

Type N Action Development Dispute

Majority and Minority Recommendations

10/31/2022

Background

- Schedule L-1 outlines key questions, resource objectives, and performance targets for adaptive management (Board approved and affirmed in the FP HCP).
- CMER carries out effectiveness monitoring and research to answer a key question in schedule L-1:
 - *Will the rules produce forest conditions and processes that achieve resource objectives as measured by performance targets, while taking into account the natural spatial and temporal variability inherent in forest ecosystems?*

Background continued

CMER implemented two studies to answer adaptive management question in Schedule L-1:

Hard Rock Studies (Phase 1 and 2):

- *to evaluate whether the riparian buffer prescriptions for Type N waters meet the overall Performance Goals to support the long-term viability of stream-associated **amphibians and meet or exceed Water Quality Standards.***

And:

The Soft Rock Study:

- *Are riparian processes and functions provided by Type N buffers...meet FP HCP Resource Objectives and Performance Targets for **shade, stream temperature, and large wood recruitment?***

Background Continued

- TFW Policy received Hard Rock phase 1 study in July 2018 and determined, by consensus, that the **results warrant action** at their August 2018 meeting and informed the Board (May 2019):
 - “After review of the findings, Policy affirms that the Type N Hard rock study indicates a temperature increase associated with the buffer treatments tested. Therefore, Policy agrees action is warranted”
- The authors presented the findings to the Board (2019, 2022)
- Board approved Policy request to form a technical Np workgroup
- Np workgroup concluded its work in June 2021 and delivered three recommendations to Policy

Background Continued

- Dispute is invoked at Policy in November 2021 for lack of progress on developing actions
- The Board **requests DNR to file CR101** informing the public that Board is considering rule making to the Type Np RMZ (November 2021)
- Policy receives phase 2 of the Hard Rock Study and the Soft Rock Study in January 2022
- Policy determines by consensus that both studies **warrant the same action** as hard rock phase 1
- Policy disputes concluded in stage 2, without consensus, on 20 July 2022

Majority and Minority Recommendations

- Majority and minority recommendations are caucus position papers when consensus can't be reached in stage 2 of a dispute
- They are required by WAC 222-12-045(D)
- The rule also states that the Board will make the final determination regarding dispute resolution
- The program administrator delivered two sets of majority and minority recommendations to the Board

Presentation of Recommendations

- The majority recommendation will be presented by Brandon Austin
- The minority recommendation will be presented by Darin Cramer
- A panel of TFW Policy members will interact with the Board and answer questions after public comments