

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF:**

RESOLUTION NO. 20-413

APPROVE AMENDMENT #5 TO AN INTERLOCAL AGREEMENT BETWEEN LEWIS COUNTY AND CLARK, COWLITZ, SKAMANIA AND WAHKIAKUM COUNTIES REGARDING THE LOWER COLUMBIA FISH RECOVERY BOARD (LCFRB)

**WHEREAS**, the Board of County Commissioners (BOCC) joined Clark, Cowlitz, Skamania and Wahkiakum counties in entering into an interlocal agreement with the Lower Columbia Fish Recovery Board (LCFRB) on December 27, 2010, per Resolution No. 10-357; and

**WHEREAS**, on Aug. 31, 2015, the BOCC passed Resolution 15-249 to approve Amendment 4, which extended the duration of the interlocal; and

**WHEREAS**, there is a need to amend the interlocal agreement to further extend the duration; and

**WHEREAS**, the BOCC has reviewed the amended inter local agreement between Lewis County and Clark, Cowlitz, Skamania, and Wahkiakum Counties for the management board known as the LCFRB; and

**WHEREAS**, it is in the county's best interest to authorize the execution of the said agreement.

**NOW THEREFORE BE IT RESOLVED** that (1) the BOCC hereby approves the amended interlocal Agreement No. 5 with Clark, Cowlitz, Skamania and Wahkiakum Counties and (2) the Chair of the BOCC is authorized to sign the same.

DONE IN OPEN SESSION this 16th day of November, 2020, that the interlocal agreement, Amendment No. 5, will be reconsidered no later than December 31, 2025



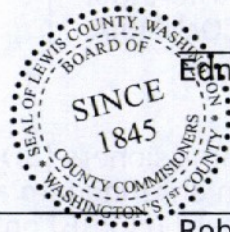
APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

Cullen Gatten  
By: Cullen Gatten,  
Deputy Prosecuting Attorney

Gary Stamper  
Gary Stamper, Chair

ATTEST:



Edna J. Fund  
Edna J. Fund, Vice Chair

Rieva Lester  
Rieva Lester,  
Clerk of the Lewis County Board of  
County Commissioners

Robert C. Jackson  
Robert C. Jackson, Commissioner



**Lower Columbia Fish Recovery Board  
Interlocal Agreement Between  
Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties**

**Amendment #5**

**Amendment Type:** Change in Duration

**Background:**

The counties represented on the Lower Columbia Fish Recovery Board (Board) entered into an agreement for the purpose of providing for the operation, funding, and support of the management board established by RCW 75.56.050 (subsequently changed to RCW 77.85.200).

Under the original Interlocal Agreement, the Board was expected to sunset on June 30, 2002.

- Amendment #1: During the 2001 legislative session, the Governor signed a bill extending the sunset date of the Board to June 30, 2006.
- Amendment #2: During the 2005 legislative session, the Governor signed a bill extending the sunset date of the Board to June 30, 2010.
- During the 2009 legislative session, House Bill 1063 was signed by the Governor to remove the sunset clause from the legislation.
- Amendment #3: In 2010, the counties agreed to amend the interlocal agreement to be reconsidered no later than July 1, 2015.
- Amendment #4: In 2015, the counties agreed to amend the interlocal agreement to be reconsidered no later than December 31, 2020.

Given the Board continues to secure funding for their staff and operations from federal and state agencies to implement the salmon recovery and watershed management plans, the counties agree to continue the Interlocal Agreement.

It is agreed by the counties, that the Interlocal Agreement shall be amended as follows in Section 10 to read:

**Section 10. Duration.** Given that the sunset date has been removed from the law, the counties agree to enforce this agreement and shall reconsider it no later than December 31, 2025.

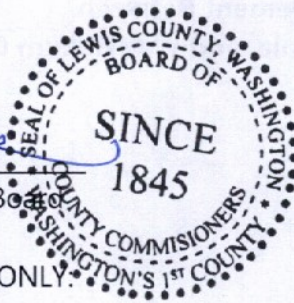
In all other respects the Agreement, to which this is an amendment shall remain in full force and effect.



In witness whereof the parties hereto have executed this amendment,

Attest:

Rieva Lester  
Rieva Lester, Clerk of the Board



APPROVED AS TO FORM ONLY:  
Prosecuting Attorney

By: [Signature]  
Cullen Gatta 46441  
JT. Civil Deputy

**BOARD OF COUNTY COMMISSIONERS  
FOR LEWIS COUNTY**

By: [Signature]  
Gary Stamper, Chair

Date: 11/16/2020



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CO 99-113

**LOWER COLUMBIA FISH RECOVERY INTERLOCAL AGREEMENT**

THIS INTERLOCAL AGREEMENT is entered into under the Interlocal Cooperation Act (Chapter 39.34 RCW) by the counties of Clark, Cowlitz, Lewis, Skamania, and Wahkiakum.

Section 1. Purpose. It is the purpose of this Interlocal Agreement to provide for the operation, funding, and support of that certain management board established by RCW 75.56.050 and supersedes any prior agreement entered into between these parties related to such purpose.

Section 2. Management Board. The Management Board created by RCW 75.56.050 shall be known as the "Lower Columbia Fish Recovery Board," which is hereby declared to be a local agency under state law. Appointments to the Board shall be made as provided for in RCW 75.56.050.

Section 3. Functions. The Management Board shall undertake those functions provided for in RCW 75.56.050. In particular, the Board shall undertake the following roles:

3.1 *Habitat Preservation and Restoration.*

- a. The Management Board will solicit, evaluate, rank, and pursue funding for fish habitat preservation and restoration projects. The Management Board will receive and disburse funds for such projects and will administer project contracts, monitor progress, and evaluate results.



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- b. To facilitate habitat preservation and restoration work, the Management Board will conduct an assessment of the factors of decline on a stream-by-stream basis. The Management Board will maintain a technical advisory committee to assist in the assessment of habitat preservation and restoration needs and in the evaluation of projects and other fish recovery proposals.

### 3.2 *Recovery Planning.*

1. The Management Board will work with the National Fisheries Service, the state Salmon Recovery Office, and other local, state, and federal agencies and affected Indian tribes to develop a lower Columbia regional recovery plan for fish species listed or proposed for listing under the Endangered Species Act. Key functions will include coordinating local efforts in developing habitat portions of the plan, coordinating local participation in the development of federal and state plan elements, and working with state and federal agencies to ensure elements form an integrated and comprehensive regional plan.
2. The Management Board may work with cities and counties to develop plans and ordinances and incentive programs for fish recovery. The Board will participate in hydro-project relicensing efforts to secure appropriate measures for fish recovery.

### 3.3 *Watershed Planning.*

The Management Board will serve as lead agency for watershed planning efforts for Water Resource Inventory Areas (WRIA) 25, 26, 27, and 28. In this capacity, the Management Board will provide staff and administrative support to the watershed planning group. The Management Board shall also work to ensure that watershed management and fish recovery plans are consistent and compatible with each other. To this end, the Management Board shall also participate in watershed planning efforts for WRIA 29 and others as deemed appropriate by the Board.

### 3.4 *Public Education and Involvement.*

The Management Board will work with state and local governments to develop and implement coordinated regional public education and involvement efforts. These efforts shall help inform the public of fish recovery issues, solicit public input on recovery plans and efforts, and promote volunteer participation in recovery and restoration activities.



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Section 4. Bylaws. The Management Board shall adopt bylaws, policies, and procedures to govern its operations which are consistent with state law and this Interlocal Agreement.

Section 5. Staff. The Management Board may employ an executive director and other necessary employees.

Section 6. Administrative Support. The Management Board shall contract with one or more of the counties to this Interlocal Agreement or a council of governments to obtain accounting, purchasing, contracting, and other administrative support services. *Management Board shall be authorized to contract for independent legal counsel.*

Section 7. Budget/Assessments. The Management Board shall each year, in accordance with the county budget timetable, adopt a budget of revenues and expenditures for operations for the next calendar year. Such budget may include revenues from assessments to the participating counties only if such assessments have been unanimously agreed to by such counties.

Section 8. Insurance. Notwithstanding the immunity provided for in RCW 75.56.050(2), it is declared that acquisition of liability insurance is an appropriate expenditure for the Management Board.

Section 9. Reports. As provided for in RCW 75.56.050(4), the Management Board shall report on its progress on a quarterly basis to the five participating counties.

Section 10. Duration. Unless extended, this Interlocal Agreement shall terminate on July 1, 2002.



Section 11. Property. Upon termination, equipment or other property provided by a participating county shall be returned to such county. Assets acquired by the Management Board shall be equitably divided between the participating counties in accordance with the relative financial contributions made by each county.

Section 12. Authority. This Interlocal Agreement is entered into pursuant to the authority granted by Chapter 39.34 RCW. Its duration is set forth in Section 10; its purpose is set forth in Section 1; the manner of financing and establishing a budget is set forth in Section 7; provision for termination and disposal of property is set forth in Sections 10 and 11 and a joint board is provided for in Section 2.

ENTERED into on the dates shown interim below.

**BOARD OF COUNTY COMMISSIONERS  
FOR CLARK COUNTY**

Attest:

*Louise Richards*  
Clerk to the Board

By:

*Julie Stanton*  
Chair

APPROVED AS TO FORM ONLY:

*Blaine Stoney*  
Prosecuting Attorney

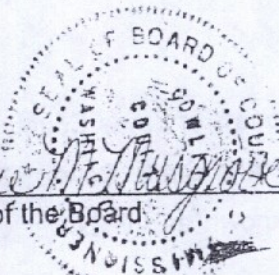
Date: 10-26-99



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BOARD OF COUNTY COMMISSIONERS  
COWLITZ COUNTY WASHINGTON

Attest:

  
Vickie M. Sturgeon  
Clerk of the Board

B. Breckling  
Chair

Date: Nov. 1, 1999

APPROVED AS TO FORM ONLY:

[Signature]  
Prosecuting Attorney - Dep.



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON

APPROVING INTERLOCAL AGREEMENT  
BETWEEN LEWIS COUNTY AND CLARK,  
COWLITZ, SKAMANIA AND WAHIAKUM  
COUNTIES REGARDING THE LOWER  
COLUMBIA FISH RECOVERY BOARD

RESOLUTION NO. 99- 494

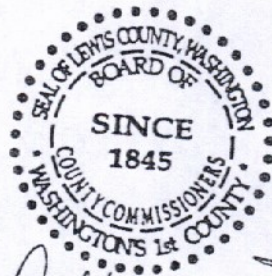
WHEREAS, the Board of County Commissioners of Lewis County has reviewed an Interlocal Agreement between Lewis County and Clark, Cowlitz, Skamania and Wahkiakum Counties for a management board known as the Lower Columbia Fish Recovery Board (LCFRB), and

WHEREAS, it is in the best public interest to authorize the execution of said Agreement for Lewis County; NOW, THEREFORE,

BE IT RESOLVED that the Board of County Commissioners hereby approves said Interlocal Agreement with Clark, Cowlitz, Skamania and Wahkiakum Counties, and the Chairman is authorized to sign the same.

DONE IN OPEN SESSION, this 18<sup>th</sup> day of October, 1999.

ATTEST:



*Kariss Duffley*  
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY WASHINGTON

*Richard Graham*  
Richard Graham, Chairman

*Russ Wigley*  
Russ Wigley, Member

*Dennis Hadaller*  
Dennis Hadaller, Member



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BOARD OF COUNTY COMMISSIONERS  
SKAMANIA COUNTY WASHINGTON

Attest:

Judy A. Carter  
Chair

G. M. Olson  
Clerk of the Board

Date: October 25, 1999

APPROVED AS TO FORM ONLY:

Buddy Baker  
Prosecuting Attorney



(131)  
RESOLUTION NO. 131 -99

A RESOLUTION AUTHORIZING THE EXECUTION OF AN  
INTER-LOCAL AGREEMENT BETWEEN WAHKIAKUM COUNTY  
AND CLARK, COWLITZ, SKAMANIA AND LEWIS  
COUNTIES REGARDING THE LOWER COLUMBIA FISH  
RECOVERY BOARD

WHEREAS, the Board of County Commissioners of Wahkiakum County has reviewed an Interlocal Agreement between Wahkiakum County and Clark, Cowlitz, Skamania and Lewis Counties for a management board known as the Lower Columbia Fish Recovery Board (LCFRB); and

WHEREAS, it is in the best public interest to authorize the execution of said Agreement for Wahkiakum County;

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED, as follows:

First: That the Inter-Local Agreement for Lower Columbia Fish Recovery Board as set for in "Exhibit A" hereto is hereby authorized and approved.

Second: That the Chairman of the Board of County Commissioners is hereby authorized to execute the originals of said Inter-Local Agreement on behalf of Wahkiakum County.

DULY PASSED AND ADOPTED in Regular Session this 26th day of October, 1999.

BOARD OF COUNTY COMMISSIONERS  
OF WAHKIAKUM COUNTY, WASHINGTON

ATTEST:

Mary J. Baldwin  
Mary J. Baldwin  
Clerk of the Board

Ronald D. Ozment  
Ronald D. Ozment, Chairman

APPROVED AS TO FORM this  
26th day of October, 1999:

R.L. Marsyla  
R.L. Marsyla, Commissioner

Fred A. Johnson  
Prosecuting Attorney

Esther T. Gregg  
Esther T. Gregg, Commissioner

Resolution No. 131 -99

FRED A. JOHNSON  
PROSECUTING ATTORNEY  
POST OFFICE BOX 347  
Cathlamet, Washington 98612  
TELEPHONE 206-795-3652

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# BOCC AGENDA ITEM SUMMARY

**Resolution:****BOCC Meeting Date:** Nov. 16, 2020**Suggested Wording for Agenda Item:****Agenda Type:** Deliberation

Approve Amendment #5 to an interlocal agreement between Lewis County and Clark, Cowlitz, Skamania and Wahkiakum counties regarding the Lower Columbia Fish Recovery Board (LCFRB)

**Contact:** Rieva Lester**Phone:****Department:** BOCC - Board of County Commissioners**Description:**

Approve Amendment #5 to extend Lewis County's interlocal agreement with Lower Columbia Fish Recovery Board.

Lewis County and the four other counties represented on the Lower Columbia Fish Recovery Board (LCFRB) -- Clark, Cowlitz, Skamania and Wahkiakum counties -- entered into an agreement for the purpose of providing for the operation, funding and support of the management board established by RCW 75.56.050 (subsequently changed to RCW 77.85.200).

- The LCFRB was expected to sunset on June 30, 2002.
- During the 2001 legislative session, the Governor signed a bill extending the sunset date of the LCFRB to June 30, 2006.
- Again in the 2005 legislative session, the Governor signed a bill extending the sunset date of the LCFRB to June 30, 2010.
- During 2009 legislative session, the Governor signed a bill removing the sunset clause from the legislation.
- In 2010 the counties agreed to amend this interlocal agreement through July 1, 2015, and agreed to reconsider the agreement at that time.
- In 2015, the counties agreed to amend the interlocal agreement to be reconsidered no later than Dec. 31, 2020.

**Approvals:****Publication Requirements:****Publications:**

User	Status
PA's Office	Pending

**Additional Copies:****Cover Letter To:**

Lorie Clark, Lower Columbia Fish Recovery  
Board: lclark@lcfrib.gen.wa.us