

MEMO

To: TFW Policy Representatives
From: Terra Rentz, TFW Policy Co-Chair
Subject: Technical Type Np Prescriptions Workgroup Charter

The TFW Co-Chairs produced the following *draft* Charter informed by discussions at the December 5/6, 2018 TFW Policy meeting held at the Northwest Indian Fisheries Committee conference center in Lacey, Washington. This Charter is intended to guide the Workgroup and does not reflect steps prior to the workgroup initiation process as that is outside the scope and purpose of this document.

The co-chairs strived to adhere to the following:

- Specific language and processes articulated in the consensus proposal to the Forest Practices Board;
- Discussion around key issues and desired elements from each caucus;
- Best management practices for workgroup governance and operations;
- TFW and Forest Practice board meeting scheduled for 2019 and 2020 and proposed CMER study timelines.

To try to ensure that the Charter would meet expectations of the widest diversity of caucus interests, specific informal review and feedback was requested from Darin Cramer, Industrial Landowner Representative, and Alec Brown, Conservation Caucus Representative. Further unsolicited input was provided by NWIFC. This input should not be considered the formal opinion of any caucus or a substitute for a broader policy review and was solicited purely in an attempt to resolve large issues prior to January.

The following draft does not fully resolve all of the comments and concerns from these two caucuses. Those areas that need additional discussion have been highlighted and annotated to guide discussion in January. Further, this draft should only be considered as an initial starting point for discussion in January and is not a product of more exhaustive caucus engagement.

We encourage all policy representatives to review this charter and conduct any necessary discussions among and between your caucuses to ensure a productive workspace in January.

Thank you for your continued efforts to make TFW successful!

CHARTER: TECHNICAL TYPE NP PRESCRIPTIONS WORKGROUP

- I. Date: March 7, 2019
- II. Project: March 7, 2019 through completion.
Duration: Completion is intended to occur six months after receipt of final affiliated report, estimated June 19, 2020

III. Introduction

This charter is intended to guide the formation and efforts of a Technical Type Np Prescriptions Workgroup (hereafter: Workgroup), which is a sub-group of the T/F/W Policy Committee (hereafter: Policy). The Workgroup will be formed as an outcome of alternative actions proposed by Policy in response to the study entitled *Effectiveness of Experimental Riparian Buffers on Perennial Non-fish-bearing Streams on Competent Lithologies in Western Washington* (hereafter: Hard Rock Study). The initial purpose of the workgroup is to develop alternative buffer prescriptions for Type Np streams in Western Washington. Based on the scope of the Hard Rock Study, the initial focus is on western Washington streams in areas of hard rock lithology, to achieve temperature protection objectives. However, this scope may be expanded per the direction of Policy if more information becomes available.

Policy affirmed, through consensus, that the Type N Hard Rock Study indicated that there was a temperature increase associated with the buffer treatments tested. Therefore, Policy agreed the findings warrant action and proposed the following process components:

1. Formation of a technical workgroup, governed by a charter, to develop and deliver a set of alternative Type Np Prescriptions that meet a suite of resource protection, feasibility, and economic objectives.
2. The workgroup will utilize all relevant information to inform alternative prescriptions for Np streams, including available literature and data while adhering to the timeline.
3. Inclusion of additional Type N related projects currently in the CMER process including the *Buffer Integrity – Shade Effectiveness (Amphibian)* project, *Westside Type N Buffer Characteristics, Integrity and Function (BCIF)* study, *Type N Experimental Buffer Treatment in Hard Rock Lithology - Phase II Extended Monitoring* study, and the *Type N Experimental Buffer Treatment in Soft Rock Lithologies* study. These products would be available for the workgroup upon delivery to Policy from CMER.
4. Expedited funding and implementation of the *Buffer Characteristics and Shade* study to both inform, and be informed by, the workgroup
5. Adherence to a timeline that is expected to run concurrently with the CMER process associated with remaining Type N projects and conclude within 6 months of receipt of the final study. At the time of drafting, the *Type N Soft Rock* study is anticipated to be the final study delivered by CMER in this series.

Policy anticipates that rulemaking will be needed to implement prescriptions that result from recommended actions.

The engagement of this Np Workgroup will be longer and more complex than previous Policy Workgroups that addressed one task. This Work Group will respond to four additional CMER Type N studies listed in item 3 above. At the writing of this Charter, each of these four studies are nearing completion and expected to be delivered to Policy by early 2020. As each study becomes available, the Workgroup will assess its implications and incorporate the new results into the Workgroup’s ongoing work, per Policy’s direction. In addition to

allowing an integrated understanding of stream protection strategies, this avoids the need for a separate Policy response to each of the studies, thus reducing total effort. It is also likely that the results of incoming studies will require adjustment to Workgroup scope and requirements, which can be done with Policy approval.

IV. Workgroup Purpose

The initial purpose of the Workgroup is to review and understand results of the *Type N Hard Rock* study and develop alternative Type Np prescriptions for perennial, non-fish bearing (Type Np) streams in western Washington that meet the following objectives:

- i. Protect water temperatures to meet the rule (WAC 173-201A-200, -300-320);
- ii. Are repeatable and enforceable;
- iii. Are operationally feasible;
- iv. Provide wood to the stream over time;
- v. Account for minimization of windthrow;
- vi. Consider options that allow for management (e.g. selective harvest) in the riparian management zone (RMZ); and
- vii. Minimize additional economic impact.

The workgroup shall utilize all available information to inform the development of alternative prescriptions for Np streams as described above, including related documents from within the Adaptive Management Program and elsewhere.

Further, the workgroup will evaluate, and include as directed, additional Type N projects currently in the CMER process, upon receipt of approved findings reports from CMER. These studies include:

- A. Buffer Integrity – Shade Effectiveness (Amphibian) Project
- B. Westside Type N Buffer Characteristics, Integrity and Function (BCIF)
- C. Type N Experimental Buffer Treatment in Hard Rock Lithology - Phase II Extended Monitoring
- D. Type N Experimental Buffer Treatment in Soft Rock Lithologies

Although the site specificity of the *Type N Hard Rock* study applies to above ground stream components in basalt (hard rock) lithology, Policy may expand the objectives and/or geologic/geographic applicability of prescription alternatives if findings from subsequent Type N projects warrant action.

Policy expects the Workgroup to understand the findings and full reports of the Type N Hard Rock study, and subsequent projects and, if needed, solicit additional input from project Principle Investigators (PIs) or outside experts to identify knowledge gaps and gain a better understanding of the CMER research. The Workgroup may employ any necessary information gathering, synthesis, and/or assess cause and effects to inform prescription development. However, Policy expects the Workgroup to adhere to the timeline established in Section VII of the Charter.

These studies and their associated findings are the products of an agreed upon process through Forest and Fish. It is not the role of the Workgroup to reanalyze the Type N Hard Rock study, or the additional Type N projects listed above, to refute the results produced through the CMER process.^[RTA(1)]

V. Deliverables

The work in this charter will be considered complete when the following deliverables have been completed:

1. Development of one or more Type Np forest practice prescriptions for perennial, non-fish bearing (Type Np) streams in western Washington that meet the criteria in section IV.

2. Estimate the level of effectiveness of alternative prescriptions at providing key functions using literature, modelling or other methods.
3. Final report no later than June 19, 2020 to Policy that articulates Deliverables 1 and 2, any major process findings, and any areas of non-consensus.

VI. Timeline and Milestones^[RTA(2)]

Task	Anticipated Timeline
Board acceptance of Policy Proposal	February 2019
Workgroup is convened	March
Workgroup members become familiar with Type N Hard Rock study results and Washington State water quality standards.	April
Receipt of Buffer-Shade Amphibian Response study	Early Spring
Written update for Policy and Board (I)	April 19, 2019
Receipt of Buffer Characteristics, Integrity & Function study	Late Spring
Workgroup concludes any field visits the workgroup deems necessary.	Early Summer
Written update for Policy and Board (II)	July 19, 2019
Receipt of Hard Rock Phase II Extended study	Fall
Written update for Policy and Board (III)	October 25, 2019
Workgroup drafts new Type Np prescriptions for initial Policy review	Early Winter
Receipt of type N Soft Rock study and findings	Winter (Est. Dec 2019)
Written update for Policy and Board (IV)	January 24, 2020
Workgroup update, if necessary, alternative Type Np prescriptions based on review of Type Np Soft Rock study findings	3 months post Soft Rock (early Spring)
Written update for Policy and Board (V)	April 24, 2020
Final submission of deliverables to policy	June 19, 2020 or 6 months post Soft Rock

Process and Milestones

The following process steps are recommended to complete the deliverable:

1. Review the complete Hard Rock report and associated findings;
2. Review and understand Forest Practice rules associated with Type Np streams and how Washington's water quality standards apply to forest practices;
3. Identify information gaps and assess available information to assist workgroup in deriving alternative prescriptions;
4. On an ongoing basis, review newly completed Type N related studies and their associated findings; integrate relevant information into decision making process; consider field visits/practical field application time as needed;
5. Develop a suite of possible alternatives and assess on-the-ground feasibility;
6. Through consensus, select final prescription(s) for recommendation to Policy;
7. Develop associated language that articulates how/where to implement a given prescription;

8. Aggregate (1) proposed prescriptions, (2) draft board manual language, and (3) a description of the process pursued, additional resources utilized, and any other relevant information into a final proposal for Policy’s consideration.

VII. Membership & Composition

Workgroup Name	Role
[Insert Workgroup roster once completed]	

Selection

Membership is the Workgroup was selected by Policy members from among a list of experts compiled by the Adaptive Management Program Administrator as articulated in the consensus proposal to the Forest Practices Board.

Composition

The workgroup consists of two representatives of Policy, one of whom will serve as Chair and up to eight experts with the following areas of expertise: biological and physical stream processes, and silviculture/field forestry.

As an Adaptive Management Program Project Manager, [NAME] will serve as staff support for the workgroup. Specifically, the Project Manager will be responsible for assisting with meeting logistics, providing necessary materials related to the AMP process, and securing resources, as necessary, to achieve the workgroup’s objective.

Expectations

All workgroup members shall operate as technical experts and will not serve as representatives for any specific caucus. However, an understanding of the field and policy context will be valuable. Because familiarity and continuity among members are crucial to timely completion, meetings will require participation by all members. With Workgroup approval, members may invite associates to provide additional information. Associates’ role will be technical, short-term, and specific.

Workgroup members agree to:

- Acquire a deep understanding of past and incoming CMER studies on Type N streams
- Familiarize themselves with other related materials in preparation of the meeting.
- Assist in the identification and evaluation of relevant non-CMER studies
- Read and understand relevant Forest Practices WACs to Type Np prescriptions
- Meet on a regular and timely schedule
- Attend all meetings (in-person or by phone)
- Adhere to the timeline
- Assist in reporting regularly to policy

VIII. Group Process and Governance

Norms

The workgroup will follow standard Policy norms and ground rules. However, the small size and technical nature of the work may allow for a more informal approach than occurs at Policy meetings. Members of the workgroup agree to collectively provide a collaborative space to foster the development and presentation of alternative prescriptions that achieve the aforementioned objectives.

Meetings will be open to the public, but with no public comment.

Governance

The Workgroup will strive for consensus. If there is a lack of consensus, a simple majority vote can occur to move a decision forward. Majority-minority reports will be catalogued for all non-consensus decisions.

It is the role of Workgroup co-chairs to inform Policy of non-consensus issues and to elevate those issues, if needed, for Policy resolution.

Roles and Responsibilities

Chair & Alternate:

- Run workgroup meetings that maintain open and productive discussion and decision making;
- Work with Project Manager (PM) to set up meeting schedule in advance;
- Work with PM and Workgroup members to develop a work plan that meets deliverables, expectations, and timelines as articulated in the Charter;
- Work with PM to ensure that meeting announcements and meeting summaries are prepared and distributed;
- Provide written and oral updates to TFW Policy on workgroup progress, issues, and decisions according to the timeline;
- Provide updated to the Workgroup on status of affiliated CMER studies and/or pertinent decisions or discussions made by Policy; and
- Identify if the workgroup is in dispute and notify Policy immediately with a recommended course of action.

Project Manager

- Serves as staff support to the Workgroup;
- Assist Chair with meeting logistics and providing necessary materials related to the AMP process;
- Post on the TFW Policy Website Workgroup meetings, agendas, and relevant materials for the public; and
- Work with AMPA to identify and secure any necessary resources to achieve the Workgroup's objectives – if funding is needed, work with the AMPA and Policy to determine availability of funds.

Workgroup Technical Members

- Provide expertise that helps solve technical problems related to developing new Type Np prescriptions that meet the objectives articulated in the Charter;
- Along with the Type N Hard Rock study results, become familiar with the other CMER Type N study results when available;
- Attend in person or via conference line/video link all regularly scheduled workgroup meetings;
- Participate in organized field trips;
- Be prepared for regularly scheduled workgroup meetings and complete assigned tasks within agreed upon deadlines;
- As requested by workgroup Chair, attend TFW Policy meetings and provide updates to TFW Policy members;
- Follow guidelines established by the workgroup Charter; and
- Adhere to workgroup ground rules.