



PLAUCHÉ
& CARR^{LLP}

Riparian Taskforce Preliminary Report: Interview and Facilitation Process

Pursuant to Section 117(12), Chapter 297, Laws of 2022

October 2022

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I. Executive summary

Convening a facilitated process to identify and develop an effective suite of policy tools and funding priorities to improve riparian habitat begins with a good understanding of where the constituencies identified in the budget proviso currently stand. To develop that understanding, Plauché & Carr LLP (P&C) conducted an extensive interview process. P&C worked with the Governor's Office, Office of Financial Management, and staff at other key state agencies to develop a list of leaders to interview. That list included leaders from tribes, legislative leadership, local governments, agricultural producers, commercial and recreational fishery organizations, business organizations, salmon recovery organizations, forestry and agriculture organizations, and environmental organizations. The purpose of the interviews was to engage those constituencies regarding where they stand on strategies to improve riparian habitat as well as possible agreed-upon policy and spending strategies that would improve riparian habitat for salmon and steelhead recovery.

As discussed in more detail in Section III, P&C conducted a series of individual interviews/listening sessions. These resulted in discussions with more than 80 individuals between July and September. While we initially envisioned approximately 25 interviews, as the interview process unfolded, new interviewees were identified that provide important perspectives. Ultimately, we decided to extend the interview phase of its work, believing that a robust interview process would help make the anticipated roundtable discussions more efficient and effective.

P&C has used the interview process to understand and articulate a series of “themes.” We believe these could be important to policy concepts and spending options that the roundtable discussion might consider. These themes are discussed in more detail in Section IV, below.

P&C will next convene a series of roundtable discussions. We have already started scheduling three half-day, in-person discussions as well as bi-weekly two-hour virtual meetings with a subset of the roundtable participants and others in October and November. You can find a list of the individuals invited to participate in roundtable discussions in Section VI below. We will incorporate our learning from research and listening/learning engagement sessions to inform the dialogue at the roundtable discussions with the goal of finding common ground regarding a suite of changes in policy and spending priorities for improving riparian habitat for salmon and steelhead recovery.

P&C is hopeful that the upcoming roundtable discussions will provide insights into some initial policy changes and spending priorities to improve riparian habitat. However, we also recognize that, realistically, it is not possible to agree on a comprehensive suite of actions to address the complex issues around riparian habitat improvement in only a few months' time. P&C believes this facilitated process provides an opportunity for a new start to conversations where we could agree on what policy changes and spending priorities could lead to improvements in riparian habitat.

P&C's work on the facilitated process described in this report is being coordinated with P&C's work to implement a separate 2022 supplemental operating budget proviso. This proviso sought an independent contractor to review the effectiveness of existing voluntary and regulatory programs for protecting and restoring areas along streams and rivers (Section 130(22), Chapter 297, Laws of 2022) (the effectiveness analysis budget proviso). P&C's contract includes our work on the effectiveness analysis budget proviso and the work of P&C's subcontracted technical experts, Industrial Economics, Inc. (IEc), to evaluate riparian-related programs in Washington. Under the effectiveness analysis budget proviso, we identified key state programs and authorities with a role in riparian

protection and/or restoration. P&C and IEc then conducted outreach with state agencies to further identify and refine key programs, as well as to identify key points of contact for these programs. IEc then conducted technical interviews with appropriate agency points of contact to compile data and information relevant to the scope, goals and objectives, and outcomes of these programs. You can find the preliminary report on [OFM's website](#).

In the next phase, P&C and IEc will:

- Finalize program and data compilations.
- Generate a more detailed summary of identified state programs.
- Analyze the data and information compiled to evaluate the effectiveness of the selected programs.
- Develop recommendations regarding state program effectiveness, use, and outcomes.

P&C will submit a final recommendations report by Dec. 1. We anticipate that the information and recommendations from the effectiveness analysis effort will inform our roundtable discussions.

II. The proviso

The budget proviso authorizing the independent facilitated process that P&C is leading can be found in state law (Section 117(12), Chapter 297, Laws of 2022):

\$50,000 of the general fund—state appropriation for fiscal year 2022 and \$250,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the governor to invite federally recognized tribes, legislative leadership, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agriculture organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

(a) The recommendations must include:

- (i) Ideas for improvements to land use planning and development that ensure the protection and recovery of salmon;*
- (ii) Standards to protect areas adjacent to streams and rivers;*
- (iii) Standards to restore areas adjacent to streams and rivers;*
- (iv) Financial incentives for landowners to protect and restore streamside habitat;*
- (v) Recommendations to improve salmon recovery program coordination among state agencies; and*
- (vi) Recommendations for additional changes when voluntary measures and financial incentives do not achieve streamside protection and restoration.*

(b) Preliminary recommendations shall be submitted to the legislature and governor by October 1, 2022, with a final report by November 1, 2022.

(c) The office of the governor may contract for an independent facilitator. The contract is exempt from the competitive procurement requirements in chapter 39 RCW.

III. The interview process

P&C conducted an extensive interview process, engaging over 80 people over the course of 50 interviews from July through September. That total includes interviews with 14 tribes that included 38 tribal representatives and contractors, and one interview with the Northwest Indian Fisheries Commission Riparian Working Group that included multiple Working Group participants. P&C also conducted nine interviews with agricultural interests. This included 13 individual agricultural stakeholders. We also conducted: **six** local government interviews with **six** interviewees; **three** business community interviews with **four** interviewees; **two** environmental organization interviews with **three** interviewees, **two** conservation district-related interviews with **three** interviewees (one interview with two staff from the State Conservation Commission and one interview with staff from a Conservation District); **two** timber interviews with **two** interviewees, **one** interview with a salmon recovery organization representative; and **10** interviews with individual legislators. P&C interviewers included Samuel W. (Billy) Plauché (Partner), Peter Dykstra (Partner), and Diani Taylor Eckerson (Associate). The following table includes a list of interviewees, interviewee organizations and respective titles, P&C interviewers (by first name), and dates of interviews.

INTERVIEWEE	TITLE, ORGANIZATION	INTERVIEWERS	DATE(S)
<i>Agriculture</i>			
Anthony Smith	Secretary/Treasurer, Washington Association of Wheat Growers	Billy, Peter, Diani	Sept. 27
Chris Voigt	Executive Director, Washington State Potato Commission	Billy, Diani	Sept. 23
Dan Wood	Executive Director, Washington State Dairy Federation	Billy, Peter, Diani	Aug. 8
Derek Sandison	Director, Washington State Department of Agriculture	Peter, Billy	Aug. 23
Diana Carlen	Vice President, Gordon Thomas Honeywell Government Affairs Represents Washington Association of Wheat Growers, Washington Potato and Onion Association, and other agricultural interests	Peter, Billy	July 1
		Peter, Billy, Diani	Aug. 26
Gretchen Lech	Manager, Policy & Engagement, Manulife Investment Management Timber and Agriculture, Inc.	Billy, Peter, Diani	Sept. 20
	Formerly, Hancock Agriculture		
Jay Gordon	Policy Director, Washington State Dairy Federation	Billy, Peter, Diani	Aug. 8

INTERVIEWEE	TITLE, ORGANIZATION	INTERVIEWERS	DATE(S)
Jon DeVaney	President, Washington State Tree Fruit Association	Billy, Peter, Diani	Aug. 24
Marci Green	Former President, Washington Association of Wheat Growers	Billy, Peter, Diani	Sept. 27
Mark Streuli	Lobbyist, Washington Cattlemen's Association Principal Consultant, Streuli Public Affairs	Billy, Diani	Sept. 16
Matt Harris	Director of Governmental Affairs, Washington State Potato Commission	Billy, Diani	Sept. 23
Michelle Hennings	Executive Director, Washington Association of Wheat Growers	Billy, Peter, Diani	Sept. 27
Rosella Mosby	President, Washington Farm Bureau	Peter, Billy, Diani	Sept. 26
<i>Timber</i>			
Jason Spadaro	Executive Director, Washington Forest Protection Association	Peter, Diani	July 7
Tom Davis	Governmental Relations Director, Washington Forest Protection Association	Peter, Diani Billy, Peter, Diani	July 7 Aug. 2
<i>Business</i>			
Bill Clarke	Policy Director, Washington Realtors	Peter, Billy	June 27
Dave Mastin	Vice President of Government Affairs, Association of Washington Business	Billy, Diani	Aug. 19
Josie Cummings	Government Affairs Assistant Director, Building Industry Association of Washington	Billy, Diani	Aug.31
Mike Ennis	Government Affairs Director for transportation, and environmental issues, Association of Washington Business	Billy, Diani	Aug. 19
<i>Local Government</i>			
Carl Schroeder	Deputy Director of Government Relations, Association of Washington Cities	Billy, Peter, Diani	Aug. 9
Kate Dean	Commissioner, Jefferson County	Billy, Diani	Sept. 7

INTERVIEWEE	TITLE, ORGANIZATION	INTERVIEWERS	DATE(S)
Paul Jewell	Policy Director – Water, Land Use, Environment & Solid Waste, Washington State Association of Counties	Peter, Billy	June 23
Robert Gelder	Commissioner, Kitsap County	Billy, Peter, Diani	Sept. 6
Ron Wesen	Commissioner, Skagit County	Billy, Peter, Diani	Aug. 31
Wes McCart	Commissioner, Stevens County	Billy, Peter, Diani	Sept. 7
<i>Conservation Districts</i>			
Bill Blake	Executive Director, Skagit Conservation District	Billy, Diani	Sept. 23
Chris Pettit	Executive Director, Washington State Conservation Commission	Billy, Peter, Diani	Aug. 4
Ron Shultz	Director of Policy and Government Relations, Washington State Conservation Commission	Billy, Peter, Diani	Aug. 4
<i>Environmental Organizations</i>			
Darcy Nonemacher	Government Affairs Director, Washington Environmental Council	Billy, Peter, Diani	Aug. 8
Justin Allegro	Policy Director, The Nature Conservancy	Peter, Billy	June 30
Mindy Roberts	Puget Sound Program Director, Washington Environmental Council	Billy, Peter, Diani	Aug. 8
<i>Salmon Recovery Organizations</i>			
Brynn Brady	Ceiba Consulting Contractor, Regional Fisheries Enhancement Groups (RFEGs), Washington State Association of Counties, others	Billy, Peter, Diani	Sept. 7
<i>Tribes</i>			
Alison O’Sullivan	Senior Biologist, Suquamish Tribe	Billy, Peter, Diani	Aug. 30
Amber Lewis	Lewis Consulting Lobbyist, Suquamish Tribe	Billy, Peter, Diani	Aug. 30
Amy Trainer	Environmental Policy Director, Swinomish Indian Tribal Community	Billy, Diani Billy, Peter, Diani	July 18 July 26
Brandon Rogers	Upper Columbia Special Projects Lead, Yakama Nation Fisheries	Peter, Billy, Diani	Aug. 24

INTERVIEWEE	TITLE, ORGANIZATION	INTERVIEWERS	DATE(S)
Carissa Eichman	Office of the Reservation Attorney, Colville Business Council	Billy, Diani	Aug. 17
Cindy Marchand	Fisheries Committee Chairwoman, Colville Business Council	Billy, Diani	Aug. 17
Cody Desautel	Natural Resources Director, Colville Tribes	Billy, Peter, Diani Billy, Diani	Aug. 8 Aug. 17
Daryl Williams	Environmental Contractor, Tulalip Tribes	Billy, Peter, Diani	Aug. 4
David Blodgett III	Technical Coordinator, Yakama Nation Fisheries	Peter, Billy, Diani	Aug. 24
David Herrera	Fisheries and Wildlife Policy Advisor, Skokomish Tribe	Billy, Diani	July 14
Dawn Vyvyan	Vyvyan Law Office Contract lobbyist, Yakama Nation, other Washington Tribes	Peter, Billy, Diani	Aug. 24
Edward Johnstone	Chairman, Northwest Indian Fisheries Commission	Peter, Diani	Oct. 5
Fran Wilshusen	Director, Northwest Indian Fisheries Commission	Billy, Diani Peter, Diani	July 14 Oct. 5
Hansi Hals	Director of Natural Resources, Jamestown S'Klallam Tribe	Billy, Peter, Diani	Aug. 30
Jack Ferguson	Fisheries Committee Member, Colville Business Council	Billy, Diani	Aug. 17
Jason Griffith	Environmental Program Manager, Stillaguamish Tribe	Billy, Peter, Diani	Sept. 6
Jeanette Burkhardt	Watershed Planner, Yakama Nation Fisheries	Peter, Billy, Diani	Aug. 24
Jeff Dickison	Asst. Natural Resources Director, Squaxin Island Tribe	Billy, Peter, Diani	Aug. 18
Jeremy ("JJ") Wilbur	Tribal Council Vice Chair, Swinomish Indian Tribal Community	Billy, Peter, Diani	July 26
John Marvin	Habitat Biologist Upper Yakima River Restoration, Yakama Nation	Peter, Billy, Diani	Aug. 24
Kadi Bizyayeva	Tribal Council Member and Fisheries Director, Stillaguamish Tribe	Billy, Peter, Diani	Sept. 6
Karen Condon	Fisheries Committee Member, Colville Business Council	Billy, Diani	Aug. 17

INTERVIEWEE	TITLE, ORGANIZATION	INTERVIEWERS	DATE(S)
Kris Peters	Tribal Council Chairman, Squaxin Island Tribe	Billy, Peter, Diani	Aug.18
Leonard Forsman	Tribal Council Chairman, Suquamish Tribe	Billy, Peter, Diani	Aug. 30
Loni Greninger	Tribal Council Vice Chair, Jamestown S'Klallam Tribe	Billy, Peter, Diani	Aug. 30
Maryanne Mohan	Office of the Tribal Attorney, Suquamish Tribe	Billy, Peter, Diani	Aug. 30
Norma Sanchez	Fisheries Committee Member, Colville Business Council	Billy, Diani	Aug. 17
NWIFC Riparian Working Group Participants	NWIFC Riparian Working Group	Billy, Diani	July 18
Patrick DePoe	Tribal Council Vice Chair, Makah Tribe	Billy, Diani	Sept. 20
Paul Williams	Natural Resources Policy Coordinator, Suquamish Tribe	Billy, Peter, Diani	Aug. 30
Phil Rigdon	Deputy Director, Department of Natural Resources, Yakama Nation	Peter, Billy, Diani	Aug. 24
Roger Finley	Fisheries Committee Vice Chair, Colville Business Council	Billy, Diani	Aug. 17
Shannon Adams	Habitat Section Coordinator, Yakama Nation Fisheries	Peter, Billy, Diani	Aug. 24
Steve Edwards	Tribal Council Chairman, Swinomish Indian Tribal Community	Billy, Peter, Diani	July 26
Tandy Wilbur	Senator and Fisheries Manager, Swinomish Indian Tribal Community	Billy, Peter, Diani	July 26
Tom Elliott	Tributary Enhancement Special Project Leader, Yakama Nation Fisheries	Peter, Billy, Diani	Aug. 24
Tom Ostrom	Ecosystem Recovery Program Manager, Suquamish Tribe	Billy, Peter, Diani	Aug. 30
Tyler Zacherle-Boyd	Fisheries Committee Member, Colville Business Council	Billy, Diani	Aug.17
W. Ron Allen	Tribal Council Chairman, Jamestown S'Klallam Tribe	Billy, Peter, Diani	Aug. 30
Willie Frank III	Tribal Council Chairman, Nisqually Tribe	Billy, Peter, Diani	Aug. 10
<i>Legislators</i>			
Senator Christine Rolfes	23 rd Legislative District	Billy, Peter, Diani	Sept. 1

INTERVIEWEE	TITLE, ORGANIZATION	INTERVIEWERS	DATE(S)
Representative Debra Lekanoff	40 th Legislative District	Billy, Peter, Diani	Aug. 31
Senator Jesse Salomon	32 nd Legislative District	Peter, Diani	Aug. 25
Representative J.T. Wilcox	2 nd Legislative District	Peter, Diani	Sept. 1
Senator Judy Warnick	13 th Legislative District	Peter, Billy, Diani	Aug. 30
Senator Kevin Van De Wege	24 th Legislative District	Billy, Peter, Diani	Aug. 30
Representative Lawrence Springer	45 th Legislative District	Peter, Diani	Aug. 31
Senator Ron Muzzall	10 th Legislative District	Billy, Peter, Diani	Aug. 23
Senator Shelly Short	7 th Legislative District	Billy, Peter, Diani	Sept. 21
Representative Tom Dent	13 th Legislative District	Peter, Diani	Aug. 29

IV. Themes from interviews

The interviews provided a wealth of information regarding the interviewees’ varied perspectives on riparian habitat improvement strategies, policies, standards, and regulations. P&C conducted each of the interviews with a commitment to interviewee confidentiality, but with the agreement that P&C would develop a suite of themes that we identified over the course of the interview process. The primary themes that P&C identified from the interviews are listed below. Most of these themes were voiced by more than one, but certainly not all, of the interviewees. The themes are listed below as they were conveyed in the interviews and are not intended to convey any of P&C’s own perspectives.

- Salmon populations in Washington are in a state of crisis, and degradation of riparian areas has contributed to their decline. Washington needs a comprehensive solution that addresses impacts to salmon across uses and beyond riparian habitat degradation. This solution needs to consider impacts of climate change and future growth and changes in community needs.
 - Tribes have shouldered the burden of declining salmon populations. The current salmon crisis violates tribal treaty rights to fishery resources and salmon have critical cultural, economic and subsistence significance to tribes. The Centennial Accord commitment made by Gov. Jay Inslee was for the state to undertake concrete efforts to protect salmon and the time to act is now.
- Riparian habitat protection and restoration with respect to agricultural uses:
 - Recent discussions have seemed to focus on agriculture. Riparian degradation is caused by a variety of uses in both urban and rural areas throughout the state. We need a fair solution that recognizes/addresses these various sources of impacts.
 - Tough to watch untreated stormwater run into the river from a residential development and think nobody is really doing anything about that. But we

are focusing on the organic farm sitting next to it, which has minimal runoff, includes vegetated strips that act as filters, and is generating clean water.

- The discussion has gone on for a long time with insufficient progress despite voluntary efforts over the past 20 years. Salmon runs continue to dramatically decline. We have reached a point of urgency. Something must change.
- Some tribes, farmers, and local government (counties) have spent decades trying to build relationships to address these issues out of trust and respect. We need to create a place to broaden these discussions to more tribes, more counties, and more farmers.
- We need flexibility in achieving riparian habitat improvements on agricultural lands. Some farmers may be able to install smaller buffers or employ creative solutions near streams and rivers that would provide meaningful riparian improvements that benefit salmon. If riparian habitat improvement must meet certain buffer widths and/or vegetation types, it may inhibit good progress towards salmon recovery where these standards cannot be fully met.
- There is a lack of knowledge or recognition of the work farmers do to help the environment, particularly with transitions to techniques like no till farming, organic farming, etc.
- A fundamental challenge with riparian habitat improvement and salmon recovery in Washington is the “spread the peanut butter” approach – funding is spread too far and too thin across the state to be effective.
- Funding is spread too thin and is not resulting in significant uplift anywhere. A lack of dedicated funding causes uncertainty. The processes to obtain funding create challenges in terms of capacity and competition among recovery partners.
- We need to better understand where we can get the most return on our investment for enhancing riparian habitat. This will help us make progress toward recovery at pace and scale.
- We have a significant need to increase monitoring and data collection within existing restoration programs and to provide metrics for success that can be monitored and compared across programs. We need these data and metrics to fully evaluate statewide restoration outcomes and inform prioritization of actions expected to provide best results for salmon.
- Difficult to prioritize restoration efforts given the large geographic need for recovery spans many different tribal usual and accustomed fishing areas.
- We need a fuller understanding of current salmon habitat conditions statewide if we want to measure our advancement of recovery goals and gauge the needed response to delays or progress barriers.

- We need more comprehensive mapping of riparian habitat conditions in various corridors, and where those conditions overlap with salmon needs. This will help inform decision-making.
- Prioritization of habitat restoration projects should be driven by science and by perspectives on the ground — not by the Legislature.
- Prioritization of recovery actions should be undertaken by a state entity with independence.
 - We should consider a cabinet level agency, or coordinator of other agencies, that is focused on salmon recovery – science-based, comprehensive planning strategy with projects designated and prioritized for funding across agencies.
- Prioritization is critical. We need to start now and work from what we can map quickly.
 - Don't let the desire for 'perfect' get in the way of broader progress. Better to get 80% of habitat mapped and move forward with prioritization for restoration now, rather than waiting for 100% completion of mapping before moving forward.
 - We could start with prioritizing impaired streams on the U.S. Clean Water Act 303(d) list for Washington developed by the Washington Department of Ecology in its biannual water quality assessment of rivers, lakes, and marine water bodies.
- We have a strong need to improve state agency coordination to ensure the best projects are prioritized and funded.
- We need to protect agricultural land from conversion to avoid riparian habitat degradation.
 - There isn't new agricultural land being made, so it's hard to give up what currently exists.
 - With climate change, Washington is likely to become an even more important supplier of food as conditions in California become more and more challenging for food production.
 - Reduction in agricultural production may make it uneconomical for individuals to continue farming or to maintain agricultural infrastructure (e.g., tractor dealers, distribution centers, etc.) that is needed to support farming communities. Land coming out of agricultural production would likely be developed for housing, which would be more detrimental to salmon.
 - There are societal impacts to reducing amount of farmed area – food price, food security, food banks, impacts to labor.

- Voluntary programs, alone, cannot get us to fully functioning riparian ecosystems.
 - While fully funding voluntary programs is part of the solution, voluntary programs alone cannot get us there.
 - Even with full funding, it could take voluntary programs several decades or more to restore riparian areas along many important rivers and streams, and that is too long.
 - If we fully fund or enhance voluntary programs, we need to set a timeline and benchmarks for success as well as steps to accelerate efforts and/or pivot to other solutions if progress is not made.
 - For example, if by 2030 we do not meet a certain standard on XX% of streams, regulatory requirements kick in.
 - To the extent we rely on the Voluntary Stewardship program for some portion of this effort, the program needs to be tweaked to focus on more water quality parameters – the program is not currently designed to do that.
- Voluntary programs are a solution that could get us to, or close to, fully functioning riparian ecosystems if they are funded sufficiently.
 - Voluntary programs have never been adequately funded, so we can't accurately assess if or how well these programs could get us there.
 - We need to start with creating positive incentives for good actors. Regulation can have the unintended effect of hampering interest in and, ultimately, outcomes of voluntary programs.
 - We need to better understand what we have accomplished to date through use of voluntary programs and what has worked to inform how best to increase voluntary program effectiveness.
 - We have a significant need to increase monitoring and data collection within voluntary programs to provide metrics for success that can be compared across programs.
 - We need to identify gaps in existing voluntary programs – what is not covered – and create additional programs to cover those gaps.
 - We should consider adoption and implementation (with adequate funding) of a statewide Conservation Reserve Enhancement Program (CREP) that is not bound by restrictions associated with the federal CREP program.

- Conservation districts are integral to success of these programs and should be fully funded.
- Programs would be more effective if they were more flexible and allowed farmers to work with conservation districts to determine the best riparian habitat strategy for a particular farm.
- Programs would be more effective if they were more consistent and dedicated funding allowed farmers to work with more reliably available programs that suit their farms.
- Significant challenges with taking a regulatory approach.
 - Existing regulations are largely designed to address new development and don't apply to legacy problems, which are significant. If we want to address existing development, we need new mechanisms.
 - Use of eminent domain may be a tool of last resort to protect and restore high priority areas where a landowner is unwilling to take advantage of voluntary programs.
 - Coordination with land trusts for property purchases or conservation easements with stewardship investments.
 - Use of mitigation banking (or other offset strategies) to restore priority areas, including sale of credits to project with impacts that cannot be minimized or avoided.
 - New regulations, particularly applied to existing uses, would pose a significant unfunded mandate.
 - Challenges with local enforcement of new regulations on agricultural crops – because there are currently no local permits required to continue farming, no obvious mechanism to ensure compliance.
 - The funds needed by local and/or state government to enforce new regulations may make more gains for riparian habitat improvement if used to fund high priority projects or effective voluntary programs.
- Buffer standard of Site Potential Tree Height (SPTH) is based on best available science and should not be revisited.
 - Significant expertise went into developing standard.
 - The standard was embraced by WDFW in its Riparian Ecosystem guidance.
 - The standard was embraced by Gov. Jay Inslee during the Centennial Accord.

- We should not revisit the buffer standard itself in the roundtable process; the process should focus on how, not whether, to get there.
- Buffer standard of SPTH is not the best available science and is not well supported.
 - One-size-fits-all buffers are overprotective for many riparian corridors.
 - Farmers know their land best and should be brought into a discussion about management tools that work best on their farm. Flexibility is important.
 - Scientific standard would provide buffer widths that vary based on habitat type.
 - What is needed is very site specific – areas need to be independently assessed before determining the appropriate buffer. Comparison to timber land.
 - We should look to buffer zones used in TFW/Forests and Fish as an example.
 - Buffer width is not the only determination – how the buffer is managed is important. We could perhaps allow active cultivation that includes planting and maintaining vegetation (e.g., tree fruit, crop that provides more shade in summer) in parts of a buffer further from stream.
 - Other entities have looked at buffers (e.g., King Conservation District) and concluded that can get significant benefits from a smaller – 75’ – buffer.
 - Buffers themselves are not the goal/objective – healthy salmon runs are the goal/objective. Buffers are a tool, not the only tool. We should be creative.
 - Existing development and other built infrastructure cannot feasibly provide buffers.
- Mandatory buffers on farms can have significantly different impacts on different farms. Big differences in impact between large and small farmers. Big differences depending on terrain (e.g., high water well into farmed areas / farming in narrow stream valleys).
- There are significant geographic differences east and west of the mountains that should be accounted for:
 - Fires are a more significant issue east of mountains.
 - Water quantity issues drive riparian issues east of the mountains.
 - West side science is not always applicable east side landscape.
- “Rule of thirds” applies to riparian landowners:
 - 1/3 will do the right thing no matter what;

- 1/3 will do the right thing if not economically disadvantageous; and
- 1/3 will never change – some characterized this as the last 20% or 10%.
- Riparian habitat protection and restoration with respect to forestry.
 - There is a successful buffer program in forestry – not perfect, but successful. Time for other land uses (e.g., agriculture, rural and urban development) to do their part.
 - Forestry is not a perfect comparison to agriculture – forestry practices are more uniform than agricultural practices are with varied commodities (e.g., wheat, potatoes, tree fruit, dairy, cattle), which are all produced differently.
 - We are not doing enough to improve riparian areas on forestlands –currently renegotiating forestry rules, so timber is not a great example.
 - We need more of an adaptive management approach than was used in timber. Timber locked in for 20 years without adapting – has not worked.
- The Governor’s Office outreach on riparian efforts was nonexistent in advance of the 2022 legislative session and that approach created shock and surprise in response to the office introducing the Lorraine Loomis Act.
 - The Governor’s Office completely alienated agriculture and its approach created the perception that the office was trying to make amends with tribes due to tension created by actions at the end of the 2021 legislative session.
 - Some pessimism about whether this roundtable process is just a box-check by the Governor’s Office.
 - Stream mapping caused confusion and concern related to how regulatory requirements would be applied and their impact.
 - Some pessimism about agricultural interests’ willingness to collaborate and that the sector may be emboldened after riparian protection and restoration requirements stalled in the 2022 legislative session.
 - The Governor’s Office relationship with interviewees is “tenuous” and a lack of trust after the events of the 2022 legislative session.
 - The Governor’s Office needs to acknowledge and apologize before we can move on.
 - The Governor’s Office approach to this legislation probably set the level of trust back many years.

- The Governor’s Office approach was a case study in how not to pass legislation.
- Naming legislation after someone before it is passed is a bad idea, complicates the discussions.
- Frustration that this was seen as a “tribal bill” – it was a bill prepared and proposed by the Governor’s Office.
- We should lean into the science and lived experience in these areas – we have learned a lot over the last 100 years, and we should take advantage of that knowledge as we think about how to move forward. This is a long game, not a short and easy fix.
- Pilot project suggestions:
 - Riparian improvement project on a large farm in coordination with farmers, tribe, and local government.
 - Work on comprehensive riparian protection and restoration in one watershed to build a formula that could translate to other watersheds.
 - Start with work to improve riparian habitat on public lands (county, state, and federal) with robust monitoring, and then move to work on private lands once more data is available as to what works most effectively for salmon.

V. The roundtable process

P&C has just begun the second phase of our work under the budget proviso, which will be a series of roundtable meetings and a final report. Specifically, we envision three meetings, each a half-day in length. These will include a broad group of key leaders from tribal, state, and local government, various industry sectors (including timber, agriculture, and residential development), and environmental and salmon recovery organizations. The roundtable meetings will take place in mid-October, early November, and mid-November. The goal will be to identify recommendations for changes in policy and spending priorities to improve riparian habitat that could be supported by the roundtable participants. This includes recommendations on the specific areas identified in the budget proviso.

P&C has been clear from the beginning of our engagement on the budget proviso that we do not believe this facilitated process will comprehensively resolve the complex issues involved in improving riparian habitat in Washington, especially within the short time window the proviso provides. However, P&C is optimistic that, through collaborative dialogue, the roundtable participants will support some substantive measures that will result in significant improvement to riparian habitat. More importantly, P&C is hopeful that this dialogue will provide a framework, and enhance mutual trust and respect, that will help develop a more comprehensive strategy.

VI. The roundtable invitees

The following individuals have been invited to participate in the roundtable meetings:

1. Bill Clarke, Attorney at Law and Lobbyist, Washington Realtors and Washington Public Utilities District Association
2. Carl Schroeder, Deputy Director of Government Relations, Association of Washington Cities
3. Chris Pettit, Executive Director, Washington State Conservation Commission
4. Darcy Nonemacher, Government Affairs Director, Washington Environmental Council
5. Daryl Williams, Environmental Contractor, Tulalip Tribes
6. David Herrera, Fisheries and Wildlife Policy Advisor, Skokomish Tribe
7. Derek Sandison, Director, Washington State Department of Agriculture
8. Diana Carlen, Vice-President, Gordon Thomas Honeywell Governmental Affairs, and Consultant, Washington Association of Wheat Growers, Washington Potato and Onion Association, and other agricultural interests
9. Edward Johnstone, Chairman, Northwest Indian Fisheries Commission
10. Jason Spadaro, Executive Director, Washington Forest Protection Association
11. Jay Gordon, Policy Director, Washington State Dairy Federation
12. Jeff Davis, Director of Conservation Policy, Washington State Department of Fish and Wildlife
13. Jeremy (J.J.) Wilbur, Tribal Council Vice Chair, Swinomish Indian Tribal Community
14. Jim Cahill, Senior Budget Assistant to the Governor for Natural Resources, Office of Financial Management
15. Jon DeVaney, President, Washington State Tree Fruit Association
16. Justin Allegro, Policy Director, The Nature Conservancy in Washington
17. Kadi Bizayeva, Tribal Council Member and Fisheries Director, Stillaguamish Tribe
18. Kate Dean, Commissioner, Jefferson County
19. Kris Peters, Tribal Council Chairman, Squaxin Island Tribe
20. Laura Blackmore, Executive Director, Puget Sound Partnership
21. Leonard Forsman, Tribal Council Chairman, Suquamish Tribe
22. Loni Greninger, Tribal Council Vice Chair, Jamestown S'Klallam Tribe
23. Mark Streuli, Lobbyist, Washington Cattlemen's Association
24. Matt Harris, Director of Governmental Affairs, Washington State Potato Commission / Chris Voigt, Executive Director, Washington State Potato Commission
25. Megan Duffy, Director, Washington State Recreation and Conservation Office
26. Nick Streuli, Executive Director, Policy & Outreach, Office of Governor Jay Inslee
27. Patrick DePoe, Tribal Council Vice Chair, Makah Tribe
28. Paul Jewell, Policy Director – Water, Land Use, Environment & Solid Waste, Washington State Association of Counties
29. Phil Rigdon, Director of Natural Resources, Yakama Nation / David Blodgett III, Technical Coordinator, Yakama Nation Fisheries
30. Ron Wesen, Commissioner, Skagit County
31. Rosella Mosby, President, Washington Farm Bureau
32. Ruth Musgrave, Senior Policy Advisor for Natural Resources, Office of Governor Jay Inslee
33. W. Ron Allen, Tribal Council Chairman, Jamestown S'Klallam Tribe
34. Wes McCart, Commissioner, Stevens County
35. Willie Frank III, Tribal Council Chairman, Nisqually Indian Tribe

VII. Conclusion

The extensive interview process to date provides a great deal of information on the varied perspectives of key leaders working on issues around riparian habitat improvement. While there are clear areas of disagreement, there are also areas P&C believes provide opportunity and a strong basis for collective support of recommendations for changes in policy and spending priorities for improving riparian habitat in Washington. We look forward to the next phase in this independent facilitation process as we submit our final report.