

Draft Agenda
Lake Ozette Steering Committee Meeting
September 4, 2013, 10:15 a.m. – 3:15 p.m.
Location: Sekiu Community Center

Meeting Purpose: To discuss the LOSC consensus decision-making process, Near Term Projects, Landowner Liability Legislation, Steering Committee outreach activities, project funding sources, and next steps for the Steering Committee.

Time	Item	Materials
10:00 a.m.	Optional “Meet & Greet” with snacks (for those who can arrive early)	
10:15 a.m.	Welcome/Introductions <ul style="list-style-type: none"> • Review agenda and materials • Review May 9 meeting summary—any changes? • Review Ground Rules (Scott Rumsey) • Updates and announcements <ul style="list-style-type: none"> ○ Public Comment received ○ LOSC email distribution list ○ Predation Workgroup ○ Report from the Lake and/or tributaries? ○ Status of NOAA Resource Management Plan (RMP) update ○ Others? 	-Draft agenda -May 9, 2013 draft meeting summary -Ground Rules -Email distribution list
10:45 a.m.	Consensus Decision-Making Process <ul style="list-style-type: none"> • Background from Triangle • Discuss and make preliminary decision on model that works best for LOSC (final decision will be made at next meeting) • Clarify: on Admin Team calls—others can speak, but Admin Team members are decision-makers 	-Options for Consensus Decision-Making
11:30 a.m.	Review & Updates on Near-Term Priority List (NTPL) <ul style="list-style-type: none"> • Next steps for CMER presentation <ul style="list-style-type: none"> ○ Note: NCASI presentation on Coho can happen, but likely not until Fall 2014 • DIDSON update • Other updates from project leads • Consideration of a two tier Priority List (add “Projects of Interest”) <ul style="list-style-type: none"> ○ Clarify purpose of NTPL—living document with actionable projects that will help sockeye; projects that can realistically be done in near-term to help sockeye; or other? ○ Hoko-Ozette Road Assessment—status and next steps 	-Near-Term Priority List -CMER draft letter
12:30 p.m.	Lunch	
1:00 p.m.	Review & Updates on Near-Term Priority List (NTPL) (continued)	-Near-Term Priority List

Time	Item	Materials
1:45 p.m.	Briefing on Landowner Liability Legislation (RCO Representative) <ul style="list-style-type: none"> • Q&A and Discussion 	-House Bill 1194
2:15 p.m.	Public Outreach Subcommittee Update <ul style="list-style-type: none"> • Field Trip/conference call report out • Oral history project update • Action items & next steps 	-Public Outreach Subcommittee call summary
2:45 p.m.	Funding <ul style="list-style-type: none"> • Applications submitted? New sources? • Update on facilitation funding 	-Near-Term Priority List
3:00 p.m.	Next Steps <ul style="list-style-type: none"> • Summary of action items • Next meeting date (Nov/early Dec) / agenda topics? 	
3:15 p.m.	Adjourn	

Meeting Summary
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Meeting Decisions List:

- Approved the May 2013 meeting summary with suggested edits.
- Agreed to maintain a safe environment for discussion.
- From now on, the agendas will note whether an agenda topic is a decision item.
- For the consensus decision-making process, Committee members generally opposed the options of: having all decisions made at the meeting final and having no timeline for expressing concerns about decisions made at meetings. They agreed to rule out those two options and consider the other two as a hybrid option at the next meeting. LOSC members are encouraged to send the facilitators examples for those options.
- Triangle will include the Meeting Decisions List (in the body of the email) when the draft meeting summary is sent (as an attachment).
- The Committee gave the Public Outreach Subcommittee approval to organize a fish viewing event in October or November.

Introductions, Agenda review, and Meeting Summary Review

Sarah Saviskas, Triangle Associates, welcomed the Lake Ozette Steering Committee (LOSC or “the Committee”), and LOSC members introduced themselves (*see Attachment 1*). The facilitator reviewed the agenda and asked the Committee for any requested revisions. One Committee member requested that the NOAA Resource Management Plan (RMP) update and Predation Workgroup agenda topics receive more time at a subsequent meeting. The facilitator explained that the Predation Workgroup has not had a conference call between the May and September LOSC meetings, which is why it did not receive more time in the agenda, and that a NOAA representative would update the Committee on the RMP update at this meeting.

The Committee considered the May 2013 draft meeting summary, and the facilitator noted that Triangle would add a note to the section on the *West End Natural Resources News* article to reflect that the DIDSON section was removed after the meeting due to concerns. One LOSC member asked for clarification of the difference between signage and exhibits, since previous documents replace “signage” with “wayside exhibits.” It was explained that the Park uses “wayside exhibits” for official signs. One Committee member requested more time to review the summary due to potential concerns, so the Committee reconsidered the summary at the end of the meeting. At that point, the Committee had resolved the outstanding questions and approved the May LOSC meeting summary with the suggested edits.

Ground Rules

Scott Rumsey, NOAA Fisheries, discussed the importance of having a respectful environment at meetings in which LOSC members hold each other to mutual expectations. As a co-convenor, NOAA has a responsibility to ensure a respectful, professional, civil, and safe environment at LOSC meetings. He asked that the Committee consider and approve the draft ground rules presented by the facilitator. If the Committee is unable to agree to ground rules and foster this type of environment, NOAA might take action to further ensure the safety of all people working towards Lake Ozette sockeye recovery, including moving the meeting location to a secured building in Port Angeles or ending the NOAA financial sponsorship of facilitation services. The representative from the Washington Coast Sustainable Salmon

Partnership (WCSSP) explained that he also has an obligation to his Board to use the LOSC sponsorship funds in a responsible manner.

The facilitator presented the draft ground rules for discussion, which include ground rules for both participants and the facilitator. These were developed from an earlier set of broad ground rules that LOSC considered and other ground rules that the facilitator has used successfully with other groups. The hope was to preliminarily approve the ground rules at this meeting, allow for further consideration, and approve them at a subsequent meeting.

Comments & Discussion

- In the past (January 2010), the Committee had considered ground rules but they were never formally adopted by the Committee.
- The Committee considered how long to discuss an issue, since LOSC is ultimately focused on progressing recovery issues. One LOSC member suggested that there be a hand signal when Committee members believe an issue has been discussed enough and are ready to make a decision or move on. Another member suggested that it is important for the facilitator to check in with the group to see if everyone feels a given conversation is relevant or if the group should move on.
- A LOSC member suggested that since the facilitator's role is to keep the group on track, the participants should respect the facilitator's authority to guide off-track conversations back to the topic at hand. The facilitator can use a "parking lot" list to keep track of conversations that are not germane to the agenda but are important to consider at a later date.
- One suggestion was if a small number of people are really interested in a topic, LOSC can ask them to form an ad-hoc subcommittee to consider that topic in detail and report back.
- A LOSC member expressed concern about operating under formal ground rules.
- After some discussion about whether the draft ground rules should apply to this meeting or not, the facilitator asked the group to agree to maintain a safe environment for discussion. In between this and the next meeting, the facilitator will work with individual Committee members to develop a list of draft ground rules that will have more support. The facilitator will provide a revised draft to LOSC members at least one week prior to the next meeting.

Public Comment

Triangle keeps a log of public comments, though there have not been many throughout the years. A public comment was submitted in May; this comment focused on the lack of progress by the Committee. This brought up the larger question of where information is archived, such as the public comments. Though WCSSP had a hiccup in their archival LOSC information, they are willing to continue to archive. The question of what to do with the public comments and if responses are merited, which will be a discussion topic at a subsequent meeting.

LOSC Email Distribution List

The facilitator reviewed a handout reflecting the current email distribution list with highlighted names of those who attended at least one meeting since 2011.

Comments and Discussion

- Some email addresses have changed, though the facilitator receives no "bounce back" emails. It is possible that those people have their emails forwarded to another email address which is why there is no "bounce back."
- It was noted that some individuals have moved on or may have retired.
- There are a few organizations that are not represented on the list who should be receiving information.

- Committee members are asked to email the facilitator regarding which contacts to edit, remove, invite to be added to the list, or follow up with regarding if they want to stay on the list.

Predation Workgroup

No meetings or work has happened since the May 2013 LOSC meeting. Pat Crain hopes to organize another conference call for the Predation Workgroup sometime this fall. Though there has not been any progress over the summer, there is still a desire to keep moving because this is a big issue. The facilitator will follow up with Pat to help keep it moving.

Report from the Lake and/or tributaries

- Quite a few visitors and landowners have noticed a seal population presence.
- A fish kill happened on bullhead catfish (a non-native species). It lasted for about three weeks in late June or early July, and about 20 dead fish were discovered on the beach.
- The phragmites have grown considerably this summer and are now competing with bearded iris.
- Last year, the Park installed thermographs for water and air temperature and collected habitat and benthic insect information. This summer, the Park found all the thermographs so they have a year's worth of temperature information, and they can redo the habitat and benthic insect information.
- Harry Bell (Green Crow) has about five years' worth of sediment data from the area. He provided handouts for the Road Maintenance and Abandonment Plans (RMAP) projects that Green Crow has done, mostly in the Coal Creek drainage. He suggests doing a field trip in the middle of winter (rainiest time) so LOSC can see where the water is.
- Makah is in the process of analyzing data from Umbrella Creek.

Status of NOAA Resource Management Plan (RMP) update

There have been no meetings or progress on the RMP update yet. The RMP will continue because it does not have a "sunset provision". The tribe will inform NOAA if they want to continue the Plan, and it is more an opportunity to check in about the RMP than make major revisions it. The RMP update is a key action to reestablishing the tributary spawners.

Comment: There was a request for NOAA Fisheries to clarify whether it intends to do a public process, what the timeline will be, and who the main point of contact is for this process. NOAA will follow up with this person individually.

Consensus Decision-Making Process

The facilitator explained that a concern was raised by someone absent at the last meeting about a decision. To help clarify the process to reduce confusion in the future, Triangle developed some questions for LOSC to consider about how to make long-lasting consensus decisions. The facilitator then walked the group through the graphic handout.

Comments and Discussion

- Topics can drag on if there is no deadline for a decision. The group has struggled with this in the past because Committee members are interested in being flexible to consider complex issues but also having the ability to make quick decisions when there is a tight timeline.
- It was noted that while LOSC is an ad-hoc committee that does not make binding decisions, LOSC can help support issues if there is consensus. If an individual or individual agency needs to move forward with something, they can do so regardless of the Committee's actions. The Committee strives to seek consensus, but that may not always be possible in given timelines.

- There is a difference between products that refer to the LOSC and products that are written by someone who is on LOSC but reflect personal views. The “Process for Review of Products” document outlines what kinds of products going out to the public need to be vetted by the group.
- Sometimes a decision item commits a member to do something, and if that member is not present at the decision-making meeting, it may turn out that he/she is unable to follow through on that decision. This is why having an ability to revisit a decision is important.
- It was determined that in addition to including the Meeting Decisions List at the beginning of the meeting summary, Triangle will also include it in the body of the email when it sends out the draft meeting summary (as an attachment).
- It was suggested that Triangle combine two options into one broader option for the consensus decision-making process. If there is a deadline associated with the decision, the concern should be worked out via email within 30 days after the meeting. If there is no deadline, the concern can be worked out via email or at the next meeting.
- Triangle will present the revised process at the next meeting. LOSC members are encouraged to send the facilitators examples for those options.

Review & Updates on Near-Term Priority List (NTPL)

DIDSON Update

Dual frequency Identification SONar (DIDSON) (sonar imaging technology) was taken out of the river. There are four sets of data: the DIDSON before the weir, alongside the weir, independent sampling, and while the weir was out. They had some software issues that backed up viewing/analysis, and now they are in the fourth generation of the software.

Comments and Discussion

- One Committee member asked if Makah could do more sampling once the rains come to collect any data for late run sockeye. If that’s too costly, there could be other options:
 - Do only one week of sampling.
 - Ask the Washington Clean Coast Alliance to do citizen observation during their annual clean-up in two weeks.
- Makah is currently completing the grant reporting requirements, so once they complete that process, they can let the Committee know if there are available funds.
- A Committee member noted that the Navy may be interested in supporting their projects.
- The Park just purchased a similar software system as the DIDSON so once they have trained their staff there could be a potential for troubleshooting collaboration.

Big River Abutment Removal and Floodplain Restoration

Merrill & Ring and Makah have pulled out the abutment and all the trees on both banks and put down straw. In the complex ecosystem, they are trying to allow native species to thrive, including treating and burying knotweed. The project is nearly complete.

Crooked Creek: Road 5800 Bridge Replacement

The bridge has been ordered and is scheduled for delivery in early October. Merrill & Ring and Makah hope to go forward with placing the bridge (weather permitting), otherwise they will wait until next year. They hope to go forward with the road construction, though the plan is to keep the old railroad piling intact.

Basin-Wide Invasive Weed Assessment

The Park just received the request for proposals for internal Park funding. Last year, they had put together a proposal for invasive weeds Park-wide, including Lake Ozette. Steve Acker will try to revive that proposal and resubmit.

Comments and Discussion

- Quileute just wrote a grant for treating invasive weeds (submitted but not yet funded). In general, private landowners and DNR are not able to keep up with the spread of invasive weeds and rely on grant projects by others.
- The Park's Dan Campbell (invasive weeds lead) is working with the County and timber companies to reduce the spread of invasive weeds and exotic plants.
- One Committee member asked that Steve Acker consider how to re-vegetate when the Park removes invasive weeds.
- It was noted that there is a lot of morning glory and knotweed in Big River.
- The Committee discussed the potential of having a GIS map with each species being a different layer. It is important to see where each species is individually but also how they interact across the landscape.
- In the past, Makah has put out public articles or posters showing photos of invasive weeds and asked people to contact Makah if they see that plant. If this were done again, it could help with a mapping effort as well as teaching the public how to deal with these weeds on their own property.
- The Clallam County Noxious Weed Control Board acts as an information clearinghouse for each invasive species. LOSC is interested in continuing to provide that information to the County and having them serve as a communal data collector.
 - It was suggested that the County add a place on their website for landowners to indicate how they want to be contacted by the County for information about invasive weeds.
- LOSC discussed the importance of ongoing treatment and education, since the weeds are so pervasive.
- It would be helpful to have information about each invasive species added to fishing pamphlets so boaters can better understand what to look for.

(A LOSC member indicated after the meeting that WDFW has a flyer on this already, available at: <http://wdfw.wa.gov/publications/00713/wdfw00713.pdf>.)

Egg Survival Study (RME-18)

The Park will submit a proposal for the incubation survival on the lake's spawning beaches to the Park's NRPP program for funding in 2019.

Predator Investigation (RME-5)

The Park will try to acquire funding through USGS.

CMER Study

Harry Bell has tried to reach out to see if this study can happen somewhere in the Ozette basin, but has not heard back from anyone related to CMER. LOSC members are encouraged to email DNR to find out why this study will not include the Ozette basin and if CMER could present on this project at the next LOSC meeting.

Comments and Discussion on NTPL

A lot of progress has been made on many near-term projects, which should be celebrated. This may also mean that some near-term projects will be complete, which could allow space for some projects from the master list to move up instead of creating a 2-tier project list.

- A limiting factor is that there are not enough people willing to volunteer to lead the projects. If there is funding for a project but no sponsor, the project cannot move forward.
- One Committee member suggested that LOSC invite the Pacific Coast Salmon Coalition (PCSC) to consider projects in the Ozette basin and that they could send a representative to participate in LOSC. The Committee agreed that it would be good to include the PCSC on the LOSC email distribution list. Rich Osborne and Rosemary Furfey will work together to invite them.

- It was also suggested that a LOSC member join the North Olympic Salmon Coalition Board.

Briefing on Landowner Liability Legislation

At the last LOSC meeting, the Committee discussed the need to explore how the new legislation would impact LOSC Recovery Actions. Brian Abbott and Kat Moore from the Recreation & Conservation Office (RCO) joined via conference call, as RCO is developing guidance to implement this legislation, to try to address LOSC questions and concerns.

Questions, Explanation, and Discussion

- *Question:* Does a landowner need to hire a geologist or engineer for a project that does not involve instream construction (i.e., controls weeds or is an assessment or acquisition), because those are considered habitat projects? *Response:* The engineer/geologist is required only for the liability coverage, and projects that are weed control, acquisition, or assessment probably have less of a liability risk.
- *Question:* How does one comply with the mandate to include all the listed people in the lead entity? *Response:* As long as you have reached out to the people on the list, you have met the intent of the “shall” clause about including everyone in a lead entity.
- *Question:* What is the liability for the funder? *Response:* The Attorney General’s office outlined that the sponsor carries almost all of the liability.
- *Question:* How should one measure the length and diameter of the logs? *Response:* It is not clear to RCO how to interpret the size; if the log is in question, err on the side of tagging it since it should be in protection of the landowner.
- *Question:* Is there a plan to establish a WAC for this legislation? *Response:* RCO will find out and follow up with LOSC.
- *Question:* Could a landowner or contractor, be it a governmental agency or NGO (who does not have a specific interest in the land), be relieved of liability for a project? *Response:* They have not identified a plan yet but will follow up with LOSC.
- *Question:* Are federal landowners (i.e., US Forest Service) able to get compensation if a landowner causes property damage through a restoration project?
- *Question:* What is the plan for public outreach of this legislation? *Response:* There is no process outlined right now for public outreach; RCO expects that the sponsors will do that. RCO will get back to LOSC with more specifics as they develop.
- *Question:* What happens to projects that are not funded by the SRF Board, such as a tribe which has not waived sovereign immunity? *Response:* As long as the project is on the Habitat Work Schedule, it should be eligible for landowner exemption. RCO will follow up with LOSC about the sovereign immunity question.
- One LOSC member voiced a concern that RCO staff interpretation may not protect the sponsor from liability as would a clear directive from a statutory amendment or regulation. Staff changes can result in changes regarding application of the law.

Items for RCO to communicate back to LOSC:

- Whether or not there is a plan to develop a WAC from this legislation.
- Whether a landowner or contractor (such as a governmental agency or NGO without a specific interest in the land) can be relieved of liability for a project.
- The plan for public outreach to educate about this new legislation.
- The ability for a tribe that has not waived sovereign immunity to still receive landowner liability coverage.

RCO will keep the Committee informed as it goes through this process. RCO also encouraged LOSC members to talk with sponsors about their liability when they sponsor projects. One Committee member

noted that it is unclear how the liability will address something that the state is starting to incorporate (such as floodways). These questions can be considered when LOSC reviews the master list again.

Public Outreach Subcommittee Update

The Subcommittee is now focused on wayside exhibit signs. This is a specific term to mean the signs are posted on a slant so that they explain the view just beyond the sign.

The field trip in July went well and they stopped at many locations where signs could be useful.

- The state is making a more permanent bulletin board that will explain things to do or see in the area, and they can laminate the LOSC brochure and post it there.
- The Big River abutment site is a great place to have a sign with before and after pictures. The landowner has agreed to a sign there.
- The Umbrella Creek site owner (Forterra) suggested that since that land is in a temporary hold, it may be better not to do anything with that land right now.
- The Park could have a slanted sign on the Ozette River bridge.
- The Subcommittee would like to move forward with developing two new signs at Big River and Ozette River.
 - One Committee member noted that the Big River site is a better one to focus on in the short term.
 - The RCO might help support a sign at Big River, which a LOSC member is exploring.
 - The Park could have a furlough employee do the interpretative work. Getting approval for a sign at Ozette River could take 5-10 years. The process for a sign at Big River would be much faster since it's on Merrill & Ring land. This would just be a pull-out with a sign but no bathrooms or picnic tables.

The Public Outreach Subcommittee would like to sponsor a fish-viewing event this fall, and hopefully make it a destination event every fall. This year they can start with one day of activities, sometime in late October or early November. The Park can put information on their website to encourage participation.

- It was noted that there will be a fire prevention campaign happening on October 12th, so that could be a good date since there will be other community activities happening as well.
- The Public Outreach Subcommittee got approval from LOSC to pull together an event like this.

Lastly, Peggy Foreman noted that it would be great for LOSC members to promote the Lake Ozette Schools Project as much as possible. People are encouraged to talk to Peggy if they know people and/or schools in the community who would be interested. One member suggested reaching out to the homeschool community.

Next Steps

Tentative agenda items for the November/December meeting include:

- How to best deal with public comments
- Consider RCO's responses to the landowner liability legislation
- Revisit the consensus decision-making process
- Hear from the Outreach Subcommittee how the October/November fish viewing event went
- Hear from CMER about the study, if DNR and Ecology respond to LOSC members' requests
- Report on recovery actions and other activities

Attachment 1: Meeting Participants

	Name	Affiliation	Telephone	Email
1.	Miles Batchelder	WCSSP	360-289-2499	milesb@wcssp.org
2.	Harry Bell	Green Crow	360-452-3325	harry@greencrow.com
3.	Ed Bowen	Ozette Citizen		rockypt@olypen.com
4.	Kim Clark	Makah Tribe		Kim.clark@makah.com
5.	Larry Cooke	Makah Tribe	360-640-1144	Larry.cooke@makah.com
6.	Pat Crain	Olympic National Park	360-565-3075	patrick_crain@nps.gov
7.	Gerald Dahlby		951-321-9351	gcdahlby@aol.com
8.	Peggy Foreman	NOAA Fisheries	206-930-8840	peggy.foreman@noaa.gov
9.	Rosemary Furfey	NOAA Fisheries	503-231-2149	Rosemary.furfey@noaa.gov
10.	Katie Krueger	Quileute	360-374-2265	Katie.krueger@quileutenation.org
11.	Scott Rumsey	NOAA Fisheries	503-872-2791	Scott.rumsey@noaa.gov
12.	Stephanie Martin	Makah Tribe	360-645-3173	stephanie.martin@makah.com
13.	Roy Morris	Clallam Bay/Sekiu Lions	360-963-2442	able@olypen.com
14.	Joseph Murray	Merrill & Ring	360-460-3733	jmurray@merrillring.com
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16.	Sarah Saviskas	Triangle Associates	206-583-0655	ssaviskas@triangleassociates.com
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