

Final Meeting Minutes

HCCC ILF Program IRT Kick-off Meeting

October 13, 2011

Department of Ecology

Attendees: Gail Terzi (COE), Christina Merten (ECY), LaJane Schopfer (Mason Co), Patty Charnas (Kitsap Co), Steve Todd (Suquamish Tribe), Richard Brocksmith (HCCC), Cyrilla Cook (WADNR), Chris Townsend (PSP), John Grettenberger (USFWS), Roma Call (PGST), Stacie Hoskins (Jefferson Co), Doris Small (WDFW), Randy Lumper (Skokomish Tribe), David Hirsch (NMFS), Kirt Hughes (WDFW-phone), Cynthia Rossi (PNPTC-phone)

Notetaker: Scott Olmsted (ESA)

Role of the IRT in ILF Programs: -

Gail reviewed the handouts that were supplied prior to the meeting. One handout discusses the role of the IRT both during review of the initial program and the role after the program is approved. She also reviewed the role of the agencies that sign the instrument as parties versus those who sign as IRT members versus those IRT members who choose not to sign. Those agencies that are signing as parties are typically the Sponsor, the Corps and Ecology. Then additional members of the IRT sign as a show of support for the document, but aren't legally bound by the Instrument. Then there are those IRT members that may choose not to sign, but just submit a letter of support for the instrument.

In Lieu Fee (ILF) programs have existed in Washington state prior to the federal rule:-King County MRP and Lake Chelan ILF Pilot program. Historically, a significant criticism nationally of ILF programs dealt with the collection of monies from applicants without timely implementation of mitigation projects. The federal rule issued in 2008, Compensatory Mitigation for Losses of Aquatic Resources; Final Rule (33 CFR Parts 325 and 332 and 40CFR Part 230), requires mitigation projects be implemented within three growing seasons from the first credit sale. The federal rule also holds ILF Programs to the same standards applied to mitigation banks. For example, the Corps' previous DE required King County's ILF to provide numerous assurances and safeguards (e.g., contingency funds, separate accounts for land surcharge fees and adaptive management, long term management and maintenance plans [LTMMMP] for projects) to help ensure the successful implementation of the program; mitigation banks are held to similar standards. Other assurance that have been built into the ILF program template (King County's Instrument) include: language detailing how default of the program, service area, or site will be handled; that proposed new mitigation sites will be subject to public comment and IRT approval and included as amendments to the instrument; and how adaptive management will be incorporated in the program, as needed.

A question was raised about how Section 7 consultation will work with the ILF program. Gail gave an overview of how King County is proposing to address Section 7 consultation for mitigation receiving sites within their ILF program.

A question was raised about the ability of IRT members to influence the program once it is approved. Gail discussed the sideboards that are approved for ILF programs within their Instruments and clarified the roles of the IRT. Tribes and federal, state, and local agencies, as part of the IRT, will have an active role in directing the ILF program if it is considered to not be performing to the appropriate level, as determined by IRT. The role of the IRT does not stop with the approval of the program. The IRT continues to have a role in review of money handling, addition of sites, adaptive management of the program, etc.

Gail also reviewed that Long Term Management and Maintenance Plans (LTMMP) are required by the federal rule for every mitigation site and are developed near end of each individual site's monitoring period.

Patty-The federal rule is a good read. A read of the King Co ILF would help put the federal rule in a real-world context. The HCCC ILF Program needs to use the King County ILF Instrument as a template to help develop their draft instrument, particularly for the freshwater components.

Gail-King County's ILF does include streams and marine areas, but there are no tools to assess functional loss or gain associated with these aquatic resources. The Muckleshoot tribe voiced concerns over this issue and how the ILF program would appropriately mitigate for impacts: for King County they chose to do case-by-case for stream and marine areas.

Cyrilla-Sought clarifications that the prospectus and instrument review timelines are separate; they are.

Christina- One thing we want to remind folks that are interested in participating on the IRT is that based on the federal timelines, once a draft instrument is considered complete by DE, the IRT has 30 days to review and provide feedback. Some items may need further discussion by the IRT after this 30 day period, but this is a quick turn-around. The IRT should be aware of these time constraints and should raise any red flags early in the process.

Doris-Wanted to clarify whether the instrument would be using multiple credit/debit tools or methods for determining the number of required credits required for purchase or the amount of required mitigation; it will.

Christina-A single ILF program instrument will cover multiple sites and possibly use multiple functional assessment tools. The instrument discusses how debits and credits are calculated and related to one another. New mitigation sites are covered as amendments. Functional assessment tools can be amended in the instrument, with IRT review and approval, and different tools can be added at a later time (e.g., nearshore debit/credit tool).

Gail-Typically, an applicant works with sponsor to determine the number of debits and number of credits needed for a particular project and then submits the permit application to the regulatory agencies. King County's instrument includes, as an exhibit to the instrument, how Section 7 consultation process could be integrated into a permit applicant's request to utilize the ILF Program. All applicants wishing to use ILF as compensatory mitigation will need to submit an ILF Use Plan. The ILF Use Plans

would be referenced in biological evaluations/assessments and will include a tiered approach. The tiered approach will identify potential King County roster sites (the majority of which are adjacent to salmon bearing streams) which could address impacts from the project on ESA listed species. ESA consultation for ILF impacting projects will be challenging because compensatory mitigation is deferred to later in time under an ILF Program and may not be known at the time of Section 7 consultation for the impacting project

An ILF program will not succeed unless local regulatory agencies are onboard. If they aren't on board use of an ILF and mitigation to satisfy local requirements could result in double mitigation. King County has worked out a number of inter-local agreements to bring local jurisdictions onboard with the ILF program and to ensure local regulation allow the ILF program as a possible mitigation option (local regulatory authorities typically do not allow mitigation to be transported outside of their jurisdiction when impacts occur within it).

Chris-Bringing locals onboard is important since the Corps and Ecology do not regulate buffers and cannot require mitigation for impacts to them, unless our foot is in the door for an impact to a regulated aquatic resource.

Gail-King County's ILF has addressed buffer only impacts and impacts to buffers that are associated with an aquatic resource impact. These buffer impacts are handled under a separate process that is outlined in the KC ILF Instrument.

Christina-The ILF does not negate mitigation sequencing: avoid and minimize.

Cyrilla-Is it possible to pay one fee and satisfy all of the mitigation requirements of the various regulatory agencies? For instance, DNR has authority to charge applicants for impacts to wild geoducks. If this impact and required mitigation is not addressed in the ILF program then the applicant potentially may pay for mitigation twice/have to perform double mitigation. Cyrilla requested that we have a parking lot topic: How would these DNR fees be covered under the ILF program and how would NRDA assessments be incorporated into the program as well.

Gail-The ILF program is vital for small project impacts since mitigation projects associated with these impact projects are often isolated in the landscape and are prone to failure. Permits for small project impacts account for the majority of permits issued by the Corps.

Overview of Proposed HCCC ILF Program-

Richard- The Navy has several large projects in Hood Canal that they need to mitigate for. They contacted HCCC to see if HCCC would be interested in helping them with the mitigation process. HCCC thought a broader approach to mitigation (watershed approach) should be the way to go so they began work on this ILF program.

Richard reviewed where the HCCC ILF Program is currently at in their review process. The prospectus has been put out to public notice, the comments have been received and distributed and they have

worked on a preliminary response to comments document that was sent out via e-mail previous to this meeting.

Steve-To clarify, the prospectus is considered final after the 30 day public comment period. The public comments are then addressed in the draft instrument. Gail and Christina-Corps and Ecology will write a letter to the sponsor instructing them to move forward on the instrument. Yes, comments that were received during the public notice period need to be addressed by the information in the instrument.

David-NMFS typically ignores the prospectus and waits to get involved and provide comments on the draft instrument. They see the draft instrument as being the legally binding document, so that's where they want to put their review efforts. He wants to be sure that the agency can still be involved with the draft instrument if they do not comment on the prospectus. Gail and Christina clarified that as an IRT member they can.

Richard-To provide an overview: comments have been received on the prospectus and the IRT and HCCC are trying to identify any red flags. HCCC is waiting for a notice to precede letter from the Corps and Ecology to work on/submit a draft instrument. Once the draft instrument is submitted to the IRT, three months of rigorous discussion between the IRT and HCCC begins in hopes of certifying the instrument. The IRT co-chairs must notify the sponsor of the status of the IRT review within 90 days of receipt of the complete draft instrument.

Cyrilla-Has concerns about the pace of development of the nearshore functional assessment and credit/debit tool.

Richard-The nearshore functional assessment and credit/debit tool development does not likely coincide with ILF program certification. HCCC plans to use an interim tool.

Steve – Requested clarification of what type of consistency there needs to be between the prospectus and the program instrument.

Gail-To clarify, the prospectus provides an overview of the ILF program establishment and operation, while the instrument provides the details (e.g., legal obligations of the sponsor and IRT). The federal rule states that the instrument must be based on the prospectus.

Cyrilla-the ILF program may go through SEPA review for some agencies (King County completed SEPA checklist for their ILF program). How does this relate to signing of the prospectus for the locals?

Christina-Prospectus is not signed and it is finalized before it goes out on Public Notice. It is the Instrument which is signed.

Chris-To provide an example: Kitsap Co. would have to allow use of the ILF on a case-by-case basis based on their critical areas code. This would take place at the time of permitting. Locals can do SEPA of the ILF program if they want to use it to mitigate for a particular project.

Richard-The Corps, Ecology, and HCCC will be signing the instrument (at a minimum).

Gail-If the basic agreement needs to be changed, then all parties must re-sign the instrument. If, for example, adaptive management options need to be altered, this can be accomplished with an exchange of letters between the IRT and sponsor, rather than having to re-sign the instrument.

A question was raised about the language in the prospectus that discusses the goal of the program of net gain and how this relates to the federal requirement of no net loss. Richard - The goal of the ILF program is to increase aquatic resource functions in the Hood Canal watershed. This will be accomplished by better site selection and project implementation and management. The HCCC will also work with other programs (e.g., salmon recovery, watershed plans) to address the watershed needs of the area. Richard said that he will be able to go into more detail on the goal of net gain versus not net loss later in the meeting when we discuss the comments received.

The prospectus discusses the needs of the watershed, regulatory authorities, mitigation sequencing, and provides a high level screening method for site selection of mitigation receiving sites. The prospectus also outlines requirements for site protection and stewardship and discusses the compensation planning framework (CPF).

The CPF discusses freshwater resources (wetlands, lakes, riparian areas) and marine resources (marine riparian, intertidal, subtidal, open water, subestuaries and beaches) that will be mitigated for in the service area. It also discusses service area: condition, threats, goals, and prioritization. Richard noted that the freshwater service area did not include the national park lands because HCCC didn't see a need to provide mitigation by the ILF program in those areas. There were comments that the scale of the program may be too large. For the freshwater system, a finer scale may be used such as WRIA or HUC-6, HCCC is open to discussing this option. Even if the scale was smaller than the WRIA, the ILF program would still use watershed characterization to determine where mitigation receiving sites should be located.

The marine resources section of the prospectus is similar to the freshwater (follows Todd et al., 2006). For Hood Canal, HCCC was looking at the critical needs of the entire body and thought moving mitigation throughout the Canal would be appropriate; however, this may not be the right scale. Comments were received that recommend downscale to the drift cell for impacts/mitigation? This scale might not allow for flexibility. HCCC would prefer a scale in-between (a geographic mesoscale).

The remainder of the prospectus provides an overview of the accounting and operation. The HCCC did not receive many comments on this section.

Assessment and credit-debit method – what is being proposed for this program:

Freshwater-functional assessment-Ecology's Operational Draft of the Freshwater Credit/Debit Tool.

Stream impacts-HCCC is trying to decide if this should be covered by the ILF program, no tools are available. There was a request to have this as a parking lot item to be discussed later.

Nearshore-Currently there is no functional assessment methodology or credit/debit tool. Navy has put resources into development of the tool and the prospectus proposed use of the nearshore tool that is under development; however, the tool will likely not be ready in time so the HCCC proposes to use an interim approach until the tool is approved.

Randy-Ecology's Puget Sound watershed characterization currently only addresses flow, but has not been ground tested and the habitat portion of the guidance has not been completed. Water quality guidance has just been released, but has not been incorporated. It is at a coarse scale.

Richard-Ecology's guidance would not be the only document referenced to determine appropriate mitigation sites. There are numerous other documents that can be consulted (e.g., salmon recovery plans).

Cyrilla, Chris, Randy-Ecology's watershed characterization focused on uplands, but they did consult with PSP and PSNERP for water quality and water quantity data

Doris-The priorities that are selected and the information and documents that are referenced for each of these planning tools are subjective, and will depend on the objectives of agencies selecting priorities for sites. What WDFW sees as a priority for a project or watershed could be different than other agencies.

Richard-The prospectus explains that these site selection reference documents would only provide coarse scale site selections; the nearshore tool would refine the selection process by determining detailed needs and functions.

Gail-Mitigation does not necessarily need to be in-kind, but you have to look at the watershed scale and what is needed. The site selection process in the prospectus does not necessarily equate to what you're getting in the instrument because the prospectus is broad and just an overview of the program. The instrument provides the details.

Christina-There is another step in the IRT instrument process; review of the draft instrument prior to receiving the final instrument. So the IRT can review the site selection process and comment on it once we have that document.

Roma-Sought clarification whether the nearshore debit/credit tool would be incorporated into the instrument. Richard-The ILF program will use an interim method and later incorporate the nearshore credit/debit tool.

Gail-The sponsor needs to identify an acceptable interim method or the instrument could not be considered complete. The federal rule (33 CFR Section 332.8(d)(60(iv)(C)) states that for an in-lieu fee program, a complete draft instrument must include "A methodology for determining future project-specific credits and fees". Because a large part of this program focuses on the nearshore, the identification of a nearshore method for determining credits and fees will be essential.

Review of Public Comments Received-

Richard - The prospectus received 7 comment letters that HCCC has responded to. Cyrilla did not receive the response to comments. It was confirmed that she was cc'd on the e-mails, so they should be in her in-box. Below are highlights of the comments/responses.

Role of IRT-this topic has already been covered earlier in the meeting.

Tribal U&A-Cultural resource issues - Gail outlined that these issues must be addressed separately from the ILF Program; the ILF program is not an appropriate tool. Any impact project, as well as mitigation site, goes through a separate process under Section 106. Government-to-government relations remain the same; language outlining this process should be included in the instrument. Richard will be sure that language from tribal attorneys will be included in the instrument.

Net ecosystem gain versus no net loss (NNL)-there is concern that the primary goal of the ILF program is to increase aquatic resource function rather than achieve NNL. The latter is stated in the federal rule. Also, there is concern that if the ILF program constructs projects that have been identified in salmon recovery plans, which are supposed to achieve functional gains in the watershed, then there may only be achievement of NNL, per the federal rule, rather than functional gains. The goal of ecosystem gain is inspirational, but to be congruent with the federal regulation, maybe the goals should be scaled back. The Virginia Trust Fund (operated by The Nature Conservancy (TNC)) has surplus monies that they are able to use for additional projects, thereby achieving functional gains with mitigation.

Steve-net gain goes beyond the federal rule and there is concern that this goal may be setting the program up for failure. If the instrument achieves NNL, then there could be a follow up discussion about what to do with and account for the surplus ecosystem gain. He recommends talking about mitigation and recovery separately in the instrument.

Richard-this could be tracked or accounted for separately in the instrument. The Virginia program has the ability to put extra monies into recovery projects.

Patty-mitigation (ratios) usually attempts to achieve ecosystem gain by virtue of the high ratios (e.g., 4:1). Do the extra monies that the Virginia Trust Fund has access to result from program efficiencies or do they result from placing mitigation in places where it is more likely to be successful?

Richard-can give a presentation on the Virginia Trust Fund and how the program works. They mitigate on an acre-for-acre basis, so the extra money is not tied to functional gain, just extra acreage.

Cyrilla-the preference should be avoid, minimize, and compensate (in-kind and on-site), but mitigate out-of-kind if it results in net ecosystem gain. Mitigation that occurs offsite and out-of-kind should be held to a higher bar (e.g., more rigorous performance standards).

Randy-qualitative, cumulative impacts occur all the time but are not assessed; therefore, the program should seek NNL, but strive for net ecosystem gain.

Stacy-would like a full discussion in the instrument about what the ILF program is trying to achieve, don't want people to say extra money only got more land, but no increase in function. Also, she would like some procedure/accounting method developed that will ensure that surplus monies will translate into measurable increases in function in the watershed, and that these monies will not just buy more land (e.g., need to be able to measure gains in function resulting from the extra monies). She would also not want to see people wanting to lower prices if excesses are identified if the intent is that the excess money would go to functional gains.

Richard-But right now, we're looking at area, not functions.

Gail-some mitigation may have to do onsite (water quality) and other may need to be done offsite (habitat). That might be where the functional gains are seen. With respect to salmon recovery projects-King County's ILF program cannot select projects that have been identified by salmon recovery plans if they have been approved through a Habitat Conservation Plan with ESA (see their instrument).

Doris-we need to recognize that if projects come from formalized restoration plans that there needs to be a project proposed to replace the one that would no longer be available to the restoration plan because it is now used as an ILF site. There needs to be some acknowledgement that work and money went into these projects and the ILF program is utilizing that work that was done previously to their benefit. Where do you draw the line at how much money or what level of detail is involved in the replacement project?

Chris-for projects that have already been designed as part of a salmon recovery plan, the ILF program sponsor should have to pay back the designer in order to receive full credit for the project. This would put money back into the salmon recovery plan so future projects could be designed that would replace the one taken by the ILF program.

Cyrilla-Many shoreline restoration plans have been developed and designed by hired consultants; these projects should not be chosen by the ILF program.

Steve-it does make sense to look for projects that have been identified in recovery plans or other watershed planning documents. There is a difference between a known, designed project versus a hypothetical project that is just in concept phase. You need to be aware that if you pick-off high priority projects identified in these documents, then those projects should be replaced with newly identified projects. He also feels it needs to be made known to the public what the results are from these types of policy decisions. He acknowledges that there are risks both for salmon recovery projects actually being done and that there is risk for funding being available to implement identified projects.

Randy-the selection of high priority projects and identification of new projects should be done on a project specific basis and needs to be vetted by the IRT.

Chris-ILF programs have been considered in salmon recovery planning as a mechanism to have projects actually get into the ground, so that also needs to be kept in mind.

Gail-in other areas of country, ILF program monies have been used to supplement projects that have run out of funding. Write up a section in the instrument that discusses replacement of high priority projects. Gail cautioned that it is an extreme situation for an ILF Program to have “extra” money – rather it is more likely that an ILF Program will be short on funds until the cost/credit is adjusted based on the ILF Program being up and running for a period of time. Do NOT count on having additional monies to put towards net ecosystem gains.

Christina – Stacey’s point is a good one too, if you want the program to show gains above NNL, then you want to be sure that process is written into the Instrument so that if you have excess monies the price of credits isn’t adjusted down later and you lose that excess in the long run.

Richard – all of this will need to be discussed in the Instrument and we are working on teeing that up for the draft.

Scope and scale-Comments were received that requested the program cover upland/marine mammal/riparian resources. Richard-should the scope of the ILF program cover fish/upland/terrestrial resources? Streams are critical, but it could be too much to try and cover given that the ILF program is also addressing in the nearshore environment.

Cyrilla-would like marine mammals to be covered by the ILF program since they will have to be addressed with ESA and nearshore impacts.

Richard- the functional assessment tool will take into account impacts to marine mammals, but impacts to uplands will not be addressed by the HCCC ILF program.

Gail-the HCCC ILF program should consider upland buffers since the Corps gets involved with these if they are adjacent to impacted jurisdictional waters. Riparian buffers should not be off the table, especially if the uplands effect freshwater. Upland riparian buffers may be included in the instrument. Gail-streams are being impacted and the Seattle/Portland districts are working on stream assessment methodology, as is Ecology. This needs to be discussed further.

Christina-leave the door open; go case-by-case with IRT review – she recommends for riparian areas that HCCC follow King County’s stream approach.

Randy-need to address streams since there is so much trouble with aggradation of streams on the peninsula.

Chris-it needs to be determined whether ILF program stream mitigation can be used for impacts to streams AND as mitigation for impacts to other aquatic resources.

Cyrilla-has concern about the pace of the ILF program development.

Richard-This kick-off meeting today is to identify follow up topics for discussion and meetings. It is HCCC’s policy to incorporate all IRT suggestions, even at draft instrument stage.

Discussion of Major Issues & Concerns and Sponsor's Response—HCCC proposes a phased roll-out of the ILF Program with many constraints:

- A limited number of advance credits will be requested for each service area based on the anticipated projects. David: wants clarification on how an ILF program advance credit request differs from banking credits. Gail: Once a ILF Program is approved, the IRT releases a specified number of advance credits that can be sold; once an ILF receiving (mitigation) project is selected and implemented and project performance standards are being met, additional credits are released that replace the sold advance credits (this is termed “credit fulfillment”). Mitigation projects must be implemented within three growing seasons from when the first credit is sold.
- How is the Navy driving this—Navy will be the ILF program’s first project—providing money and reducing risk of program failure by purchasing the advanced credits that would be released. Cyrilla-does not like the Navy’s timeline; fast paced and wants to be sure the nearshore tool is robust. Christina-Navy will have additional projects that could use the ILF program, even if the explosives handling wharf project timeline does not marry with the ILF program approval timeline. So we need to be sure this program is robust and meets our needs.
- At this time HCCC is focusing on impact projects with a federal nexus. Gail-do not only focus on projects with a federal nexus. ILF Programs are especially useful and important for small impacts – in particular isolated wetlands which the feds don’t regulate but state and local jurisdictions do. In addition, locals regulate buffer only impacts and this impact should also be considered for the HCCC ILF Program.
- Annual program review and audits-(this is essentially built into the requirements of the federal rule). By signing the instrument, the Corps and Ecology agree to conduct this annual review and provide additional review, with a federal and state perspective.
- Mitigation sequencing is still applicable and would be addressed by all regulatory agencies. HCCC could develop a mitigation sequencing verification program to address the comments and concerns that have been voiced about this issue. Patty-local jurisdictions need to diversify their mitigation options, so having an ILF program as an option would be good. Christina-one of the reasons that state is signing on is so that projects that use the ILF program and do not have a federal nexus still can use the ILF to meet state requirements. The state wants to be sure that this program is useful for isolated wetlands and smaller projects. Richard-HCCC is trying to find a balance between tribal concerns about the pace of instrument development and scale of the ILF program and the mitigation needs of local jurisdictions.
- HCCC will include in the instrument a process for impact site acceptance criteria, whereby they would have the option of not accepting certain impact projects that do not meet their standards.

Richard-The nearshore credit/debit tool may not be ready in time for ILF program approval based on the timeline that HCCC has set, so HCCC proposes to use mitigation ratios as an interim approach until the nearshore tool is approved for use. Mitigation projects will also be located close to the site and be in-kind, when practical.

The interim approach may be case-by-case; however, this is difficult to do when you attach a credit to a debit. The King County ILF program is proposing to have nearshore projects considered on a case-by-case basis. This is why HCCC is looking at case-by-case for this program. However, for the King County ILF program, it will be a rare example when they mitigate for nearshore impacts, while the HCCC ILF program is driven by nearshore impacts/mitigation, so case-by-case may not be practical. The Corps and Ecology approach all nearshore mitigation on a case-by-case basis. Overwater structure impacts are usually covered by ESA (NOAA).

GAIL-the ILF program must utilize a watershed approach.

Chris-based on the case-by-case scenario, the ratios proposed by HCCC ILF program are aggressive and would require a large project that could afford these high ratios for these rates to be cost effective, rather than day-to-day applicants. The Navy currently has a large project proposed, so that's where this could get the program started and then allow additional work and time for creation of the nearshore credit/debit tool.

Freshwater and nearshore mitigation summary papers were passed out by Richard to provide an overview of the calculation methods. Richard would like to have these summary papers reviewed by the IRT and then used as background for future discussions on what might be acceptable as an alternative method to the nearshore credit/debit tool.

Scale of impact assessment-the location of nearshore mitigation projects should be scaled in terms of functions. Randy-when looking for potential nearshore mitigation sites, start at a smaller scale and work out; further from the impact location.

Select drift cells that are likely to have the highest functional gain with mitigation; even if they are located several drift cells away. If an appropriate drift cell cannot be found at his scale, look for a site further from the impact site that can generate the best return on mitigation. This is one of the topics that need to be discussed further and may benefit from having a draft instrument to speak to.

Christina – we've heard from the group today that there are several points that need further discussion and that it sounds like the group would prefer that a pre-draft instrument be submitted to be sure that all of the concerns of the IRT be addressed prior to submitting a formal draft instrument. Pre-draft instrument can be submitted to the entire IRT. She'd also recommend setting up more than one meeting at this time so that we can focus meetings on discrete topics.

Cyrilla voiced a concern about the pace of the program and the time commitments that are being required of agencies that are participating both on the credit/debit tool technical review and the IRT of this program.

Roma-To address concerns about the pace of the program, the Navy might support an ILF program evaluation after this first project to have another opportunity for input on program operation.

The group discussed the possibility of having ½ day meetings before or after the nearshore credit/debit tool focus group and it was agreed that this would not be possible. The difficulty for the group is time commitments and the ability to effectively focus before or after a highly technical credit/debit meeting. The group also discussed the possibility of having conference call meetings and the view was that the group is too large to have an effective conference call meeting so meetings should be in person.

All those in attendance agreed to the next meeting - **November 14th. Tacoma PSP. 9:30-3:30**. Having the meeting November 14th will allow HCCC to submit a draft instrument the final week of October to the IRT and give two weeks for folks to review it. Also, the next nearshore credit/debit tool meeting is scheduled for November 10th so the group will be able to take information discussed there and feed it into the draft instrument review.

Everyone present today would like to continue on the IRT. Most IRT meetings last from 9am-3pm. The group attempted to find a date in December that would work and nothing was matching up. Richard offered to do a Doodle poll to determine a day in December that would work for the group.