

Timber, Fish, & Wildlife Policy Committee
June 5, 2014 Meeting Summary

Decisions and Actions from Meeting

Decision	Notes
1. Accepted the April 21, 2014 draft meeting summary with one edit.	Consensus by all caucuses
2. Preliminary decisions to keep or remove projects from the Master Project Schedule (see discussion below, pages 2-4).	Consensus by all caucuses
3. Convened Policy Subgroup to address unstable slopes, particularly glacial deep-seated landslides and their associated groundwater recharge areas. First meeting: June 20.	Consensus by all caucuses

Action	Assignment
1. Share comments on EPA's interpretive rule with the Policy Committee.	Department of Ecology
2. Revise the May 1, 2014 draft meeting summary and draft the June 5, 2014 draft meeting summary.	Triangle Associates
3. Use Policy's discussion on Master Project Schedule to revise for the July 9 meeting.	Policy and CMER Co-Chairs
4. Add a note to the FPA review process flowchart to indicate the scenario when the geologist or forest practice forester finds an unstable slope and the landowner withdraws the application to re-configure the harvest unit.	DNR
5. Re-issue the May 9 guidance memo to remove "permanent recreational trail" and to expand on recreational areas.	DNR

Welcome & Introductions – Stephen Bernath and Adrian Miller, Co-Chairs of the Timber, Fish, & Wildlife Policy Committee (Policy), welcomed the group and led introductions (*see Attachment 1 for a list of participants*).

Announcements

- EPA has a draft rule on re-defining "waters of the United States", which is currently in a 90-day public comment period, ending early August. It includes an interpretive rule that identifies the farming, ranching, and silvicultural activities that would be exempt from Clean Water Act §404 permits. The Department of Ecology (Ecology) plans to comment on the interpretive rule and will share its comments with Policy.
- There are two forest service directives out for public comment as well. The U.S. Forest Service (USFS) will have a national directive on water quality best management practices, public comments due in early July. This is the first time that USFS has addressed groundwater; not to usurp states' rights, but to think about impacts to groundwater when they permit other activities. USFS is using Memoranda of Agreement from other states instead of literature reviews as a basis. Ecology plans to submit comments on that as well, and Stephen Bernath and Mark Hicks can provide more information to anyone interested.
- The Department of Natural Resources (DNR) is currently holding interviews to fill the Adaptive Management Program Administrator (AMPA) position. They have held the first round of

interviews and plan to hold the second round of interviews in mid-June. They hope to have the AMPA filled soon.

Meeting Summaries – The April 21, 2014 draft meeting summary was accepted with one minor edit. There were several clarifications identified for the May 1, 2014 draft meeting summary, so the facilitators will work with those interested to have that ready for the July meeting.

Master Project Schedule – The Policy and CMER Co-Chairs met prior to this meeting to start organizing the Master Project Schedule (MPS) studies into different categories. They created a spreadsheet that lists each study on the MPS, and Policy discussed one-by-one whether each study needed to be removed from the MPS, stay on the MPS, or needed more Policy discussion at a later time. The discussion on the Master Project Schedule is between Policy and the subcommittee of the four Co-Chairs, so it will be an iterative process between now and the August Board meeting to refine the MPS.

General Discussion

- Completed projects are reflected in the CMER workplan. Therefore, the Bull Trout Overlay Solar Radiation, Bull Trout Overlay Temperature/Shade, Mass Wasting Effectiveness Monitoring, and Westside Type N BCIF studies will be removed from the MPS, as they are complete.
- The administrative and support staff budget numbers remain the same throughout the MPS. They will likely change through the years due to cost of living increases from the state legislature, but since those are unknown at this time Policy agreed to keep the 2015 dollar amounts consistent through the MPS.
 - It was noted that this same issue affects every line item that extends multiple years, because all items have 2015 dollar amounts. Since this is a planning document only, the biennial process to create a more precise budget will address inflation, raises, etc.
- As Policy makes decisions to remove or combine studies, those decisions will be recorded in meeting summaries as well as within the CMER workplan. It might be important at a later date to remember why Policy made a decision to remove or combine studies.

Discussion on “Projects Almost Finished”

- The Eastside Type F Riparian Effectiveness (BTO add-on), Buffer Integrity – Shade Effectiveness (amphibian response), Forest Practice and Wetlands Systematic Literature Review, Wetlands Program Research Strategy, Type F and N Extensive Westside – Temperature (baseline status), Eastside Type N Forest Hydrology, and RMZ Birds are all almost complete, so they will stay on the MPS until complete.
- The Eastern Washington Riparian Assessment Project (EWRAP) is almost complete. It has a forest health component that has not yet been addressed. When the report is complete, the Scientific Advisory Group will determine if the forest health issue is worth revisiting, and could forward that to CMER and Policy. The \$50,000 would likely be used to hire a contractor to model forest health, but that would likely not take more than that amount. Right now, the report has had three of the four chapters through SAGE and the fourth will be completed soon for CMER review. This will stay on the MPS for Policy to revisit.
- The Riparian Hardwood Conversion Study has \$73,000 to re-examine the plots to see if anything changed. Since this re-examination wouldn't happen until 2016, there are still some unknowns so

this dollar figure is the best guess at this point. The re-sample was not in the 2012 settlement agreement but was requested by Policy. One caucus mentioned that this is a low priority project for them, and another caucus mentioned that they are interested in learning more about the long-term effectiveness of riparian conversions. This will stay on the MPS for Policy to revisit.

Discussion about “Projects on the Ground and Far Along”

- The four Co-Chairs recommended retaining all of these projects, which Policy agreed with.
- The Type N Experimental Buffer Treatment Project – Hard Rock – Amphibian Demographics/Channel Metrics was changed to collect only one year of data. It was noted that this project will likely have challenging CMER and ISPR reviews.
- The Type N Experimental Buffer Treatment Project in Hard Rock Lithologies – Temperature/Sediment/Vegetation/Litterfall will have a re-sample to see how long it takes for the temperature to decline again. It was noted that this will take more funds if this project is delayed a few years, so Policy agreed to keep it where it is.
- The Type N Experimental Buffer Treatment Project – Soft Rock Lithologies is on target for harvesting the sites one year earlier than anticipated. This is a five-year re-sample to line up with the BCIF study.

Discussion about “Other Projects”

- The Eastside Type N Riparian Effectiveness – Perennial and Dry studies were originally in the CMER workplan as one project, and in 2013 Policy split it into the Perennial and Dry sections. Policy discussed making sure that the studies are synced up, which would allow for economies of scale. Policy also discussed that one of the study sections is about \$2 million for studying about 20% of the streams. This will stay on the MPS for Policy to revisit.
- The Unstable Slopes Criteria Evaluation and Development project will stay on the MPS.
- The Glacial Deep-Seated will remain on the MPS for Policy to revisit once they have reported to the Board about how to expand that program.
- The Mass Wasting Landscape-Scale Effectiveness Monitoring will stay on the MPS for Policy to revisit. One caucus encouraged Policy to retain the budget for the habitat and clean water activities.
- Policy agreed to retain each of the wetlands projects: the Forested Wetlands Effectiveness Study, Wetland/Stream Water Temperature Interactions, Wetland Hydrologic Connectivity, Wetlands Management Zone Effectiveness Monitoring, Wetland/Stream Water Temp Interactions (add-on), and Wetland Hydrologic Connectivity (add-on).
 - There are four wetland effectiveness studies in the CMER workplan. Two of the studies are on the effects, they are not separate studies. This is reflected in the spreadsheet but may be confusing because it looks duplicative.
 - These two add-ons are research interests that apply to both forested and non-forested wetlands and are considered add-ons because they are components of the studies.
- The Westside Type F Riparian Prescription Monitoring will bring a report back to Policy, so this will remain on the MPS.
- The Road Prescription-Scale Effectiveness Monitoring project is a best management practices effectiveness monitoring study. Policy has approved the critical questions that the TWIG

developed, and now the TWIG is continuing the work to bring a discussion to Policy about the study design. This will remain on the MPS.

- The Road Sub-Basin-Scale Effectiveness Monitoring – Resample is an expensive re-sampling effort, so it was split into two years. This will stay on the MPS for Policy to revisit since there is interest in more discussion.
- The Watershed Scale Assessment of Cumulative Effects is a priority under the Clean Water Act assurances and will stay on the MPS. It was noted that it might make sense to look at cumulative effects projects all together at a later time.
- The Amphibians in Intermittent Streams has not yet been scoped. It is possible that the result from the Hard Rock amphibian study will be adequate to answer this question, but that is uncertain at this point.
- Policy discussed creating two new categories: “Projects Dependent upon Other Projects” and “Consider the Effect of Other Projects”.
- The Amphibians in Intermittent Streams study will be put in the new category, “Projects Dependent upon Other Projects”.
- The Wetlands Intensive Monitoring will be put in the new category, “Consider the Effect of Other Projects”. This project has funding only in 2031 because it is anticipated that other wetlands projects will have results before then which could inform this project (and therefore the categorization).
- The Type F Experimental Buffer Treatment will test prescriptions other than the ones in rule. This may be duplicative of the prescription-scale effectiveness study. It is sequenced after the Westside Type F Prescription Monitoring. This will stay on the MPS for Policy to revisit.
- The Pathways of Riparian Stand Development to Maturity will look at stands that are not capable of meeting Desired Future Conditions (DFC) and how those stands age over time. Since there was discussion in the past that if a stand did not meet DFC, it would be let go, this will stay on the MPS for Policy to revisit.
- The Type F Performance Target Validation will determine if the performance targets are correct. The starting place for this study was negotiated in the Forests & Fish Report, but the question has since been raised about performance standards affecting effectiveness monitoring. This will stay on the MPS for Policy to revisit.

The rest of the projects in the MPS had suggestions from the four Co-Chairs (such as the cross-outs), but they also suggested having more discussion on these projects at a later time.

Quarterly Status Report on CMER Projects – Amy Kurtenbach and Howard Haemmerle, DNR Project Managers, reported to Policy about the status of CMER projects. They noted:

- The Hard Rock report is going through the coordinated review process which is going well. There are sixteen chapters and the comments are coming back on schedule.
- The Forest Hydrology Study is a year behind, partly because of lack of SAGE members to support the project. The next SAGE meeting has been set and the draft is ready to be forwarded to CMER this month.
- Greg Stewart is working on the Eastside Type N study and will use the Soft Rock study as a model for the dry component of this study. The training went well for the crew to do the dry section of the field work this summer.

- The Type N Buffer Shade Effectiveness is off schedule but there is a plan to keep it moving. The PIs addressed the comments that came back from ISPR. CMER was not comfortable with how the comments were responded to, but ran out of budget to continue working on this until the next fiscal year (starting July 1).
- The Bull Trout Overlay is complete.
- The Roads Prescription Effectiveness TWIG had their first meeting on June 5. It includes three people from outside the CMER process plus Julie Dieu. It took a while to pull together the group but now that there are people assigned it is moving along.
- The Wetlands Systematic Literature Synthesis received comments from ISPR which were supportive of the quality of work. The PI will review those comments but he has a busy field season so it could be the end of summer before the product goes back to WETSAG.
- The Wetlands Program Research Strategy is an add-on to the Literature Synthesis. Participants have been meeting outside the regular WETSAG schedule to work on their final document and if WETSAG approves it, it will move to CMER.
- The RMZ Bird Re-sample came back from ISPR with comments, which have been forwarded to the PIs. Overall, the ISPR reviewers thought the work was professional and well done.
- The BCIF data analysis and report writing is ongoing and the hope is to have the draft by the end of August.
- The Soft Rock sites are being harvested and will likely be complete earlier than anticipated.
- The EWRAP project has had three of the four chapters approved by SAGE, and the fourth will be discussed in June or July. Part of the discussion with SAGE will include next steps because the author wants to look at methodology.
- The Westside Type F Riparian Prescription Monitoring has TWIG members working on developing the best available science document as well as the alternatives matrix. Policy has approved the critical questions and after the CMER review, it will come to Policy.
- The Hardwood Riparian Conversion document has gone through several drafts at RSAG. The issue is with the discussion chapter, arisen due to Policy's recommendations. They need from Policy a discussion about the level of recommendations that would be about changes on policy issues. Policy agreed to hear from Ash Roorbach at the next meeting about where the study is so that Policy can give this guidance to RSAG.
- The Extensive Riparian Status & Trends – Monitoring Temperature for Type F and Type N for Westside is behind schedule mostly because the author is also working on the Hard Rock chapters and has been focused on that. Now that the Hard Rock is nearing completion, the author can re-focus on this study, and hopes to have a draft to RSAG by the end of June.
- The Unstable slopes Criteria and Evaluation has a newly formed Initial Writing Team, which will develop the TWIG participant criteria.

Additionally, CMER is in the process of hiring a wetlands scientist. They narrowed the field to three candidates and interviewers agreed on the top candidate, though agreed that any of them would do a good job. They made an offer to the top candidate, who declined due to personal reasons. Now they plan to contact the second candidate.

CMER Update – At the last CMER meeting, there was a presentation about the comparison on 10-meter DEM by Ricklefts and Synder. This could benefit TFW lands, but the authors clarified that it isn't designed to be moved to eastern Washington and automatically used to predict flow, but it could be modified to do that. Todd Baldwin will ask that the presentation be made available to Policy.

Forest Practices Board Meeting Debrief – Marc Engel reviewed the motions made by the Board in May that direct Policy to work on unstable slopes, particularly glacial deep-seated landslides, as the top priority. Type F has been delayed so Policy can report to the Board at the November meeting.

- In order to respond to the motion that directs DNR to assemble Qualified Experts to specifically review Board Manual Section 16, DNR will convene two phases: first it will focus on technical experts, and then will expand to include Policy caucuses. One caucus suggested holding the technical meetings open for Policy members to observe, which could help educate Policy in advance of the issue coming to them.
- The Board changed their workplan to push all other rulemakings to 2015 (except the one related to unstable slopes).
- There will be a special Board meeting on July 8 from 9:00 – 11:00am to focus on 3 petitions for rule-making: elk hoof rot and pesticides, landowners charging access to their land, and unstable slopes.
- The August Board meeting will be a two-day meeting on August 11 and 12. Like the May two-day meeting, the first day will be a work session and the second day will be decisions.

Priority Habitats & Species Program Update – Keith Folkerts from the Washington Department of Fish & Wildlife (WDFW) presented to Policy about the Priority Habitats & Species (PHS) Program and WDFW's effort to update the Riparian section. Discussion points included:

- The PHS Program synthesizes information for people on the ground that can do something about protecting habitats and species. The PHS Program includes over 100 priority habitats, and the Riparian section is the biggest priority habitat
- WDFW is not a regulatory agency for land use, so they hope land managers can be partners in this effort to protect priority habitats and species. WDFW's PHS Program helps identify what the latest science says about protecting priority habitats and species.
- The Riparian section focuses on aquatic species & functions and terrestrial species & functions. It catalogues implications of science, not policy recommendations.
- WDFW will collate all the public comments they receive on the Riparian section and respond to each public comment, modifying the document as needed.
- Marine habitat was addressed in an earlier effort when their aquatic workgroup identified guidelines.

Mass Wasting – Process

The Co-Chairs noted that there will likely be additional meetings for Policy to continue the discussion on mass wasting and the Master Project Schedule, in order to prepare products for the Board's August meeting. For the mass wasting process piece, the Board's motion was to have Policy continue wrapping up changes due to the Mass Wasting Effectiveness Monitoring Project, but also include public safety.

DNR reviewed their flowchart of the FPA review process and the revised FPA form. Discussion points included:

- DNR is focused on implementing the rules set by the Forest Practices Board. They also are responsible for drafting accompanying guidance, which they often do through a multi-stakeholder process.
- So far this year, the forest practices DNR team has reviewed 209 applications with potential for unstable slopes. Of those applications, only a small percentage is Class IV Special, the majority is Class III. DNR always reviews applications for potentially unstable slopes.
- The primary reason to revise the FPA form is from the FPHP implementation. Additionally, DNR realized that they need more information from applicants operating near a Channel Migration Zone, and clarified the instructions for identifying streams and unstable slopes.
- While forest practices foresters are trained to recognize the potential for unstable slopes, they are not trained to determine if or when the feature will slide.
- The FPA form will evolve over time. One caucus mentioned that the available boxes to check for screening tools are vague.
- Policy discussed the potential for analyzing risk associated with unstable slopes. When a landowner has a feature that is potentially unstable, the importance is to identify where it will go if it fails. There are Qualified Experts to help with that. Then the next question to ask is what will the debris hit if the slope fails?
 - Several caucuses believe that Policy should determine what constitutes a threat to public safety. Other caucuses are concerned that Policy is not the right body to discuss and assess risk to public safety.
 - Policy agreed that there should be a zero-tolerance rule when thinking about landslide potential. Ideally, there would never be a landslide event.
 - There is a natural background rate of landslides. The key to forest practices is the evaluation of the likelihood that any forest practices activity will add to/influence the slides to happen. The issue is whether to allow harvest where it could influence an unstable slope, not to stop harvest if there is an unstable slope.
- DNR will add a note to their flowchart to indicate the scenario when the geologist or forest practices forester finds an unstable slope and the landowner withdraws the application to re-configure the harvest unit.
- Policy discussed DNR's guidance memo from May 9. DNR will re-issue their memo to remove "permanent recreational trail" and to expand on recreational areas.
- Policy brainstormed some ideas that should be incorporated into an in-depth response to the Board Motion #1, including:
 - How to identify the potential for delivery?
 - Difference between location of glacial deep-seated landslides and locating glacial deep-seated landslides. Understand what data already exists.
 - If the strategy is avoidance of unstable slopes, maybe there is no need for mitigation measures.

Mass Wasting Research Strategy – The Co-Chairs encouraged Policy to talk about how to effectively review the Research Strategy, the topics to address, and the schedule to do so in a timely manner.

A Policy subgroup on unstable slopes will meet before the July Policy meeting to begin a response to the Board motions as well as develop the Unstable Slopes Research Strategy (specifically the Glacial Deep-Seated Landslides (GDSL) Program). This group will also consider the associated groundwater recharge areas (GRWAs) and will likely develop a technical group to help inform the process.

- The Conservation Caucus developed a memo of considerations for this effort.
- The Subgroup should include Curt Veldhuisen, Julie Dieu, and Isabelle Sarikhan.
- Policy identified that the Subgroup will aim to meet on June 20.
- Potential topics for the Subgroup to consider:
 - History from Curt & Julie about the history from the 2006 decision
 - Existing studies, literature review, and critical questions
 - Uncertainties with identifying GRWAs
 - What is the risk if the GRWA is mis-identified?
 - Run-out issue
 - Water budget
 - Consider literature cited in Conservation Caucus's memo and elsewhere
 - Specific roads information
 - Report from DNR on their process for developing Board Manual Section 16
 - Further specify \$50,000 for GDSL Program scoping

Next Steps – Policy agreed to hold the following dates for upcoming meetings:

- June 20: Policy subgroup on unstable slopes
- July 9: Full Policy meeting on Master Project Schedule
- July 10: Regular Policy meeting (re-scheduled from July 3)
- August 6: Additional meeting for remaining work, either on Master Project Schedule, unstable slopes, or both
- August 7: Regular Policy meeting

The Co-Chairs adjourned the meeting at 4:30pm.

Attachment 1 – List of Participants by Caucus*

Conservation Caucus

Chris Mendoza

*Mary Scurlock

County Caucus

Laura Merrill, Washington State Association of Counties

*Kendra Smith, Skagit County

Federal Caucus

*Marty Acker, U.S. Fish & Wildlife Service

Landowner Caucus – Nonindustrial (small)

Dick Miller, Washington Farm Forestry Association

Landowner Caucus – Industrial (large)

Kevin Godbout, Weyerhaeuser

Doug Hooks, Washington Forest Protection Association

State Caucus – DNR

Marc Engel

*Chris Hanlon-Meyer

Marc Ratcliff, DNR

*Caucus leads

Others

Jerry Cornfield, Everett Herald

Keith Folkerts, WDFW

Howard Haemmerle, DNR

Amy Kurtenbach, DNR

Bob Wheeler, Triangle Associates (facilitation team)

Claire Turpel, Triangle Associates (facilitation team)

State Caucus – Ecology and WDFW

Mark Hicks, Ecology

*Terry Jackson, WDFW

Tribal Caucus – Eastside

*Ray Entz, Upper Columbia United Tribes/Kalispel Tribe (phone)

Marc Gauthier, Upper Columbia United Tribes (phone)

Todd Baldwin, Kalispel Tribe

Tribal Caucus – Westside

*Jim Peters, Northwest Indian Fisheries Commission

*Joseph Pavel, Skokomish Tribe

Nancy Sturhan, Northwest Indian Fisheries Commission

Curt Veldhuisen, Skagit River System Cooperative

Attachment 2 – Ongoing Priorities Checklist

Priority	Assignment	Status & Notes
Type N	Type N policy subgroup	On hold until other workload lessens.
Type F	Policy	On hold until other workload lessens.
Adaptive Mgmt Program Reform Rule Changes		Accepted by Board at August meeting, CR-103 process initiated. Implemented initial changes at November 2013 meeting, will tweak changes for subsequent meetings.
Ongoing CMER reports reviewed by Policy	Mark Hicks & 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, or Subgroup	Next Meeting Date	Notes
Forests & Fish Policy Committee	July 9 & 10, 2014	July 9: Focus on Master Project Schedule July 10: Regular Policy meeting
CMER	May 27, 2014	
Type N Policy Subgroup	TBD	On hold due to workload constraints.
Type F Subcommittee(s)	TBD	On hold due to workload constraints.
Forest Practices Board	August 11 & 12, 2014	August 11: Work session (likely on unstable slopes) August 12: Regular Board meeting