

Policy Responses to the Forest Practice Board Motion Regarding Type F
3/7/2014

The Co-chairs propose the following process to implement the FPB motion, which was revised and approved by the Policy Committee on March 7, 2014. The general model for each topic is to provide a clear overview of the current process and if appropriate collect relevant information for presentation to Policy. Policy will identify any remaining concerns and propose and discuss any remedies for those concerns. While some of this work will require technical groups, we anticipate identifying at least one Policy representative to be responsible for coordinating the people, tasks, and deliverables for each action proposed.

Direct impacts to fish...

Type F/N Break Dispute Resolution Board Motion Passed 2/11/2014 is in italicized font.

I move the Forest Practices Board initiate actions to remedy the Type F water concerns outlined in the majority and minority recommendations of the TFW Policy committee caucuses by obtaining additional information and directing additional work by Policy. These steps are essential for the Board to consider making a final determination of the appropriate approach to take in the development of a permanent water typing rule.

I further move the Board and Policy work plans be amended to reflect the following:

- 1) *Policy is directed to complete recommendations for options on a permanent water typing rule, beginning with two tasks to be completed and reported to the Board at the May 2014 meeting:*
 - a) *Development of “best practices” recommendations regarding protocol survey electrofishing, including an evaluation of relevant literature, minimizing potential site-specific impacts to Incidental Take Permits-covered species, and options for reducing the overall extent of the survey’s use;*

Policy Plan of Action for 1a.

1. Review how electro-fishing is used in the context of the existing water typing system.
 - a. Current interpretation of the rule and DNR’s process for review of FPAs including:
 - i. How does DNR use the electro-fishing as it pertains to WTMFs? The intent is to review current processes as they are to be implemented.
 - ii. Review protocol contained within Board Manual Section 13.
 - iii. Other relevant policy guidance.
 - b. Extent to which electro-fishing is or is not covered under the HCP. Is electrofishing precluded under the HCP?
 - c. Implementation of the protocol in the field by practitioners (qualified surveyors and review team participants).
 - d. Explain permitting processes for federal and state scientific collection permits, including:
 - i. Purpose of permits?
 - ii. What do permits cover? (take?)

- iii. What data is collected from permits/annual reports?
 - iv. What guidelines are associated with these permits?
 - e. Based on Policy discussion on the information provided in 1(a) through (c), Policy will provide further guidance to a technical group that will collect and present to Policy the following:
 - i. Evaluation of relevant literature on the risks of electro-fishing to Incidental Take Permits-covered species.
 - ii. What information can be brought forward from the permitting system (for electro-fishing) that may inform the discussion on risk.
 - iii. Understand frequency/extent (including exposure of listed and non-listed species) of use of protocol surveys for water typing vs. other methods such as IDTeams, etc.
- 2. Based on the information provided in Section 1, Policy may develop a range of Options to develop “best practices” recommendations for the use of electrofishing, including:
 - a. Options to reduce frequency/use of electrofishing
 - b. Options to minimize potential site specific impacts to Incidental Take permits-covered species.
 - c. Comparison of alternatives, including pros and cons, such as relative cost and accuracy/precision, of using different options to describe the extent of fish use .

b) An evaluation of the current rule process to identify off-channel habitat under the interim water typing rule, including recommended clarifications in field implementation guidance, or rule language. The evaluation must be based, in part, on field review of approved Forest Practices Applications and water type modification forms.

Policy Plan of Action for 1b.

- 1. Review of implementation of existing rules.
 - a. Explanation by DNR on how they implement the current rule to identify off-channel habitat and DNR’s approval process for an FPA.
 - b. General explanation of the relative frequency of different types of off channel habitat encountered on FPAs.
- 2. Field Review of examples of off channel habitat and how it is addressed practically and procedurally.
 - a. DNR field review discussion.
 - b. Landowner presentation on how they identify and buffer off channel habitat.
 - c. Opportunity for other stakeholder input.
- 3. Discussion on any need for recommended clarifications in field implementation guidance, or rule language, or need for additional information.

Policy shall accomplish these tasks through the formation of technical subgroups or other means, as needed, to complete work by the established deadline.