



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

EXECUTIVE ORDER 24-06

**SALMON RECOVERY:
RIPARIAN PROTECTION AND RESTORATION AND
ADVANCING THE COLUMBIA BASIN RESTORATION INITIATIVE AND
AGREEMENT**

WHEREAS, Washington’s iconic salmon and steelhead have been part of the ecological, cultural, economic and spiritual identity of Washington and the Pacific Northwest Native Peoples since time immemorial, and must remain so for future generations; and

WHEREAS, healthy salmon populations are a keystone species that support healthy forests, southern resident killer whales, and dozens of other aquatic and terrestrial species, as well as Native cultures, communities, and economies; and

WHEREAS, protecting and restoring salmon throughout their historic range in Washington is achievable with smart planning and action across Washington’s communities and economies, including but not limited to riparian protection and restoration, climate mitigation and adaptation, growth management, river and dam management, hatchery and fisheries management, stormwater management, smart agricultural practices, and efficient and effective water use; and

WHEREAS, climate change is exacerbating impacts to salmon, requiring bold strategies and funding to offset those impacts and secure a viable future for salmon in the Columbia Basin and across the state. Although the extinction risk is real and imminent, most of the salmon stocks still retain the intrinsic genetic strength to respond favorably if rebuilding conditions are provided within the next decade; and

WHEREAS, riparian habitat provides shade for cooler water, food supply and foraging habitat for salmon and other species, water filtration and purification, sediment and flood control and other benefits. Along many of Washington’s streams and rivers, riparian and aquatic ecosystems have been degraded or lost, yet protecting our salmon is a priority for all Washingtonians; and

WHEREAS, one of the most fundamental actions we can take for salmon recovery and climate resiliency is the protection and restoration of riparian buffers along waterways, yet there is no consistent requirement in the state to protect, restore and manage riparian areas; and

WHEREAS, actions to conserve and rebuild salmon runs will also restore healthy watersheds, providing vital resilience to climate change impacts such as increased water temperature, water scarcity, flooding, drought, and invasive pathogens and species; and

WHEREAS, Washington is recognized as a national leader in salmon recovery guided by 25 years of diverse partnerships and collaborative efforts, the governor’s salmon strategy, the state’s salmon recovery act, federally approved and locally developed salmon recovery plans, and agency science and expertise; and

WHEREAS, this Governor and the Tribes have emphasized the critical need to restore riparian habitat, and have a common commitment to use the best available science for salmon recovery and riparian restoration; and

WHEREAS, collaborative salmon recovery and water management forums including in the Columbia River Basin, Yakima River Basin, Puget Sound, Chehalis River Basin, and Walla Walla River Basin, and among regional salmon recovery organizations, have proven the value of salmon and steelhead restoration efforts that bring together state, tribal, federal, business, and community organizations, and are often integrated with and implement strategies to meet other needs such as water supply, flood safety, climate resilience, and a clean, reliable energy system; and

WHEREAS, in 2023 the states of Oregon and Washington and the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, and the Confederated Tribes of the Warm Springs (the “Six Sovereigns”) came together to develop the Columbia Basin Restoration Initiative (“CBRI”) to chart a path forward to restore healthy and abundant Columbia Basin salmon and steelhead fisheries and restore ecosystem function in the Columbia and Snake rivers. The CBRI represents an historic partnership and opportunity to restore healthy and abundant native Columbia Basin fish runs, honor tribal treaties, resolve ongoing hydrosystem litigation, enhance community and watershed resilience and adaptation to climate change, meet regional energy and decarbonization goals, and ensure the continuity of key services provided by the Columbia River Basin; and

WHEREAS, the Biden Administration directed federal agencies to undertake unprecedented, whole-of-federal-government efforts to protect and restore Columbia Basin salmon and other native fish to “healthy and abundant” levels through a September 2023 *Presidential Memorandum on Restoring Healthy Salmon, Steelhead, and Other Native Fish Populations in the Columbia River Basin*¹; and

WHEREAS, the U.S. government (“USG”) committed to restore populations of Columbia and Snake River salmon and steelhead through a December 2023 stay of litigation agreement with the Six Sovereigns, known as the *Resilient Columbia Basin Agreement*, or “RCBA.” The RCBA includes initial federal commitments in support of the CBRI that was developed by the Six Sovereigns. The USG also entered into a separate “Phase Two Implementation Plan” agreement (the “P2IP Agreement”) with Upper Columbia River Tribes in 2023 to fund a long-term effort to reintroduce salmon above Chief Joseph and Grand Coulee Dams; and

¹ <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/09/27/memorandum-on-restoring-healthy-and-abundant-salmon-steelhead-and-other-native-fish-populations-in-the-columbia-river-basin/>

WHEREAS, support for full implementation of the CBRI and RCBA will complement Washington's other efforts statewide to meet our decarbonization and climate goals, to secure a resilient, reliable, and affordable energy system, and to modernize our infrastructure to be best positioned for a prosperous future; and

WHEREAS, Washington is a longstanding leader in environmental stewardship, including salmon recovery, climate resilience and adaptation, environmental justice, watershed health, decarbonization, and clean renewable energy; and

WHEREAS, it is my Administration's policy to take full advantage of this unique moment in time and unprecedented window of opportunity through coordinated state leadership, to provide strong support for actions to support collaborative riparian protection and restoration efforts across the state, and to support full implementation of the CBRI and RCBA commitments, federal implementation of the *Presidential Memorandum* and the RCBA, and the Upper Columbia P2IP Agreement.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the power and authority vested in me by the Constitution and statutes of the state of Washington, do, effective immediately, hereby order and direct my staff and relevant executive agencies including without limitation the Departments of Transportation, Ecology, Fish & Wildlife, Commerce, Agriculture, Puget Sound Partnership, the Recreation & Conservation Office, and the State Conservation Commission to:

1. Continue coordination with the Governor's Salmon Recovery Office (GSRO) on statewide salmon and riparian recovery strategies and funding efforts, including regular convening of the natural resources subcabinet, working with the GSRO's riparian coordinator and Tribes on sharing data, adaptive management and monitoring strategies, and assessing and advancing opportunities for enhanced alignment, partnership and support for salmon and riparian recovery within statutory, administrative and fiscal capabilities.
2. Find new and improved methods to aggressively forward policies, programs and actions with fish benefits through riparian habitat protection and restoration, including where feasible applying best available science and the principles outlined within the Department of Fish and Wildlife Riparian Recommendations (Vol. I) for achieving fully functioning riparian ecosystems.
3. Support and continue the efforts of the Riparian Roundtable to find solutions to protect and restore riparian habitat and take actions to implement its recommendations.
4. Ensure that legal requirements under the Washington Growth Management Act (in particular, local Critical Areas Ordinances, including provisions related to the Voluntary Stewardship Program) and the Washington Shoreline Management Act are fully implemented at the local level through technical assistance, guidance, and sufficient funding for local governments. Work to further incorporate the guidelines outlined in the Washington Department of Fish and Wildlife Riparian

Recommendations (Vol. I) and Salmon Recovery Plans into local planning efforts for critical areas ordinances and shoreline master programs.

5. Continue to support and fund the voluntary restoration and acquisition of riparian areas, using a watershed-based approach to riparian restoration and conservation targeted toward salmon and steelhead recovery and meeting water quality standards. Leverage and sufficiently fund implementation of completed regional salmon recovery plans, build on preliminary regional restoration planning and prioritization efforts, and incorporate riparian restoration planning and prioritization in areas where it has not yet taken place.
6. Continue to expand the restoration and acquisition of riparian areas, building upon Washington's 25-year history with watershed-based salmon recovery guided by federally approved and locally developed salmon recovery plans and regional collaborative salmon recovery and water management forums.
7. Take measures to sustain agricultural viability while restoring and protecting riparian areas in agricultural areas by supporting collaborative planning to meet salmon and steelhead recovery goals, identifying and implementing strategies to support multi-benefit projects, ensuring an adequate land base and infrastructure for agricultural activities, and increasing the productivity of non-riparian agricultural lands.
8. Establish specific riparian restoration, protection and stewardship targets, monitoring of restored riparian areas, and strategies that can attract federal and private investment in improving riparian habitat and provide for agricultural viability.
9. Pursue a rapid, science-based riparian functional assessment method that standardizes measurement and tracking of ecosystem functions and values in response to restoration, protection, and management actions to better inform land use planning, development permitting, and restoration funding decisions.
10. Establish a strategy to ensure riparian goals are met including safe harbors for landowners participating in voluntary riparian programs and in circumstances of insufficient funding.
11. Participate in and support the work of the *Federal-State Riparian Habitat Working Group* that is part of the Congressionally-created *Puget Sound Federal Leadership Task Force*.
12. Collaborate with the Six Sovereigns and the USG to advance the *Columbia Basin Restoration Initiative* (CBRI) developed by the Six Sovereigns, as well as the federal commitments in the *Resilient Columbia Basin Agreement* (RCBA), including attending regular meetings with the Six Sovereigns and the USG, and coordinating with the White House Columbia River Task Force to advance implementation of the CBRI and RCBA.
13. No later than March 15, 2025, and no less than twice annually, convene with the Governor's office to review and report on coordination efforts among the Six Sovereigns and the USG to implement the CBRI and RCBA, and recommend to the Governor any actions needed to optimize the state's participation in the CBRI and RCBA.

14. No later than November 1, 2025, and annually thereafter, convene a meeting with the Six Sovereigns to discuss ongoing efforts, progress, funding and implementation of the CBRI and RCBA, and include the USG as appropriate to discuss the status of the USG's RCBA commitments in support of the CBRI.
15. Collaborate with the Upper Columbia Tribes to advance the P2IP Agreement with the federal government and to identify a permanent means to reintroduce anadromous fish above Chief Joseph and Grand Coulee dams.
16. Complete, as soon as possible, the replacement needs studies for energy, water, transportation, and recreation, as described in the RCBA and called for in the 2022 *Murray/Inslee Lower Snake River Dams: Benefit Replacement Report*, for understanding and securing continuity of services provided by the Lower Snake River Dams ("LSRDs") should Congress decide to authorize removal of the LSRDs.
17. In partnership with the Six Sovereigns and USG, work to inform and expand support for the CBRI and RCBA among other regional sovereigns and stakeholders. Incorporate appropriate input from the below collaborations with Washington sectors into broader regional collaborations associated with the CBRI and RCBA, including the Pacific Northwest Regional Energy Planning Project process.
 - For Washington's energy, transportation, agriculture, water and recreation sectors potentially impacted by Lower Snake River restoration associated with the CBRI and RCBA, seek input and collaboration from these sectors to help ensure efforts moving forward are consistent with the CBRI objectives to:
 - Ensure continuity of services provided by the LSRDs are secured prior to dam breaching;
 - Ensure investments to secure those LSRD services minimize additional rate pressures and financial burdens on these sectors, relative to likely pressures and burdens without Lower Snake River restoration;
 - Ensure direct costs of actual Lower Snake River restoration are not disproportionately borne by any single sector;
 - Ensure advancing the CBRI and RCBA are complementary to, and help leverage resources toward, an equitable clean energy transition and a resilient and affordable energy system, as well as statewide efforts to modernize and enhance transportation, water and climate security.
 - For Washington fishery, tourism and economic development sectors, seek input and collaboration regarding opportunities associated with restored fish runs, healthy watersheds, and enhanced resilience and adaptation to climate change associated with advancing the CBRI and RCBA.

Provisions of this Executive Order are not intended to alter any existing collective bargaining agreements. This Order is not intended to confer and does not confer any legal right or entitlement and shall not be used as a basis for legal challenges to any rule or any other action or inaction of the governmental entities and employees subject to it.

Effective date: This Executive Order shall take effect immediately.

Expiration: This Executive Order will be reconsidered at the end of the 10-year litigation stay, or at the time a non-federal party withdraws from the Memorandum of Understanding² agreement between the Six Sovereigns and the US Government, and/or the RCBA is terminated. The duration of this Executive Order is to be guided by its intent to recover salmon habitat statewide and to promote full implementation of the CBRI until salmon and steelhead are restored to healthy and abundant numbers.

Signed and sealed with the official seal of the state of Washington, on this 3rd day of December, Two Thousand and Twenty-Four, AD, at Olympia, Washington.

By:

/s/

Jay Inslee
Governor

BY THE GOVERNOR:

/s/

Secretary of State

² *National Wildlife Federation v. National Marine Fisheries Service*, 3:01-cv-640-SI (D. Or.), Document 2450-1, Filed 12/14/23.