing relationships with local citizens that have been established through watershed planning process. Implementation will not succeed without broad public support.
  - Lead entities should serve as communication hub of recovery efforts—should serve as a clearing house for research results, protection/restoration project notices, policy adjustments at the local level, etc.
  
  - *Regional:*
  - Regional coordinating body is extremely important for implementation phase; Shared Strategy with revised / evolving roles, as it is already a trusted construct. Add watersheds to the board to increase ownership & trust.
  - Create regional clearinghouse for public information and education materials—provide templates for watersheds to adopt.
- “Next steps” facilitator summary is missing a central issue raised in the breakout session: Will the implementation strategy and coordinating entity be salmon-centric or Puget Sound-centric? We must determine the most effective core principle for organization and implementation. A focus on Puget Sound health incorporates multiple goals, previous planning, and other ongoing efforts.