



**Upper Skagit Indian Tribe**  
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Recreation and Conservation Office  
PO Box 40917  
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**RE: Upper Skagit Indian Tribe response to the Project of Concern status for the Goodell Creek Restoration Feasibility, project number 15-1174 PLN**

Dear Salmon Recovery Funding Board Review Panel,

Please accept this letter as the Upper Skagit Indian Tribe's (hereafter "the Tribe") response to your decision to list the Goodell Creek Restoration Feasibility Study as a Project of Concern (POC). Not surprisingly, the Tribe, as the proponent of the project, is disappointed by the POC status and respectfully requests the Review Panel reconsider its review or clarify the nature of POC status.

**Background:**

Since development of the Skagit Watershed Council Strategic Approach, there has been a focus on protecting and restoring mainstem adjacent alluvial fans. More recently, the geographic focus of the Strategic Approach was expanded from 4 to 14 large tributaries. This emphasis highlights and commits to the importance that the resource managers and restoration practitioners have placed on preserving and restoring tributary habitats. For instance, the Illabot Creek alluvial fan restoration will provide diverse habitat types that will improve abundance and productivity, as well as the often overlooked importance of spatial, genetic, and life history diversity. The project at Illabot was supported based on its expected benefit to Chinook, and relied on SRFB Review Panel input in sequencing the project development. With the recent expanded focus to consider Steelhead, projects such as the Goodell Creek Restoration, which will improve prioritized spawning and rearing for both Steelhead and Chinook, should be considered to have a relatively greater benefit. The current proposal has been approved in the local process by technical, policy and socioeconomic reviews. In addition The Tribe has repackaged the proposal to address the careful and thoughtful review at local and state levels and the Tribe believes we have properly addressed those concerns.

Economic benefits of the Goodell Creek restoration would be far reaching. For one, Tribal communities in the Skagit basin would see direct economic benefits by the steps taken toward rebuilding wild Steelhead and Chinook stocks. Commercial fishing is the most important source of income for many Tribal households, but current fishing opportunities are limited by low abundances and viability of Endangered Species Act listed Steelhead and Chinook. Economic benefits would extend to other governments and communities as well. The lack of a recreational fishery on wild Steelhead and Chinook

has direct impacts on the State through the sale of fishing licenses and on the local communities that no longer receive economic input from recreational fishers and tourists. The extent of the economic impact is illustrated by the political and legal pressures that currently surround fishing, including the closure of once productive fisheries and the debate over the role of hatcheries in maintaining fishing opportunities.

The Tribe feels strongly that the Goodell Creek Restoration has a high likelihood of succeeding and would provide significant movement towards restoring Steelhead and Chinook populations to sustainable and harvestable levels. The progress of the Illabot Creek alluvial fan project serves as a model for the benefits that would be realized at Goodell Creek. Current analysis and design work for Illabot Creek indicates that large amounts of high priority, limiting habitats will be restored. These habitats will not only increase abundance and productivity but will also support the diverse spawning and rearing components of Steelhead and Chinook populations. Such diversity is important to restore viable populations and increase population stability in the face of natural variation and anthropogenic pressures such as climate change. Goodell Creek alluvial fan is comparable in size and geomorphology to Illabot Creek alluvial fan and should provide similar habitat benefits. During the Conceptual Analysis for Goodell Creek Restoration, the combination of hydraulic modeling and geomorphic analysis allowed the Project Team to assess relative habitat benefits of the various restoration alternatives. The preferred alternative, which is proposed for further study in the feasibility proposal, is the alternative with the greatest Steelhead and Chinook habitat benefit. It should be noted that this work with our partners was supported from independent funding outside of SRFB, and highlights the capacity for leveraged funds to support the project through to completion. While a feasibility study is necessary to quantify and maximize habitat gains, the results of the Conceptual Analysis suggest Goodell Creek Restoration will provide similar benefits in terms of habitat quantity, quality and type as the project at Illabot Creek.

**Response to Review Panel's Comments:**

Regarding the comments to the final Goodell Creek Restoration Feasibility proposal, the Tribe disagrees with the Panel's assertion that "the objective of the proposed feasibility study is to provide useful data and analysis in the event that future circumstances might change." Rather, the objective is to actively engage partners/landowners to *make* circumstances change by identifying an agreed to restoration strategy. The Tribe strongly disagrees with the misquoted and out of context reference to the statement attributed to the Tribe, "admits that at best a restoration plan would allow maintenance and mitigation planners to better respond to an avulsion event." The context of our comments in the response to the Review Panel's concerns was directed towards the timing and process for completing the restoration project and the risk that an avulsion event occurs before that process is completed. We had intended our comment to reflect that the feasibility document would *at least* provide a contingent plan for maintenance and emergency responses to such an event. The primary purpose of the feasibility study is to quantify the benefit to salmonid recovery and how best to maximize that recovery while minimizing risks to infrastructure so that the project team can 1) engage policy, engineering and other applicable staff within their respective agencies to prioritize the Goodell project internally and 2) comprehensively and collaboratively identify Federal and State funding sources and develop a pathway to secure those funding sources, utilizing results from the feasibility study. The Tribe's vision is a project supported by a diverse array of funds, as opposed to a project relying primarily or solely on salmonid and restoration funds. The scale of the project necessitates early planning and long-term commitment. The Upper Skagit Tribe is fully committed, and the attached letters illustrate that our project partners are prepared to join us for a long-term commitment. At this stage in project development, SRFB funds offer the clearest and most reliable opportunity to move the project to the next crucial step.

It appears the sole reason for the POC status is that leveraged funds have not yet been secured for design and construction. Even if construction funding commitments were made, the first step would be to develop a detailed plan for permitting and cost evaluation. But why would one ever need to conduct a feasibility study if funds for construction and the detailed project design were already secured and agreed to? From the Tribe's understanding, the SRFB has funded feasibility studies for numerous projects, despite a lack of secured funding for design and construction. As such, the Tribe requests that the Review Panel reassess its POC status or provide a more thorough explanation of why the Goodell Creek Restoration is less likely to be completed than other large scale SRFB projects at the feasibility phase. Indeed, we suggest the wide array of funds potentially available to the agencies represented on our Project Team, in combination with those agencies' strong desire to collaborate, may well represent an improved opportunity to complete the project as compared to a large scale project that relies solely on salmon or other restoration dollars. Recent allocations by the State Legislature, which have been significantly less than the amounts requested by Puget Sound restoration practitioners, suggest the risk of relying overly heavily on restoration dollars. The Tribe feels that a multi-benefit project that can tap diverse funding sources is a responsible alternative approach.

The Review Panel concludes that a commitment by the Tribe's partners to fund the project is necessary to ensure the proposed feasibility study will ever lead to actual implementation of the envisioned work. To the Tribe, this expectation seems premature. The Tribe began scoping this project by engaging the Project Team members and conducting a conceptual analysis to assess a wide range of restoration options, from large scale bridge construction to relatively small scale levee notching. The outcome of that conceptual analysis was the recognition that any sustainable project on the Goodell Creek alluvial fan would require large scale bridge construction and channel excavation. Since completion of the conceptual analysis, the Project Team members have had little chance to engage in internal agency discussions with the new understanding of the required magnitude of the project. A feasibility study would quantify the costs and benefits of the project and allow proper engagement within and among the Project Team member's respective agencies. That is, the Tribe feels that further analysis and time to discuss internally is necessary before any of the Project Team members should be expected to commit funding. That said we have strong commitment by the agencies represented on the Project Team to pursue this project, as stated in the accompanying letters from our partners, North Cascades National Park Complex, Seattle City Light and Washington State Department of Transportation.

Lastly, the Tribe is perplexed by the vague and misleading statements in the project summary of the comment form about relative fish use in the Goodell Creek Watershed. The watershed does support a unique population of Bull Trout, but it is unclear what information was used to suggest the relatively lesser importance of Chinook Salmon and Steelhead Trout. Documents recently produced by the Skagit Watershed Council discuss the high intrinsic potential of Goodell Creek for Chinook and Steelhead. Goodell Creek has been prioritized for restoration as one of 14 tributaries in the Skagit watershed because of its understood importance to Chinook and Steelhead. The Skagit Watershed Council analysis relied upon habitat and landscape characteristics to derive the high intrinsic potential as well as biological and survey data that indicate the extensive use by Chinook and Steelhead for miles up the watershed. In addition, the alluvial fan adjacent to the mainstem Skagit River provides highly productive, complex habitat opportunities beyond the tributary habitat itself (SWC 2015 Strategic Approach). Moreover, the results from the conceptual analysis highlight the current degraded habitat conditions on the alluvial fan, thus any assessment of current fish use in this area does not represent the potential benefit that restoration would bring to Chinook Salmon and Steelhead Trout.

The Tribe looks forward to a response from the Review Panel for reconsideration of its decision or a detailed explanation outlining why the Review Panel believes the Tribe's multi-benefit approach stands such a low chance of success as compared to other SRFB funded projects of similar scale and phasing. If the Review Panel requires any additional information about the specifics of the project, please contact my Habitat Biologist and the Project Manager, Rick Hartson, (360) 854-7049, rickh@upperskagit.com.

Sincerely,



Doreen Maloney

Treaty Entitlement Director  
Upper Skagit Indian Tribe

Cc: Karen F. Taylor-Goodrich, Superintendent, North Cascades National Park Complex  
Lynn Best, Director of Environmental Affairs and Real Estate, Seattle City Light  
Todd Harrison, Assist. Regional Administrator, Washington State Department of Transportation  
Richard Brocksmith, Executive Director, Skagit Watershed Council