SECTION 4

GOVERNANCE AND IMPLEMENTATION AND ADAPTIVE MANAGEMENT

4.1 Purpose and Requirements

One of the fundamental premises of the WRIA 1 Watershed Management Project was the recognition that effective water resource management required a commitment extending beyond the development of the Watershed Management Plan itself. As stated in the March 2000 Scope of Work, "One of the most important elements that will be considered is the implementation strategy for plan recommendations." The Scope of Work listed a number of key areas and activities to be considered:

- Long-term organized structure to ensure implementation, review progress, take corrective action, involve the public, report to entities, and respond to new needs or information;
- Long-term data collection, including monitoring and other measures to evaluate success;
- Funding and other resource needs including whether funding is available now and/or how the funding will be provided for each element of the plan;
- What special relationships, rule changes, agreements, contracts, or other arrangements, if any shall be established by or among the various parties involved in implementing the recommendation;
- What methods will be employed by each party to ensure their compliance with the requirement of the plan element(s) for which they are responsible; and
- Contingencies and processes for cases where an organization designated for implementing a plan recommendation is unable or unwilling to do so.

The purpose of this Section is to describe the actions being recommended to address these considerations and ensure plan implementation and future updates.

4.2 Governance Structure and Implementation Strategy

The WRIA 1 Governance and Implementation Strategy is a multi-approach strategy. It includes an Interim Strategy and Long-Term Strategy; both of which address the organizational structure, data collection, resource needs, and relationships between implementing entities as outlined in the March 2000 Scope of Work. The two remaining considerations in the March 2000 Scope of Work will be addressed as part of the Watershed Management Plan approval and adoption process. Related to those considerations, it is important to note that in accordance with the Watershed Management Act the Watershed Management Plan cannot include elements that create an obligation unless the government to be obligated is represented on the Planning Unit. Therefore, it is anticipated that as the Planning Unit is reviewing the WRIA 1 Watershed Management Plan – Phase 1, the representatives of caucuses associated with a recommended implementing government entity will be conferring with their caucus regarding accepting responsibility for an action. In cases where implementation involves a non-government entity, it is important to restate that the identified entity can not be obligated; the action is a recommendation and implementation is voluntary.

4.2.1 Approach for Developing the Governance Structure and Implementation Strategy

Parametrix initiated the process for developing a Governance Structure and Implementation Strategy by completing a literature survey and report on the different approaches that have been taken nation-wide for implementing watershed management plans. WRIA 1 participants used the report as a reference guide as they began discussions about an approach to implement the WRIA 1 Project Plan.

After providing the report to WRIA 1 participants, Parametrix conducted a series of meetings with participants to discuss options and receive feedback on options for a Governance Structure and Implementation Strategy for the WRIA 1 WMP. The approach expressed was to develop a structure that continues to represent a wide-range of water interests and that provides oversight and coordination of water resource management actions.

An Implementation Working Group comprised of staff from the Initiating Governments and a representative of the Small Cities Caucus continued to meet and assess options for achieving the overall approach in the context of resource needs and organizational structures that would continue to respect the government-to-government relationship required by the tribes to participate.

The outcome of the Implementation Working Group's discussions resulted in a recommendation for a multi-strategy approach to governance and implementation. The approach includes an interim strategy that will be the focus of WRIA 1 Watershed Management Plan implementation activities in 2005 and 2006. The interim strategy enables the WRIA 1 Project to continue after WMP approval using limited financial resources. This interim strategy will remain in place until the long-term strategy is implemented. The long-term strategy will need to be finalized in 2005 and 2006. One of the recommendations put forth by the Working Group is based on the approach of a single management entity with a dedicated funding source. This vision (and possibly others) will need to be further discussed and refined early in 2005, along with the funding options necessary to support it. To this end, the Working Group developed a concept paper in December 2004 that advocates establishing a small county-wide property tax levy dedicated to funding the local water resource management program. The concept paper was distributed to the WRIA 1 Planning Unit in January 2005 and will be circulated among community decision-makers in early 2005 in an effort to begin the discussions necessary to support a dedicated funding mechanism. The Working Group will develop a timetable in spring 2005 for pursuing the concept of a dedicated funding source with the goal being to obtain funding for 2007. The timetable should take into consideration the Planning Unit's reduced meeting schedule and obtaining agreements of local governments necessary to implement the funding source. It is anticipated that an agreed upon strategy will be achieved and activated in 2007, including the funding mechanism to achieve WRIA 1 Project implementation.

It is expected, however, that putting the long-term strategy in place will be dependent on obtaining local and other funding that will be pursued as part of the 2005-2006 work plan. During the latter part of 2006, program and project recommendations will be reviewed for

purposes of developing the 2007-2009 WRIA 1 Project work plan. It is expected that review of the long-term strategy and proposed structure will also take place and a determination made as to whether the resources exist to move it forward.

4.2.2 WRIA 1 Interim Strategy and 2005-2006 Work Plan

The Interim Strategy is designed around the activities that can be achieved under a two-year work plan with limited resources; the 2005-2006 WRIA 1 Work Plan. This strategy retains the organizational structure that existed during plan development; this includes the Joint Board, Planning Unit, Staff Team, Instream Flow Working Group, and Technical Teams. Although the organizational structure will remain the same, the processes for the groups will be modified to reflect the reduced level of funding. These modifications are described later in this section. The interim strategy also provides the time needed for WRIA 1 participants to identify the long-term governance structure and pursue options for securing dedicated funding for the long-term strategy. The 2005-2006 Work Plan that will be the focus of activities undertaken as part of the Interim Strategy are described in Section 5.

The specific goals for the Interim Strategy include:

- Receiving, reviewing, and approving Utah State University technical products.
- Implementing the Bertrand and Middle Fork Instream Flow Pilot Negotiations
- Supporting implementation of a WRIA 1 Long-Term Monitoring Plan.
- Acquiring implementation grant funding to support WRIA 1 Project efforts.
- Pursuing options for dedicated funding for WRIA 1 Project
- Pursue Federal appropriation funds to support Plan implementation
- Implementing the 2005-2006 WRIA 1 Work Plan

It is anticipated that resource needs under the Interim Strategy will be met in the following ways: 1) reduce WRIA 1 meeting frequencies, which reduces associated support needs, 2) continue using existing Joint Board staff for specified tasks where possible and to the extent available given other agency program needs, 3) implement activities identified for

funding under the 2004 Whatcom County WRIA 1 budget supplemental, and 4) pursue a Washington State Department of Ecology Implementation Grant.

Interim Strategy Modifications

As previously discussed, there are no proposed changes to the organizational structure for the Interim Strategy; the Joint Board, Planning Unit, Instream Flow Working Group, Staff Team, and Technical Teams will be retained. The processes for these entities, however, will be modified to reflect reduced levels of funding. Following are anticipated modifications to the entities' processes.

Joint Board – The composition of the Joint Board and modifications to the Joint Board's process are not anticipated. Meeting frequency will continue to be on an as needed basis for purposes of providing approvals and policy direction, when applicable.

Planning Unit – The composition of the Planning Unit with respect to caucuses represented will not change. Modifications to the Planning Unit processes include a reduction in meeting frequency. It is anticipated that the Planning Unit will have up to four (4) facilitated meetings per year. Scheduled meetings will be for the primary purpose of considering recommendations relative to instream flows or to the Federal/Tribal settlement negotiations, legislative changes, and formal WRIA 1 Watershed Management Plan updates. Opportunities for feedback and input from the Planning Unit on WRIA 1 WMP implementation activities outside of the scheduled facilitated meetings will be provided through a variety of communication methods including: monthly posting of implementation activities to the WRIA 1 Project website; quarterly distribution of a simple newsletter to update WRIA 1 participants on program and project status; email notifications of events, meetings, and other notable activities as appropriate; posting of Staff Team meeting summaries to the WRIA 1 Project website; and occasional informal, non-facilitated Planning Unit meetings to receive feedback from and/or provide updates to Planning Unit and other WRIA 1 participants. Planning Unit members are also encouraged to contact members of the Staff Team, and in particular the Staff Team chair, if they have comments or concerns that arise through their review of the various update mechanisms. The composition of the Planning Unit with respect to interests represented will not change.

Instream Flow Working Group – The composition of the Instream Flow Working Group and modifications to the Group's processes are not anticipated. It is expected that the primary efforts of this WRIA 1 group will be focused on the Instream Flow Pilot Negotiation projects and continuing efforts to define and pursue local dedicated funding mechanisms for purposes of the long-term strategy for WRIA 1 Project management.

Staff Team – The composition and function of the Staff Team will not change as part of the Interim Strategy. The primary change to the Staff Team's process is a change in meeting structure and support. Meeting frequency will be reduced to monthly with note-taking to be provided by the Staff Team meeting chair. Meeting summaries will be posted to the WRIA 1 Project website as a way of maintaining a predictable flow of information on WRIA 1 project administrative discussions to interested WRIA 1 participants. The posting of the summaries is a new change in function intended to help address any information gaps that may occur with the reduction of formal Planning Unit meetings as discussed previously. It should also enable Project participants to remain informed about the progress on activities so that, if there are concerns or comments, they can be provided to the Staff Team chair for consideration by the group.

Technical Teams – The composition of the Technical Teams is not expected to change. The Technical Teams will continue to meet on an as needed basis. Technical Team Leads will be responsible for documenting actions taken at meetings. Meeting actions will be posted on the WRIA 1 project website as a way to maintain information flow to all WRIA 1 participants.

4.2.3 WRIA 1 Long-Term Strategy

The long-term strategy for the WRIA 1 Project envisions a single management entity providing the structure for long term water resource management. The structure that is envisioned will continue to include representation of a wide-range of water interests; involve federal, tribal, state, and local governments; and provide community members with opportunities to become involved in managing water resources in WRIA 1. It is recognized that achieving this vision will require a secured local funding mechanism. Securing this mechanism requires several months of planning to both define an approach and to receive

public and political support. Therefore, although the actual implementation of the long-term vision is not planned to occur in the 2005-2006 work plan that is the focus of this WRIA 1 WMP- Phase 1, the efforts to identify and pursue the funding mechanism is part of the 2005-2006 strategy. To this end, the Working Group developed a concept paper in December 2004 that advocates establishing a small county-wide property tax levy dedicated to funding the local water resource management program. The concept paper was distributed to the WRIA 1 Planning Unit in January 2005 and will be circulated among community decision-makers in early 2005 in an effort to begin the discussions necessary to support a dedicated funding mechanism. The Working Group will develop a timetable in spring 2005 for pursuing the concept of a dedicated funding source with the goal being to obtain funding for 2007. The timetable should take into consideration the Planning Unit's reduced meeting schedule and obtaining agreements of local governments necessary to implement the funding source.

Review and definition of the structure for the long-term strategy is also included as part of the Interim Strategy for the 2005-2006 WRIA 1 Work Plan. The structure that was proposed in Section 4 of the Preliminary Review Draft WRIA 1 WMP (March 2004), which includes a core of 3 to 4 dedicated technical and management staff, will serve as the basis for initiating those efforts. If a funding mechanism is secured prior to completion of the 2005-2006 Work Plan, review and definition of the long-term strategy may be initiated sooner than the mid-2006 timeframe that is currently anticipated.

4.3 Adaptive Management

Adaptive management is a process that can allow organizations to acknowledge and deal with uncertainty within a deliberate decision making framework. It is a process that facilitates the use of best available science in influencing public policy[1].

[1] This statement and the simplified figure illustrating adaptive management come from a description provided by Parametrix when they developed the WRIA-wide Program Natural Resource Policy Integration. Because it applies to all of the programs, it was used in this section of the Plan and referenced in each management recommendation.

The March 2000 Scope of Work specifies the use of adaptive management in the Watershed Management Plan's implementation and provides a description of the process. A simplified version of the process is provided in Figure 4.1.

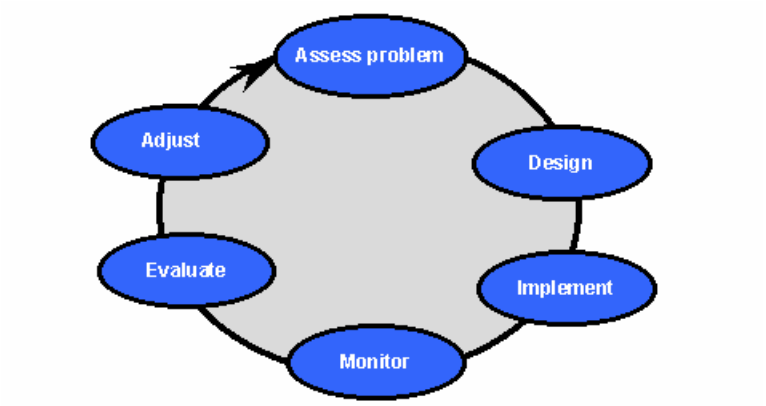

Figure 4.1: Adaptive management process (graphic taken from the British Columbia, Ministry of Forests, web site - www.for.gov.bc.ca/hfp/amhome/Amdefs.htm)

This 6-step cycle is initiated with the assessment phase during which time the problem(s) are identified. This is the step represented by the technical work conducted for the WRIA 1 Project. During the design stage, actions are developed to address the problems identified in Step 1. The management recommendations provided in Section 3 are at the design stage. Once there is agreement on the management action(s), they will be implemented (Step 3) and their results monitored using the performance measures identified for each (Step 4). The performance measures are then evaluated against the performance goals established (Step 5). If the evaluation is favorable, the action will continue without modification. If the activity is failing to meet the established goals, adjustments will be needed (Step 6).

This process will be used to guide overall implementation of the WRIA 1 WMP and will be used to evaluate and adjust (as needed) each of the management actions implemented. Through this process new recommendations may be provided as the Plan is updated in the future as described in Section 4.3.