

Timber, Fish, & Wildlife Policy Committee
February 4, 2016 Meeting Summary

Decisions and Actions from Meeting

| Decision | Notes |
|---|-----------------------------|
| 1. Accepted January draft meeting summary with edits. | Consensus from all caucuses |
| 2. Requested the AMPA to convene a technical group or person to determine an approach for answering the four seasonality questions that the Electrofishing Technical Group will not be answering in their work. | Consensus from all caucuses |
| 3. Approved support for the AMPA's request to the Board for up to 10% spending authority. | Consensus from all caucuses |

| Action | Assignment |
|--|--|
| 1. Update Policy's Task List with water quality milestones, prepare for March Policy meeting. | Adrian Miller, Mary Scurlock, Rich Doenges, Mark Hicks, & Claire Chase |
| 2. Identify potential sites for June field trip in Skagit County. | Kendra Smith & Curt Veldhuisen |
| 3. Update the Master Project Schedule for April Policy meeting. | Hans Berge with help from Ray Entz, Karen Terwilleger, Mary Scurlock |
| 4. Be prepared to make a decision on the Roads Best Management Practices TWIG's BAS & Alternatives Analysis at the March meeting. | Each caucus representative |
| 5. Convene a technical group (or person) to address Questions 6, 11, 14, and 32 from the Electrofishing Technical Group. | Hans Berge |
| 6. Provide an updated process for evaluating the default physical criteria and send to Policy caucus representatives by February 18. | Adrian Miller, Marty Acker, Karen Terwilleger, & Terry Jackson |
| 7. Circulate comments received from all caucuses for the Forested Wetlands TWIG's BAS & Alternatives Analysis. | Hans Berge |

Welcome, Introductions, & Old Business – 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*). There was a change to the agenda to switch the timing of the Type F discussions with the CMER Project Budget update.

Announcements

- The Chair noted that Policy has in the past created a task list as part of the water quality assurances milestones. It has been years since Policy reviewed that list so it is likely out of date.

Mary Scurlock, Rich Doenges, and Mark Hicks agreed to work with the Chair and facilitator to update the list to share with Policy at the next meeting.

- Policy discussed tentative dates in June for that 2-day meeting, and agreed on June 9 and 10. The first day will be the field trip, the second day will be the meeting. Both days will be in Skagit County, and Curt Veldhuisen and Kendra Smith agreed to identify field trip sites and work with the Chair to coordinate the field trip.

January Meeting Summary – Policy reviewed the draft meeting summary from the January 7th meeting. There were a few edits from the federal caucus and an additional edit from the industrial timber landowners caucus. Policy agreed to those edits but also discussed how to best communicate suggestions or requests to a TWIG, especially if the comment is coming from one caucus or the full Policy Committee.

Ground Rule of the Month – Jim Peters highlighted ground rule D.1: “Participants avoid use of other processes such as legislation or litigation to resolve issues being considered in the Adaptive Management Program. If a participant believes it must resort to such other processes, it notifies the other participants before taking such action.” Peters shared that it is important that the ground rules are not just for Policy members, but for everyone participating in the Adaptive Management Program (AMP). Peters also compared this ground rule with one of the original Timber, Fish, & Wildlife (TFW) ground rules from 1987, which was “weapons of war to be left at home (or at least at the door)”. The purpose of that was to keep attorneys out of the negotiations and to encourage participants to talk freely and try to meet the other ground rules like understanding each other’s positions. Peters hoped that everyone could drop their specific day-job duties at the door when coming to the Policy table each month.

- The conservation caucus agreed and offered the shorthand “avoid and notify” as a summary for this ground rule. They also suggested that 1987 was before the Forests & Fish Report (FFR) was negotiated and avoidance of all other processes was necessary because the point was to create a new paradigm. Now that FFR is in place, they understand that the context is somewhat different.
- Peters agreed that the hope is to talk with the other caucuses as much as possible.

Advocacy vs. Collaboration – Dick Miller, following from his presentation at the January meeting, reminded participants that they should have received the full Harvard Business Review article that he referred to. Beyond what Miller presented at the January meeting, another discussion he enjoyed in the article was about “perceived fairness”, meaning that when someone has an idea or suggestion, everyone should work to listen to and understand it. Asking for clarification when needed is important, too. The federal caucus also noted that the article explains that difficult decision-making can be a sign of a successful process, which may mean that the work that Policy is doing is not a failure though it can feel slow at times.

Rules of Engagement around CMER Studies – The Chair reminded Policy that there are appropriate times or ways to better understand a technical study or issue, even if that Policy member does not have a technical representative on CMER or on a TWIG. He reminded Policy to use the Adaptive Management Program Administrator (AMPA) to ask questions or express a concern. Because the AMPA is involved at every level, he might know the answer and can easily share the information, or he could help explain the process and when would be the right time to express concern.

- The AMPA was asked if he would share with the rest of the caucuses once communication has occurred between one caucus and the AMPA. The AMPA suggested that it probably depends on each case, but likely can help with that. The non-industrial timber landowner caucus suggested that if a question is sent to the AMPA via email, that Policy member sending the email should also “cc” the other caucus representatives as a courtesy.
- It was clarified that if a caucus has a CMER and Policy representative, the CMER representative is encouraged to inform their Policy representative for decision-making. However, this communication should only be one directional (e.g., making sure that the Policy representative is not influencing the technical discussions and decision-making by the CMER representative).
- The industrial landowner caucus suggested that Policy members do more work to understand the CMER Work Plan, critical questions, and what is being asked of Policy at a particular meeting or over time. She suggested reading through the work plan now in preparation for Policy’s discussions on that at the April or May meeting.

Legislative Updates – Several caucus representatives shared updates from their caucus on legislation:

- The Chair shared that his Senator (Rolfes) is the Senate sponsor for the public safety legislation (SB 6280), and he has been asked to work with her on that. However, he sees it unlikely that the bill will move out of committee, and if so the next step will likely be to establish a workgroup convened by Senator Rolfes and Representative Blake. The Chair has been asked to participate in that, too, and likely other representatives from WFPA, DNR, and the conservation community will be asked to participate. He was told that there would be no flexibility for broader participation.
- DNR is continuing their budgeting process. Additionally, they are tracking the various bills related to forest fire management, and there has been a flurry of activity regarding the Growth Management Act.
- The county caucus representative shared that his contract specifically does not cover legislative work, so unless he has been instructed by the Washington State Association of Counties to share information with Policy on a particular topic, he will likely not have information for Policy during legislative updates.
- The conservation caucus representative has the same contract stipulation.

CMER Project Budget Update – The AMPA provided Policy a reformatted Master Project Schedule (MPS) which is intended to be a reformatted version for regular updates, not for the biannual process to update the MPS for approval by the Forest Practices Board (Board). Points included:

- The industrial landowner caucus suggested that another column be added to show actual expenditures to date.
- The projected costs through the end of the fiscal year show a fund balance. The industrial landowner caucus asked if there is a way to shift some costs currently coming from the Forests & Fish Support Account (FFSA) into the General Fund-State funding source, since FFSA fund balances can be carried into the next fiscal year while General Fund-State balances cannot. The AMPA agreed; that is his intent but will not be done until the end of the fiscal year.
- The westside tribal caucus noted that their participation grant funding has not increased for many years despite rising costs elsewhere. That limits their ability to participate.

- The AMPA reviewed each line item and explained why it shows over- or under-spending:
 - There was a change in CMER science staff so there were some months with fewer expenditures. However, they anticipate filling that position soon as well as for the new geologist/hydrologist position that has not yet been filled.
 - The three mid-year projects were approved by Policy and the Board in fall 2015, so they show additional spending on top of what was approved by the Board in spring 2014.
 - DNR will soon advertise for the Environmental Planner 3 position. Because they did not fill that position as quickly as anticipated, there are cost savings.
 - The Eastside Type F Modeling Project is a follow-up from the EWRAP study. The scope of work will likely be complete by the end of February.
 - The Riparian Funding Literature Synthesis is to supplement work that will come later than anticipated from WDFW's Priority Habitats & Species work. This was not anticipated in the original budget since the hope was to only use WDFW's work, but now it has become clear that this additional effort is needed.
 - The funding originally allocated to the Electrofishing Literature Synthesis has been reprogrammed into the off-channel habitat line item.
 - Even though the Cultural Resources Roundtable is outside the AMP, the Board asked to add this line item into the AMP budget.
 - Type F and N Extensive Temperature – Baseline projects are being completed through Ecology's budget, so this will no longer come out of the AMP budget.
 - Finishing the Riparian Hardwood Conversion was going to happen within the science staff, but now that the author has moved on the work will be contracted out.
 - The Type N Hard Rock study may have an additional \$15,000 for unanticipated staffing costs within WDFW.
 - Mark Hicks agreed to talk separately with the AMPA about questions on extended sampling for the Hard Rock study.
 - For two line items within the Type N Hard Rock study, Ecology is taking on more of the budget so it shows underspending in the AMP budget.
 - The Forested Wetlands TWIG will underspend because they will not be paying TWIG members, at least this year.
 - The Roads TWIG will not pay TWIG members either but could use some of that funding to pay a graduate student to help in the study design, as long as that can happen before the end of the fiscal year.
- The AMPA noted that CMER is currently updating the CMER Work Plan and will have that ready for Policy soon.
- The AMPA will work with Ray Entz, Karen Terwilleger, and Mary Scurlock to update the Master Project Schedule for the April meeting.

eDNA Metabarcoding Project – The AMPA presented to Policy a project proposal that could help answer some of the questions that are outside the scope for the Electrofishing Technical Group. If Policy likes the pilot study, they could vote to fund it with existing General Fund-State money. Discussion points included:

- The pilot study would take water samples above and below the F/N break at approximately 20 sites and see which fish species have been at those sites, and then revisit 12 of those sites

throughout the year to see what species changes they see. This is a pilot study only at this point, but that could turn into a full-blown CMER study at some point if deemed worthwhile.

- eDNA is more specific than electrofishing because the data show which species were present instead of overall fish presence/absence. However, the WDFW representative noted that this pilot study would only identify if the F/N point is accurate, but not where the F/N endpoint really is if the F/N break is inaccurate.
- The industrial landowner caucus identified several technical questions about this pilot study and would like those answered before Policy votes to fund this.
- The westside tribal caucus supported this pilot and suggested that eDNA could be added to the toolbox as another option for practitioners.
- The eastside tribal caucus supported this pilot but noted that the budget seemed high for a pilot study.
- The AMPA clarified that if Policy voted to fund this pilot study, there would still be opportunities to tailor the products to what Policy would find useful.
- The AMPA clarified that if Policy voted to fund this pilot study, it would not require much attention but periodic updates to Policy. Additionally, if the Instream Scientific Advisory Group (ISAG) gets re-convened in the interim, then when the pilot study has a product ISAG could determine the validity and if it makes sense to become a full CMER study. This led to a discussion about the advantages and disadvantages of re-forming ISAG:
 - Without ISAG, it is difficult to bring things such as this pilot study to CMER for consideration.
 - Getting a technical opinion from ISAG could be very quick especially if it is asking them to weigh in on a proposal such as this pilot study.
 - Right now, Policy has convened two technical groups for electrofishing and off-channel habitat that might otherwise have been dealt with through ISAG.

Without the ability to answer all technical questions at the meeting, Policy agreed to further discuss the eDNA project proposal at the next meeting.

Roads Best Management Practices TWIG's Best Available Science & Alternatives Analysis – Julie Dieu and Bob Danehy, two members of the Roads Best Management Practices TWIG, presented the Best Available Science (BAS) and Alternatives Analysis to Policy. Policy will be asked to approve the document and an alternative at the March meeting. The presentation included the following points:

- The TWIG has a preferred alternative: to do empirical research on high traffic, near-stream (HTNS) roads and look at individual and combinations of best management practices (BMPs), across two to four regions.
- They want to focus on HTNS roads because several data sources show that 9.2% of the locations that are delivering to the channel network are accounting for 90% of the sediment.
- They want to focus on two to four regions because none of the models are 100% accurate, although all show relative information.
- Looking at modeling will allow better use of the existing models and the ability to make more inferences.

Questions and Discussion

- There has been no site selection yet (that will come later in the process), so no one knows where the tested roads will be. But the idea is to find the right road types and then replicate them throughout the study so they can make inferences about best management practices across the landscape. They hope for a uniform lithology across the sites with some variability in precipitation or placement within the basin, but that is unknown at this time.
- If Policy wanted all roads studied, the cost will likely triple. However, the TWIG feels a lot of useful information will come from studying approximately 90% of roads.
- The TWIG is estimating using about 80 sites for their preferred alternative (40 sites per region).
- There are some existing definitions of HTNS roads, but site-selection will also help define that.
- The TWIG is limited in identifying combinations of BMPs because there are only three. They will be thoughtful about which ones to apply in each area, which may differ depending on lithology.

Type F: Electrofishing – The AMPA reviewed with Policy his document outlining the questions out of the scope of the Electrofishing Technical Group, the number of caucuses that prioritized that question, the recommended approach to answer the question, and the estimated cost and time amounts. He noted that one of the big assumptions is around the level of uncertainty. If the answer only needs a yes/no, there may be a simpler and less expensive alternative to answer the question.

Discussion

- The conservation caucus suggested that Policy only be concerned right now with the questions that are necessary to be incorporated into the final rule language package to the Board, as opposed to the “nice to know” inquiries that the AMP can continue to work on after a permanent rule is in place.
- After some discussion, Policy agreed to address the first two questions at a later date.
- Questions 6, 11, 14, and 32 can be categorized together as seasonality inquiries. Policy discussed how to task a group or an expert to answer these four questions all together.

Decision: All Policy caucuses voted with thumbs up to ask the AMPA to convene a technical group or person to review the four seasonality questions and 1) identify what information currently exists to inform these questions, 2) identify an approach for answering the questions, and 3) respond to the questions to the best of their ability. This would be done by a person or group of people from outside the AMP. Policy further directed the AMPA to use up to \$75,000 for this effort and have this complete by the end of June 2016.

Type F: Off-Channel Habitat Technical Group – The AMPA successfully contracted with Phil Roni, who will convene the experts into the technical group, identify meeting dates, and get moving on the technical tasks recommended by Policy in fall 2015. When the meeting dates are set, they will be shared with Policy members who can attend to observe but not participate.

Type F: Physicals – The Chair worked with some caucuses between the January and February meetings on the rough draft of an approach for evaluating the physicals that he initially presented at the January

meeting. At this point, the Chair suggested that it might be best suited in a proposal initiation so that the AMPA can identify next steps that Policy could approve. Discussion points included:

- The westside tribal caucus noted that the physicals were established knowing that they were going to be wrong some of the time. The Chair agreed and noted that the protocol surveys do not always predict accurately either, but the point of this exercise is to find a mechanism to validate assumptions.
- The westside tribal caucus expressed concern that this effort would replicate earlier conversations about how to define fish habitat.
- The Chair is still working on inviting panelists for a history reminder of how the physicals were created. That should happen at a Policy meeting soon.
- Karen Terwilleger, Terry Jackson, and Marty Acker agreed to work with the Chair before the next Policy meeting to potentially draft a proposal initiation regarding an approach to evaluating the physicals.

CMER Update

ENREP Update – The Eastside Type N Riparian Effectiveness Project (ENREP) TWIG has gone through a few iterations of the study design, specifically whether to study the intermittent and perennial streams in the same study or separate studies. Discussion points included:

- Most recently, the TWIG asked Policy if they could do the two stream types in the same study, which Policy approved but left the separate line items in the budget. Then the TWIG drafted a study design and brought it to CMER for discussion. Some CMER members had concerns with the study design, so the TWIG members tried to address those.
- One caucus wanted to look at the seasonally dry stream reaches and felt that there should be a test of riparian prescriptions on those channels, though that test would be less protective and would not meet water quality standards.
- Finally, the TWIG agreed that the two stream types should be separate studies but compatible, trying to use the same sites or information as much as possible for cost savings.
- The Chair clarified that this is not at Policy to make a decision, since that has already happened. Policy previously agreed to have the TWIG pick the best option, which seemingly they have. So now it is up to the TWIG to follow through.
- The eastside tribal caucus reminded the TWIG that this is an effectiveness study so the priority should be testing the rules. The Chair agreed, noting that if there is space after the priorities are met to test an experimental piece, Policy previously indicated they would be interested in that finding, too.
- The AMPA clarified that it is now up to the TWIG to write a proposal for what they suggest doing, going forward with this latest direction from Policy. The TWIG can bring that to CMER to address the outstanding CMER comments.

Regular CMER Update – Doug Hooks, CMER Co-Chair, updated Policy on several items from CMER:

- CMER approved the Roads TWIG BAS & Alternatives Analysis that was presented to Policy at this meeting. The March meeting is the last opportunity for Policy to have input on the preferred alternative before the TWIG develops a study design.
- CMER approved the Forest Hydrology Study Findings Report, which will be presented to Policy at the March meeting.

- CMER approved the SAG work plans, preparing for updates to Policy at the April meeting. Additionally, a CMER member is working to make project summaries more succinct, moving links of information into the appendices, and generally making the work plan more accessible.
- CMER began discussing potential sessions for the biannual science seminar, including:
 - eDNA knowledge around the country;
 - Herbicides;
 - Climate change, drought, fire; and
 - Fire salvage and potential BMPs.
- At the February Board meeting, the AMPA will ask the Board for approval of a new CMER member (Jenny Knoth from Green Crow).
- CMER is still working on revisions to the Protocols & Standards Manual.

Budget Flexibility – The AMPA would like some spending authority for project expenditures outside the budget, so that he can better manage the budget more quickly without waiting three months until the next Board meeting for their approval. His memo to the Board asks for authority to spend up to 10% of the General Fund-State budget for Board-authorized priorities. Policy supported the AMPA’s request.

Decision: With consensus from all caucuses, Policy recommended that the Board approve the AMPA’s request for authorization of up to 10% General Fund-State fiscal year budget spending for use in the AMP, upon consensus of the TFW Policy Committee.

Small Forest Landowners Template Subgroup – Marc Engel and Dick Miller, Co-Chairs of the SFLOs Template Subgroup, updated Policy on the latest work of the subgroup. They have met three times and have made some progress but hope for much more soon. It will be another several months before they can present anything to Policy. They have been trying to establish a framework for how to evaluate whether or not each of the 12 prescriptions meet the criteria of a template. They hope to be able to finalize this framework at the next meeting on March 8.

The eastside tribal caucus asked the non-industrial timber landowner caucus to wait to propose their alternate template for the eastside until this process for the westside template is complete.

The Chair adjourned the meeting at 5pm.

Attachment 1 – Participants by Caucus at 2/4/16 Meeting

Conservation Caucus

Chris Mendoza, Mendoza Environmental, LLC
*Mary Scurlock, Scurlock & Associates

County Caucus

Kendra Smith, Skagit County
*Scott Swanson, WSAC

Federal Caucus

*Marty Acker, USFWS

Industrial Timber Landowners

Doug Hooks, WFPA
Adrian Miller, Olympic Resource Management,
Chair
*Karen Terwilliger, WFPA

Non-Industrial Timber Landowners

*Dick Miller, WFFA

Others

Hans Berge, AMPA
Bob Danehy, NCASI
Julie Dieu, Rayonier
Bill Ehinger, Ecology
Kevin Godbout, Weyerhaeuser
Howard Haemmerle, DNR/AMP
Claire Chase, Triangle Associates

State Caucus – DNR

*Marc Engel, DNR
Marc Ratcliff, DNR
Joe Shramek, DNR

State Caucus – Ecology and Fish & Wildlife

*Rich Doenges, Ecology
Mark Hicks, Ecology
*Terry Jackson, WDFW

Tribal Caucus – Eastside

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

Tribal Caucus – Westside

Joseph Pavel, Skokomish Tribe
Jim Peters, NWIFC
Ash Roorbach, NWIFC
*Curt Veldhuisen, Skagit River System
Cooperative (phone)

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 | Board accepted Policy's recommendations; now DNR and UPSAG are working on implementing those recommendations. UPSAG has hired 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/Subgroup | Next Meeting Date | Notes |
|--|-------------------|---|
| TFW Policy Committee | March 4 | |
| CMER | February 23 | |
| Type N Policy Subgroup | TBD | |
| Type F | | To be addressed at regular Policy meetings. |
| Forest Practices Board | February 10, 2016 | |
| Small Forest Landowners Template Subgroup | March 8, 2016 | As workload allows. |