

Timber, Fish, & Wildlife Policy Committee
November 5, 2018 Meeting Summary
v. 12.6.18

Action	Responsibility
Create a generic timeline describing the length of time that the processes of CR101, 102, and CR103 generally take	Marc Ratcliff
Review all Type N Alternative materials and ask clarifying questions in preparation for the December meeting	Policy representatives
Provide a status update of all studies relevant to Type N Alternative discussion	Hans Berge

Decision	Notes
Approve the October meeting summary with edits.	The Eastside Tribal caucus, Conservation caucus, and Federal caucus were absent; all other caucuses voted thumbs up.
Direct CMER do a study design by end of June 2019 via a \$50,000 contract that encompasses both Alternatives 1 and 2 that targets west/east side needs including 30, 50, 75' buffers on the east and 25, 50, 75' buffers on the west that evaluates (a) different time frames (2 to 5 years), (b) sequential versus concurrent implementation, and (c) differences in cost.	The Eastside Tribal caucus and Federal caucus were absent; the State caucus voted thumbs sideways; all other caucuses voted thumbs up.
Ask CMER and RSAG to consider a remote sensing approach to extensive riparian monitoring and come back to Policy with a recommendation.	The Eastside Tribal caucus and Federal caucus were absent; all other caucuses voted thumbs up.

Welcome, Introductions, & Old Business – Policy Co-Chairs Terra Rentz and Curt Veldhuisen opened the meeting.

Karen Terwilleger, Washington Forest Protection Association (WFPA), introduced Darin Cramer, WFPA, who will assume the role of the Industrial Landowners caucus representative on December 1. Darin previously worked for the Washington Department of Natural Resources (DNR).

Decision: Approve the October meeting summary with edits. The Eastside Tribal caucus, Conservation caucus, and Federal caucus were absent; all other caucuses voted thumbs up.

- CMER update – Doug Hooks, CMER Co-Chair, provided an overview of the CMER meeting summary. The Roads Prescription Scale Effectiveness Study process is taking longer than originally planned. Upon CMER’s approval, the team is looking for a licensed engineer and project coordinator. They expect to have an updated charter and implementation plan for the November CMER meeting. There will likely be an increased cost to the study and more work will

need to be done next summer to complete required fieldwork. The new charter should clarify how this project will be staffed. It is unclear as of yet how the budget timeline will shift.

- CMER provided contingent approval for the Buffer Shade report and discussed the various types of ISPR review. Documentation of ISPR approval will be provided with products going forward. Doug gave a rough estimate of three months for this report to come to Policy.
- The Hard Rock Phase II study will be open to comments through December 4, and will most likely come for CMER and Scientific Advisory Group (SAG) review in February. After the subsequent ISPR review, the findings report would be approved.
- CMER intends to have all revisions to its work plan done by the December CMER meeting to be submitted to Policy in early 2019.
- The Scientific Advisory Group – Eastside (SAGE) has been working with CMER members to identify any projects related to for fire resiliency and salvage.
- Doug and the Co-Chairs are discussing how to improve the efficiency of documents transfer from CMER to Policy.
- CMER is discussing when and for what reasons projects should go to extended monitoring, as well as how to integrate climate change considerations into Policy. Doug suggested that Policy provide any directives it might have to CMER via a motion.
- There was a discussion of having proxies and alternates at CMER meetings, since the eastside meetings are less well attended and risk not meeting quorum.
- CMER seeks greater understanding for its members on the regulations and process involved in contracts, such that contracts don't fall behind. Doug suggested that Policy may benefit from this discussion as well.
- The In-Stream Scientific Advisory Group (ISAG) has been discussing the implementation of the Potential Habitat Break (PHB) study. ISAG may take over this study after it is approved by the Board.
- CMER is discussing whether the Forest Wetland Effectiveness Project (FWEP) study may be more efficiently undertaken by splitting between the east and west sides.
- CMER has a subgroup working on updating the Protocols and Standards manual. An appendix was added to address ISPR review.

Review of Board Meeting Topics – Marc Engel, DNR, gave an overview of the topics to be addressed at the November Board meeting.

The Board will meet at Ken Miller's property to discuss the Small Forest Landowner Alternative Template. They will survey the demonstration site at Ken's property.

The second day of the Board meeting will include a Water Typing Systems rule update. The contracted economists will attend the meeting and the Economists Workgroup will be involved. The details of the rule update will be shared in the coming days, including the names of the contractors, the methodology, and the analyses.

The PHB Validation Study design and budget are being finalized and will be sent out in the coming days for the Board to review before its November meeting. The GIS analysis will be mentioned to the Board, noting that the information is in hand to complete the cost-benefit analysis and SEPA checklist. There will be no names associated with the PHBs; rather, they will be labeled as A, B and C.

The Board will hear a presentation regarding the science used by the expert panel report upon which the decision on tributary streams was made.

There will be an update from the Adaptive Management Program Committee on Efficiency and Effectiveness. The Committee’s meeting scheduled for the last week of October was canceled. The next meeting is scheduled for November 29-30.

Legislative Preview – Curt Veldhuisen opened the floor for guest legislative liaisons to provide updates from their affiliations.

Heather Hansen, Washington Farm Forest Association (WFFA), shared that WFFA is currently taking a responsive stance to legislation. There has been some discussion of tightening requirements for the Family Forest Fish Passage Program (FFFPP).

Joanna Eide, DNR Legislative Director, provided an update from DNR. DNR is scheduling meetings with individual organizations represented at Policy. This year, DNR will be shifting toward a greater focus on operating requests and a proactive rather than reactive approach. The proposals place focus on small forest landowners. DNR’s operating requests are organized into three topics, as described below. See attachments for detailed descriptions of DNR’s requests. Joanna noted that the Office of Financial Management (OFM) is expected to release budget appropriations on December 20.

Category	Item	Funding Request
Wildfire and Forest Health (Operating)	Permanent Engine Leaders and Broadband Study	\$11,996,000 in 2019-21; \$3,166,300/yr ongoing
	Training Expertise	\$2,201,800 in 2019-21, \$887,300/yr ongoing
	Outreach to Communities Endangered by Wildfire	\$1,942,500 in 2019-21, \$938,000/yr ongoing
	Aviation Program	\$6,251,400 in 2019-21, \$1,340,700/yr ongoing
	Correctional Camps Program	\$4,826,300 in 2019-21, \$1,225,900/yr ongoing
	Wildfire Division Realignment to Focus on Forest Health	\$5,761,600 in 2019-21, \$2,989,300/yr ongoing
	Federal Lands Program	\$724,240 in 2019-21, \$362,120/yr ongoing
	Post-Wildfire Landslide Reconnaissance	\$234,200 in 2019-21
	Landowner Assistance Program	\$4,268,700 in 2019-21, \$2,336,600/yr ongoing
Environment and Resilience (Operating)	Ocean Acidification Research and Coordination	\$1,502,900 in 2019-21, \$746,100/yr ongoing
	Aquatic Restoration and Creosote Removal	\$7,000,000 in 2019-21, \$3,500,000/yr ongoing
	Small Forest Land Owner Assistance	\$1,602,900 in 2019-21, \$704,700/yr ongoing
	Landslides and Public Safety	\$1,433,200 in 2019-21, \$1,085,000 in 2021-23,

		\$431,100/yr ongoing
	Forest Practices and Public Safety	\$820,400 in 2019-21, \$358,200/yr ongoing
	Conservation Lands	\$1,526,800 in 2019-21, \$ 830,600/yr ongoing
	Urban Forestry	\$2,101,100 in 2019-21; \$502,200 in FY 2022
	Forest Practices Online Application	\$2,100,500 in 2019-21, \$261,400/yr ongoing
	Fairview Remediation	\$303,600 in FY 2020
Rural Communities and Trust Health (Operating)	Outdoor Recreation and Community Engagement	\$3,896,000 in 2019-21; \$2,126,000/yr ongoing
	Asset Valuation	\$557,000 in 2019-21
	Green Energy Leasing	\$1,460,000 in 2019-21, \$707,000/yr ongoing
	Identify Geothermal Resources	\$632,000 in 2020, \$292,000/yr ongoing
	Commercial Leasing	\$440,000 in 2019-21, \$398,000 in 2021-23, \$183,900/yr ongoing
	Emergency Communications and Connectivity	\$2,057,000 in 2019-21, \$1,002,000/yr ongoing
	Amateur Radio	\$371,000 in 2019-21, \$199,000 in 2022, increasing by 4.9%/yr ongoing
Capital Requests (in order of priority)	Forest Health Hazard Reduction	\$17,700,000
	Minor Works Preservation	\$18,980,000
	Minor Works Programmatic	\$17,223,000
	Sustainable Recreation	\$8,500,000
	Commercial Real Estate	\$2,000,000
	Pasco Local Improvement District	\$4,000,000
	Odessa Groundwater Replacement Project	\$825,000
	Natural Areas Preservation and Access	\$7,048,000
	Puget SoundCorps	\$8,000,000
	Road Maintenance and Abandonment Plan	\$5,926,000
	Grouse Ridge Road WSP Easement	\$5,514,000
	Large Derelict Vessel Removal	\$5,000,000
	Family Forest Fish Passage Program	\$20,000,000
	Forestry Riparian Easement Program	\$17,324,000
	Rivers and Habitat Open Space Program	\$6,000,000
	Teaway Forest Management Plan	\$1,856,000
	Sunshine Mine	\$130,000
	Schools Seismic Study	\$5,000,000
	Trust Land Transfer	\$35,000,000
	Land Bank (Trust Land Replacement)	\$30,000,000
Forest Legacy Grants	\$15,000,000	
Land Acquisition Grants	\$18,000,000	

Joanna also shared some policy bills that DNR is supporting. Most were brought forward in previous years in some form.

- Unplatted Tidelands Bill: Help tidelands lessees secure funding to make improvements on their property by extending lease timeframes.
- Washington Coordinate System Update Bill
- General Authority for Law Enforcement Officers: The twelve officers across the state would qualify for Washington Criminal Justice Training Commission.
- Prescribed Fire to Address Forest Health Treatment: Identify and remove any statutory barriers to DNR to using prescribed fire. DNR is scheduled to attend a work session on November 14 in the Senate Committee to discuss wildfire and forest health. DNR hopes to dispel some false narratives as to why prescribed fire cannot be used.

Questions and Comments:

- What is the status of the solutions table report associated with the marbled murrelet bill?
 - The solutions report is forthcoming within the next several weeks. DNR hopes to complete all tasks by summer 2019. It is possible that litigation will come forward and delay the process further. There will be no particular ask on the marbled murrelet topic, though several requests influence murrelet habitat.
- Joanna clarified that the Small Forest Landowner Assistance request includes four full-time employees (FTEs) to staff DNR's Small Forest Landowner Office.
- Terra shared that all of the state agencies that are putting forward Forest Health requests are working together to demonstrate the concerted effort they need to make to meet Forest Health requirements.
- Is DNR on schedule to complete the state lands Road Maintenance and Abandonment Program (RMAP) request for 2021?
 - This request is for \$5.9 million for 21 injunction culverts and other water quality and public safety projects.

Small Forest Landowner Alternate Plan Template – Marc Engel provided an update on the activities of the Small Forest Landowner Template Workgroup.

The science report completed by Cramer Fish Sciences has been sent to ISPR along with comments from Workgroup caucuses. The group will turn back to its focus on template prescriptions and providing recommendations to the Board as to whether all or any portion of the proposal be carried forward as a template. The Board also asked the Workgroup to consider two existing templates. The Workgroup plans to present its recommendations to Policy at the January meeting.

The next meetings have been scheduled for November 29 and December 18. Marc will work with Ken Miller, WFFA, and Rachel Aronson, Triangle Associates, to standardize the process going forward. The meeting schedule will be as rigorous as schedules allow.

Marc noted that at the next Board meeting, the Board will hear a presentation on templates and will visit Ken Miller's tree farm to see a demonstration of the proposed Small Forest Landowners Template.

Recommendations for Re-allocation of Funds – Terra Rentz, WDFW and Co-Chair, gave an overview of the Budget Workgroup's assigned tasks and initial outputs.

The Workgroup's first task is to create a reallocation of funds to ensure a balanced budget at the end of the fiscal year, or June 2019. The Workgroup has also begun to assess the budget for the next biennium to maximize efficiency.

Questions the Workgroup is considering include how to prioritize projects, how to differentiate between strategies and projects, and how to manage timelines effectively.

Terra also shared the spreadsheet created by the Budget Workgroup. The sheet shows Fiscal Year (FY) 2018 and 2019 approvals and FY 2019 unmet needs. Terra walked through the cost savings and cost increases by program as documented in the spreadsheet.

The cumulative total of the FY 2019 reallocation is a \$97,000 deficit. Terra noted that there is a good chance this will be absorbed by the end of the FY. She also stated that if costs are higher than anticipated, the Budget Workgroup does not have an answer for how to make up this deficit. If projects run out of money, they will end up in a holding pattern.

For FY 2021, the budget that was approved was the legislative request, not the actual operating budget for the year. The original starting point was \$661,000 above the line. After review of the budget, the result was \$534,000 in deficit. Terra stated that the Budget Workgroup seeks input from Policy about how to address this deficit. The Budget Workgroup will likely present to Policy multiple budget alternatives that reflect different priorities.

In December, Policy will approve the reallocation of the remaining FY 2019 funding. In January, Policy will discuss the CMER work plan. Caucuses should review the work plan and order of operations for projects in preparation for CMER's presentation. In February, Policy will discuss the next biennium recommendations. This recommendation will be presented to the Board to decide upon in May.

There was discussion of budget timeline and how to shift the process to reduce the misalignment of contracting and work window timing. This may mean that Policy would need to get a budget approved by the Board at the Board's February meeting. Policy representatives expressed desire to be included in this discussion. Budget Workgroup members feel that the Workgroup does not receive adequate information to work efficiently. There is desire for changes in business practices that will improve communications.

It was noted that the cost savings are really postponements that may incur greater costs in the coming year or more.

Type N Alternatives – Mark Hicks, Ecology, presented on Clean Water Act water quality standards as applicable to forest management and the Type N Alternatives study. Please see slides for details.

- Temperature increases due to forestry need to meet water quality antidegradation and numeric temperature standards. Numeric criteria are based on seasonal and annual maximum temperature thresholds, measured as a seven-day average daily maximum (7DADMax). They are assigned to

water bodies based on the fish species that use them. Antidegradation Tier II rules trigger a process to determine if any measurable warming is permitted.

- Incremental warming criteria: For waters naturally at or warmer than the criteria, human actions cumulatively can raise the temperature no more than 0.3°C (0.54°F). For water temperatures cooler than the criteria, nonpoint sources combined must never exceed 2.8°C (5.04°F) or exceed the annual maximum criteria, whichever is less.
- Applying criteria to headwaters: The water quality standards contain directives on applying uses and criteria beyond waters specifically named:
 - Upstream actions must meet downstream criteria.
 - Criteria for the most upstream designated uses (primary contact recreation, summer salmonid spawning habitat, domestic water supply, boating, etc.) apply to headwaters to protect non-fish aquatic species and downstream uses.
- Antidegradation Rules:
 - Tier 1: Maintain existing and designated uses
 - Tier 2: Protect waters of higher quality than the assigned criteria
 - Tier 3: Prevent degradation of designated Outstanding Resource Waters
- Policy tools applied in unique permitting situations include mixing zones, variances, intake credits, water quality offsets, site specific criteria, short term modifications, and use attainability analysis.
- Summary of Water Quality Standards (WQS) concerns with hard rock treatment sites (See slides for warming averages across specific sites):
 - Forest practices and 100% sites: Almost all monitoring sites in the Np basins increased over the 0.3°C antidegradation trigger.
 - 0% sites: Almost all monitoring sites in the Type Np basins increased over the 0.3°C antidegradation trigger.

Questions and Comments:

- How is climate change accounted for in these criteria?
 - Climate change is considered to be part of the natural background. The criteria are directed at temperatures caused by human action.
- Are there specific protocols for how and when to measure these aspects?
 - There are general guidelines within the criteria.
- Is there a case to be made for the long-term benefit, as described in dam removal, in forestry?
 - This would be hard to argue, since the long-term gain argument is only acceptable when there is no other alternative way to meet the requirement.
- What is the distinction between the federal role and the state role?
 - Federal regulations determine the minimum components of water quality standards and what tools can be used. States have flexibility in how they choose to approach the antidegradation rules. While the state is obligated to establish non-source point control, there is no program established by the federal government allowing EPA to monitor it. Once the program is established, EPA will be involved in administering it.
- Is the antidegradation standard the same for point and nonpoint sources? What is the timeframe for getting back in compliance?

- There is a formal process for establishing a timeline for getting back in compliance. This involves studies that investigate the available technology that would allow sources to come into compliance.
- Was the 0.3 degrees centigrade already in federal and state regulation when the Forest and Fish Agreement was put in place?
 - It is only in the state and not in the federal regulations. We were in the decision-making process about antidegradation applied to forestry. Antidegradation was discussed during the making of the Forest and Fish Agreement.

Policy members expressed interest in hearing updates to this presentation in the future.

Riparian Characteristics & Shade Study – Mark Hicks gave an update on the Riparian Characteristics and Shade Study. CMER created a revised cost estimate that found that expanding the statewide study to two years would increase the cost by \$100,000. CMER agreed that \$50,000 for study design would be sufficient. Mark noted that money would be saved by managing the studies on both sides as one project.

There was discussion of whether it would be more useful for the eastside or westside data to come out first. The recommendation from CMER and RSAG was that the eastside data may be a higher priority due to issues of interest such as fire and forest health.

There are four blocks with five sites each in the study. Each site contains three plots, and each plot includes nine different treatments.

Mark explained that Alternative 1 can be used to set different types of shade assumptions to customize the model. Alternative 2 tests different variables that cannot be integrated into the existing model. He noted that none of these models include stream temperature; they only predict shade based on the density of the riparian area. There is no variable for stream width.

The group discussed the alternatives in terms of cost, timing, and design. A motion was made to ask for a study design from CMER that would encompass both Alternatives 1 and 2.

An amendment was proposed to strike the words “both” and “and 2” from the motion. The amendment was seconded. After discussion among the group, the amendment did not pass.

Decision: Direct CMER do a study design by end of June 2019 via a \$50,000 contract that encompasses both Alternatives 1 and 2 that targets west/east side needs including 30, 50, 75’ buffers on the east and 25, 50, 75’ buffers on the west that evaluates (a) different time frames (2 to 5 years), (b) sequential versus concurrent implementation, and (c) differences in cost. The Eastside Tribal caucus and Federal caucus were absent; the State caucus voted thumbs sideways; all other caucuses voted thumbs up.

Extensive Riparian Vegetation Monitoring Implementation Pilot Findings Report – Hans Berge, AMPA, recommended that Policy ask CMER to begin discussing an approach extensive monitoring. This would go back to RSAG. The group discussed the proposal and proposed a motion.

Decision: Ask CMER and RSAG to consider an approach to extensive monitoring and come back to Policy with a recommendation. The Eastside Tribal caucus and Federal caucus were absent; all other caucuses voted thumbs up.

Type N Alternatives Discussion – Curt Veldhuisen gave an update on the Type N Alternatives Workgroup and Policy discussed the Type N Alternatives brought forward by the Workgroup. The Workgroup’s last meeting was October 25. Marc Engel clarified that Policy can take two alternatives to the Board if it has full consensus that both alternatives are viable. In December, Policy will choose one or more full consensus alternatives to work from. Policy has until its January meeting to develop and expand upon the alternative(s) that it chooses. Full consensus alternative(s) will go to the Board.

If Policy does not choose any full consensus alternatives, Policy needs to go to dispute resolution. In regards to proposed rulemaking, Marc noted that initiation of the CR101 process would mean that Policy’s future dispute resolution meetings would be public meetings.

Action: Marc Ratcliff will create a generic timeline describing the length of time that the processes of CR101, 102, and CR103 generally take.

Policy reviewed the Workgroup’s identified commonalities and open questions, as listed below. No decision was made.

Commonalities:

- Interest in forming another group with a technical focus
- Focus on stream temperatures
- Based on TFW ground rules
- Both alternatives not mandating specific buffers

Open Questions:

- Clarifying workgroup tasks, include causal mechanism analysis
- Timeline(s)
- How will it be decided whether the hard rock study meets the standard for emergency rule?
- What is the appropriate pathway to rulemaking?
- Spatial scope of rulemaking
- Use of literature synthesis and other science
- Are there other considerations than shade?
- 7% target for reduction in shade?

Next Steps – Policy discussed the most efficient use of time in its December meeting. Representatives expressed desire for a Type N Alternatives work session on the first day.

Action: Policy representatives will review all Type N Alternative materials and ask clarifying questions in preparation for the December meeting.

Next meeting date: Policy will meet for two days on December 5 and 6, 2018.

The meeting was adjourned at 4:46 p.m.

Attachment 1 – Participants by Caucus at 11/4 Meeting*

Conservation Caucus

*Alec Brown, Washington Environmental Council

County Caucus

Kendra Smith, Skagit County

*Scott Swanson, WSAC

Industrial Timber Landowner Caucus

*Karen Terwilleger, WFPA

Darin Cramer, WFPA

Doug Hooks, WFPA and CMER Co-Chair

Jenny Knoth, Green Crow and CMER Co-Chair

Courtney Block, Hampton Lumber

Small Forest Landowner Caucus

*Steve Barnowe-Meyer, WFFA

*Ken Miller, WFFA

Harry Bell, WFFA

State Caucus – DNR

*Marc Engel, DNR

Marc Ratcliffe, DNR

State Caucus – Ecology & WDFW

*Rich Doenges, Ecology

Mark Hicks, Ecology

Terra Rentz, WDFW and Co-Chair

*Don Nauer, WDFW

Tribal Caucus – Westside

Curt Veldhuisen, Skagit River System Cooperative and Co-Chair

Joseph Pavel, Skokomish Indian Tribe

Tribal Caucus – Eastside

Marc Gauthier, Upper Columbia United Tribes

*caucus representative

Others

Rachel Aronson, Triangle Associates

Annalise Ritter, Triangle Associates

Hans Berge, Adaptive Management Program Administrator

Howard Haemmerle, Adaptive Management Program Project Manager