



SKAGIT COUNTY MARINE RESOURCES COMMITTEE

Summary of the **May 9, 2024**, Skagit County Marine Resources Committee (MRC) Microsoft Teams Meeting

Attendees:

- **MRC Members:** Tracy Alker, Betsy Stevenson, Lynne Wenberg-Davidson, Melissa Ciesielski (Catey's Alternate), Darla Gay Smith, Jude Apple, Kevin Anderson, Matt Castle, Paul Dinnel, Pete Haase, Catey Ritchie
 - **MRC Members Absent:** Elizabeth Drozda
- **Others in Attendance:** Cecilia Gobin (NWIFC); Cynthia Nielsen (Volunteer); Jeff Whitty (NWSC)

Call to Order and Introductions: Betsy called the meeting to order at 9:04 a.m. and opened the meeting with introductions.

Approval of Minutes: April 11, 2024, MRC meeting minutes were approved by consensus.

Public Comments: None

Tribal Treaty Rights: *Cecilia Gobin, Northwest Indian Fisheries Commission (NWIFC)*

- The U.S. recognizes tribes as sovereign nations and the rightful owners of the land through the signing of treaties.
- Treaties are defined as the "supreme law of the land," which trumps state law.
- 29 federally recognized tribes in WA.
- The NWIFC works for 20 of the federally recognized tribes in WA that have treaties with the federal government.
- 5 treaties negotiated with tribes in western WA in 1854-55 to make way for western expansion. Language barriers were a limiting factor during negotiations.
- Treaties reserved portions of tribe homelands/reservations for their exclusive use and occupancy in perpetuity and the right to govern themselves. They also gave tribes rights to fish, hunt, and gather at all their usual and accustomed grounds and stations on and off reservation.
- Treaty of Neah Bay was only signed by the Makah tribe and gave them the right to hunt whales. Other treaties were boiler plate signed by multiple tribes.
- The Fish Wars was an era throughout the 1960s. As more settlers came to WA there was an increase in non-tribal commercial fisheries, logging, and agricultural practices which impacted fish habitat and salmon stocks. Non-Indians blamed tribes for the dwindling resources and put pressure on the state government to crack down on tribal harvests. Indians were arrested when they tried to harvest fish off-reservation even though they had the right to.
- Boldt Decision 1974 established tribes as co-managers of the resource with the state of Washington and gave tribes the right to 50% of the harvestable salmon returns (including hatchery fish).
- Washington State refused to implement Boldt's ruling until 1979 when Supreme Court largely upheld the decision of lower court and temporarily took away the State's power to manage fishing and gave power to the Coast Guard and U.S. Marshalls to enforce the court order.
- Additional Supreme Court rulings: State and tribes must co-develop long term plans rules for management and allocation of salmon. Salmon must be managed by river system, run by run. It was determined that the term "fish" in treaties refer to all fish species, not just salmon, including shellfish and marine mammals that have been traditionally hunted.
- Shellfish Harvesting Rights- Tribes have the right to harvest shellfish on state and private tidelands which was a hotly debated decision. Tidelands belong to the public in most states. WA is unique in that private landowners

can own tidelands. Private tideland property owners were concerned tribes would overharvest their personal property, but that hasn't happened.

- Tribes also have the right to have fish protected from environmental degradation. Tribes filed a lawsuit in 2001 to force WA to repair their failing, fish-blocking culverts. In 2013 Supreme Court ordered WA to repair nearly 600 culverts by 2030. Tribes meet with the State regularly to get updates on progress to make sure work is getting done.

Northwest Straits Commission Report: *Lynne Wenberg*

Last NWSC meeting occurred **April 26**, 10am-noon, held virtually via Zoom. Highlights shared with the MRC in the meeting packet.

- San Juan MRC Derelict Vessel Turn-In Event- April: 14 vessels were turned in and deconstructed. Highlighted in NWSC newsletter.
- NWSI Fall Leadership Retreat: ECO Resource Group performing a series of interviews with reps from the MRCs, NWSC, and NWSF to define what the NWSI is today and looking forward. Results will be presented virtually: July 10 from 3-5pm. Contact Caitlyn Blair (blair@nwstraits.org) for more info.
- "Fish War" Film Premiering May 11-12, 2024: Seattle International Film Festival. More details and trailer on [website](#).
- Snohomish MRC Community Needs Assessment: The UW Evans School Student Consulting team will present Community Needs Assessment results at Snohomish MRC meeting on May 15 from 6:30pm-7:10 pm. Contact Elisa Dawson for Zoom Link: elisa.dawson@snoco.org.
- Speed Date with a Scientist Presentation: How collaborative partnerships (including MRCs) use science in the Puget Sound basin presented by Tom Koontz and Craig Thomas. Summary report shared with MRC members. Invited to present at the July 11 Skagit MRC meeting.
- Next NWSC meeting: **May 31**, 10am-3pm, at the Camano Island Library

Project Status & Discussion

- Salish Sea Stewards – Darla Gay Smith:
 - Final class and graduation held April 30 at Padilla Bay with 26 new graduates.
 - The last class featured a 1-hour presentation "One Year as a Salish Sea Steward" by Ron Conte, a 2023 graduate, highlighting some of his volunteer work including plankton surveys, juvenile Dungeness crab molt studies, forage fish surveys, and stormwater monitoring.
 - Each new Steward was given a Certificate of Completion, letters of congratulation from the SMRC & Padilla Bay NERR along with a SSS logo T-Shirt/uniform, a name tag on a lanyard, and a current list of volunteer opportunities.
 - AC Member Rachelle Kierulff educated the graduates on the purpose of the Advisory Committee and encouraged new volunteers to join. 2 new graduates are considering auditing the AC meetings to see if it might be a good fit.
 - Volunteer opportunities are posted every 2 weeks in *The Wave*, an electronic bulletin maintained by PBNERR.
 - Next Salish Sea Stewards Advisory Committee meeting will be held May 17.
 - To date, SSS have recorded over 50,000 volunteer hours since 2015.
- Forage Fish Surveys – Pete Haase:
 - Monthly sampling continues at 4 Index sites: Guemes Channel, E. Similk Bay (Swinomish Reservation), Samish Island, and west of marina towards Skyline.
 - Monthly sampling continues at 3 Restoration Sites: Bowman Bay, W. Similk Bay (private property), and Clayton Beach (Skagit volunteers alternate monthly sampling with Whatcom County).
 - Monthly surveys at the Fidalgo Bay Aquatic Reserve for DNR continue.

- In April, volunteers got some unusual looking egg samples in Similk Bay that they could not identify. Sent the samples to WDFW to ID.
- One of the newly graduated Salish Sea Stewards joined the forage fish survey team.
- Forage Fish Outreach Activities:
 - April – MVHS Science. Very busy with lots of kids.
 - May 21- Forage fish volunteers assisted 1st and 2nd graders from Island View Middle School in learning about forage fish at the Fidalgo Bay Resort beach. Kids learned about forage fish and forage fish habitat in the classroom prior to the field trip.
 - June 28- Big outreach event at Bowman Bay will include forage fish surveys & interpretive station, beach seining, and plant maintenance.
- Kids on the Beach – Jude Apple:
 - 10 classes, 250 students from 3 schools participating in the spring program with classroom and field data collecting and analysis components: mudflats, forage fish, and beach seining. Many students have never been to the beach before:
 - April 10: **Concrete 10th-11th grade.** Collected biodiversity and density data of intertidal organisms at Padilla Bay with the help of volunteers.
 - May 6 - May 10: **Evergreen Elementary in Sedro Woolley** 4th grade, 75 students. There was a shortage of bus drivers. Chartering a bus was too expensive. Will need to reschedule.
 - **Action:** MRC might want to consider budgeting for buses for KOTB in the future.
 - May 22: **Allen Elementary in Mount Vernon** 5th grade, 40 students (English 2nd language for many of the students). Will be participating in the mudflat safari at Bay View State Park with the help of volunteers. A lot of these kids have never been to the beach before.
 - The Kids on the Beach program has been so successful that it has infiltrated into many other educational programs at Padilla Bay NERR where they've incorporated many elements from the KOTB program.
- Pinto Abalone Restoration – Paul Dinnel:
 - Puget Sound Restoration Fund (PSRF) finished monitoring all the outplant sites for the season and some outplanting of juvenile abalone. Will finish up outplanting at 4 sites in Skagit in June with Teams from PSRF, WDFW, the Seattle Aquarium and Samish Tribe.
- Olympia Oyster Restoration – Paul Dinnel:
 - During the last several weeks Paul has been picking up some of the native oyster recruitment bags in Fidalgo Bay to monitor recruitment from last year. Counted 450 juvenile oysters per 100 shells in sample bags at the trestle, which is the highest settlement we've seen in Fidalgo Bay in the last 20 years!
 - Paul and his son worked with Matt to set out shell strings (shells on a stick) for the Puget Sound Restoration Fund to monitor oyster settlement throughout Puget Sound.
 - Significant new oyster beds have been cropping up in the muddy area south of the trestle in an area that didn't seem like it would be good habitat for oyster settlement. Some of the new beds are small, but one of them appeared to be around 100 square meters.
 - Paul gave a presentation on oysters to the WCC at Padilla Bay NERR. The WCC will be helping with the oyster restoration work happening at Padilla Bay.
- Fidalgo Bay Trestle – Tracy Alker:
 - Skagit MRC's Grant Funding from NOAA (\$58k) for this project expires December 31, 2024.
 - The City of Anacortes has a contract with Hanson Professional Services for the Fidalgo Bay trestle project that is expected to get signed in April.
 - We are still negotiating the Interlocal Agreement Scope of Work and deliverables with the City of Anacortes. We are getting pretty close to getting it all sorted out.
 - Proposed Framework:
 - Interpretive Signage: City would contract with Museum to create the layout design and will contract with an outside company to fabricate (with MRC grant funds). Skagit MRC Science team will create content.

- Website: City will host the project page on their website and create the QR Code. Skagit MRC Science team will help create content.
- Video: City video contractor would create a series of 3 short video clips (30 or 60 seconds) for social media and websites. Could include drone footage and interviews with scientists. Details will have to be fleshed out.
- Community Engagement: City would host 3 community meetings at the Anacortes Senior Center hosting local scientists and project partners. City staff would also host an informational booth at Fidalgo Bay Day.
- Preliminary Concept Design: This is one of our grant deliverable requirements. The concept design will not be completed until after our grant expires. Hanson would provide a very preliminary concept design by the end of December. City provided updated scope and fees which would cost an estimated \$48k for additional Geotech and hazardous materials sampling, and testing.
- Communications Plan and Outreach Strategy: One of our other grant deliverable requirements is to create a Communications Plan with Messaging and Outreach Strategy which will not be included in the Interlocal Agreement with the City. Jessica Owens, the NWSC Communications Coordinator, offered to help facilitate this and shared the Communications Plan template to start plugging in information.
- **Action 1**: Approve Scope of Work and budget allocation of MRC Grant Funds to finalize the Interlocal Agreement with the City of Anacortes.
- **Action 2**: Assemble a team of scientists to start developing content and messaging.
- **Action 3**: Create a Communications Plan with Messaging and Outreach Strategy
- Fidalgo Bay Day –Tracy Alker:
 - Date has been set for Saturday, August 24, 2024, at the Fidalgo Bay Resort.
 - Save the Date notices have been sent out to past participating organizations and volunteers. Responses are slowly trickling in.
 - Will start reaching out directly to past volunteers in a couple of weeks to confirm participation and fill spots.
 - Trying to schedule our next planning meeting this month.
 - Erin Merklein, Volunteer Coordinator with PBNERR, and the County NRD education/outreach staff joined the planning committee! Will need to update the flyers with new partner logos.
 - Reached out to Amy with The Salish Sea School to ask if students might be interested in hosting the craft tables and/or face painting this year. She said she would ask, but students are busy so no guarantee. Plan to contact the Childrens Museum next.
 - Rosie confirmed she will be participating again this year with the No-Host Salmon BBQ. We will need to get more details from her regarding the menu & prices.
 - Looking for someone to take the lead on contacting restaurants for chowders.
- School Rain Garden – Tracy Alker:
 - Tracy met with Diane and Lynne at the La Conner School Rain Garden on April 27th to do a soil infiltration test and assess the existing conditions of the site.
 - The soil drained quickly and appeared to be very healthy, so no need to replace it.
 - The plants that were there also appeared to be very healthy and happy mature plants.
 - There are several bare areas that could use some sprucing up with additional plants and mulch.
 - The impervious area along the eastern corner of the rain garden could use an upgrade where stormwater isn't draining properly into the raingarden.
 - Lynne created a diagram showing existing conditions and list of proposed actions for making improvements including:
 - ❖ Spruce up the rain garden with additional native plants and mulch and incorporate indigenous plantings for food and/or a medicine garden to support the Swinomish's Between Two Worlds program.

- ❖ Improve stormwater flow into the rain garden by creating additional notches or removing sections of the curbed area and creating a drain path in the asphalt area to the rain garden.
- ❖ Adding interpretive signage like the one installed at the Mt. Erie School Rain Garden.
- Next Steps:
 - Scheduled a site visit on May 20th with the Skagit County Road Shop Staff, Skagit Conservation District Staff, and Swinomish staff to get their technical expertise and cost estimates on the proposed improvements. The School Principal and Facilities Staff will likely be there as well. The School District will need to approve the proposed work before moving forward with construction.
- Kayak Kelp Surveys – Lynne Wenberg-Davidson:
 - NWSC/NWSF held the annual 2024 Kelp Kayak Kickoff meeting on May 1 in person at PBNERR and partially online for all participating MRC's. Safety, kelp data resources and preseason prep were covered, as well as hands-on practice skills for protocols, data collection and management for those interested. It was well attended by the Skagit kelp kayaker team.
 - Kelp presentation at the Salish Sea Stewards training along with a plug for new kayaker kelp survey volunteers – we had one interested, but they will likely join the Whatcom MRC team.
 - 2024 Kelp Surveys will begin again in June with a Skagit team pre-season review and BBQ scheduled for June 6 and a shake-down paddle planned for June 14.
 - Exploring the possibility of adding new kelp bed(s) to survey in collaboration with the Swinomish off Lone Tree Point and Hope Island and Kiket Island - Steve Olsen has offered to lead. The Swinomish will provide launch access at Thousand Trails. The site recon went well and looks feasible. The next step is to find a few experienced kayak kelp survey volunteers willing to add this kelp bed to their schedules this year.
 - Lynne and Jeff W met with Pacific Northwest National Labs to learn more about the work they are doing to model the currents in the Salish Sea:
 - <https://nvs.nanoos.org/WaysWaterMoves>
 - <https://ssmc-uw.org/2023/07/12/sscofs-current/>
 - They also have a You-Tube site where you can get short vignettes of different higher resolution studies that have done for various areas across the Salish Sea:
 - <https://www.youtube.com/@salishseamodelingcenter7155>
 - David Trimbach, NWSC Science Advisory Committee and WDFW Conservation Social Scientist is meeting with MRC kelp teams and others to collect information for a HSIL proposal to connect with diverse communities, including Asia Pacific Islanders, on their relationships / interaction with kelp. Objective is to provide more targeted and useful communication to communities on the value of kelp (seaweed), including legal uses and restoration / monitoring / protection needs. Lynne recently met with David about the project.
- Bowman Bay Plant Maintenance and Beach Seining– Lynne Wenberg-Davidson:
 - **Beach Seining:** Jason Morgan with the NWSF is leading the beach seining effort for the Skagit MRC with the help of volunteers including MRC members (Paul Dinnel and Lynne Wenberg-Davidson), from January 2024 through December 2025. Beach seining currently takes place twice a month through June. It will be reduced to once a month starting in July through the end of 2025.
 - **Plant Maintenance:** Lisa Kaufman with the NWSF is leading the plant maintenance effort for the Skagit MRC. Foundation staff continues to do weekly plant maintenance at the site every Thursday to make sure the plants get watered on a regular basis during the hot and dry summer months. Monthly volunteer stewardship events will be held May 30th, June 28th, July 25th, and August 22nd from 9am-11am.
 - **Bowman Bay Outreach Event- June 28th:** In partnership with NWSF, SFEG, State Parks, and Skagit MRC. Details are still being work out. Will include beach seining demos, plant maintenance, forage fish survey demos, outreach tables, etc.

- **Other (non-MRC) Bowman Bay Restoration Updates:** With funding leftover from another project, the NWSF is working with Deception Pass State Park and USFWS to develop a design for removal of the Bowman Bay boat ramp and armor/debris that was exposed during the December 28 storm event. The boat ramp would likely be replaced with a gravel slope to allow for hand-carried vessels. USFWS will provide federal ESA permitting assistance to Parks. Design should be completed by end of September.
- **Skagit Shorelines Needs Assessment– Lynne Wenberg-Davidson:**
 - **Goal:** Produce a Skagit Geodatabase with interactive web-based tools compatible with SoundIQ; Skagit Nearshore Inventory Resource List; List of Prioritized Skagit Focus Areas and a Top Priority List of Skagit MRC Projects and recommended action plans. Confluence Environmental was the firm selected for this project through a competitive process.
 - **Updates:** The Shoreline Needs Assessment project is underway.
 - Kickoff meeting was held April 19 – introductions, review more detailed Confluence Project Plan, open Q&A and a focus on the Task 1 geodatabase design and deliverables. Suzanne Shull (NWSC) attended and was a significant help in clarifying approach needed for Task 1/5 Geodatabase and deliverables to be compatible with SoundIQ.
 - Next steps: Confluence set up 30 minute “check in’s” every 2 weeks to monitor progress and answer questions as the deliverables are developed.
 - First check in was Wed May 5 which covered project status, project needs and next steps.
 - Next Deliverables Due: Initial Geodatabase design (Task 1) and Literature Review (Task 2) (Due: June 10)

Vessel Turn-In Event Update: *Melissa*

- Swinomish in partnership with NWSC, Skagit MRC, Port of Skagit, La Conner Marina, DNR, and Skagit County will be co-hosting a vessel turn-in event towards the end July with NWSC and DNR funding.
- We’ve started promoting the event this month.
- Registration will close the end of June.
- The County intern will be distributing flyers to local marinas today.
- There are several vessel owners that have already expressed interest to Catey about participating.
- The Turn-In Event could last a few days to a few weeks depending on how many vessels register.
- There will likely be a media day with the partners and press present.

Miscellaneous Discussions and Announcements: *All*

- **Skagit Green Crab Molt Search Training:** Saturday, June 15 from 10:30am to 12:30pm at Padilla Bay. Must register! <https://www.eventbrite.com/e/skagit-molt-search-training-tickets-884423523567?aff=oddtcreator>. This training will be co-hosted by the Skagit MRC, Padilla Bay, and the Northwest Straits Commission.
- **Bowman Bay Stewardship Days:** Weeding, watering, and spreading compost and mulch. Bring you Discover Pass, water bottle, garden tools, and gloves! Hope to see some MRC members out there!
 - May 30: 9am-11am
 - June 28: 10am-1pm (part of a larger outreach event)
 - July 25: 9am-11am
 - Aug 22: 9am-11am
- **Skagit MRC Website is Getting an Upgrade:** Will be migrating content to the new website sometime next month. Looking for good photos and input on content and design.
- **Voluntary No Anchor Zones:** NWSF will begin coordination and permit applications for Seafarer’s Park in summer 2024 including outreach to area tribes. Will likely contract for an updated eelgrass survey (boat based). Potential constraint may be the ability to reach US Coast Guard for permits. The Lummi Island project has diverted to virtual project due to a lack of communication from USCG.
- **Shore Friendly Update:** *Shore Friendly Living Video Series:* “Trees and Views” video published in January 2024. Additional video development on hold until summer 2024. *Contractor Training Curriculum:* Three coordination meetings have been held to date to develop curriculum for arborists/landscape contractors. Survey emailed to

contractors listed on ISA “Find an Arborist” database to determine interest including topics, time of year, locations, etc. Anticipate first workshops to be held in late fall 2024 or early 2025. Note: NWSF has concurrent funding through the HSIL as of March 2024, for these same projects and programs. Need to coordinate with Sasha and MRC to determine best use of remaining funds.

- **The Fish Wars**: This year marks the 50th Anniversary of the Boldt Decision. To help celebrate, The Fish Wars documentary will be featured at the Seattle Film Festival this weekend. Tickets can be purchased online.

The meeting adjourned at 11:11am. The next MRC meeting will be held in person at Padilla Bay on June 13, 2024