
CHARTER: TECHNICAL TYPE NP PRESCRIPTIONS WORKGROUP

- I. **Date:** March 7, 2019
Updated version (v.2) approved by Policy 06-08-2019
Updated version (v.3) approved by Policy 09-05-2019
Updated version (v.4) approved by Policy 10-03-2019
- II. **Project Duration:** March 7, 2019 through completion.
Completion is to occur six months after receipt of final affiliated report, estimated December 2020

III. Introduction

This charter is intended to guide the formation and efforts of a Technical Type Np Prescriptions Workgroup (hereafter: Workgroup), which is a sub-group of the Timber, Fish and Wildlife (TFW) Policy Committee (hereafter: Policy). The Workgroup will be formed as an outcome of alternative actions proposed by Policy in response to the study entitled *Effectiveness of Experimental Riparian Buffers on Perennial Non-fish-bearing Streams on Competent Lithologies in Western Washington* (hereafter: Hard Rock Study; Attachment 1). The purpose of the workgroup is to develop proposed Riparian Management Zone (RMZ) buffer prescriptions for Type Np streams in western Washington for Policy's consideration. Based on the scope of the Hard Rock Study, the initial focus is on western Washington streams in areas of hard rock lithology, to achieve temperature protection objectives. However, this scope may be expanded per the direction of Policy as more information becomes available.

Policy affirmed, through consensus, that the Hard Rock Study indicated there was a temperature increase associated with the buffer treatments tested. Therefore, Policy agreed the findings warrant action and proposed the following process components:

1. Formation of a technical workgroup, governed by a charter, to develop and deliver a set of proposed RMZ buffer prescriptions for Type Np streams that meet a suite of resource protection, feasibility, and economic objectives.
2. The workgroup will utilize all relevant information to inform proposed RMZ buffer prescriptions for Np streams, including available literature and data while adhering to the timeline.
3. Inclusion of additional Type N related projects currently in the CMER process including the *Buffer Integrity – Shade Effectiveness (Amphibian)* project; *Westside Type N Buffer Characteristics, Integrity and Function (BCIF)* study; *Type N Experimental Buffer Treatment in Hard Rock Lithology - Phase II Extended Monitoring* study; *Extensive Riparian Status and Trends Temperature Monitoring – Type N/F (Westside and Eastside)* study; and the *Type N Experimental Buffer Treatment in Soft Rock Lithologies* study. These products would be available for the workgroup upon delivery to Policy from CMER.
4. Expedited funding and implementation of the *Buffer Characteristics and Shade* study to both inform, and be informed by, the workgroup
5. Adherence to a timeline that is expected to run concurrently with the CMER process associated with remaining Type N projects and conclude within 6 months of receipt of the final study. At the time of drafting, the *Type N Soft Rock* study is anticipated to be the final study delivered by CMER in this series.

Policy anticipates that rulemaking will be needed to implement RMZ buffer prescriptions for Type Np streams that result from recommended actions.

IV. Workgroup Purpose

The purpose of the Workgroup is to develop proposed RMZ buffer prescriptions for perennial, non-fish bearing (Type Np) streams in western Washington that meet the following objectives:

- i. Protect water temperatures to meet the rule (WAC 173-201A-200, -300-320);
- ii. Are repeatable and enforceable;
- iii. Are operationally feasible;
- iv. Provide wood to the stream over time;
- v. Account for windthrow;
- vi. Consider options that allow for management (e.g. selective harvest) in the RMZ; and
- vii. Minimize additional economic impact.

Although the site specificity of the *Hard Rock Study* applies to above ground stream components in basalt (hard rock) lithology, Policy may expand the objectives and/or geologic/geographic applicability of proposed prescriptions if findings from subsequent Type N projects warrant action.

The workgroup shall understand results of the *Hard Rock Study* and utilize all available information to inform the development of proposed RMZ buffer prescriptions for Np streams as described above, including best available science and related documents from within the Adaptive Management Program (AMP), and additional final CMER-approved findings reports from Type N projects. These studies include:

- A. Buffer Integrity – Shade Effectiveness (Amphibian) Project
- B. Westside Type N Buffer Characteristics, Integrity and Function (BCIF)
- C. Type N Experimental Buffer Treatment in Hard Rock Lithology - Phase II Extended Monitoring
- D. Type N Experimental Buffer Treatment in Soft Rock Lithologies
- E. Extensive Riparian Status and Trends Temperature Monitoring – Type N/F (Westside and Eastside)

As each CMER-approved study report becomes available, the Workgroup will assess its implications and incorporate the new results into the Workgroup’s ongoing work, per Policy’s direction. These studies and their associated findings are the products of an agreed upon process within WAC 222-12-045. It is not the role of the Workgroup to reanalyze the *Hard Rock Study*, or the additional Type N projects listed above, to refute the findings produced through the CMER process.

Policy expects the Workgroup to understand the findings and full reports of the *Hard Rock Study*, and subsequent projects and, if needed, solicit additional input from project Principal Investigators (PIs) or outside experts to identify knowledge gaps and gain a better understanding of the CMER research. The Workgroup may employ any necessary information gathering, synthesis, and/or understand cause and effects to inform prescription development. However, Policy expects the Workgroup to adhere to the timeline established in Section VI of the Charter.

V. Deliverables

1. Development of one or more forest practice RMZ prescriptions for perennial, non-fish bearing (Type Np) streams in western Washington that meet the objectives in Section IV.
2. Estimate the level of effectiveness of proposed Type Np water RMZ buffer prescriptions at meeting resource objectives identified in The Forest Practices Board approved Schedule L1 of the Forest and Fish Report and affirmed in the Forest Practices Habitat Conservation Plan using literature, modelling or other methods.
3. Submission of final report no later than 6 months post-receipt of final Type Np study (estimated December, 2020) to Policy that articulates Deliverables 1 and 2, any major process findings, and any areas of non-consensus.

VI. Timeline and Milestones

Milestone/Task	Earliest Expected	Reasonable Worse Case*
Informational: CMER-Approved draft BCIF Report to send to ISPR available	<i>Available</i>	N/A
Board acceptance of Policy Proposal	May 7, 2019	N/A
Receipt of final <u>Buffer-Shade Amphibian Response Study Findings Report, and Direction <i>from Policy</i></u>	<i>Available</i>	N/A
Written update for Oct. Policy / Nov. Board (I)	September 26, 2019	N/A
Workgroup convened	October 2019	Early November 2019
Informational: Receipt of ISPR and CMER-Approved final <u>Extensive Type N/F Temperature Report <i>from CMER</i></u>	<i>Available</i>	N/A
Informational: CMER-Approved draft <u>Hard Rock Phase II Extended Report to send to ISPR available</u>	<i>Available</i>	November 2019
Workgroup members become familiar with Hard Rock Study results and Washington State water quality standards	<i>Available</i>	N/A
Receipt of final <u>Extensive Type N/F Temperature Study, Findings Report, and Direction <i>from Policy</i></u>	November 2019	January 2020
Informational: CMER-Approved draft <u>Type N Soft Rock Report (2yr post-harvest) to send to ISPR available</u>	December 2019	January 2020
Written update for Jan. Policy / Feb. Board (II)	December 26, 2019	N/A
Informational: Receipt of ISPR and CMER-Approved final <u>BCIF Report <i>from CMER</i></u> (Changes from draft noted)	<i>Available</i>	N/A
Receipt of BCIF Findings Report and Direction from Policy	December 2019	February 2020
Written update for April Policy / May Board (III)	March 26, 2020	N/A
Informational: Receipt of ISPR and CMER-Approved final <u>Hard Rock Phase II Extended Report <i>from CMER</i></u> (Changes from draft noted)	May 2020	July 2020
Receipt of <u>Hard Rock Phase II Extended Findings Report and Direction <i>from Policy</i></u>	June 2020	August 2020
Informational: Receipt of ISPR and CMER-Approved final <u>Type N Soft Rock Report (2yr post-harvest) <i>from CMER</i></u> (Changes from draft noted)	July 2020	September 2020
Workgroup develops “draft” Type Np water RMZ buffer prescription(s) for initial policy review	June 25, 2020	N/A
Written update for July Policy / Aug. Board (IV)		
Receipt of <u>Type N Soft Rock Findings Report and Direction <i>from Policy</i></u>	August 2020	October 2020
Written update for Oct. Policy / Nov. Board (V)	September 24, 2020	N/A

Workgroup modifies proposed “draft” Type Np water RMZ buffer prescription(s) based on review of Type Np Soft Rock CMER study	3 months post Soft Rock (estimated August 2020)	3 months post Soft Rock (estimated October 2020)
Final submission of deliverables to policy	6 months post Soft Rock (December 2020)	January 2021
Final written update for Jan. Policy / Feb. Board (VI)	December 31, 2020	N/A

*The dates in this timeline are subject to change based on the dates of receipt of the Type Np studies and other factors. The Workgroup will adjust as necessary and with Policy approval to accomplish its deliverables within the allotted overall schedule. This timeline should be viewed as a maximum - expedited products can be provided to Policy earlier than anticipated.

Process and Milestones

The following process steps are recommended to complete the deliverables:

1. Review the completed Hard Rock Study and associated findings;
2. Review and understand Forest Practice rules associated with Type Np streams and how Washington’s water quality standards apply to forest practices;
3. Identify information gaps and assess available information to assist Workgroup in deriving proposed RMZ buffer prescription for Type Np streams;
4. On an ongoing basis, review newly completed Type N related studies and their associated findings; integrate relevant information into decision making process; consider field visits/practical field application time as needed;
5. Develop a suite of possible alternatives and assess on-the-ground feasibility;
6. Through consensus, select final prescription(s) for recommendation to Policy;
7. Develop associated language that articulates how/where to implement a given prescription;
8. Aggregate proposed prescriptions and a description of the process pursued, additional resources utilized, and any other relevant information into a final proposal for Policy’s consideration.

VII. Membership & Composition

WORKGROUP NAME	FOCAL AREA	ROLE
Darin Cramer	Policy Liaison	Chair (non-voting)
Jim Peters	Policy Liaison	Vice Chair (non-voting)
Jeremy Groom	physical stream processes	Voting Member
John Stednick	physical stream processes	Voting Member
John Richardson	biological	Voting Member
Bob Bilby	biological	Voting Member
Steve Barnowe-Meyer	silviculture/field forestry	Voting Member
Chris Lunde	silviculture/field forestry	Voting Member
Heather Gibbs	AMP	Project Manager (non-voting)

Composition

The workgroup consists of two representatives of Policy, one of whom will serve as Chair and six experts with the following areas of expertise: biological and physical stream processes, and silviculture/field forestry.

An Adaptive Management Program Project Manager, Heather Gibbs (Heather.Gibbs@dnr.wa.gov; 360-902-2897), will serve as staff support for the workgroup. Specifically, the Project Manager will be responsible for

assisting with meeting logistics, providing necessary materials related to the AMP process, and securing resources, as necessary, to achieve the workgroup's objective.

Compensation

Workgroup members will be selected using the Collaborative Research Approach to contracting. Specifically, all members of the Workgroup have been selected through the consensus process by Policy at the August 1, 2019 meeting.

All workgroup members, excluding Policy co-chairs will be compensated within the total budget of \$200,000 for their active participation and adherence to the Charter. Compensation is intended to cover any expenses incurred during the duration of the project and to compensate members for professional contributions and time. As with all other contracts through the Adaptive Management Program, the Department of Natural Resources will award and manage these Collaborative Research Contracts.

Co-chairs will be compensated via reimbursement requests to DNR for expenses associated with travel, lodging, and/or per diem if necessary.

Expectations

The anticipated time commitment for workgroup members is unlikely to exceed three days per month, for the full duration of the workgroup, approximately 15-24 months.

All workgroup members shall operate as technical experts and will not serve as representatives for any specific caucus. However, an understanding of the field and policy context will be valuable. Because familiarity and continuity among members are crucial to timely completion, meetings will require participation by all members. With Workgroup approval, members may invite associates to provide additional information. Associates' role will be technical, short-term, and specific.

Workgroup members agree to:

- Acquire a deep understanding of past and incoming CMER studies on Type N streams;
- Familiarize themselves with other related materials in preparation of the meeting;
- Assist in the identification and evaluation of relevant non-CMER studies;
- Read and understand Forest Practices WACs relevant to Type Np prescriptions;
- Meet on a regular and timely schedule;
- Attend all meetings (in-person or by phone);
- Adhere to the timeline; and
- Assist in reporting regularly to policy.

VIII. Group Process and Governance

Norms

The Workgroup will follow standard Policy norms and ground rules. However, the small size and technical nature of the work may allow for a more informal approach than occurs at Policy meetings. Members of the Workgroup agree to collectively provide a collaborative space to foster the development and presentation of proposed RMZ buffer prescriptions for Type Np streams that achieve the aforementioned objectives.

Meetings will be open to the public, but with no public comment.

Governance

The Workgroup will actively work toward consensus. If there is a lack of consensus, a simple majority vote can occur to move a decision forward. Majority-minority reports will be catalogued for all non-consensus decisions.

It is the role of Workgroup co-chairs to inform Policy of non-consensus issues and to elevate those issues, if needed, for Policy resolution.

Roles and Responsibilities

Chair & Alternate

- Run workgroup meetings that maintain open and productive discussion and decision making;
- Work with Project Manager (PM) to set up meeting schedule in advance;
- Work with PM and Workgroup members to develop a work plan that meets deliverables, expectations, and timelines as articulated in the Charter;
- Work with PM to ensure that meeting announcements and meeting summaries are prepared and distributed;
- Provide written and oral updates to TFW Policy on Workgroup progress, issues, and decisions according to the timeline;
- Provide updates to the Workgroup on status of affiliated CMER studies and/or pertinent decisions or discussions made by Policy; and
- Identify if the workgroup is at an impasse and notify Policy immediately with a recommended course of action.

Project Manager

- Serves as staff support to the Workgroup;
- Assist Chair with meeting logistics and providing necessary materials related to the AMP process;
- Post on the TFW Policy Website Workgroup meetings, agendas, and relevant materials for the public; and
- Work with AMP Administrator (AMPA) to identify and secure any necessary resources to achieve the Workgroup's objectives – if funding is needed, work with the AMPA and Policy to determine availability of funds.

Workgroup Technical Members

- Provide expertise that helps solve technical problems related to developing new Type Np prescriptions that meet the objectives articulated in the Charter;
- Along with the Hard Rock Study results, become familiar with the other CMER Type N study results when available;
- Attend in person or via conference line/video link all regularly scheduled workgroup meetings;
- Participate in organized field trips;
- Be prepared for regularly scheduled workgroup meetings and complete assigned tasks within agreed upon deadlines;
- As requested by Workgroup Chair, attend Policy meetings and provide updates to Policy members;
- Follow guidelines established by the workgroup Charter; and
- Adhere to Workgroup ground rules.

Attachment 1: Approved Action Alternative

TFW Policy Consensus Proposal to the Board on a response to study results of the *Effectiveness of Experimental Riparian Buffers on Perennial Non-fish-bearing Streams on Competent Lithologies in Western Washington*

Approved by TFW Policy v. 12-6-18
Approved by Forest Practices Board v. 5-7-19

The *Effectiveness of Experimental Riparian Buffers on Perennial Non-fish-bearing Streams on Competent Lithologies in Western Washington* study (hereafter: Type Np Hardrock) indicates there is a temperature increase associated with the buffer treatments tested. Therefore, Policy agrees action is warranted. Policy recommends the following components:

1. Formation of a technical workgroup.
 - a. This workgroup shall be governed by a charter. The charter will be drafted by Policy member(s) and approved by Policy.
 - b. For efficient decision-making, the composition of the workgroup will include no more than 10 members:
 - i. Two representatives of Policy caucuses, one of whom will chair the process. The primary role of Policy members will be to manage the process. The policy members are non-voting in the workgroup.
 - ii. Up to eight people balanced among the following areas of expertise: biological and physical stream processes, and silviculture/field forestry.
 - iii. Additional experts can be added on a temporary, ad-hoc basis as needed per the direction of the workgroup.
 - iv. The caucuses and AMPA will put together a list of names for Policy to approve. Policy will choose potential members by least objectionable. In the event of a tie, there will be a random draw.
 - v. This workgroup will be staffed by a project manager from the AMP.
 - c. Expectations of the workgroup:
 - i. Meet on a regular and timely schedule
 - ii. Adhere to a timeline [established by the Board]
 - iii. Report regularly to Policy
 - d. The deliverable of the workgroup is a set of proposed Type Np Riparian Management Zone (RMZ) prescriptions that meet the following objectives.
 - i. Protect water temperature to meet the rule (WAC 173-201A-200, -300-320)
 - ii. Are repeatable and enforceable
 - iii. Are operationally feasible
 - iv. Provide wood to the stream over time
 - v. Account for windthrow
 - vi. Consider options that allow for management in the RMZ
 - vii. Minimize additional economic impact
2. The workgroup shall utilize all relevant information to inform proposed RMZ prescriptions for Np streams, including available literature and data while adhering to the timeline.
3. Additional Type N projects currently in the CMER process shall also inform the workgroup, upon receipt of approved findings reports from CMER. Policy agrees to support timely completion of these projects, including regular status reports at Policy meetings. The projects include:

- a. Buffer-Shade Amphibian Response (anticipated Feb '19)
 - b. Buffer Characteristics, Integrity and Function (BCIF) (anticipated Spring '19)
 - c. Type N Experimental Buffer Treatment in Hard Rock Lithologies- Extended (anticipated September '19)
 - d. Type N Experimental Buffer Treatment Project in Soft Rock Lithology (anticipated December '19)
4. Policy agrees the Riparian Characteristics and Shade study should be funded and initiated as soon as possible. This study does not necessarily need to be completed for decision-making by the workgroup (see below), but it is expected that the study can inform the workgroup and vice-versa. It is anticipated that rulemaking will be needed to implement prescriptions that result from Policy's recommended actions.
 5. The workgroup process is expected to run concurrently with the CMER process associated with the remaining Type N projects, and conclude within 6 months of receipt of the final Type N study. A final Policy recommendation to the FPB is anticipated in mid to late 2020.
 6. By the January 2019 Policy meeting, Policy will consider a draft charter for the technical workgroup reflective of the elements described in this proposal and that clearly articulates the manner in which the workgroup will conduct their analysis and their deliverables to Policy.