



Friends *of the* San Juans

Friends of the San Juans responses (in yellow highlight) to the survey for submitting comments on the Southern Resident Killer Whale Recovery and Task Force's [draft report of potential recommendations](#) for actions to recover Southern Resident orcas.

1) Potential habitat recommendation 1:

In 2019, the governor and Legislature should provide funding to the Recreation and Conservation Office to support habitat acquisition and restoration projects through existing capital budget salmon recovery accounts (see list in draft report) for the subsequent round of funding with no changes to existing ranked lists. Regions should work within their existing priorities that are consistent with high priority Chinook stocks to accelerate the pace of restoration throughout the Puget Sound, Washington coast, and Columbia Basin... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support Support Neither support nor oppose Oppose

2) Potential habitat recommendation 2:

In 2019, the governor should request that the Legislature create a new, large-scale, multiple-benefits estuary-specific capital program and identify revenue sources. The funds would be intended to accelerate the pace of critically important but costly estuary restoration and increase juvenile Chinook production in the very near term... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support Support Neither support nor oppose Oppose

3) Potential habitat recommendation 3:

As soon as possible, the governor should direct Washington Department of Fish and Wildlife staff to develop rules to fully implement and enforce the Fishway, Flow and Screening statute (Chapter 77.57 RCW). Ask the legislature to rescind or amend appropriate portions of WDFW's HPA authority (RCW 77.55.231(1)) to enable WDFW to require mitigation for cumulative impacts over time and to implement a precautionary approach. This should be coupled with increased enforcement and possibly changes in the regulatory reform package.

Do you support or oppose this potential action?

Strongly support **Support** Neither support nor oppose Oppose

4) Potential habitat recommendation 4:

The Washington Department of Fish and Wildlife and Washington Department of Ecology should work with the Attorney General's Office and local prosecutors to increase criminal prosecution of violations related to habitat protection and water quality regulations... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

5) Potential habitat recommendation 5:

The Legislature should revise the statutes granting single-family exemptions and exceptions for docks and shoreline armoring in shoreline master plans (WAC 173 26241) and for bulkheads and rock walls in WDFW's Hydraulic Project Approval authority (RCW 77.55.141).

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

6) Potential habitat recommendation 6:

Working group and task force members will work with the Governor's Office, legislators, tribes, DNR, WDFW, DOE and salmon recovery representatives to develop a habitat protection/regulatory reform legislative package to put forward for action during the upcoming legislative session. Regulatory enhancements or changes that can be made via rulemaking or internal policy changes will also be identified. This will likely include changes to the single-family exemption laws and exceptions for docks.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

7) Potential habitat recommendation 7:

The Legislature and federal agencies (e.g., Natural Resource Conservation Service) should create an additional mechanism and increase financial assistance for cooperative conservation programs (e.g., fish screens, riparian areas, private fish passage upgrades) implemented by conservation districts, lead entities, or individual landowners...(See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

8) Potential habitat recommendation 8:

The governor should direct Department of Ecology staff to identify how to improve Southern Resident prey availability through existing habitat and water quality regulations and report to the task force by June 2019. At the state level, the governor and legislator must provide clear direction and support to facilitate change from the status quo (due to variable implementation)... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

9) Please use this space to share any comments specifically related to habitat:

Habitat recommendation #1: clarify that this includes funding for habitat protection.

10) There are currently three options for a hatchery recommendation. Which of these do you support, if any? (You may select more than one.)

Potential hatchery recommendation 1A: Beginning in fiscal year 2020, the Legislature should fund WDFW to coordinate with co-managers and other partners to

increase hatchery production for the benefit of Southern Resident orcas at facilities in Puget Sound, on the Washington coast and in the Columbia River basin in a manner consistent with wild fish conservation, state and federally adopted recovery plans and the Endangered Species Act. Increasing hatchery production will require funding for the following activities: 1) adaptive management and five-year comprehensive reviews, 2) production at the 2019 level, 3) additional science and infrastructure to support increased production for orcas, 4) funding to WDFW, co-managers, and salmon recovery regions to collaborate on hatchery production decisions. (See draft report for full details.)

Potential hatchery recommendation 1B: The governor and Legislature should provide funding to WDFW to coordinate with partners and begin testing pilot actions in hatcheries in 2019. (See draft report for full details.)

Potential hatchery combination recommendation 1C (combination of options 1A and 1B, which includes hatchery production increases, pilot hatchery projects, and habitat investments).

Do not support any of these

11) Please use this space to share any comments specifically related to hatcheries:

Providing more prey is important; however, the longer-term health of the ecosystem is paramount. Any increase in hatchery production must address impacts to wild fish populations and must be coupled with strong support for habitat and forage fish protections and restoration recommendations. Hatcheries need a healthy ecosystem to be successful.

12) Potential hydropower recommendation 1:

In 2019, the governor and Legislature should provide funding through WDFW and regional salmon recovery organizations to coordinate with tribes, local governments, NOAA and other key partners to assess and prioritize appropriate locations, costs, management, operations and other key information necessary to implement re-establishment of salmon runs as soon as possible above the dams and in the watersheds agreed to by the parties. Provide policy support for Chinook reintroduction upstream of Chief Joseph and Grand Coulee Dams... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

13) Potential hydropower recommendation 2:

In early 2019, the governor should direct WDFW, in conjunction with regional salmon recovery organizations, to compile and prioritize a list of barriers where removal would yield high benefit to Chinook and provide this list to the task force by June 2019. The Legislature via the various salmon recovery accounts should ensure funding for removal of the high priority barriers in its 2020 supplemental capital budget.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

14) Potential hydropower recommendation 3:

The governor's budget should include \$200,000 per year for next three years as partial funding to support the proposed study to evaluate predatory fish population reductions through McNary Dam reservoir elevation management.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

15) Potential hydropower recommendation 4:

The Department of Ecology should move to immediately eliminate the current 115% standard for the forebay of the eight dams on the lower Snake and lower Columbia rivers and adjust total dissolved gas allowances to 125%, as measured at tail races, to create flexibility to adjust spill regimes to benefit Chinook salmon and other salmonids...(See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

16) There are currently two options for hydropower recommendation 5. Which of these do you support, if any? (You may select more than one.)

Potential hydropower recommendation 5A:

The governor should express support for the ongoing NEPA process regarding the federal Columbia River Hydropower System and continue to participate in evaluating alternatives. The analysis will include a range of alternatives around the 14 federal hydropower facilities that exist along the Columbia and Snake River.

Potential hydropower recommendation 5B:

The governor should hire a neutral third party to initiate the development of a forum for local, state, tribal, federal and other stakeholders to begin developing a regional approach to understanding the needs of stakeholders and costs, benefits, risks and other issues regarding the possible future removal of the four Lower Snake River dams. The third-party entity should report to the task force by September 2019. This stakeholder effort should be completed in time to inform decisions resulting from the ongoing development of the environmental impact statement for Snake and Columbia River dam operations.

Do not support either of these.

17) Please use this space to share any comments specifically related to hydropower:

Recommendation 1: Include collaboration with Tribes and federal agencies in addition to WA State.

In addition, identify full funding for timely implementation of already agreed upon dam removals and hydro adjustments.

18) Potential harvest recommendation 1:

The governor should direct WDFW to collaborate with tribes to analyze the feasibility, logistics and costs/benefits of developing a buyback program to remove fishing gear that has high release mortality of Chinook and/or transition to gear that has lower cumulative Chinook mortality...(See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

19) Potential harvest recommendation 2:

The governor should direct WDFW representatives on the Pacific Fishery Management Council and North Pacific Fishery Management Council to work with regional stakeholders and manager starting in 2019 to avoid bycatch and further reduce the allowable bycatch of Chinook in Alaskan fisheries to ensure that more Chinook reach Southern Residents.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

20) Potential harvest recommendation 3:

Support the full implementation of the 2019-2028 Pacific Salmon Treaty together with the funding components that benefit Southern Resident orcas. Elements of the renegotiations included reductions in impacts on Chinook, thereby making more prey available to Southern Residents. Related funding elements should include investments in habitat and hatcheries to increase Chinook abundance...(See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

21) Potential harvest recommendation 4:

Fund and develop a “real-time” (within days) system to determine and communicate when Southern Residents are in an important foraging area in order to close WDFW-managed commercial and recreational fisheries for that area. The identification of the areas and development of the system should be coordinated with the appropriate tribes and local governments... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

22) Potential harvest recommendation 5:

The governor and Legislature should support and fund a buyback program for state commercial fisheries to reduce impacts on Chinook stocks important to Southern Residents. Direct state funds to WDFW to work with partners to develop the program and urge Congress to supply complementary funding.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

23) Please use this space to share any comments specifically related to harvest:

Harvest recommendation #1: This is one of the only recommendations that could provide full size Chinook to SRKWs without impacts to tribal fishing. This recommendation should be fully funded for immediate implementation. Harvest recommendation #4 appears to be costly and not effective. SRKW foraging would need to be accommodated within hours, not days.

24) There are currently two options for a combination of Puget Sound/outer coast pinniped predation actions. Which of these do you support, if any? (You may select more than one.)

Potential predation combination recommendation 1A (similar to 1B below but does not include the immediate implementation of a haul-out removal pilot project). Starting immediately, the governor, Legislature, and NOAA should support and fund the continued development of science to better understand the extent of pinniped predation in Puget Sound and the outer coast in order to determine and apply appropriate management actions... (See full details in draft report.)

Potential predation combination recommendation 1B (similar to 1A above but includes the immediate implementation of a haul-out removal pilot project). Starting immediately, the governor, Legislature, and NOAA should support and fund the continued development of science to better understand the extent of pinniped predation in Puget Sound and the outer coast in order to determine and apply appropriate management actions. In the 2019-2021 biennium, the governor and Legislature should also begin to fund WDFW to work with tribes and NOAA to pilot the removal or alteration of artificial haul-out sites used by pinnipeds in the Puget Sound in places that may improve Chinook survival...(See full details in draft report.)

Do not support any of these

25) There are currently two options for a Columbia River pinniped predation action. Which of these do you support, if any? (You may select more than one.)

Potential predation combination recommendation 2A:

Task force members and the governor should support efforts to amend the Marine Mammal Protection Act or MMPA to more effectively manage pinniped predation of salmonids in the Columbia River... (See full details in draft report.)

Potential predation recommendation 2B (increases scientific knowledge for Columbia River pinniped predation only): The governor should request that NOAA provide federal funding to monitor Chinook salmon survival from the Columbia River estuary to Bonneville Dam. The governor and Legislature should provide complimentary state funding for WDFW to perform pinniped distribution surveys... (See full details in draft report.)

Do not support any of these

26) Potential predation recommendation 3:

The governor should consult with WDFW and the Invasive Species Council and then support reclassifying nonnative predatory fish (including, but not limited to, walleye, bass, and catfish) from game fish to invasive species to allow and encourage removal of these predatory fish in waters containing salmon or other ESA-listed species... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

27) Please use this space to share any comments specifically related to predation:

Predation recommendation #1: The Friends of the San Juans opposes lethal pinniped control in the Salish Sea and outer coast. Removal of manmade haul-outs in priority areas is reasonable but must be decoupled from lethal controls.

Predation recommendation #3: There is not enough information to evaluate this recommendation.

28) Potential forage fish recommendation 1:

The governor and Legislature should fully fund the projects approved during the 2018 grant round by the Puget Sound Acquisition and Restoration, Washington Coast Restoration Initiative, Salmon Recovery Funding Board and Estuary and Salmon Restoration Programs that address nearshore habitat...(See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

29) Potential forage fish recommendation 2:

The governor and Legislature should continue to provide funding for forage fish surveys to identify and map the expansion or contraction of critical habitat used by three species of forage fish in Puget Sound: herring, surf smelt and sand lance... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

30) Potential forage fish recommendation 3:

The governor should fund the Puget Sound zooplankton sampling program, which leverages the work of 12 tribal, county, state, federal, academic and non-academic entities to sample the zooplankton community every two weeks at 16 sites... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

31) Potential forage fish recommendation 4:The governor should provide ongoing funding for WDFW to inventory existing and future planned forage fish harvest levels and to assess impacts to forage fish populations important to Chinook... (See full details in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

32) Please use this space to share any comments specifically related to forage fish and marine productivity:

Forage fish recommendation #1: Please ensure that this recommendation includes funding for both protection and restoration projects.

Forage fish recommendations #2, #3, and #4: DNR beach surveys should be expanded to include private sites as well as public tidelands and aquatic reserves. WDFW must continue to play a key role in forage fish research and protection as they have specific authority to protect fish life.

33) Potential vessel recommendation 1:

In the 2019 legislative session, the state Legislature and governor should update RCW 77.15.740 to establish a statewide “go slow” bubble for vessels operating within ½ nautical mile of orcas. “Go slow” is defined as 7kt speed over ground (GPS calculation). It is intended that fish and wildlife officers and other law enforcement officers will use discretion when enforcing this section and provide public outreach and education when they determine that it is appropriate... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

34) Potential vessel recommendation 2:

In the 2019 legislative session, the state Legislature and governor should provide proviso funding to WDFW to create a long-term Marine Enforcement Division of at least four fish and wildlife officers (FWOs), including the two FWOs currently funded under the governor’s 2018 executive order, that will be dedicated toward the goal of providing marine-based Southern Resident orca protection on every day of the whale-watching season and at other times of need... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

35) Potential vessel recommendation 3:

By December 2018, the Puget Sound Harbor Safety Committee should establish a “standard of care” for small vessel operators to turn off or switch echo sounders and other underwater transducers from the 50-kHz (or less common 80-kHz) setting to the 200-kHz setting when within 1 kilometer of orcas except when the lower frequency is necessary for safe navigation... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

36) Potential vessel recommendation 4:

By May 2019, the Legislature and governor should establish a Salish Sea limited-entry whale watching permit system, to be managed by the Department of Fish and Wildlife, that restricts the number of commercial whale-watching vessels and commercial kayak groups around the Southern Resident orcas each day and that sets a cap on the number of permits issued for Puget Sound with a buyback program initiated by funding

in the next state biennial budget. A Salish Sea limited-entry whale watching permit would be required for Canadian commercial whale-watching vessels that enter Washington state waters... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

37) Potential vessel recommendation 5:

Given the high rate of transboundary participation and compliance in voluntary, targeted trials to slow down ships and shift them away from key Southern Resident orca foraging areas near the international shipping lanes to reduce the level of shipping noise (led by the Enhancing Cetacean Habitat and Observation [ECHO] program of the Vancouver Fraser Port Authority), the governor should continue to encourage strategic US/WA collaborations with ECHO that continue to support parallel and adaptive implementation of ECHO and related shipping noise-reduction initiatives while promoting safe, sustainable shipping practices... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

38) Potential vessel recommendation 6:

In order to better detect the location and movements of Southern Resident orcas in near real-time, and potentially reduce the underwater noise of nearby ships and small vessels through targeted advisories, Governor Inslee and the Legislature should: (1) fund the deployment of a permanent scientific grade hydrophone near Eagle Point by San Juan County and fill in other key gaps in the underwater acoustic monitoring network of Puget Sound, and (2) support advancement of acoustic and visual mapping efforts...so that professional mariners and the public can use it for potential lead-time (and real-time) ship speed and route management... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

39) There are currently three options for potential vessel recommendation 7. Which of these do you support, if any? (You may select more than one.)

Potential vessel recommendation 7A: The governor and Legislature should fund WDFW, outside orca experts, San Juan County and other local governments to collaborate with affected user groups and other partners to establish protection areas (no-go zones) that apply to all vessels not exempted under RCW 77.15.740, in critical areas for whales, as well as geographic areas that include but are not limited to the west side of the San Juan Islands and marine areas 4, 5 and 6 (roughly extending from Admiralty Inlet to Neah Bay)... (See draft report for full details.)

Potential vessel recommendation 7B: No later than December 1, 2018, WDFW must convene affected user groups, tribes, and governments to establish zones restricting entry of commercial whale-watching vessels and recreational vessels in order to protect

Southern Resident orcas north of Pile Point and south of Mitchell Bay... (See draft report for full details.)

Potential vessel recommendation 7C: Redirect vessels in near real-time when Southern Resident orcas are near or approaching a fishing area, through temporary fishing closures.

Do not support any of these

40) Potential vessel recommendation 8:

The governor should direct the Department of Ecology and request that DNR and WDFW work with the Governor's Office for Regulatory Innovation and Assistance to determine—and report to the task force by April 2019—how applicable current and future permit applications in Washington state (see examples in draft report) that could increase vessel traffic and vessel impacts (risk of oil spills, increased noise, threat of ship strikes) could be required to explicitly address potential impacts to Southern Resident orcas and treat underwater noise as a “primary constituent element” of critical habitat... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

41) Potential vessel recommendation 9:

The governor and Legislature should support and accelerate transition of the Washington State Ferries (WSF) fleet to quieter, more fuel-efficient designs and technologies—while funding the WSF fleet noise baseline analysis project in 2019—to achieve data-driven noise reduction goals.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

42) Potential vessel recommendation 10:

The governor should request that the Washington State Parks and Recreation Commission, Northwest Marine Trade Association and Recreational Boating Association of Washington work with the US Coast Guard and National Association of State Boating Law Administrators to require that the print and online curricula, testing, and outreach for the mandatory Washington State Boater Education Card: (1) include Be Whale Wise guidelines; (2) include related updates to voluntary and regulatory measures by May 2019; and (3) include broader outreach to charter boat, boat rental companies and exempted audiences from outside Washington state (particularly in Canada) and those whose lifetime certification was obtained prior to the updated standards.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

43) Potential vessel recommendation 11: The Legislature should provide direction and resources for the Washington State Academy of Sciences to create a collaborative forum that includes acoustics researchers, the State of Washington, NOAA, and the

Pacific Whale Watch Association to create vessel and fleet sound profiles to determine acceptable underwater sound baselines (e.g., decibels at source/received) and identify whale watching guidelines for the Pacific Whale Watch Association and private boaters that will better minimize underwater noise levels, the occurrence of acoustic masking and interference with orca communication.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

44) Potential vessel recommendation 12:

The governor and Legislature should support establishment of a permit or endorsement to be required of all boaters engaged in whale watching. Boaters transiting an area with whales would be given a 15-minute grace period and enforcement officers would be advised to use their discretion. The fee should not exceed \$10 annually, with revenue collected to be used exclusively by the WDFW Marine Enforcement Division... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

45) Potential vessel recommendation 13:

Address ongoing vessel safety issues, including oil transport, in the shared waters of the Salish Sea. Utilizing recommendations from the Department of Ecology's Strait of Juan de Fuca and Puget Sound Vessel Traffic Safety Report (2018), the 2019 Washington Legislature should enact legislation to reduce the risk of oil spills in Puget Sound. The legislation should: (1) require escort tugs for all oil transport vessels over 5,000 tons, including oil barges and articulated tug-barges; (2) require the oil shipping industry to fund a stationed emergency response towing vessel (rescue tug) in a location to minimize response time in the Haro Strait and other navigation lanes with the highest tank vessel traffic; and (3) require updated oil spill prevention and cleanup standards to address new types of oil (e.g., diluted bitumen) and increased shipments by articulated tug-barges... (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

46) Please use this space to share any comments specifically related to noise and disturbance created by vessels:

Vessel recommendation #5: The Port of Vancouver's ECHO (Enhancing Cetacean Habitat and Observation) program includes effective shipping noise reduction initiatives that reduce impacts from existing vessel traffic. However, additional vessel traffic from new and expanding projects would increase vessel impacts to the Southern Residents. To address vessel impacts from new and expanding Canadian-based projects, the Governor should meet with Canadian officials and seek involvement from the US Coast Guard and the joint meetings of the Puget Sound Harbor Safety Committee and Canadian Pacific Coast Marine Advisory Review Panel and Navigation Aids and Navigation Services. The Governor should direct the Department of Ecology and the Department of Fish and Wildlife to engage in Canadian environmental assessments of project-related shipping's effects on Southern Resident orcas.

47) Please use this space to share any comments specifically related to oil spills created by vessels:

Vessel recommendation #13: To address the need for improved oil spill prevention, prioritize a stationed emergency response towing vessel (rescue tug) in a location to minimize response time in Haro Strait and other navigation lanes with the highest vessel traffic.

48) Please use this space to share any other comments related to vessels (e.g., ship strikes, naval testing, etc.):

Addressing impacts to Southern Resident orcas from Naval testing and training on water, land, and air should be a priority in year 2.

49) Potential contaminant recommendation 1:

The Department of Enterprise Services should immediately accelerate implementation of the ban on PCBs in state-purchased products and make information regarding PCB levels in state-procured products and packaging available online to the public so other purchasers can access this information and make informed purchasing decisions.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

50) Potential contaminant recommendation 2:

The Department of Ecology should develop a prioritized list of the chemicals of emerging concern (CECs) based on greatest benefit to Southern Resident orcas and their prey if action is taken (see list of CECs in draft report). The Department of Ecology, with input and review from regional experts, should begin this prioritization process in 2018 and complete the list in March 2019.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

51) Potential contaminant recommendation 3:

The Department of Ecology should develop a plan and pursue agency request legislation and/or budget requests in the 2019 legislative session to address control of those chemicals of emerging concern (CECs) based on greatest benefit to Southern Resident orcas and their prey if action is taken (based on the outcome of potential contaminant recommendation 2 above). The plan will identify the most effective actions to decrease loading of priority CECs to Puget Sound and be completed by 2025 (see additional detail and footnoted list of CECs in draft report).

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

52) Potential Contaminant Recommendation 4:

The legislature should fund the Department of Ecology in 2019 for a program that incentivizes the accelerated removal of primary legacy sources of PCBs, PAHs, PBDEs and PFAS present in the built environment in the central Puget Sound. In phase 1, Ecology should develop the program, to include a) prioritizing those legacy chemicals

likely to have greatest impact on Southern Resident orcas, b) coordinating with ongoing programs, c) gathering stakeholder input, and d) undertaking targeted communications and outreach. In phase 2, the incentive program will be implemented.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

53) Potential Contaminant Recommendation 5:

The Department of Ecology should report in 2019 on how to accelerate effectiveness, implementation and enforcement of National Pollutant Discharge Elimination System (NPDES) permits. Using the existing regulatory framework and authority under the Clean Water Act and Water Pollution Control Act, Ecology should set new, more protective numeric water quality standards and technology-based NPDES standards, based on ecosystem needs. To fill gaps, this will primarily focus on PBDEs, CECs and other chemicals based on greatest benefit to Southern Resident orcas and their prey. In addition, Ecology should consider developing stronger pre-treatment standards for municipal and industrial wastewater dischargers under NPDES.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

54) Potential Contaminant Recommendation 6:

To ensure that new and existing NPDES permit conditions and water quality standards are met, the Department of Ecology should seek funding in the 2019 legislative session to conduct more robust inspections, assistance programs and enforcement. This funding should support field staff and data analysis and should include a clear directive to increase enforcement against entities that exceed limits for pollutants known to cause harm to the Southern Residents and their prey.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

55) Potential Contaminant Recommendation 7:

The Department of Ecology should reduce stormwater threats in existing hotspots as soon as possible. In 2018-2019, Ecology, in consultation with regional experts, should identify toxic stormwater hotspots and prioritize them for source control, stormwater retrofits and/or redevelopment projects to meet today's standards. Ecology should seek new funding in the 2019 legislature through the Stormwater Financial Assistance Program to incentivize stormwater retrofits and source control to achieve goals faster.

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

56) Potential Contaminant Recommendation 8:

The Department of Ecology and the Department of Natural Resources should immediately prioritize and accelerate sediment remediation and nearshore restoration and clean-up of hotspots in forage fish and juvenile Chinook rearing habitat (i.e., in sensitive areas) where toxics are known to impact prey survival. All prioritized cleanup actions should ensure that "upstream" source control is also addressed. Previously identified hotspots include the Duwamish Estuary and river, Commencement Bay,

Hanford Reach, Sinclair and Dyes Inlets and Lake Union. (See additional detail in draft report.)

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

57) Potential Contaminant Recommendation 9:

The legislature should fund the Department of Ecology and the Department of Fish and Wildlife to expand and coordinate existing monitoring and new science programs in 2019. Funding is needed immediately to develop and support a robust toxics monitoring program as well as new science to understand the effects of CEC exposure on Southern Resident orcas, their prey and other species in the lower trophic levels (see additional detail and footnoted list of CECs in draft report).

Do you support or oppose this potential action?

Strongly support **Support** **Neither support nor oppose** **Oppose**

58) Please use this space to share any comments specifically related to contaminants:

OVERALL PRIORITIES

59) What are the top 5 things that you think should be done? Please choose at least 1 box and up to 5:

Potential habitat recommendation 1

Potential habitat recommendation 4

Potential harvest recommendation 1

Potential vessel recommendation 8

Potential vessel recommendation 13

60) Please use this space to share any comments on the draft vision and goals.

61) Please use this space to share any comments on the draft introduction.

Table 2 should include: improve existing regulatory protection under existing authority- all agencies. Improved regulatory protections for freshwater and marine habitat by all agencies under existing authorities can be done TODAY to benefit SRKWs' food web.

62) Please use this space to share any comments on the draft overview of key threats.

63) Please use this space to share any other comments or overall comments about the report or process.

Prioritize actions that benefit the SRKW food web, that don't include unintended consequences, and that can be implemented right away. Yes to improved protections

and funding for ready projects such as culvert removals/replacements, and identified habitat restoration and protection projects.

The draft report does a good job summarizing oil spill impacts to SRKWs (on page 14). However, the preamble to vessel recommendation #13 (on page 33) is inaccurate. The Vessels Working Group was tasked with a priority ranking of the potential recommendations, not an identification of recommendations we supported. The Vessels Working Group was repeatedly told to prioritize actions that reduced vessel noise and presence impacts and not oil spill prevention actions, so no surprise that oil spill prevention actions did not rank highly.