

Timber, Fish, & Wildlife Policy Committee
 October 2, 2014 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
1. Rescheduled November Policy meeting from November 6 th to November 13 th .	Agreement by all caucuses. Jim Peters will ask Joseph Pavel to attend in his place.
2. Accepted the September 5, 2014 meeting summary with minor edits. Agreed to review action items from the previous meeting at every meeting.	Agreement by all caucuses
3. Edited the <i>Policy's Response to Board Motions</i> document.	Agreement by all caucuses
4. Agreed to hold a 2-hour conference call before the November Board meeting to discuss when Policy could reasonably get back to the substantive issues on the BTO study.	Agreement by all caucuses

Action	Assignment
1. Respond to DNR on the revised rule language pertaining to unstable slopes by October 3.	All caucuses, if interested
2. Respond to DNR on the draft Board Manual Section 1 by October 8.	All caucuses, if interested
3. Prepare to finalize the <i>Policy's Response to Board Motions</i> document at October 10 special Policy meeting (9am – 1pm) for the Board's November packet.	All caucuses
4. Draft questions to focus the literature review on unstable slopes, bring to October 10 special Policy meeting.	Dick Miller
5. Schedule 2-hour conference call on BTO study.	Co-Chairs
6. Inter-caucus dialogue on the BTO study.	All caucuses

Welcome & Introductions – Stephen Bernath, Co-Chair of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed participants and led introductions (*see Attachment 1 for a list of attendees*). There were no changes to the draft agenda.

Announcements

- From now on, Policy will start monthly meetings at 10am to help those who are not local to the Olympia area travel to and from the meeting.
- The November Policy meeting will be rescheduled from November 6 to November 13 to accommodate other conflicting events. Jim Peters will be unable to attend but will ask Joseph Pavel to attend in his place.
- The Washington Forest Protection Association (WFPA) is having their annual meeting on November 6. It will include: a Forests & Fish retrospective for the 15th anniversary of the legislation; a celebration of the 40th anniversary of the Forest Practices Act; a discussion on using

wood to construct tall buildings; and a legislative panel. Karen Terwilleger will confirm that all Policy participants receive invitations.

- The Department of Natural Resources (DNR) scheduled the annual tribal summit on November 6th.
- There will be an additional full Policy meeting this month to finish the work on unstable slopes. This meeting is scheduled for Friday, October 10, from 9am – 1pm. It will be a conference call, though the Department of Ecology will reserve a room for those who are local. This meeting's purpose is to:
 - Inform those caucuses who have been unable to participate in the previous subgroup efforts to respond to the Forest Practices Board's (Board) motions on unstable slopes.
 - Have the technical subgroup share information they have been analyzing on existing Forest Practices Applications (FPAs) and existing mitigation measures.
 - Officially approve the document for inclusion in the Board's November meeting packet.
- DNR is in the process of hiring a new Adaptive Management Program Administrator (AMPA). They received 13 applicants for the position, six of which are highly qualified.
 - The first round of interviews for these six happened in late September, by the Division Manager and CMER Co-Chairs. The second round of interviews will happen in October by the Board Chair and Policy Co-Chairs.
 - DNR is looking for a strong scientific background as well as the ability to network to partners of the Adaptive Management Program (AMP).
 - One caucus asked if the top candidates show budget and management experience. DNR responded that both candidates have demonstrated that experience, one slightly more than the other.

September 5, 2014 Meeting Summary – There were a few clarifications made to the September draft meeting summary. With those changes, Policy accepted the summary as approved.

At the suggestion of one caucus, Policy agreed to review the action items from the previous meeting's summary at the beginning of every meeting.

Unstable Slopes – Stephen reviewed Policy's task, which was to review the draft document outlining Policy's response to Board motions, and finalize as much as possible. This will be finalized at the special meeting on October 10, and then DNR will include the document in the Board packet (deadline = October 17).

Most of the discussion focused on direct edits to the document (*please refer to the latest version available*). Other discussion points included:

- The document is organized by each motion from the Board, followed by findings, outstanding questions, and recommendations from Policy. Findings are intended to be declarative statements of facts. The Board motions were made at the May 13, 2014 Board meeting.
- Policy discussed that the response to the first motion seems beyond the scope of what the Board asked for. It was clarified that while the response does go beyond what the Board asked for, the Board's motion does not clearly articulate what was verbally discussed at the Board meeting in

May. The Co-Chairs feel that this response gives a more complete answer to what the Board wanted to understand.

- Policy agreed to add a note that DNR's small forest landowner office is currently underfunded, though with adequate funding it could be a more helpful resource to small landowners across the state by helping them navigate the complex but important rule and guidance associated with unstable slopes. It was noted that the Board could write a letter asking the legislature to more adequately fund the office in the next biennium.
- Policy added a note about having a central repository of unstable slopes information sources, and suggested housing that in DNR's Division of Geology and Earth Resources because they have information beyond the forested environment.
- Policy discussed the Joint State Route 530 Landslide Commission convened by the Governor's office, and agreed to follow the Commission's work. If Policy has additional recommendations outside the scope of the Commission, those recommendations should go to the Board as well.
- The technical subgroup is working on compiling information for Policy to review at the October 10th meeting, specific to responding to the third motion on existing mitigation measures.
- The technical subgroup met in late September and identified additional points to be added to Policy's response to the Board motions, including the need for:
 - Additional training on unstable slopes
 - Establish best practices around mitigation
 - Establish monitoring protocols post-harvest
 - Re-convene Qualified Experts (QEs) in an annual get-together to share lessons learned and have more trainings.
 - Confirm that FPAs in the Forest Practices Application Review System (FPARS) are complete, meaning that the scanned version accurately reflects all the pieces of the hard copy version.
- Policy discussed that the requirements to become a QE are rigorous, and that could be contributing to the low number of QEs in the state.
- Dick Miller agreed to draft questions that could help focus a literature review on unstable slopes. He will bring these draft questions to the special meeting on October 10, and will consider the article from *The Seattle Times* on risk assessment.
- The final draft of the document will have full titles for each of the appendices.

Policy made several edits to the document and a new version will be shared prior to the October 10 special meeting.

Bull Trout Overlay Temperature/Shade Final Report – Policy reviewed the results of the Bull Trout Overlay (BTO) final report, which Bill Ehinger presented to Policy in May and September 2014. The main result of the study is that there were small increases in temperature due to shade and canopy cover changes. The question for Policy at this meeting is to decide whether to recommend to the Board to take action or no action on the results of the study.

The industrial landowner caucus proposed to Policy to continue working on this issue by taking action in response to the study and spend the next amount of time defining what that action is and explore regulatory changes. This would not recommend that the Board is taking formal action on the study at this

time, but gives Policy more time to consider other information and prepare specific actions to the Board, if deemed appropriate.

The state caucuses proposed a different approach, that Policy would recommend that the Board take no action at this time, but Policy would act in the short-term to do more analyses/research in four areas, including: 1) identify how often the RMZs are longer than the 1,000 feet length used by the study; 2) wait for EWRAP study to be completed to use data to determine whether vegetation types associated with the eastside remain valid; 3) run the 7DADM analysis to determine whether there was compliance with clean water standards; and 4) engage a new study designed to determine if the minimum RMZ leave tree requirements provide adequate shade over a broader range of eastside forests.

Mark Hicks presented to Policy an informal analysis of the study results on behalf of the state caucuses, and discussion points included:

- The BTO study results can be compared to the Eastern Washington Riparian Assessment Program (EWRAP) study results, which show some small differences. The BTO study sites tend to be in higher elevation zones, have denser stands with higher basal area, and have smaller streams.
- The study sites were usually at mid- to high elevation. The study did not include the low elevation Ponderosa Pine zone, because it was assumed that the nomograph would not allow removal of shade in this zone, and therefore, there would be no comparison between the Standard riparian/shade rule and the All Available Shade rule.
- The current shade nomographs are based on 16°C or 18°C. The nomographs are currently outdated relative to the current water quality standards, which have been since updated.
- One caucus encouraged Policy to look at the impact of cumulative effects. Another caucus suggested that DNR could look through FPAs to identify how often eastern Washington landowners actually enter the inner zone to harvest.
- The state caucus hopes to put the study results in context. They have proposed four additional areas for further investigation, outlined above. The state caucus shared that it is possible that the basal area and leave tree requirements established for the mixed conifer zone could replace the need for the Bull Trout overlay and eastside shade curves while meeting water quality criteria and anti-degradation provisions of the state water quality standards. (Anti-degradation is disallowing water temperature to increase more than 0.3°C.) Additionally, the preliminary EWRAP study results suggest that there may not be a Ponderosa Pine zone so the eastside rules could possibly be collapsed into fewer vegetation classes.

After both proposals (from the state caucus and industrial landowners) were presented, Policy considered them and the next steps. A preliminary vote was taken to gauge the perspectives of each caucus:

- Conservation caucus – Policy should take action to investigate more information;
- County caucus – need more time for discussion;
- Eastside tribal caucus – Policy should recommend the Board take no action;
- Federal caucus – Policy should recommend the Board take no action;
- Westside tribal caucus – Policy should recommend the Board take no action;
- Small landowner caucus – Policy should take action to investigate more information;

- DNR – Policy should take action to investigate more information;
- Ecology/WDFW – Policy should take action to investigate more information;
- Industrial landowner caucus – Policy should take action to investigate more information.

After the preliminary vote, Policy identified that two separate issues were blocking consensus. One was the substantive issue of whether or not caucuses want further discussion on the BTO, and the other issue was when to have that conversation – immediately, or after the Type F issue has been addressed. Several caucuses expressed concern about the potential level of effort needed to adequately complete Policy’s work on BTO, while other caucuses noted it could be a much quicker effort than is needed for Type F.

If Policy forwards a non-consensus decision to the Board in November, it was noted that Policy would lose control of the process because it is unknown how the Board could re-assign this to Policy. With a non-consensus decision, there are other options: a caucus could invoke dispute resolution to address this sooner, or Policy could decide to send a majority/minority report directly to the Board to bypass dispute resolution. Several caucuses encouraged that inter-caucus dialogue could help this issue address the non-consensus.

Decision: Policy agreed to hold a 2-hour conference call before the November Board meeting to discuss how Policy might get to consensus on steps for moving forward, and when Policy could reasonably get back to the substantive issues on the BTO study. This conversation would consider the progress made and yet to go on Type F. A Doodle poll will be sent soon to schedule this special conference call in late October or early November.

CMER Update – Mark Hicks, one of the CMER Co-Chairs, shared updates on various CMER studies:

- RSAG is working on creating a proposal for Policy on extensive monitoring. They have invited a professor from the University of Washington to work with them.
- The Forest Hydrology study is going to independent scientific peer review (ISPR) with supplemental information.
- The Bull Trout Overlay Add-on study’s data collection is complete, now study authors are working on the analysis. If Policy agrees to further gather information on the BTO study results, this information could help inform that.
- The EWRAP report will move to CMER review soon. Ash Roorbach is working with SAGE to finalize the report format.
- The LWAG study will likely go to CMER review this month, which means that Policy could expect this report in January or February 2015.
- The RMZ-Resample should be at Policy in December, the 6 Questions are being prepared now.
- The Hard Rock study will likely go to CMER review this month, and then CMER will work on the synthesis chapter. CMER will determine how to package the report for ISPR.
- The Soft Rock study is in the harvest stage with everyone on schedule so far.
- WetSAG is ready to provide a draft research strategy to CMER. Dr. Paul Adamas who helped with the literature review may come to the December Policy meeting to provide a presentation on the literature review and research strategy.

- The Type N TWIG is collecting the third round of flow data, then will do the analysis to develop the study designs. They need to figure out if they will use the same framework for both the wet and dry streams. The TWIG would like to talk to major landowners on the eastside to find out what level of harvest they are willing to do before the study design is developed. WFPA offered help in reaching out to the landowners. Small landowners will likely not be contacted.
- The Westside Type F Effectiveness TWIG completed the best available science review and now is developing study alternatives, which will go to CMER review prior to coming to Policy in the coming months.
- The Roads BMP Monitoring Effectiveness TWIG is doing the best available science review now.
- CMER is working on inviting people to the TWIG on unstable slopes.

Additionally, CMER expects the new wetlands scientist (Leah Beckett) to start on Monday, October 13. And finally, CMER has begun planning for the annual science conference (February 11 & 12, 2015). The first day will be focused on reviewing the Hard Rock report, and the second day will be other presentations yet to be determined.

The meeting was adjourned at 4:45pm.

Attachment 1 – Participants by Caucus at 10/2/14 Meeting

Conservation Caucus

Chris Mendoza
*Mary Scurlock

County Caucus

*Kendra Smith, Skagit County

Federal Caucus

*Marty Acker, USFWS

Landowner Caucus – Industrial (large)

*Karen Terwilleger, WFPA

Landowner Caucus – Non-industrial (small)

*Dick Miller, WFFA

*Caucus leads

Others

Claire Turpel, Triangle Associates

State Caucus – DNR

Marc Engel, DNR
*Chris Hanlon-Meyer, DNR
Marc Ratcliff, DNR

State Caucus – Ecology & WDFW

*Stephen Bernath, Ecology, Co-Chair
Mark Hicks, Ecology
*Terry Jackson, WDFW

Tribal Caucus – Eastside

*Ray Entz, UCUT/Kalispel Tribe (phone)
Marc Gauthier, UCUT

Tribal Caucus – Westside

*Jim Peters, NWIFC
Nancy Sturhan, NWIFC
Curt Veldhuisen, SRSC

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status &Notes
Type N	Type N policy subgroup	On hold until other workload lessens.
Type F	Policy	On hold until other workload lessens.
Unstable Slopes	Policy	Board motions from May 2014 re-directed Policy to focus on this workload and report back in November 2014.
Bull Trout Overlay	Policy	To be further discussed on conference call prior to November 2014 Board meeting.
Adaptive Mgmt Program Reform Rule Changes		Accepted by Board at August meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
Ongoing CMER reports reviewed by Policy	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
TFW Policy Committee	October 10, 2014 November 13, 2014	October 10: special Policy meeting on unstable slopes TBD: conference call on BTO study November 13: regular monthly Policy meeting
CMER	October 28, 2014	
Type N Policy Subgroup	TBD	On hold due to workload constraints.
Type F Subcommittee(s)	TBD	On hold due to workload constraints.
Forest Practices Board	November 12, 2014	