Timber, Fish, & Wildlife Policy Committee
October 6, 2016 Meeting Summary

Action	Assignment
1. Check with caucus to gauge the level of comfort with accepting all 20% of WTMF-based map points, only those from forms after 2005, or only those from forms after 2008.	All caucus representatives
2. Articulate the difference between the 2005 and 2008 forms, compared to the present-day version	DNR

Welcome & Introductions – Ray Entz and Adrian Miller, Co-Chairs of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed participants and led introductions (*please see Attachment 1 for a list of participants*). The Co-Chairs encouraged participants to consider potential outcomes versus alternatives outside this process when evaluating the decision at this meeting. They noted that decision makers who could have input after Policy might create more uncertainty than if Policy makes the decisions internally.

Announcements – Marty Acker introduced Bill Zachmann, who will work with Marty within the federal caucus representing the Environmental Protection Agency (EPA). Bill has a long background in water quality, primarily at the Department of Ecology but he is currently on assignment with EPA. EPA is also undergoing a process to hire a permanent person who will take the position as EPA's representative to Policy.

Meeting Summaries – Policy approved the draft September 8th meeting summary with no edits and the September 21st draft meeting summary with a few edits.

Agenda Review – This meeting will focus on the permanent water typing discussions, including sub-elements such as default physical criteria, off-channel habitat, the regulatory maps, and the protocol survey method.

Protocol Survey Method – Hans Berge, the Adaptive Management Program Administrator (AMPA), reviewed the work to date and final product of the Type F/N Break Technical Group. The group's goal was to bring consensus recommendations to Policy and they scheduled additional meetings to try to reach consensus on every recommendation. Due to the constrained timeline, they achieved consensus on all recommendations but three, which the AMPA and Howard Haemmerle edited to clarify the different opinions on those recommendations. There was not time for the full group to review the document and provide edits before it was shared with Policy.

Discussion of Final Report

- Areas of outstanding disagreement within the group include:
    - If the presence of a permanent natural barrier constitutes the F/N break, especially considering small isolated populations above permanent natural barriers.
    - The definition of a permanent natural barrier. The AMPA suggested that perhaps a technical group of outside participants could help by discussing species and criteria about the characteristics of a permanent natural barrier.

  - The use of protocol surveys above man-made barriers. There was, however, agreement that the proponent should always document their proposed F/N break and the onus is on the proponent to describe the situation.
  - The group also ran out of time to discuss how to use gradient to designate the F/N break. This means that at this time, they do not have a specific recommendation for Policy but the AMPA did not anticipate much controversy on this topic.
- The group agreed to call temporary barriers "blockages" because they alone are not sufficient to establish the F/N break.
- The current Board Manual Section 13 has information about drought but the group noted that that information is not well organized so it is easy to flip to that sub-section. The group also thought it would be helpful to use science to inform that sub-section. Several Policy members had input on the drought section and this could be an area of future focus.
- The group discussed how the role of electrofishing is sufficient to detect last fish as the starting point to establish the F/N break. The group also discussed that a 20% gradient alone does not constitute the stopping point of a protocol survey.
- The group discussed how to identify "habitat likely to be used by fish" and wanted to provide a definition to complement or improve upon the definition in WAC 222-16-010. They focused on how to find it in the field, not put it in rule language. Their discussion on recoverable habitat was interesting but did not get to a specific definition or end point.
- The group did not clarify whether a threshold for size of streams would be useful for a pre-survey meeting/notification requirement, but that could a future discussion point for Policy.
- Policy discussed that sharing the last detected fish is useful for more than the individual landowner, so documentation could also apply to the regulatory map.

After the AMPA reviewed the full set of recommendations, Policy went through each recommendation and color-coded which had agreement by Policy and which needed more discussion. Notes from this discussion include:

- Need more discussion about WDFW's requirements in their permit as a trigger for what can be done during low flows.
- It may be useful to call out the findings that are separate from recommendations.
- Bill Zachmann offered to help with the training and certification work.

Then the AMPA reviewed the three habitat assessment methods at the end of the document, and Policy identified areas of those that had agreement or needed more discussion. That discussion included:

- The definition of a permanent natural barrier would likely need to be finalized before the default physical criteria method could be properly implemented.
- Thoughts on the Habitat Assessment Method:
  - If general comfort with the methodology, Policy considered putting it into a DNR-based process to draft into Board Manual guidance.
  - Drought, survey timing, and documentation were still outstanding issues identified to focus on before guidance is finalized.
  - The conservation caucus noted that consistency with applying this method is paramount and would need to be considered more before the guidance is finalized.

- The federal caucus suggested that training for the implementation and review of the habitat assessment method may need to be different for specific geographic regions.
- The conservation caucus also asked that the program should consider alternatives to this method since it could be intensive and therefore expensive.

Overall, Policy seemed generally comfortable around the list of questions within the Habitat Assessment Method and comfortable that this would be forwarded to a DNR-led Board Manual group that would flesh out the criteria needed for what would be required in the method (e.g., minimum amount of information). The federal caucus noted that seasonal timing affecting the F/N break is not currently in the list of questions, and the industrial timber landowner caucus noted that the AMP should think about how science will be used in or further developing this assessment method.

Map as Rule – The Co-Chairs shared that maybe there is a way to have the program start with the regulatory map as a tool of points, which would serve as starting places to either use or work from to establish the F/N break. This would not preclude the additional effort of updating or rebuilding the model with LiDAR data.

Policy continued the discussion from the September 21st meeting about whether or how to accept the Water Type Modification Form (WTMF) based points in the current maps. Points included:

- The eastside tribal caucus noted that if the points had active concurrence, their caucus is much more confident in the accuracy of the point than if there was inactive concurrence.
- Over time, the forms have evolved to gather more or better data so the points based on older versions of WTMFs may not have the same amount of background information as more recent points.
- The industrial timber landowner caucus noted that several of their member companies have put resources into putting WTMFs into place, and they believe those points are vested within the system. The county caucus agreed.
- The federal caucus shared concerns about the quality of some past determinations and the level of risk to the Endangered Species Act that that might allow.
- A Co-Chair encouraged Policy to consider other creative methods to incorporate if Policy accepts the 20% WTMF based points – such as not allowing protocol surveys below mapped points, etc.
- The eastside tribal caucus suggested that in order for his caucus to be comfortable accepting all 20% of the WTMF based points, Policy could set a moratorium on all new WTMFs until there is a new rule and Board Manual in place with the new process.
- Caucuses were asked if they are comfortable with accepting all 20% of WTMF based points, or only those from forms after 2008, or only those from forms after 2005. Since several caucuses were unable to answer that at this meeting, they were asked to do so before the next meeting. DNR was also asked to articulate the difference between the 2005 and 2008 forms, compared to the present-day version.

Physicals – Policy considered how to move forward on the Physicals Proposal Initiation that the industrial timber landowners caucus submitted and the AMPA's recommendations were delivered to Policy at the August meeting.

- The conservation caucus had understood that the research efforts listed in the AMPA's recommendations would not get started until Policy voted on the full Type F package.
- The industrial timber landowners caucus thought that the research would begin immediately to inform the new permanent rule package.
- Policy considered what technical group would be right to do the evaluation of the physicals, but did not come to a final decision on this topic.

Overall, several caucuses were comfortable with the research proposal but other caucuses wanted to see all the other pieces of the Type F package before making a decision on the physicals. Some caucuses voted in favor of moving forward on the research proposal, others were not in favor of doing so at this point.

Next Steps – The Co-Chairs suggested that given the discussions at this meeting, Policy meet one more time before the November Board meeting. All caucuses were willing to meet again but it will depend on scheduling. Other caucuses noted their comfort with not having another meeting and the Co-Chairs reporting minority and majority opinions to the Board. The DNR caucus suggested that Policy do a combination: meet one more time if possible, report opinions to the Board, and request the Board for more time for Policy to work through outstanding issues.

The Co-Chairs adjourned the meeting at 5:15pm.

Attachment 1 – Attendance by Caucus at 10/6/16 Meeting

Conservation Caucus
Jamie Glasgow, Wild Fish Conservancy
Peter Goldman, WFLC
Chris Mendoza, Mendoza Environmental
*Mary Scurlock, M. Scurlock & Associates
Jill Silver, 10,000 Years Institute

County Caucus
Kendra Smith, Skagit County
*Scott Swanson, Washington State Association of Counties

Federal Caucus
*Marty Acker, USFWS
*Bill Zachmann, EPA

Industrial Timber Landowners Caucus
Brian Fransen, Weyerhaeuser
Doug Hooks, WFPA
Adrian Miller, Olympic Resource Management, Co-Chair
*Karen Terwilleger, WFPA

Non-Industrial Timber Landowners Caucus
*Dick Miller, WFFA
Ken Miller, WFFA

State Caucus – DNR
*Marc Engel, DNR
Howard Haemmerle, DNR
Joe Shramek, DNR

State Caucus – WDFW & Ecology
Chris Conklin, WDFW
*Rich Doenges, Ecology
Mark Hicks, Ecology
*Terry Jackson, WDFW
Don Nauer, WDFW
Amy Windrope, WDFW

Tribal Caucus – Eastside
*Ray Entz, Kalispel Tribe, Co-Chair

Tribal Caucus – Westside
Debbie Kay, Suquamish Tribe (phone)
Derek Marks, Tulalip Tribe (phone)
*Jim Peters, NWIFC
Ash Roorbach, NWIFC
Curt Veldhuisen, SRSC (phone)
Sarah Zaniewski, Squaxin Island Tribe (phone)

*Caucus representative

Others
Hans Berge, Adaptive Management Program Administrator
Claire Chase, Triangle Associates

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 default physical criteria, recovery, habitat, etc.).
Small Forest Landowners Westside Template	SFLOs Template Subgroup	Subgroup is meeting separately; co-chaired by Marc Engel and Dick Miller.
Unstable Slopes	Policy	UPSAG hired a contractor to do a glacial deep-seated literature synthesis. Policy is also considering how to respond to the AMPA's recommendations on the unstable slopes proposal initiation, presented to the Board in February 2016.
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/Subgroup	Next Meeting Date	Notes
TFW Policy Committee	October 19	Additional meeting; next regularly scheduled meeting will be November 3.
CMER	October 25	
Type N Policy Subgroup	TBD	
Type F		To be addressed at regular Policy meetings.
Forest Practices Board	November 8 & 9	November 8 as workshop; November 9 as regular business meeting.
Small Forest Landowners Template Subgroup	TBD	As workload allows.