

Tulalip Tribes Harmonization Initiative: Overview

Tulalip Tribes Office of Treaty Rights (TTOTR)

Presentation to Snohomish LIO Executive Committee

Snohomish County Bob Drewel Building

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Problem Statement: Protecting functioning habitat and restoring degraded habitat are critical actions for salmon and Puget Sound recovery. Restoration cannot keep up with habitat loss and water quality degradation due to development and the pressures of population growth and climate shifts. To ensure protection of critical habitats for salmon, the sharing of information and alignment of regulatory authorities to the extent feasible under law is needed to close regulatory gaps and support streamlined permitting. A standardized approach to habitat assessment that includes shared indicators, methods of analysis, and supporting analytical tools is needed for agencies to harmonize regulations, plans, processes and actions. To date, no processes for accomplishing this regulatory alignment have been developed, nor have mechanisms been created for increasing the effectiveness and accountability of land use rules and regulations.

This initiative focuses on developing methods, tools and recommendations for harmonization of regulations and recovery actions that identify priority habitat, prioritize recovery actions and help set measurable objectives for performance and accountability in support of salmon habitat in the Snohomish Basin, Washington, with utility for regional application in the greater Puget Sound. Harmonization is defined here as, “the alignment of laws, regulations, voluntary measures, plans, processes, and actions among agencies at all governmental levels, to achieve standardized habitat objectives necessary to support robust treaty resources, meet multi-benefit planning goals and create efficiencies and cost savings for the public, governments and their staff.” In addition to addressing regional and tribal priorities, this initiative also contributes to the local Snohomish-Stillaguamish LIO Priority Vital Signs for Chinook Salmon, Land Development and Land Cover, Floodplains, Summer Stream Flows, Freshwater Water Quality and Toxics in Fish), helps address the Puget Sound Partnership’s 2020 targets, Chinook Implementation Strategies, and addresses at least one LIO priority pressure.

Approach: The proposed initiative is organized into two phases: Phase I development of a Habitat Assessment and Recovery Tool (HART) followed by Phase II pilot application of HART to regulatory bundling and streamlining for transportation or other projects in the Snohomish basin.

Phase I (described here) proposes to develop analytical methods and tools that help standardize habitat assessment of Chinook habitat at a reach scale, identify and map high priority habitat areas, identify priority recovery actions, identify and assess regulatory linkages to key habitat parameters and other co-benefits.

1) Common methods and indicators for assessing habitat

Developing a standardized habitat assessment framework based on common indicators, methods of analysis, and supporting analytical tools to identify and map critical habitat, link key habitat indicators to existing regulations, and prioritize recovery actions will require working with federal and state agencies, and local government partners .

2) Integrate EDT and EMDS

The Ecosystem Diagnosis and Treatment (EDT) habitat model links habitat condition and Chinook productivity and will provide inputs to the USFS's Ecosystem Management Decision Support (EMDS) model, relating landscape/ecosystem condition and management actions including regulations.

3) Link existing regulations to landscape attributes/key indicators of Chinook habitat condition

Identify regulatory harmonization opportunities by evaluating gaps and regulatory linkages to key salmon habitat indicators. Create a list of types of regulatory and recovery interventions that would improve protection and habitat conditions within a targeted study reach. Rank types of protection/recovery interventions against quantitative estimates of gains in habitat indicators for specific high priority areas. All intervention types fit into one of five categories: 1) acquisition; 2) transfer development rights/conservation easements; 3) voluntary actions such as restoration; 4) legally mandated actions such as removal of barriers to fish passage or buffer treatments; and 5) regulatory changes such as standardization of language.

4) Vulnerability analysis of priority habitat and restoration actions

Identify at-risk priority habitats and recovery actions over the next 20 years using climate change and population growth forecasting in a reach-based analysis of the Snohomish and Skykomish Rivers. Linking regulatory authorities to identified future vulnerabilities due to climate change and population growth is key to providing decision support for how regulations can best protect resources and what recovery actions will best provide critical habitat under future conditions including identifying where restoration priorities need to be maintained administratively or through land acquisitions strategies for salmon recovery, hazard reduction, and open space, among multi-benefit actions and landscape-level planning.

Outcomes include:

- Identification of critical habitat using Standardized Habitat Assessment Framework
- Prototypical Habitat Rating System based on Standardized Habitat Assessment Framework and other parameters
- Identification of priority actions, approaches and opportunities to protect and restore habitat in a given area
- Identification of where priority habitat is vulnerable due to climate change and population growth.
- Regulatory gaps and linkages to habitat indicators including future vulnerabilities
- On the ground collaborations and partnerships building alignment and long term relationships
- Responsive to Tribal Habitat Priorities and *Treaty Rights at Risk*
- Potential for regional and nation-wide application