

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

Decisions and Actions from Meeting

Action	Assignment
1. Verify if there was a legal analysis of the DNR funding request; if so, share with Policy.	Marc Engel
2. Send edits on October meeting summary to Claire, if any.	All caucuses
3. Share Policy's conversation on purpose statement with the Electrofishing Technical Group.	Hans Berge
4. Prepare for decision at December meeting on Eastern Washington Forest Hydrology Study.	All caucuses
5. Prepare for decision at December meeting on Westside Type F TWIG BAS Alternatives Analysis, including guidance to TWIG on specific questions.	All caucuses

Decision	Notes
1. Finalized the September meeting summary with no additional edits.	
2. Approved the Electrofishing Technical Group's purpose statement.	Approved with a combination of thumbs up and sideways (see page 4).
3. Approved the CMER additional expenditures.	Approved by consensus of all caucuses present.

Welcome & Introductions – Adrian Miller, Chair of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed participants and led introductions (*please see Attachment 1 for a list of participants*). Adrian reviewed the agenda; due to last-minute scheduling, the ground rules overview was postponed until the December meeting. A caucus member suggested that it is most helpful to review the ground rules if/when there is a violation, though it will still be the plan to have an overview of a ground rule at the next several meetings. Another caucus asked to add an update on the DNR budget proposal, which was added to the agenda.

Updates

- The Forest Practices Division of the Department of Natural Resources (DNR) is still looking to fill their Division Manager position. As of this meeting they had called for a first review of applications but that has not been completed yet.
- The Small Forest Landowners (SFLOs) Template Subgroup met in late October to review the criteria to be able to review proposed prescriptions for inclusion in an alternate template. They developed a table to review individual prescriptions and evaluate whether or not they are consistent with the rule. They anticipate needing to collect information from applications with alternate plans in each Region office.
- The Washington Farm Forestry Association (WFFA) representative noted that Sherry Fox, a longtime WFFA member and participant in the TFW process, passed away.

- DNR Budget Update: DNR has drafted a request to use extra money in the Forests & Fish Support Account (FFSA) to budget for additional support in the Forest Practices Division. A caucus member asked if that is allowable under the RCWs and whether or not DNR had done a legal analysis of that yet. The DNR representative was unable to answer that at the meeting, but will double-check and share the answer with Policy at a later date.
 - DNR clarified that this additional amount of funding in the FFSA was calculated after the participation grants were taken out.
 - The additional funding would allow hiring individuals with specific expertise for the benefit of the entire Adaptive Management Program (AMP). Examples include a geologist to help implement the new rule and identify screening tools, a trainer to help people understand changes due to recent Board decisions, more staffing for the SFLO Office, and funding for Cultural Resources.
 - The industrial landowner caucus representative noted that her caucus is concerned about using FFSA money for FTEs that could be funded by General Fund-State. The Washington Forest Protection Association (WFPA) will be talking individually to DNR to think of other ways to find funding for these needs.

Forest Practices Board meeting – DNR reviewed some topics for the Forest Practices Board’s meeting on November 10. The Board will hear an update from Policy on the status of the Type F issue, using the matrix as a discussion guide. They will also hear updates from each committee on their selection process for Co-Chairs, and other reports from DNR and the Adaptive Management Program Administrator (AMPA). The Board will also approve their 2016 work plan, which will be focused largely on projects coming through Policy and other rule and guidance updates.

- DNR staff will recommend to the Board to change their meeting days back to the second Wednesday of February, May, August, and November as written in statute.
- The conservation caucus representative noted that several of her caucus members will be testifying to the Board at the November 10 meeting about concerns on approving Board Manual Section 16.

Adrian Miller reviewed the memo he will use to update the Board about the work Policy has done in 2015 and anticipated upcoming work. He will update the Board on the current status of Type F (using the matrix), and highlight the current status of other workload topics such as Type N and CMER studies. Several caucuses suggested that he go into more detail about why Type N has not had much progress to date, and adding more detail to the specific workload completed by Policy on TWIG or CMER products.

Old Business: Meeting Summaries – Policy reviewed the September 10 & 11 meeting summary and accepted the draft with no additional edits. Due to lack of time, Policy postponed reviewing and accepting the October meeting summary until the next meeting.

Type F: Board Field Trip, October 27 – Policy debriefed the field trip that the Board members took the week prior. They visited DNR-managed forest lands and walked the streams to discuss the water typing issue.

- A caucus member expressed concern that the perspectives given were not comprehensive of the full issue, and worried that the Board members left the field trip wondering where the

disagreement on Type F is. They were also disappointed that Policy members did not get the chance to tell the Board about the obstacles of electrofishing in the water typing process and determining off-channel habitat.

- The Chair noted that he can address this to the Board when doing his update, to make sure that the Board understands that not every caucus felt that all perspectives were shared during the field trip.
- A caucus member unable to attend the field trip asked if the field trip discussed season distribution or recoverable habitat. DNR clarified that a Board member asked about depressed populations which was the closest they came to discussing those topics.

Type F: Electrofishing – The Chair reminded Policy that the Electrofishing Technical Group met once, and agreed by consensus on a purpose statement. Now it is Policy’s role to affirm their direction. Points from this discussion included:

- The group has a wide variety of expertise and perspectives on water typing protocol surveys and electrofishing. When drafting their purpose statement, the technical group focused on staying true to the Board motion.
- A caucus member asked why the group expressed that the purpose statement was essentially mirroring the Board motion and did not provide much beyond that. It was expressed that Policy had already had a lot of discussions about what the Board motion meant and that “direct harm” was no longer a real issue to most caucuses. Policy had agreed that the Board motion had to be addressed, but the technical group should also be used to address other important issues associated with the protocol surveys. The July 2015 meeting summary included decisions made by Policy, which included sending other documents or questions to the technical group. The group would determine what they will and will not address, and provide that list to Policy. Then it will be up to Policy to decide how to address the other issues, if any. The caucus member expressed that the matrix has no other place to address other important issues associated with protocol surveys, and that Policy should be efficient with using the technical group in order to meet the deadlines provided by the Board.
- In general, Policy agreed to expand the technical group’s focus beyond the specific scope of the Board motion.
- The AMPA noted the purpose statement included two deviations from the Board motion: 1) “all fishes” was used instead of the specific language in the Board motion for Incidental Take Permit species, which allows the group to address the topic more broadly, and 2) the word “optimizing” was used instead of “reducing”. The AMPA explained that optimizing is a better word that means that electrofishing should only be used when it is the only correct tool, not reducing electrofishing even by just one protocol survey. The group will come up with recommendations to optimize electrofishing, and that product will come directly to Policy. If at that time Policy decides that it is not comprehensive enough to answer the Board motion, it will be Policy’s decision to determine the next step.
- The purpose statement says “an evaluation of relevant literature,” thereby not specifying a literature review but also meaning to capture those documents that Policy highlighted in the July 2015 meeting summary.
- It was clarified that once the technical group completes the purpose statement, the group will develop a list of what they will consider in their work and what, if anything will not be

considered. Policy went back and forth on how to get that list from the group as soon as possible, which could likely happen at the next Policy meeting depending on scheduling.

- A caucus member also hoped that Policy could give specific guidance to the group that they want to reduce electrofishing to the maximum extent practicable. While it is fine to capture ideas like that in the meeting summary, the AMPA advised Policy to only give guidance and not revise the purpose statement.
- Another caucus member hoped that the group would address objectives of a fish presence survey.
- Once the group comes back to Policy with a list of what they will consider and what they will not (if any), it will be up to Policy to review the “not” list and decide how they would like to address those topics. It was unclear at the time whether anything from this group would specifically be added to the matrix. Similarly, the timeline was unclear at this meeting but the hope is that at the next meeting when the group comes back to Policy with the next step, the timeline will be clearer.
- A caucus member expressed concern that the group might have an imbalance in the number of experts participating in the group, which could control the direction the group goes. A few caucuses urged the AMPA to help keep the group moving forward and not down an agenda-oriented or biased path. The caucus noted the importance of neutrally determining the topics for discussion so that they are not based on agendas or preferences.
- After discussion about potentially revising the purpose statement, there was general agreement that the technical group will get to the full list of things to consider. Policy discussed that the best way to get that product is to approve the purpose statement and let the group get to work, and then at a later time they can always provide more direction to the group or see how beyond the Board motion the work does or does not go. This is only the beginning of the discussion.

Decision: With no change to the purpose statement but general agreement that the group’s work should go beyond the Board motion, Policy voted to approve this purpose statement (federal and WDFW/Ecology caucuses voted “sideways”, the rest voted to approve with the westside tribal caucus absent). The decision comes with the following general statements:

- Recognize that the statement is narrowly focused, and will address some things in the Board motion and some things outside of the Board motion, but not everything.
- “Site-specific impacts could mean “beyond direct harm”.
- Relevant literature should include the documents identified in the July 2015 meeting summary and individual caucus communications with the AMPA.
- Assume that “optimizing” means “reducing” but that also could mean improvements that do not specifically reduce electrofishing.

Eastern Washington Forest Hydrology Study – Dan Miller presented to Policy about the Forest Hydrology Study that was approved by CMER at the October meeting. The presentation and time for questions will happen at this meeting and the decision will be at the next meeting. Discussion included:

- The simple strategy of the study is mostly due to the large amount of territory needed to be covered.
- They focused on flow path types instead of stream types because not all observed streams had continuous flow.
- They did not use road data because they did not have a consistent data set across the entire study area.

- The study showed that there are some reaches that are dry below a perennially flowing reach. The models could make a prediction of encountering intermittent streams, but while that could be modeled, it is not yet.
- It was noted that the data can be useful to the AMP in predicting the break point between seasonal and perennial flow.

Westside Type F TWIG Best Available Science Alternatives Analysis – Dave Schuett-Hames presented to Policy about the Westside Type F TWIG’s Best Available Science (BAS) Alternatives Analysis. Discussion included:

- Following the TWIG Lean Process, after Policy’s decision on this alternatives analysis the TWIG will develop a study design. With this alternatives analysis, the question being asked in the study will determine the type of approach that is most appropriate. At this step the TWIG was only presenting the information to Policy with the expectation of a decision at the December meeting.
- The TWIG asked for guidance from Policy on:
 - Are all critical questions of equal importance (e.g., should they try to design the study to tackle all the questions). If Policy chooses this approach, the TWIG proposes a hybrid approach of BAS alternatives.
 - Or, are some critical questions of higher priority than others? If so, which one(s)?
- The cost estimates are for the entire study (the study design phase is not included in the estimate).
- The TWIG would just be looking at the current rules because the critical questions are focused on the riparian prescriptions.

CMER Budget Update – The AMPA reminded Policy that it was important for them to get to a decision on this topic today so that he can provide an update to the Board the following week and begin working as soon as possible. With only one fiscal year with which to spend the budget, it is important that delays are minimized.

The AMPA explained that there is \$5.9 million that the legislature allocated to the AMP, which must be spent in the 15-17 biennium. However, half of that should be spent in the first fiscal year or it disappears back into the General Fund-State account. This funding can only be spent on CMER research projects. Now that one quarter has elapsed, he sees some savings in the currently-implemented projects and wants to spend that elsewhere. CMER asked the Scientific Advisory Groups (SAGs) to identify additional areas in which to spend money, which CMER approved by consensus at their October meeting. One of the requirements of these additional expenditures is that they be spent by June 2016 so that they do not affect future projects and budgets. The AMPA reviewed the 3 science projects, the technical editor/statistician position, and equipment purchasing ideas from CMER.

Policy discussed the options and points included:

- A caucus noted that in the future, the AMP could consider spending some of this money on advancing the topic of Type N. The AMPA clarified that the current ISPR contract already has the flexibility and capacity to address the Type N topic without using these funds.

- A caucus noted their preference for purchasing equipment first. The AMPA explained that the science projects have some amount of timeliness which is why they are proposed first.

Decision: Policy approved by consensus the budget ideas from CMER with the exception of the westside tribal caucus (absent).

Type F: Risk Reduction / Interim Regulatory Change – Adrian Miller introduced this as a topic that a caucus has raised a few times but Policy has never had the capacity to discuss. The caucus is concerned about potential risk to fish or fish habitat via protocol surveys, especially during this period that Policy is figuring out a permanent water typing rule. The caucus suggested treating Water Type Modification Forms as “non-permanent” in this interim period, but was interested to hear ideas from other caucuses. Discussion included:

- A caucus explained that they do not have a lot of negotiating space because there is an ongoing process for evaluating the current rule and any potential options for change. Another caucus explained that they see a higher level of risk today than the Habitat Conservation Plan described, and that is where their concern stems from.
- DNR noted that there is not a lot of information on this. However, they noted that since the Board asked for Policy to resolve this issue by November 2016, hopefully that means that a permanent water typing rule will be determined around then which will hopefully reduce the risk to fish in the long-term. DNR believes that Policy is at the beginning of having to gather a lot of information to complete the Type F discussions, and expressed concern that addressing risk reduction might conflict with the time needed for the other components.
- Policy agreed to have semi-regular check-ins on this topic, but that it will not detract too much to the progress on other Type F issues.

CMER Update – Doug Hooks, CMER Co-Chair, reviewed several things happening at CMER:

- He quickly reviewed the Lean Process changes that CMER approved. They were trying to address a few things:
 - Short turnaround timeframes (CMER will now expand the timeframe so there are more than 7 days for turning around products to Policy for approval).
 - Making sure the Initial Writing Team (IWT) process is well-sequenced. Plus, now Policy will also be asked for initial ideas for the IWT.
 - Clarified the TWIG formation process.
- A caucus member noted that some confusion arises from the Policy-CMER interaction, which would be a good topic at a future meeting.

Doug also reviewed studies in the works:

- The Hard Rock study is in the middle of getting some chapters back from ISPR and packaging other chapters to go to ISPR. It will probably come to Policy in mid- or late-2016.
- The Buffer Shade Integrity Study received ISPR comments and the authors are now working to address one of the concerns. They are hoping that the issue can be resolved within a few months and that they will be able to present to Policy in early 2016.
- The Van Dykes Salamander Study has some procedural questions to address and will stay at the CMER level for a while longer before going to Policy.

- RSAG is finalizing the contract to do the pilot LiDAR project.
- UPSAG finished the RFQQ for the literature synthesis which should be posted by the end of this week. They hope to have their product completed by June 2016.
- Some Forested Wetlands Effectiveness TWIG members are confused by the general direction Policy gave so Adrian, Hans, Doug, and Howard Haemmerle will meet to try to clarify that direction before the Board meeting.
- The Roads Best Management Practices TWIG is getting close to having a revised BAS alternatives analysis document to go to Policy in early 2016.
- The ENREP TWIG developed and published a draft study design, which they hope to have a CMER vote on at the December meeting.

The Chair adjourned the meeting at 4:00pm.

Attachment 1 – Participants by Caucus at 11/4/15 Meeting

Conservation Caucus

Chris Mendoza

*Mary Scurlock

County Caucus

*Kendra Smith, Skagit County

Federal Caucus

*Marty Acker, USFWS

*Jo Henszey, EPA

Industrial Timber Landowners (Large)

Doug Hooks, WFPA

Adrian Miller, Olympia Resource Management,

Co-Chair

*Karen Terwilleger, WFPA

Non-Industrial Timber Landowners (Small)

Harry Bell, WFFA

*Ken Miller, WFFA

*caucus leads

Others

Hans Berge, AMPA

Howard Haemmerle, DNR

Dan Miller, Earth Systems

Dave Schuett-Hames, DNR

Claire Chase, Triangle Associates

State Caucus – DNR

*Marc Engel, DNR

Jim Heuring, DNR

Marc Ratcliff, DNR

Ashlie Laydon, DNR

State Caucus – Ecology and Fish & Wildlife

*Rich Doenges, Ecology

Mark Hicks, Ecology

*Terry Jackson, WDFW

Tribal Caucus – Eastside

*Ray Entz, Kalispel/UCUT (phone)

Marc Gauthier, UCUT (phone)

Tribal Caucus – Westside

No participants from this caucus

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status &Notes
Type N	Type N policy subgroup	Caucuses are encouraged to talk offline about the wet season default methodology.
Type F	Policy	At regular meetings, Policy is working towards responding to the February 2014 Board motions (specific to off-channel habitat and electrofishing) in addition to other related water typing issues (such as physical criteria, risk reduction, etc.).
Small Forest Landowners Westside Template	SFLOs Template Subgroup	To set first meeting when workload allows.
Unstable Slopes	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 synthesis.
Ongoing CMER reports reviewed by Policy	Doug Hooks & 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
TFW Policy Committee	December 3	Wednesday instead of Thursday, at the Nisqually Refuge building
CMER	November 17	
Type N Policy Subgroup	TBD	
Type F		To be addressed at regular Policy meetings.
Forest Practices Board	November 10	
Small Forest Landowners Template Subgroup	TBD	As workload allows