

Timber, Fish, & Wildlife Policy Committee
November 2, 2017 Meeting Summary

Actions and Decisions from Meeting

Action	Assignment
1. Finalize a report to Policy for the December 7 meeting.	Prioritization Subgroup
2. Meet again with the contractors so they can finalize their products; bring a report to Policy for the December 7 meeting about timelines for products.	SFL Template Subgroup
3. Consider potential CMER Co-Chair from your caucus.	Caucus representatives
4. Confirm for Policy via email if the Findings Report for chapter 17 of the Hard Rock study will include information on meeting performance targets.	Hans Berge & Howard Haemmerle
5. Ask PIs to start developing Findings Reports for chapters 5, 6, and 15 (along with those for chapters 7 and 17). Try to sync the timeline together so Policy receives the Findings Reports for all five chapters at once.	Hans Berge & Howard Haemmerle
6. Reconvene Unstable Slopes PI subgroup to review remaining issues from PI; consider the UPSAG research strategy when drafted. Invite UPSAG member(s) to participate in the Policy subgroup.	Marc Engel, Mary Scurlock, Scott Swanson, Karen Terwilleger

Decision	Notes
1. Approved mid-year budget request from the AMPA to add more funding to the SFL template subgroup work and a new budget line item for the PHB validation study.	Approval by all caucuses (eight caucuses thumbs up and one caucus absent)
2. Officially requested a Findings Report for chapters 5, 6, and 15 of the Hard Rock study.	Requests from the industrial timber landowner and small forest landowner caucuses

Welcome, Introductions, & Old Business – Scott Swanson, Co-Chair of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed participants and led introductions (*please see Attachment 1 for a list of participants*). The Co-Chair reviewed the agenda and suggested re-arranging several topics; there were no other changes to the draft agenda.

October 5, 2017 Draft Meeting Summary – Several caucuses suggested edits to the draft meeting summary. The industrial timber landowner caucus asked the Adaptive Management Program Administrator (AMPA) if the Potential Habitat Break (PHB) questionnaire sent to technical experts could be shared with the Policy representatives; the AMPA explained that the science panel needed the questionnaire to solicit technical input and will share more information once they have made more progress on their task.

Decision: The October 5, 2017 meeting summary was approved with several edits. All caucuses voted thumbs up, except the absent eastside tribal caucus.

December Meeting – The Co-Chairs and facilitator have planned for a different arrangement for the December 7, 2017 Policy meeting. The meeting will start at the Department of Ecology, and after lunch the group will transition to the Falls Terrace Restaurant for an hour of structured time and then some unstructured time in the late afternoon for end-of-year celebrations.

Program Priorities – The subgroup working on identifying priorities and criteria for the Master Project Schedule (MPS) planning efforts includes Mary Scurlock, Karen Terwilleger, Rich Doenges, Hans Berge, and Mark Hicks, with Scott Swanson as Co-Chair support. The subgroup has met several times and has a draft document outlining criteria to be used by Policy in future budgeting discussions. They plan to bring their final draft of criteria to Policy as soon as possible, ideally at the December meeting. Their discussions have sub-elements such as: overall program prioritization, prioritizing specific projects coming from CMER, and prioritizing individual projects once they are listed on the MPS. Their discussions have also centered on the importance of the timeline in that if a project gets delayed it can affect the timelines of other projects.

The subgroup is mindful that the MPS shows over-budgeting for several years in the near future, and most of their work centers on anticipating those years of over-budgeting. They also anticipate that if their subgroup work continues after December, their work will naturally sync up with the work of the Forest Practices Board (Board) subcommittee on Adaptive Management Program (AMP) improvements. The subgroup noted that if they have a draft document to Policy in December 2017 and Policy can discuss at that meeting and in January 2018, then the Co-Chairs could present that to the Board at the February 2018 meeting. Additionally, that timeline also syncs well with the upcoming work Policy will do in March 2018 to begin their re-alignment of the MPS.

The AMPA added that the importance of this subgroup work is to make sure the AMP's current work is focused on the priorities and that the program tackles the most pressing issues in a logical way. The Co-Chair added that criteria document finalized by Policy could be added to the Policy Guidance Handbook.

Potential Habitat Break (PHB) Technical Work Update – The AMPA referenced Joe Shramek's memo from October 26, 2017 and provided other updates:

- PHB development work:
 - The science panel is mining data from eastside and westside Water Type Modification Forms (WTMFs) to identify criteria to be used for establishing PHBs, specifically focused on criteria that emphasize size, gradient, and barriers.
 - Once the group analyzes the data, they will review them to maintain consistency among everyone's work. They expect the data analysis will end around November 15, and expect to prepare a report to be shared with the stakeholder committee around December 8.
 - Meetings between the science panel and the stakeholder group have been scheduled for November 14 and December 14.
 - The science panel is still aiming to finalize and send their report to the Board by January 16.
- Study design for the validation study:
 - Several sections of the study design are being drafted now.

- They expect to have a draft study design ready to share with the stakeholder group in January. After that it will be sent to Independent Scientific Peer Review (ISPR), whose comments will go back to the science panel for incorporating into the draft.
- They are still aiming to finalize a study design to the May 2018 Board meeting.

Policy representatives asked questions and discussed this update:

- The federal caucus representative asked that the stakeholder group be managed so the science panel gets the information they need; their last meeting was focused on extraneous information and the panel was not afforded opportunities to ask questions.
- The industrial timber landowner caucus thanked the AMPA for the high level of transparency around this effort.
- The federal caucus representative noted that WTMFs are still being submitted and sometimes approved with electrofishing above known non-passable culverts.
- The federal caucus also noted concerns about whether enough steps are being taken to meet DNR's new 2019 target for implementing new rules. For example, the certification procedures will require substantial development to create an auditable and enforceable license and their caucus does not believe that certification needs to wait for the PHB criteria to be finalized.
- The conservation caucus agreed with the federal caucus; their caucus hopes that other components not reliant on the finalized PHB criteria will be worked on sooner than later for the water typing rule language.
- The DNR representative explained their ongoing work on the development of the full water typing package, including:
 - The draft package is close to being finalized, with the exception of the PHB details.
 - The PHB details must be captured in rule, so the draft rule cannot be completed until the PHB technical work is done.
 - DNR is using the existing hydrolayer as a baseline from which to conduct the cost-benefit analysis.
 - DNR is still aiming to present draft rule language at the May 2018 Board meeting, which will include the preliminary cost-benefit analysis, small business economic impact statement, and other requirements for changes to rule language. When DNR presents the rule to the Board, they will remind the Board of everything it has already agreed to in 2017.
 - After the February 2018 Board meeting, DNR will schedule stakeholder meetings to review draft rule language.
 - DNR plans to present a revised Board Manual at the Board meeting where they intend to adopt the rule (which could be as early as August 2018). DNR asked caucuses to send in ideas for Board Manual language if caucuses are interested. They will work on the Board Manual language between February and July 2018.
 - In May 2018, DNR anticipates filing the CR-102, which means less than 180 days to finalize the guidance.
 - DNR also noted that all these timeline estimates are based on the assumption that the Board will accept the PHB criteria in February 2018.
- The Ecology representative asked that if DNR has assumptions about any pieces of the rule package, to share those with Policy so the caucus representatives have the information to brief their own caucuses.
- Any comments, thoughts, or concerns should be directed to the AMPA.

- The validation study will follow the regular AMP process and if its findings adjust the PHB criteria, the permanent water typing rule will adjust accordingly. The validation study anticipates a pilot project in 2018 and then data collection from 2019-2021 to ensure the criteria work in different weather years. Then the AMP would bring a recommendation in fall 2021 or winter 2022 to confirm the PHB criteria are working.

Small Forest Landowners' (SFL) Template Subgroup Report – Marc Engel and Ken Miller gave updates on behalf of the subgroup. The subgroup has met twice since the October Policy meeting, and includes seven of the nine caucuses. The contractor hired to evaluate the science supporting the prescriptions continues to work at direction of the subgroup. The subgroup gave specific feedback to the contractor about the initial documents and the contractor now has better clarity to write new versions of the products. The subgroup anticipates receiving a revised report from the contractor in December, though they noted that they must complete answering all the contractor's questions on the products before the contractor can finalize their work. The subgroup will likely meet again in late November to answer the contractors' questions and the questions from the westside tribal caucus. Once the contractor completes the science assessment review (which may be spring 2018), it will go to ISPR. The riparian function literature synthesis is going through the CMER process. The subgroup will not make a determination about whether the proposal meets the definition of a template until after the final science assessment is complete.

The Co-Chair requested that DNR post the subgroup meetings, to comply with the Open Public Meetings Act.

At the December 2017 Policy meeting, the subgroup will report more specificity on timelines and when to expect products from the contractor to the subgroup and from the subgroup to Policy.

Biennial Budget Update – the Budget Subgroup met in advance of the October Policy meeting, but due to time constraints did not give their update.

There are a few projects in the biennial budget that are not spending as quickly as anticipated (or at all), but this frees up some budget for other projects that have been identified recently but without budget: the Board-directed PHB validation study and the additional SFL template work.

The AMPA reminded Policy that within each fiscal year, any General Fund-State funding left unused will evaporate. He also noted that the revised budget presented to Policy at this meeting will not include the 2019-2021 data collection for the PHB validation study; he will further update the biennial budget after this meeting.

The AMPA requested that Policy consider adopting the changes in yellow on the biennial budget spreadsheet, add \$30,000 to row 19 (the SFL template subgroup work), and add \$125,000 in 2019 to a new row for the PHB validation study. Given best estimates at this time, those changes would make for a positive variance of \$9,042 at the end of the biennium. Policy discussed this request:

- The Ecology representative asked that the AMPA clarify for the Board at his earliest opportunity that when the Board wants to spend more in this biennium, it often adds more of an overbudgeted burden to the next biennium and even further out.

- The industrial timber landowner caucus representative reminded Policy of another over-budgeting issue: the surcharge for the B&O tax will expire in 2025 unless caucuses get together sooner than later to ask the legislature to maintain that tax surcharge.

Decision: The small forest landowner caucus representative moved to approve the AMPA's budget request and the industrial timber landowners caucus seconded the motion. Policy discussed whether they could make a decision even though a decision was not noted on the draft agenda; ultimately, they decided that since the topic was noticed it was fine for them to make a decision. All caucuses voted thumbs up to approve the AMPA's request, with the exception of the absent eastside tribal caucus.

CMER Update – Doug Hooks, a CMER Co-Chair, provided a written update in the meeting packet. He additionally noted that:

- UPSAG is moving along with the deep-seated research strategy and plan to send their work to Dan Miller who did the literature syntheses. UPSAG will meet again next week.
- Todd Baldwin announced that he will step down as CMER Co-Chair after the December 2017 meeting. Doug asked that all caucuses think about who within their caucus could serve as CMER Co-Chair. Todd will fill in as the SAGE Co-Chair in the interim.
- The two ENREP TWIGs agreed that the best way to respond to ISPR comments is to have the TWIGs coordinate their thinking, though this will not stop the dry ENREP TWIG's ongoing work with ISPR.

Board Subcommittee on AMP Improvements – The AMPA noted that this Board subcommittee has not met since August, but they did send out a Request for Proposals for a facilitator to work with them and the caucus principals. They received twelve responsive proposals and now some subcommittee members will review those and meet on November 3 to discuss their next steps for hiring. After that, the subcommittee will schedule another meeting.

The industrial timber landowner caucus emphasized the importance of the individual interviews with the caucus principals, which was a part of the RFP. The AMPA noted that the first meeting of the caucus principals will likely happen between February and May 2018, focused on recommitment. The second meeting will focus on what recommitment can look like, and the third meeting is before the 2019 legislative session to talk about working together better.

2018 Schedule – The Co-Chairs identified the meeting dates for 2018, and identified a few where they expect to hold the meeting outside the Department of Ecology in Lacey. The meeting dates and locations are as follows: January 4, February 1, March 1, April 5 (likely in Ellensburg), May 3, June 7 (likely in Spokane), July 12 (moved from July 5), August 2, September 6, October 4 (likely in Bellingham or Vancouver), November 1, and December 6. The Co-Chairs will decide whether to cancel the September and/or December meetings, if there is not enough for a full agenda.

Forest Practices November Board Meeting & Field Tour – DNR explained that the first day will be a field tour on the eastside to hear about issues that may come to the Board in 2018 (including tribal cultural resources, water typing, pesticides, small landowner issues). The second day will be their regular meeting, held at the Kalispel Tribe.

Mark Hicks from the Department of Ecology provided Policy with a similar update on Clean Water Act Assurances that he will provide the Board. The last Clean Water Act Assurances update to the Board was in August 2016, though it is supposed to occur twice per year. The most recent updates include:

- Policy has developed guidance for the Uppermost Point of Perennial Flow.
- DNR is arranging for a fiscal and performance audit of the AMP.
- DNR is also establishing and implementing a compliance program.
- CMER has accomplished a landscape-scale mass wasting study, scoped and began the study design process to examine Rule-Identified Landforms, and scoped and began the study design process for a forested wetlands effectiveness program.
- Ecology is particularly pleased to see the Hard Rock study get through CMER and ISPR review.
- In their update, Ecology also notes that high-priority projects such as ENREP are considerably behind schedule, with no study design yet.
- In 2019, Ecology will determine whether they continue to use the Assurances, which will be a Director-level decision.

The AMPA noted that there may be ways to meet the Assurances with lower-cost studies, which will be an important component of future alternatives analyses within the AMP.

Hard Rock Study – Howard Haemmerle of the AMP reviewed the current status of the Hard Rock study and what is being done to complete the work for Policy:

- The Principal Investigators (PIs) are finalizing the Findings Reports for chapters 7 and 17. Then those will go to SAG and CMER reviews with the anticipation of CMER approving them at their December meeting so they can be presented to Policy in January.
- Additionally, the PIs have been working on responses to the questions from Policy after the presentations at the October Policy meeting. The responses will be organized into a matrix format, which may be available for the December Policy meeting. It is possible that the PIs may not be able to answer all of Policy's questions.
- The industrial timber landowner caucus confirmed that the PIs are also developing Findings Reports for chapter 15, per their request after the last Policy meeting. This will be communicated to the PIs and may take two to three months to complete. AMP staff will attempt to sync the Findings Report for chapter 15 with the Findings Reports for chapters 7 and 17 so everything comes to Policy at the same time.
- The small forest landowner caucus noted their interest in a Findings Report for chapters 5 and 6, but are willing to wait for the Findings Report for chapter 17 in case that satisfactorily answers their questions.
- The Co-Chair noted that when Policy receives the Findings Report on chapter 17, Policy will consider whether the timeline outlined in the Board Manual starts, making a deadline for Policy's approval.
- The federal caucus representative requested that the Findings Reports include responses on performance targets, which the AMP staff may confirm separately via email.

Decision: The industrial timber landowners caucus requested to have a Findings Report for chapter 15 (Amphibians), and the small forest landowners caucus requested to have a Findings Report for chapters 5 and 6 (Stand Structure and Tree Mortality, and Wood Recruitment). The AMP staff will try to sync up the completion and presentation of those Findings Reports with those for chapters 7 and 17.

Non-Glacial Deep-Seated Landslides Literature Synthesis – The conservation caucus representative shared that their caucus has been thinking about how to take the findings from this literature synthesis and put to use sooner than later. She has discussed this with the representatives from the DNR and industrial timber landowner caucuses. That small group determined that the Unstable Slopes Proposal Initiation (PI) subgroup could reconvene to see what the literature synthesis findings mean for the Deep-Seated Landslides Research Strategy, which UPSAG is currently developing and intends to complete by the end of the year.

The AMPA reminded Policy that the questions for Policy or a Policy subgroup are those that are not scientific and are about implementation. If the subgroup has a written request for UPSAG, the AMPA will share that with CMER who will assign it to UPSAG.

Decision: The Unstable Slopes PI Subgroup (Mary Scurlock, Karen Terwilleger, Marc Engel, and Scott Swanson as Co-Chair support) will reconvene to see what other work from the PI needs to be accomplished and how the literature synthesis could inform that work. They will also invite UPSAG member(s) to attend their subgroup meeting (through CMER). Their first meeting will focus on assessing the existing PI to identify tasks for the subgroup and provide a report back to Policy.

Next Steps – Among other topics, the December Policy meeting will include updates from the SFL Template Subgroup, progress on the Hard Rock study, and the Board's 2018 work plan as approved at their November meeting.

The Co-Chair adjourned the meeting at 2:15pm.

Attachment 1 – Participants by Caucus at 11/2/17 Meeting*

Conservation Caucus

*Mary Scurlock, M. Scurlock & Associates

County Caucus

Kendra Smith, Skagit County

*Scott Swanson, Washington State Association
of Counties (Co-Chair)

Federal Caucus

*Marty Acker, U.S. Fish & Wildlife Service
*Michelle Wilcox, Environmental Protection
Agency

Industrial Timber Landowners Caucus

Doug Hooks, Washington Forest Protection
Association

*Karen Terwilleger, Washington Forest
Protection Association
Jason Walter, Weyerhaeuser (phone)

Small Forest Landowners Caucus

*Steve Barnowe-Meyer, Washington Farm
Forestry Association
*Ken Miller, Washington Farm Forestry
Association

*caucus representative(s)

State Caucus – DNR

*Marc Engel, Department of Natural Resources
Joe Shramek, Department of Natural Resources

State Caucus – Ecology and Fish & Wildlife

*Rich Doenges, Department of Ecology
Mark Hicks, Department of Ecology
Don Nauer, Washington Department of Fish &
Wildlife
*Stacy Polkowske, Washington Department of
Fish & Wildlife

Tribal Caucus – Eastside Tribes

Marc Gauthier, Upper Columbia United Tribes
(phone)

Tribal Caucus – Westside Tribes

*Joseph Pavel, Skokomish Tribe
Ash Roorbach, Northwest Indian Fisheries
Commission
*Curt Veldhuisen, Skagit River System
Cooperative (phone)

Others

Hans Berge, Adaptive Management Program Administrator
Howard Haemmerle, AMP
Claire Chase, Triangle Associates

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status &Notes
Type N	Policy to Board	Policy agreed by consensus on recommendations to the Board which were presented in November 2017.
Type F	Board & Technical Group	Policy delivered consensus recommendations to the Board in May 2017; the Board determined some areas that needed work by a technical group (primarily on potential habitat break criteria). DNR is developing the rule language.
Small Forest Landowners Westside Template	SFLOs Template Subgroup	Subgroup is meeting separately; co-chaired by Marc Engel and Ken Miller.
Unstable Slopes	Policy	UPSAG hired a contractor to do a glacial deep-seated literature synthesis. Policy presented their perspective on the unstable slopes proposal initiation to the Board in May 2017 and convened an Unstable Slopes PI subgroup to attend to those issues.
Ongoing CMER reports reviewed by Policy	Doug Hooks & Todd Baldwin, CMER Co-Chairs	CMER Co-Chairs give regular written and/or verbal update(s) to Policy.

Attachment 3 – Entities, Groups, or Subgroups: Schedule and Notes

Entity/Group/Subgroup	Next Meeting Date	Notes
TFW Policy Committee	December 7	
CMER	December 14	
Forest Practices Board	November 8; February 7	
Small Forest Landowners Template Subgroup	TBD	As scheduling allows.
Budget Subgroup	Quarterly meetings with AMPA	Quarterly reports at Policy meetings.