

Skagit Tribal/Agricultural Alliance
An Accord for the Future of Farms and Fish, Farmers and Tribes
April 2005

I. Introduction

Leaders of the Swinomish Indian Tribal Community, the Sauk-Suiattle Indian Tribe, (hereinafter referred to jointly as the "Tribes") and leaders of the Skagit Agricultural Community representing Skagit Farm Bureau, Skagit Dairy Federation, Skagitonians to Preserve Farmland and Western Washington Agricultural Association (hereinafter referred to as the "Agricultural Community"), have reached the following accord between our respective communities. Through this Accord we seek the help and support of others to achieve a future that is prosperous for all farmers and tribal members.

II. Purpose:

This accord, a voluntary act by the leaders of the Tribes and Agricultural Community, initiates a working relationship, the Skagit Tribal/Agricultural Alliance, to:

- A. Resolve political, operational and scientific issues in a manner that increases the certainty for on-going farm operations and for achieving sustainable salmon runs that can be harvested by all.
- B. Promote the importance of Skagit farming and fishing to the Skagit community, Puget Sound region, State and nation.
- C. Develop common strategies for marketing to enhance profitability for individual farmers and tribal fishers.
- D. Establish, over time, a collaborative effort to address issues of mutual interest; based on trust and understanding of each of our positions.

III. Foundation Principles of the Accord

A. Communication before Action:

Through this accord the leaders of the Tribes and Agricultural Community agree to make every effort to discuss potential actions, and fully understand the implications of those actions, before taking action or pursuing policy changes that could jeopardize the viability of the agricultural drainage system or the viability of the salmon populations.

B. Chinook Recovery Goals:

Through this accord the leaders of our respective organizations will work toward achieving specific Recovery Goals as defined by the Skagit Tribes and Washington State Department of Fish and Wildlife, the Fisheries Co-managers. These goals are described in detail in a joint letter of March 14, 2002 from WDFW and Tribes to the Shared Strategy for Puget Sound Development Committee. In addition to farmers and tribes, many others will need take actions for the recovery of salmon populations in the Skagit. Actions to achieve these goals will include but not be limited to strategies that address

Skagit Tribal/Agricultural Alliance
Accord
April 2005

hatchery management, habitat protection and restoration, harvest management and water management.

C. Protecting Farmland:

Each of us agrees that Agriculture should be protected from actions that fragment the land base or significantly hinders productivity.

D. Protect Fish Habitat:

We acknowledge that fish and wildlife should be protected from actions that fragment habitat or significantly hinders the productivity of a given population.

E. Creation of Estuarine Habitat:

Tribes and Agricultural Community agree to develop a staged approach for new estuarine habitat within the Skagit River watershed, based on the following conditions:

1. Habitat projects do not impair drainage or flood control and hopefully can improve both.
2. Habitat projects will be staged over a twenty year time frame, and with each project there will be adequate monitoring to ensure the project is providing the desired benefits for fish and not impairing drainage or flood control.
3. The initial stage of creating new habitat will emphasize the use of public land.
4. Private land can be included in those areas where there is a willing landowner. To help support the prosperity of the local farm community, private land projects will avoid, or mitigate, any impacts to farming infrastructure.

F. Flood Control:

The Tribes and Agricultural Community will work collaboratively with other entities, including but not limited to: the County, NGO's, Federal and State agencies, to identify and implement actions to reduce the risk of flood damage, provided that such actions are not harmful to fish and wildlife or the Agricultural Community and can provide benefits where possible.

G. Agricultural Drainage and Diking:

The drainage and dike infrastructure must function efficiently and effectively for farming to be successful. The Tribes support the on-going maintenance and operation of the drainage and dike system in accordance with the agreement forged between WWAA (Drainage Districts) and WDFW, and endorsed by the Tribes.

H. Increase Profitability:

The Tribes and Agricultural Community will support and foster the development of an infrastructure that promotes and develops local capacity to market and sell local produce and seafood in the context of a global economy.

I. Joint Research, Monitoring and Peer Review:

The Tribes and Agricultural Community commit to a joint effort to secure funding for research and monitoring that helps increase the understanding of farming and fish

Skagit Tribal/Agricultural Alliance
Accord
April 2005

interactions. They will encourage peer review of scientific findings and analysis to increase certainty and broaden understanding.

J. Partnership from Other Interested Parties and Governments:

Achieving a prosperous future for farmers and tribes in the Skagit Valley will require help from many other interested parties and governments. We are interested in working with others in a partnership to provide certainty for the future of farming and recovery of our salmon populations.

IV. Accord Milestones to Measure Success

A. Short-term Work Program and Staffing:

A work program will be developed for the next two years to implement the Accord. The work program will identify staffing needs for joint efforts as well as the needs of the Tribal and Agricultural Community to fully participate in the process and ensure appropriate representation by both groups. Grants and other funding options will be jointly pursued by the Tribal and Agricultural Communities.

B. Long-term Habitat Work Program:

The Tribes and Agricultural Community with the assistance of their respective staffs will develop a five year staged work program that identifies the next series of agreed upon habitat restoration actions that achieve measurable progress toward established goals for escapement and productivity necessary for the recovery of Skagit River chinook populations. This work plan will also define additional stages for actions to occur over a twenty year planning horizon.

C. Drainage Maintenance:

On-going maintenance standards and practices will be established through the on-going joint effort of the Tribes, Western Washington Agricultural Association, Drainage and Dike Districts, and the Washington State Department of Fish and Wildlife.

D. Project implementation:

Within six months each community will publicly support funding for the following restoration projects;

- Fisher Slough Feasibility Study
- Thein Farm ways and means
- Causeway Feasibility Study
- Wiley Slough Restoration Project
- Telegraph Slough
- Milltown Island Restoration
- North Fork Feasibility

Skagit Tribal/Agricultural Alliance
Accord
April 2005

V. Legal Considerations.

A. This accord is not a legally binding document and is not intended to diminish, expand, or define the rights of any participant. The Tribes and Agricultural Community reserve the right to seek different or additional measures viewed as necessary to carry out treaty rights and/or effect compliance with property rights and other state or federal laws.

B. Furthermore, both communities recognize that Tribal leaders have the ability to speak for and bind the Tribal Governments, whereas Agricultural leaders have no similar authority regarding individual members of the agricultural community.

C. The parties recognize each reserves the right to respond to actions taken by individuals or organizations not represented by parties to this Accord. However, through this Accord the leadership of the Tribes and Agricultural Community agree to make every effort to discuss potential actions and their implications before pursuing other means.

As leaders of the tribes or agriculture community, we the undersigned agree to this Accord and to work to implement the actions for a viable tribal and agricultural future in Skagit County.



Brian Cladoosby, Swinomish Indian Tribal Community



Gloria Green Sauk-Suiattle Indian Tribe



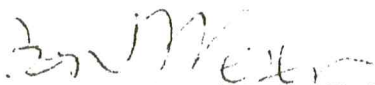
Dave Hedlin, Skagitonians to Preserve Farmland



Larry Lowe, Skagit Farm Bureau



Steve Sakuma, Western Washington Agricultural Association



Ron Wesen, Skagit Dairy Federation