

Timber, Fish, & Wildlife Policy Committee  
June 4, 2015 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
Approved the Unstable Slopes Criteria TWIG problem statement and critical question document with guidance for how to develop the next phase.	Two-part guidance to the TWIG on page 3.

Action	Assignment
1. Draft formal nomination process and job expectations for Policy Co-Chair.	Hans Berge & Claire Chase
2. Finalize May 7 meeting summary.	Claire Chase with others
3. Convene SFLOs Template subgroup.	Dick Miller & Marc Engel
4. Write up Type N discussion as a report to the Board; prepare for Policy to review at July meeting.	Adrian Miller & Chris Hanlon-Meyer
5. Share caucus edits on write-up from Co-Chairs after January electrofishing workshop.	Adrian Miller
6. Revise electrofishing literature review outline, including the recommendations section and add purpose statement.	Hans Berge
7. Send comments on electrofishing literature review outline to Hans by June 18.	All caucus representatives
8. Revise the OCH proposal initiation memo.	Marc Engel
9. Send comments on Type F Pathway Schematic to Adrian.	All caucus representatives

**Welcome, Introductions, & Old Business** – Adrian Miller, Co-Chair of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed everyone and led introductions (*please see Attachment 1 for a list of participants*).

Chris Hanlon-Meyer was introduced as the interim Co-Chair for this meeting. Several Policy members thanked Chris for stepping up but noted concern that there was no warning for this and that it is only interim at this point in time. The Co-Chairs explained the difficulty so far to find someone who has the capacity to be the Co-Chair, which is why Chris was asked to be the interim Co-Chair. The Co-Chairs agreed to have it be interim only through the August Policy meeting, and they will bring an idea for the permanent Co-Chair to the Forest Practices Board (Board) at their August meeting. Policy asked for a more formal procedure in identifying Policy Co-Chairs (the procedure for identifying CMER Co-Chairs could serve as a model). This will be prepared for review at an upcoming Policy meeting.

*Updates*

- Adaptive Management Program (AMP) funding – at the time of the meeting, the legislature had begun its second special session and the AMP was funded at the requested amount in the most

recent versions of the House and Senate budgets. The expectation is that the funding will remain in the conference budget, but the outcome was unknown.

- Other DNR budget requests
  - No anticipated reductions in the base carry-forward budget for the Department of Natural Resources (DNR). DNR is waiting for the conference budget to see funding levels for several forest practices related programs.
  - The geology hazards assessment and mapping decision package was funded at about two-thirds of the original request in both the House and Senate budgets at the time of the meeting.
  - A bill was successfully passed to give DNR the function and authority as a clearinghouse for LiDAR data, but the funding associated with that was unknown at the time of the meeting.
  - The compliance package for geologists, natural resource specialists, and replacement of the Forest Practices Application Review System (FPARS) has been funded by the House at a small percentage of the original request, and not funded in the Senate's budget at the time of this meeting.
- Board Manual Section 16 revisions – the delivery and run-out sections are being finalized and DNR hopes to have those sections completed by the end of June. The stakeholder group will meet on June 25 to review the entire revised Section 16, as well as parking lot issues. It is important to share any final comments with DNR on the Section at the meeting on June 25, because there will not be much more time after that for comments since DNR must finalize the Section and prepare for inclusion in the Board's packet for the August meeting (which must be finalized by mid-July). There is no need for Policy approval of the Section because DNR is responsible for drafting and revising Board Manual sections, but DNR hopes to have the Section for the August Policy meeting, though it will not be a decision item. The time for Policy review is now.

#### *May 7 Draft Meeting Summary*

Policy reviewed several edits to the draft meeting summary from the May 7 meeting. It was requested that a few edits be finalized offline, and due to lack of time Policy was unable to review the meeting summary again before the end of the meeting. A revised version of the meeting summary will be presented for Policy to accept at the July meeting.

**Unstable Slopes Criteria TWIG** – Policy reviewed a revised document outlining the TWIG's problem statement, objective, and critical questions for this study. Policy had reviewed an earlier draft at the April 2015 meeting, but due to Policy discussion at that meeting the TWIG revised the problem statement and submitted this revision for Policy approval. It was noted that once Policy approves this document, the TWIG will begin its next phase, which is to develop alternatives and provide to Policy at a later date.

A Policy member noted that the critical question seemed worded to elicit no more than a "yes" or "no" response. Discussion on the critical question included:

- Some Policy members noted that revising anything in this document means it returns to the TWIG for editing since it is not Policy's responsibility to revise the TWIG's language.
- One caucus mentioned that consensus was tough for the TWIG to reach in developing the original critical question, and bringing it back to the TWIG for revision one more time may unintentionally harm relationships or the willingness of TWIG members to participate in the future (some TWIG members are invited from outside the Adaptive Management Program).
- Policy also noted their hope that the TWIG clarify if they will identify non-RIL situations, and if so to identify those plus any proposals for how to move forward.

- Policy considered editing the critical question language. While the edits might have addressed the concern over the potential for a yes/no response, Policy ultimately agreed to not edit the language. Instead, Policy identified two more specific questions for the TWIG to consider in developing the next phase, which will be considered as guidance to the TWIG:
  - Are there any modifications that would result in more identification of landforms that are likely to have an adverse impact (a yes/no answer),
  - If yes, what are those modifications?

**Decision:** Policy approved the document, with the above guidance (without any edits). All caucuses voted affirmatively, though the non-industrial landowners voted “sideways”. Howard Haemmerle, the TWIG project manager, agreed to bring back this guidance to inform the TWIG of Policy’s discussion and hopes for the next phase of developing the study.

**CMER Update** – Mark Hicks, CMER Co-Chair, updated Policy on recent CMER discussions:

- CMER discussed the Lean process that they adopted several years ago, and how to further modify that process to increase efficiency. Mark had brought suggestions, CMER discussed, and in preparation for voting on the changes at the next CMER meeting, members were asked to send comments to Mark. Once CMER approves the changes, they will bring to Policy for review. It was noted that these changes are separate from those that Amy Kurtenbach identified in her report from late 2014.
- Eastside Type N Riparian Effectiveness Project (ENREP) – CMER discussed how to hire people for site selection, though ultimately agreed that TWIGs should function similarly to SAGs, meaning that CMER allows for a lot of discretion in how to contract additional people.
- CMER is still looking for new Co-Chair replacement.
  - The industrial landowners are looking for someone within their caucus to nominate.
  - The role of the CMER Co-Chairs is not to be chief scientist, though that is always welcome. An important part of the role is having the capacity to keep things moving along, help discussions between caucuses, and help with projects including site selection.
  - CMER’s Protocols and Standards Manual outlines the procedure for identifying new CMER Co-Chairs (they must be nominated by their caucus and approved by the Board). It was unclear at the meeting whether the CMER Co-Chair must be a voting member of as well.
  - A Policy member suggested that CMER consider a facilitator in addition to the Co-Chairs.

**Unstable Slopes Review** – Chris Hanlon-Meyer presented a memo he prepared on behalf of DNR that outlines the recommendations Policy made to the Board regarding unstable slopes (particularly as a follow-up from the Mass Wasting Effectiveness Monitoring Project). These are actions that DNR will report progress on to the Board, but this was provided as a courtesy to Policy. There were no questions on the memo during the meeting, though caucuses were encouraged to talk with Chris after the meeting if they had specific questions.

**Small Forest Landowners’ Alternate Template** – The purpose of this agenda item was only to identify a subgroup of Policy members which would work on the task recommended by the AMPA and approved by the Board in May: to review the alternate template and consider whether it adequately meets the criteria of a template and the definition of low-impact. Dick Miller and Marc Engel agreed to co-convene the subgroup, and Jim Peters, Terry Jackson, and Mark Hicks volunteered to participate. The conservation

and industrial landowner caucuses expressed interest in participating but were not sure at the meeting who from their caucus would participate. They will follow up with Dick and Marc after the meeting. The federal caucus noted that while they would continue to look for capacity within their caucus, they might not have anyone but requested being cc'd on correspondence. It was noted that the subgroup will not be making a decision on behalf of Policy, but rather will make recommendations for Policy to review and approve.

**Type N** – Policy reviewed the latest work on finding the uppermost point of perennial flow (UMPPF), and determined next steps.

- A brief history of the latest actions and discussions:
  - The July 2013 Policy meeting was the last time Policy substantively discussed Type N, when they considered four wet season methodology options for identifying the UMPPF.
  - The Type N subgroup continued to work through fall 2013 and winter 2014 until they gave an update at the March 2014 Policy meeting.
  - At that time, the Policy Co-Chairs recommended that Type N be put on hold for three months in order to focus on Type F.
  - Subsequently, Policy's workload was re-prioritized to focus on unstable slopes, which they did throughout 2014 with no additional work on Type N.
- One of the Co-Chairs noted that Policy has finally been able to make progress again on Type F, and recommended that the focus stay on Type F. He noted concern that Policy members may not have the capacity to adequately address Type F and Type N concurrently. Caucuses shared their perspectives on this recommendation, which included:
  - Interest in convening a stakeholder group, though many caucuses noted that they may not have capacity to participate in a stakeholder group.
  - Interest in having the conservation and industrial landowner caucuses work in between meetings to recommend a solution back to Policy. There was interest by these caucuses to do so, though they noted potential capacity issues.
  - Hope by many caucuses to wait until everyone has enough capacity to fully focus on Type N.
  - A suggestion to wait until 2016, when several Type N studies are expected to be completed and will come to Policy for review.
  - One caucus expressed hope that the additional data compiled by the industrial landowners be considered (beyond the CMER and tribal studies).
    - Another caucus suggested that Policy could bring in a third party to evaluate this data, if that would help other caucuses accept the data.
  - One caucus warned Policy to not wait to address Type N. In order to address Type N in a timely manner while also maintaining focus on Type F, this caucus suggested that DNR finalize the Board Manual Section that includes the wet season methodology.
    - DNR noted unease to do this because it will still have to get a vote at the Board for approval, so DNR always first tries for consensus at the Policy table before bringing something to the Board.
  - One caucus suggested that re-convening the Instream Scientific Advisory Group (ISAG) could help address this issue. Another caucus noted that this would be outside ISAG's original scope.
  - One caucus noted that the disagreement does not seem based in science, but rather in management directions for the wet season methodology.
  - One caucus noted that part of the Clean Water Act Assurances was meant to ensure a more effective AMP to use science and move it through a policy process. This caucus expressed concern that what is currently happening is the opposite.

- It was suggested that the data compiled by the industrial landowners measures something different than the CMER and tribal studies, so it would not be logical to compare them against one another.
- DNR clarified that while the dry season methodology is complete, they do not want to finalize that into the Board Manual until the wet season methodology is complete so the Board only approves the Board Manual once.
- Policy informally agreed that to the degree people are able, caucuses are encouraged to talk offline about Type N. The Co-Chairs will communicate to the Board in August that these offline conversations are beginning and that once Type F is done, Type N will be the priority of Policy's workload. The Co-Chairs will formalize this into an update to the Board that Policy can review at the July meeting.

**Type F** – Policy briefly reviewed the letters sent two days prior regarding Type F and the duty the conservation caucus identified for the AMP to address the discrepancy in rule language regarding F/N stream typing. The conservation caucus noted that the letters were sent in the spirit of disclosure to the other caucuses, not as a legal threat. They hope the AMP can memorialize the stream typing system in a durable way, and the best way they see to do that is in rule language. A couple caucuses noted that receiving these letters felt like a threat.

#### *Type F Action Items*

Policy reviewed the action items that have been assigned over the last several months. There were some updates to the assignments and Adrian Miller agreed to forward to the caucus leads all the comments he and Stephen Bernath received on their original summary of caucus issues after the January electrofishing workshop.

#### *Electrofishing Literature Review Outline*

The AMPA presented a revised version of the electrofishing literature review outline that was originally presented to Policy at the May meeting. This version includes the comments made by Policy members at that meeting. Discussion on the draft outline included:

- The federal caucus noted that these analyses already exist in the Biological Opinions and offered help to the literature review author to ensure that the analysis considers information in a manner consistent with implementation of the Endangered Species Act so that any new conclusions do not simply reflect a different risk tolerance. The AMPA noted that while this may be included in the review, he hopes to not go too far into detail on the Biological Opinions but rather to focus on science and studies that are helpful in a broad context.
- A caucus asked about whether compliance or accountability of the electrofishers will be included in the review.
  - The National Marine Fisheries Service and the Washington Department of Fish & Wildlife (WDFW) regulate electrofishing through their permit authorization, though follow-up compliance or accountability is not formally tracked.
- This review is currently in the CMER budget for \$50,000, and once the AMPA goes to bid and finds a contractor, he will be better able to answer the question of how much and how long this will take.
  - Policy discussed the appropriateness of asking a contractor to write a recommendations section – this might need further discussion by Policy after the outline is revised. The AMPA drafted the recommendations section as a placeholder only – the bullets may be changed by the contractor, but he included them to give Policy an idea of what that

- section might include. Policy considered the idea of giving the contractor a list of categories to include in the recommendations section.
- The AMPA encouraged input from caucuses on contractor selection, while noting that it will likely be best to use a third party contractor.
  - A caucus asked if annual variability and detecting the extent of a population can be included (maybe with the abundance section).
  - Policy generally discussed the purpose of the review, and how much detail to go into. Policy ultimately agreed that a revised version with a purpose statement would help them determine whether the outline is targeted on all the right topics. Discussion included:
    - Whether this should serve as a literature review or a white paper.
    - One caucus suggested that the review also include a section that will inform the AMP on whether fish presence is a good indicator of whether there is fish habitat.
    - A few caucuses were concerned that the project expanded beyond a literature review.
  - Policy agreed to ask the AMPA to provide another revision at the July meeting. Caucuses were encouraged to send specific thoughts or edits to the AMPA by June 18.

### *Report on Off-Channel Habitat*

Policy reviewed the proposal review packet from DNR regarding off-channel habitat. The discussion focused on the task list on page 2 of the packet, including:

- The intent of #1.C. was to define off-channel habitat based on discussions during the field trips in March and April.
  - DNR offered to revise that task to include more about connectivity and bankfull width, though there was no Policy decision to include more information about these topics.
  - A caucus asked if drainage was intended to be a part of #1.C., too. The following language was suggested: “Off Channel Habitat consists of waters connected to *and draining into* Type S and F waters...” (*italics indicate new language*)
- Water typing is only two-dimensional; it does not include anything outside the channel, it only looks upstream and downstream. FPAs and WTMFs are not likely to be helpful because they are unlikely to document off-channel habitat. It was suggested that documentation from ID Teams on ICNs may have some information on off-channel habitat. The data from site visits conducted by the Compliance Monitoring team may also have information on off-channel habitat. What is challenging is that ultimately, Policy has to address the Board’s motion (February 2014), which may not be worded to capture everything.
- There was some concern that the work done by some Policy members a few months prior has been ignored, which makes those who did the work feel like they wasted their time.
  - The Co-Chairs noted that the intent is to not ignore that work, but use it as a standard for the future conversations about potential rule and Board Manual changes. The purpose of this proposal review packet is to put the Type F discussions, particularly those around off-channel habitat, back into a formal process so it has a structure with associated timelines, with the intent of affecting change in the rule, guidance, or both.
  - Once Policy approves the proposal review packet, it will go to the AMPA to develop recommendations to Policy about whether this should be addressed by a science or policy track, or both.
  - A caucus suggested adding to the parking lot how Policy decides to move an informal conversation into a formal process/discussion.
- Policy agreed to ask DNR to revise the proposal review packet for review at the July meeting. Caucuses were encouraged to talk with DNR about edits before June 25.

*Conceptual Game Plan for Completing Type F Rule and Guidance*

Adrian Miller briefly reviewed a draft flowchart outlining next steps for accomplishing the near-term action items and the long-term goals for Type F. Due to lack of time, Policy did not discuss the flowchart after walking through the document, but caucuses were encouraged to send thoughts or edits to Adrian Miller for inclusion in next month's meeting agenda.

The Co-Chairs adjourned the meeting at 4:30pm.

Attachment 1 – Participants by Caucus at 6/4/15 Meeting

**Conservation Caucus**

\*Mary Scurlock

**County Caucus**

\*Kendra Smith, Skagit County

**Federal Caucus**

\*Marty Acker, USFWS

**Industrial Timber Landowners (Large)**

Kevin Godbout, Weyerhaeuser

Doug Hooks, WFPA

Adrian Miller, Olympic Resource Management,  
Co-Chair

\*Karen Terwilleger, WFPA

**Non-Industrial Timber Landowners (Small)**

\*Dick Miller, WFFA

**Others**

Hans Berge, AMPA

Howard Haemmerle, DNR

Claire Chase, Triangle Associates

**State Caucus – DNR**

\*Marc Engel, DNR

Chris Hanlon-Meyer, DNR, Interim Co-Chair

Marc Ratcliff, DNR

**State Caucus – Ecology and Fish & Wildlife**

\*Mark Hicks, Ecology

\*Terry Jackson, WDFW

**Tribal Caucus – Eastside**

\*Ray Entz, Kalispel Tribe/UCUT (phone)

Marc Gauthier, UCUT (phone)

**Tribal Caucus – Westside**

\*Jim Peters, NWIFC

Nancy Sturhan, NWIFC (phone)

Curt Veldhuisen, Skagit River System  
Cooperative



Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
<b>Type N</b>	Type N policy subgroup	Caucuses encouraged to talk offline.
<b>Type F</b>	Policy	Policy completed the off-channel habitat field trips and now is discussing both electrofishing and off-channel habitat to respond to the February 2014 Board motions.
<b>Unstable Slopes</b>	Policy	Board accepted Policy's recommendations; now DNR and UPSAG are working on implementing those recommendations. UPSAG is hiring a contractor to do a literature review.
<b>Adaptive Mgmt Program Reform Rule Changes</b>		Accepted by Board at August 2013 meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
<b>Ongoing CMER reports reviewed by Policy</b>	Mark Hicks & Todd Baldwin, CMER Co-Chairs	CMER Co-Chairs to give update(s) as needed at Policy meetings; AMPA to give quarterly reports for when CMER studies to come to Policy

\*This table notes the Policy Committee priorities that were sent to the Forest Practices Board and any other major topics or issues that arise during the year.

Attachment 3 – Entities, Groups, or Subgroups: Schedule and Notes

Entity, Group, or Subgroup	Next Meeting Date	Notes
<b>TFW Policy Committee</b>	July 9	
<b>CMER</b>	June 23	
<b>Type N Policy Subgroup</b>	TBD	Caucuses encouraged to talk offline.
<b>Type F</b>		Discussed at regular Policy meetings.
<b>Forest Practices Board</b>	August 11	