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The Shared Strategy for Puget Sound: A Description and Initial Assessment of Collaborative Salmon Recovery Planning in Western Washington State

As of June 2008

This Report was prepared by the following individuals under the auspices of the William D. Ruckelshaus Center at the request of NOAA Fisheries.

Co-Authors

Jonathan Brock is Associate Director of the William D. Ruckelshaus Center and Associate Professor, Daniel J. Evans School of Public Affairs at the University of Washington. He served as project director for this report.

Thomas M. Leschine is Professor of Marine Affairs and Director of the School of Marine Affairs at the University of Washington.

Edward P. Weber is Professor of Political Science and Director of the Thomas S. Foley Institute for Public Policy and Public Service at the Washington State University.

Appreciation: The authors wish to thank those who assisted in the preparation of this report: In particular, we would like to thank **Emily Templin** for project coordination as well as significant research and drafting; also, **Andrea Sternberg** for her contributions to research, drafting, and project coordination; **Lesley Jantarasami** for research and drafting; **Debra Akhbari** and **Deborah Fishler** for project support. Editorial services were provided by **Ina Chang** and **Kay Sterner**. The authors are grateful for the extensive cooperation of the Shared Strategy staff and participants, and of numerous officers, elected officials and members of tribes, federal and state agencies, counties, cities, and nonprofit organizations, as well as landowners, scientists, and other members of interested and affected communities who provided their time to share information and observations. Leadership and staff at the Pacific Northwest Region of NOAA Fisheries were unfailing responsive. We thank NOAA Fisheries and the Board of the William D. Ruckelshaus Center for their patience and for resources and support for a complete and independent study.

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This report is submitted to U.S. Department of Commerce/NOAA, National Marine Fisheries Service. November, 2009.

The requisition/reference number is NFFP 5000-6-50032

This report should be cited as:

Ruckelshaus Center Report: The Shared Strategy for Puget Sound: A Description and Initial Assessment of Collaborative Salmon Recovery Planning in Washington State as of June 2008

Short Summary of Insights from the Shared Strategy Regarding Resolution and Management of Conflict over Natural Resource Management

June 30, 2008

This introductory portion of the report identifies a short list of particularly salient features of the Shared Strategy process, the large, multi-year effort to develop a voluntary, locally driven salmon recovery plan for the Puget Sound area of Washington State in response to the 1999 Endangered Species listing of Puget Sound Chinook salmon. This section highlights a number of unique or particularly creative mechanisms or adaptations that contributed to the success of this work and may have particular value in addressing other complex natural resource conflicts and challenges. These factors, along with other important observations in the vein of lessons learned, are more fully explained in the Policy Maker's Summary and further detailed in the Full Report. Criticisms and remaining challenges are described in those sections as well.

Perhaps the most notable aspect of the process was the overall strategy to overcome the large scale mistrust and balkanization of resources, authority, and priorities and turn it all into a coordinated regional effort across 14 watersheds in northwest Washington State. From the vantage point of a small group of concerned leaders, salmon recovery was possible only if it were driven and governed in a unified way by those in the watersheds, affected communities, and communities of interest, with regulatory and policy authorities as partners who carried out the salmon recovery responsibilities. While the process and the result were not perfect, and could not have been, the result is highly significant and accounts for the extensive salmon recovery plan, implementation structure, broad political support, funding, and relative unity that the work now enjoys.

At first, personal trust and relationships among concerned leaders were used to bring people to the table— prior to a workable approach being developed. This was done initially through the reputation of well-known and trusted leaders like former Governor Evans, Bill Ruckelshaus, Billy Frank, Ron Sims, Chris Endresen, Ralph Munro, and others. Next, the involvement of these leaders in a careful effort to build confidence over several years helped recruit others to the initial discussions to build an agreement among a wider group from the region on how to carry out salmon recovery planning, and then recruit a broadening coalition of regional leaders from all affected constituencies to the regional and local leadership committees that would oversee planning and implementation. The agreement to have a literal "Shared Strategy" also provided for a small coordinating staff to coordinate and develop the "shared" aspects, including common principles and approaches for planning, share information, support the regional committees, and coordinate with the governmental and tribal regulatory entities. These early leaders and the staff initiated many of the initial accomplishments and policy ideas that would

allow a Shared Strategy to credibly emerge and the diverse constituencies to develop confidence in the system.

This arc—from a small core of hopeful and committed leaders, and thousands of skeptics, to a broad and well-structured regional coalition that included thousands of interested and active local and regional leaders and front line workers and volunteers—was not traveled by luck or accident, but by deliberate and careful steps: by beginning with the end in mind. These steps merit examination and, in appropriate circumstances of resource management and conflict resolution, emulation.

The staff, in the first portion of the arc, began to “borrow” the reflected authority of the initial cadre of prominent leaders and created on-the-ground, day-to-day leadership and progress. This strategy worked under the charter of (limited) authority granted to this central staff by the Port Ludlow agreement (Port Ludlow is a waterfront resort and meeting place in the Puget Sound region where the two primary meetings took place to search for a unified regional approach to salmon recovery approach). From that agreement, these early leaders and the staff, carefully and, under the governance and in consultation with the several decision and advisory forums agreed to in the Port Ludlow Agreement, purposefully established a widening coalition of regional and local leaders, and constituted the collective planning and decision forums, resources, and processes that would be needed. Their efforts to do so, and the structure and relationships that were established are described in detail in the Full Report, and summarized in the Policy Makers Summary. This material will provide insight into approaches for assembling a governance and implementation structure out of a previously polarized set of communities of interest in a complex, multi-jurisdictional, multi-regulatory environment.

In the next stage of development, after several years of working to develop and maintain trust—not just of the staff, but to build trust among previously warring constituencies and within a workable and transparent regional and local decision making and planning structure—the leadership energy, initiative, and momentum shifted from the cadre of initial regional leaders and central staff to the regional and local leaders who joined the major decision and advisory forums. The final stage in completing the arc, as the regional salmon recovery plan was produced and then accepted by NOAA in 2006 was a further shifting of initiative and energy to leadership dominated by the watersheds themselves, whether within the watershed planning groups, or as members of the regional governance and strategy groups. While regional activities to coordinate policy, resources, and priorities remained important, formally established watershed planning groups, where actual recovery would have to take place, became, where they had not been already, the primary drivers. And they became so, not as 14 individual watersheds, but as a group that could share goals, work together, and seek resources and policy change from a position of thoughtful planning and unity, and thereby affect state and federal policy and set regional priorities.

By the time of NOAA’s acceptance of the plan in 2006, these watershed entities had, in most instances, greatly improved capacity as a result of the previous six years of effort, including much greater use of science, measurable goals, common priorities, more uniform access to policy makers, problem solving, and resources, and far more structured and effective local decision making and project management

capacity. This commitment, infrastructure, and leadership energy at the local levels, coordinated by collective regional leadership that included representatives of each watershed, became the driving engine of salmon recovery. Some watersheds were better prepared than others, but all were far more prepared to carry this on than eight years earlier. Now a regional structure, coordinated with state agencies, tribal governments, the Governor, and the legislature, and with the federal regional presence, could help gain and distribute resources according to priorities and in consultation with scientific resources to support the work at the watershed level.

This brief section summarizes some of the main ingredients in developing and managing this process of transformation.

1. Invest to clearly understand the relevant history and institutions

The early work to examine and understand the history and roles of the institutions involved in Puget Sound Salmon recovery was crucial to understanding the old arguments and solutions that had been attempted or considered and what resources, knowledge, successes, and commitments existed that could be used to develop a serious recovery strategy in response to the Endangered Species Act (ESA) listing. Several years of up-front investment of time and subsequent intensive consultation and inclusion of many ideas, leaders, and entities that might otherwise have been ignored were a major reason for the initial tolerance and acceptance of a regional effort, later avoidance of fatal errors, and for many subsequent successes. Early investment in understanding the history of the affected and involved parties is a pre-requisite to building an effective new structure for policy and conflict resolution. Doing so takes time and patience often not accorded attempts to resolve large, long standing disputes.

2. Adopt an inclusive approach; protect, rather than reduce rights of parties

Efforts to bring together polarized parties are likely to be more successful if no party is asked as a pre-condition to give up existing rights or authority. Often, participants or conveners beginning a conflict resolution process seek to impose restrictive pre-conditions, creating resistance to participation. Thus, the early (but debated) principle guiding the formation of the Shared Strategy process, that no state, federal, or tribal entity would be asked to give up statutory or treaty-granted powers was crucial to gaining participation. Many parties later agreed to a significant reduction in their independent exercise of rights and authority and to coordination and resource sharing, which would not have been possible by imposing pre-conditions. Seeking to limit or remove rights or authority at the beginning of a process often results in mistrust that is more difficult to overcome and may preclude some key constituencies from participating.

3. Non-traditional agency posture regarding regulatory action and incentives

In a conflict resolution process seeking to overcome long standing disputes or impasses, the role of a regulatory agency such as NOAA or the State Department of Fish and Wildlife, among others, requires a balance that is not typical to traditional regulatory postures. After establishing key parameters, the needed role is one of a knowledgeable participant who can also contribute to the effort certain special resources and authority that can help spur and support the agreed upon direction. NOAA set the stage

with the endangered species listing, retained approval authority, and provided the primary scientific resources and standard setting to live up to its regulatory mandate, but during the process did not play a regulatory role, threaten action, or preemptively veto any approach. Other federal and state regulatory entities played this balancing role as well. Key features of the structure and process of Shared Strategy, as well as important informal interactions, supported these important behaviors. The Policy Work Group, discussed later in the document, is one important feature that helped regulatory agencies play a valued, but less traditional role, taking advantage of expertise, but avoiding old conflicts.

4. Deploy trusted leaders as potential “conveners,” and work to evolve individual trust into trust of a workable process and institutions

A range of recognized regional leaders are crucial to establishing the needed credibility and gaining initial involvement when a resource management situation is contentious as was the salmon recovery and ESA response in Puget Sound. To translate these symbolic commitments and personal involvements into an established and effective process, recognize the importance of then building an infrastructure that merits trust and reflects the initial values and commitments these leaders brought to the table, combined with forums and processes that fit the issues at hand. People like Evans, Ruckelshaus, Frank, Sims, Endresen, and Munro and helped gain the involvement of the crucial tribal, state and local governments, business, and agricultural constituencies while retaining the trust of state and federal officials. The reputations of these leaders—and the symbolism of their commitment— attracted other regional leaders and convinced local leaders that this effort was not business as usual. These leaders and the staff then helped build the needed institutions to supplement, link and otherwise support existing agencies, authorities, planning groups, and mechanisms. Because of this careful progression, the credibility of the system and its accomplishments became the key to a successful plan and transition to the implementation phase. Building from the work of the initial leaders through the establishment of the more formal decision making infrastructure took a number of years, and required that the agency both let these leaders explore and then build on the possibilities unfettered by agency views, ensuring that the agency was informed and had appropriate involvement.

5. Written agreements to increase clarity and confidence; personal contact to maintain trust

Clarification and memorialization avoids later confusion and displays to participants’ sponsors and others the agreements and related mutual commitments that have been made. The agreement at Port Ludlow provided the blueprint for how the planning process would work and captured the commitments of key leaders and major agencies and jurisdictions to participate, as well as how the process would be governed and supported. This was, in effect, the “constitution” for the effort, and something that could be shown and referred to in the early months and years, before the new arrangements became a habit, and trust sufficiently evolved. The Shared Strategy also kept written records of the many local and regional meetings and decisions and a very substantial amount of this material was on its website. The two volume regional Shared Strategy plan, encompassing the 14 watershed plans and related additional issues, represents the overall compilation of what they agreed collectively to do. Having these records of agreement compelled the discussions to a point of closure as the parties worked to express clearly what they have agreed to.

A focus on building trust and relationships was a necessity to overcome the years of mistrust. So, the formal meetings and written agreements were not enough. It was also important to avoid surprises and major errors. Frequent informal interactions and a set of smaller committees and working groups allowed most proposals to be vetted well before being surfaced for more public consideration or decisions and for unsuspected issues to arise for consideration. The staff played a key role in managing these interactions and agenda setting activities.

6. Create broad-based awareness and support

The effort to involve or inform those not directly involved with the Shared Strategy created an awareness of the effort and its breadth, but also helped mitigate opposition and build political and financial support with those less directly involved or affected, but who had a potential interest or could materially affect the outcome. As one example, the business community played a number of important roles: A business community member sat on the Shared Strategy board of directors and contributions from businesses helped fund events and activities related to salmon recovery, particularly in the early planning phases before there was sufficient progress to garner public and foundation funding. Because of these involvements, business leaders knew, and could have input into, the essentials of the salmon recovery work, although rarely was it sought at a detailed level, so they were not surprised or concerned later at the substantial allocation of resources or policy impacts of the salmon recovery plan. Elected officials were kept informed and they and other leaders from the local, state, federal, and regional levels were briefed and invited to participate at critical times—well before any legislation would be sought. Highly focused web communication was used to track progress and invite comment, as were constant local gatherings, and two prominent regional “Salmon Summits,” which involved hundreds of people. Ultimately, it would have been almost impossible for anyone interested or involved in salmon recovery or natural resource policy issues in Puget Sound to be unaware of the Shared Strategy. This work to understand, at early stages, concerns of, and build awareness among, business and governmental leaders, as well as natural resource professionals, concerned citizens, and property owners helped the staff and leadership learn of concerns and issues, and to avert or mitigate later potential opposition.

7. Consider choosing a non-authoritative entity to coordinate the effort; recognize the centrality of having a locus of leadership that is seen as unbiased by history or position. **In this, as in many other conflict situations, none of the existing entities have the combination of authority, knowledge, and trust to be the convener of such a complex and potentially controversial undertaking.** Although there were many highly competent groups of professionals within various agencies, tribes, and elsewhere, no existing entity could have played this convening and leadership role, and no new powerful entity could have been created in the climate of mistrust that existed, or given the needed degree of authority. A leadership center was needed that would not compete with, but could somehow include in new ways the existing expertise and authority. The Shared Strategy coordinating staff (which rarely exceeded six people) had only as much authority as it could earn or assert without alienating the Shared Strategy participants. By providing good service, helping to resolve previously intractable conflicts, helping watershed groups and others obtain resources and achieve progress, helping agencies contribute expertise and achieve their mission, by behaving in a transparent manner, and otherwise showing results, the

Shared Strategy staff, and particularly the Executive Director, Jim Kramer, developed considerable independent influence and impact, and, thereby, the authority needed to accomplish the massive leadership and coordinating task. As noted, this was accomplished by exerting strong direction in the early stages as the system was built, and then following the arc to return a renewed, unified, and newly structured leadership ability to the regional and local leaders.

The staff's only authority came from the memorandum of agreement that emerged in 2000 from the seminal meetings at Port Ludlow. Hence, a non-authoritative coordinator, with no previous institutional history may be an important component to success in such a polarized situations where the needed authority and resources were fragmented among levels and jurisdictions, even when competent expertise may exist in established entities. But harking back to paragraph 1, understanding and respecting the history and existing competence, and involving those entities, as was done here, is an equally important ingredient.

8. Gain support of key "sponsors" regarding the process for policy resolution

Often overlooked in the drive towards consensus among directly affected parties is the support of legitimate sources of authority—"sponsoring" organizations such as NOAA, tribes, the governor, and the state legislature. In this case, there would have been little incentive for watershed groups to participate if NOAA had not expressed its commitment to taking the plan seriously or if it was not anticipated that the state and federal governments would put some resources into any agreed-upon and approved recovery plan. These sponsors must at least assent to the process proposed for resolution if the result is to have a chance for acceptance.

9. Equalize resources

Recognize and address the disparities in capacity and resources among the participants. A major challenge was the differences in technical and financial capacity among the watersheds. In the end, disparity in technical staff and related capacity for data collection and analysis and plan development may be one of the largest factors accounting for quality differences and a large proportion of the concern and conflict over plan adequacy. The Technical Recovery Team and the Shared Strategy staff did significant work to provide technical assistance across the watersheds, but this was not sufficient to overcome resource and capacity differences and deficits in the system. Providing expertise to equalize these disparities would be valuable for similar future efforts.

10. Use science, metrics, and data

Using scientific methods for setting goals and other specific measures of progress helped avoid a least-common-denominator approach to goal setting and avoided the application of primarily political criteria to decisions. Often forgotten in discussions of collaborative problem solving is the importance of goals and measurements; the Shared Strategy was attentive to the importance of concrete goals and related measures, both for long-term progress and because ongoing interest of sponsors and securing funding depended on visible results. Ensuring reasonable attention to the science behind the goals was a key function of NOAA as the primary regulatory agency and helped them play a key portion of the regulatory role in a non-traditional manner. However, in this case, the science team had significant interaction with those involved in the planning, contributing to the better use of the science.

The use of science in the Shared Strategy process merits emulation. Key features of this approach were:

- Using an independent team of scientists likely to have credibility with policy makers.
- Placing the science team where decisions would be made about plan acceptance, but where the team also would get exposure to local knowledge and considerations through interaction and observation.
- Formally adopting the goals by the policy entities close to the issues and responsible for solutions, but remaining heavily influenced by the science.
- Gaining consistency by having the science team provide or oversee technical assistance to the 14 watersheds, including production of a planning template to show what elements should be included in watershed plans.
- Having the science team that advised on the goals also review and comment on the plans prior to final submission in an effort to improve the adequacy of the plans.
- Safeguarding scientific independence by, among other things, leaving the scientists in scientific roles and the policy makers in their roles.

11. Structure roles and responsibilities to ensure balance and a new outcome

Overall, the structure and roles of the various forums and functions in the Shared Strategy process redefined the relationships among agencies, jurisdictions, tribes, and many other interested and affected parties so they could work together in a new way around what would be a new approach to salmon recovery. To enable parties with disparate interests and many with long standing conflicts in approach to work together productively and effectively, the Shared Strategy divided roles and responsibilities in a way that would ensure all primary parties access to the full range of issues and decisions, and also ensure balance and tap into each party's strengths. While respect was shown for existing authorities and prerogatives, a different way of organizing, deciding, and interacting over policies and actions affecting salmon recovery was put in place.

12. Maintain continuity and quality of leadership

In order to carry forward concerns, keep agreements and apply lessons learned; a complex effort like this requires continuity of leadership and institutional knowledge. Reflecting this, many of those involved in planning the Port Ludlow meetings—and the signatory organizations to the Port Ludlow agreements—later became involved in the planning and governance structure, including the Policy Work Group, the Technical Recovery Team, the Development Committee/Recovery Council, and the board of directors. Continuity can also be found in the transition from the Shared Strategy structure and representation to the follow-on Puget Sound Partnership (PSP).

13. Understand the political realities but avoid destabilizing or policy-diluting politics

To create a credible, effective, and scientifically supportable plan, the Shared Strategy effort had to be as free from politics as possible, but the plan also had to be developed in a political context with policy input, support, participation, and funding from elected and appointed officials. The Shared Strategy followed several rules to both respect the policy role of elected officials and keep out inappropriate political considerations and pressures. First, elected leaders were included and treated with respect. Second, the governance system was transparent and included strong leaders from all

constituencies, including elected and appointed officials. Third, the use of scientific standards and designation of NOAA as the final approver also reduced the impact of politics. Fourth, when forming approaches to policy questions, the Shared Strategy staff took potential political reactions into account, and was able to work around potential obstacles to good policy.

The Policy Maker's Summary and the Full Report detail what happened, providing specifics of how these complex and delicate structures and actions were determined, assembled, and carried out. The work done in the Shared Strategy, despite gaps (known to both critics and to principals) that will be identified in this report, brought together, created, and applied techniques to the development of problem solving mechanisms that merit emulation and study for use in other large and complex regional natural resource challenges. The increasingly detailed sections that follow attempt to make a contribution by capturing and evaluating these details while documents and recent memory are still readily accessible.

Many kinds of natural resource and other policy problems have challenges similar to those found in salmon recovery in Puget Sound: They involve multiple levels of authority from tribal, federal, state, city, county, and special districts; multiple interests of landowners, environmentalists, and developers, and where no unified or recognized forum or method of decision making, applying science, or setting priorities exists. They are characterized by governance and authority alignments that pre-date or may have contributed to the problem that needs solution.

Therefore, in circumstances that require a means to integrate the needed energies and authorities, and overcome traditional problems, barriers, and rivalries, it appears that much can be learned from the work done in Puget Sound in the latter years of the 20th century and in the early part of this century to learn to work in new ways on salmon recovery and to build a decision making and implementation infrastructure that crosses all of the usual barriers to progress that are present when environmental and economic issues clash. The biological result will not be known for many years; when it is, this report can be re-examined to see what helped gain success, or what precluded it. But for now, much can be learned, and certainly built on for attempting to address natural resource management, land use, and other issues that resist traditional solutions and institutional arrangements.

Despite the limitations and legitimate criticisms and outstanding questions surrounding it, the work of the Shared Strategy for Puget Sound deserves review and examination by agencies seeking solutions to long standing or new problems that defy solution by normal processes, and by other leaders frustrated by the failure of the tools at their individual command, or traditionally a part of the political or policy making process. It shows many of the better ways to think, organize for action and to act on such problems, reflecting new methods and structures, as well as creative adaptations of principles that have worked elsewhere or on smaller scales. For those wishing to know more, the authors commend to their attention the following Policy Makers' Summary or the Full Report.

Guide for Readers Using this Report

This report is arranged in four sections, each for a different audience or purpose.

Abstract—two pages to provide an overview, noting the intended value of the study.

Short Summary—a 9 page summary descriptions of primary features and lessons.

Policy Makers' Summary—41 page summary that outlines key organizational features, operational philosophy and conflict resolution mechanisms; identifies how conflicting levels of government and other institutions were brought together, including governance and roles; and describes how a stable regional planning and implementation system was developed, including a summary of criticisms and gaps. This summary is for policy officials and senior staff from government, nonprofits, and advocacy groups who are interested in the process and want to glean lessons that could be applied in other settings. It might also be useful for students and others who are seeking an efficient way to review the important features, ingredients and lessons of such an undertaking.

Full Report—139 pages of complete description of the inception, development, tools and structures, interactions, challenges, criticisms, leadership and observations about key principles and lessons. This is prepared for staff or leadership of other efforts of similar scale, complexity and purpose in order to see the detailed challenges and requirements for overcoming such challenges.

This comprehensive section is also provided for the benefit of scholars and other researchers who may engage in comparative studies of similar approaches to such resource management challenges, or who may wish to study the workings and performance of the follow-on Puget Sound Partnership. This comprehensive section describes many of the small details that are often important in establishing and operating a complex dispute resolution system.

Each section is intended to be read on its own, and each successive section captures more detail, so there will be some repetition among them, particularly between the Policy Makers Summary and the Full Report.

1. Abstract

2. Short Summary

3. Policy Maker's Summary

Introduction

Salmon Recovery in the Puget Sound: The Challenges

Salmon Recovery in the Puget Sound: The Historical Backdrop

 Tribal Co-Management of Fisheries

 State Watershed and Salmon Recovery Legislation

 Early Regional Leadership Meetings

 Tri-County Salmon Recovery Effort

 NOAA and ESA Listings

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 - Proposal for a Shared Strategy
 - Port Ludlow II Meeting
 - Shared Strategy Organization and Timeline
- Components of the Shared Strategy
- Shared Strategy Staff
- Shared Strategy Financing
- Assessing the Shared Strategy
 - Watershed Planning and Leads Implementation Groups
 - Development Committee/Recovery Council
 - TRT and Policy Work Group
 - Overall Impact
 - Transition from the Shared Strategy to the Puget Sound Partnership
- Criticism of the Shared Strategy for Puget Sound
- Summary of Lessons Learned

4. Full Report

- Introduction
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 - Tribal Co-Management of Fisheries
 - State Watershed and Salmon Recovery Legislation
 - Puget Sound Water Quality Authority
 - Early Regional Leadership Meetings
 - Tri-County Salmon Recovery Effort
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 - Summary of Antecedent Efforts
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 - Shared Strategy Organization and Timeline
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- Reviewing Work Plans
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 - Broadening Support for Salmon Recovery
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 - Watershed Liaisons
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 - Executive Director
- Shared Strategy Approach
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 - Regional Leadership
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 - Tribal Government Leadership
 - Board of Directors
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 - Salmon Recovery Funding Board
 - Interior Washington Salmon Grants
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Appendix B—Summary of Key Events Affecting and Reflecting the Establishment of the Shared Strategy

Appendix C—Port Ludlow II Letter to Supporters and Summary of Shared Strategy Organization and Process

Appendix D—A Shared Strategy for Puget Sound, October 2000

Appendix E—“Who’s Who in the Shared Strategy” and Shared Strategy Structure

Appendix F—Puget Sound Salmon Recovery Planning Areas

Appendix G—Washington Salmon Recovery Areas