

Timber, Fish and Wildlife Policy Committee

Thursday, June 6, 2024 // 9:00AM-3:45PM

Hybrid Meeting

In-Person: WA State Light Industrial Park at 801 88th Ave. SE, Tumwater, WA 98512

Virtual: Zoom

Motions	
Motion	Move/Second (Vote)
<p>May 2024 Meeting Notes</p> <p>Motion: Ken Miller moved to approve the May 2024 meeting notes as amended. The motion passed</p>	<p>Seconded: Court Stanley</p> <p>Up: Marc Engel, Court Stanley, Darin Cramer, Chris Briggs/Brandon Austin*, Ken Miller, Cody Thomas, and Rob Purser.</p> <p>Sideways: Rico Vinh (Support the meeting notes, just don't want to support any changes to the voting members.)</p>
<p>Eastside Type N Riparian Effectiveness Project (ENREP) Extended Monitoring</p> <p>Motion: Court Stanley moved to approve the Eastside Type N Riparian Effectiveness Project (ENREP) Extended Monitoring as proposed. The motion failed</p>	<p>Seconded: Darin Cramer</p> <p>Up: Marc Engel, Court Stanley, Darin Cramer, Dave Roberts, and Chris Briggs/Brandon Austin*.</p> <p>Down: Rico Vinh (budgetary concerns and delay on action on final report)</p> <p>Sideways: Cody Thomas (not necessarily agree but won't hold it up) and Rob Purser (not necessarily agree but won't hold it up)</p>
<p>Structured Decision-Making</p> <p>Motion: Brandon Austin moved to approve TFW Policy using Eastside Type N Riparian Effectiveness Project (ENREP) for the purposes of working through the Structured Decision-Making process with Compass Management.</p> <p>Friendly Amendment: To approve TFW Policy using Eastside Type N Riparian Effectiveness Project (ENREP) for the purposes of working through the Structured Decision-Making process with Compass Management to inform an eventual recommendation to the Board about whether to incorporate SDM moving forward.</p>	<p>Seconded: Dave Roberts</p> <p>Up: Marc Engel, Court Stanley, Darin Cramer, Chris Briggs/Brandon Austin*, Rico Vinh, Dave Roberts, Cody Thomas, and Rob Purser.</p>

The motion passed.	
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*Department of Ecology and Department of Fish and Wildlife share one State Agency vote

Action Items	
Action Items	Responsibility
Send out Spokane calendar invite to voting members.	Natalie Church
Send out Deep-Seated Landslide PowerPoint presentation with the meeting's motions and action items.	Natalie Church
Master Project Schedule decision item next month (July)	Natalie Church
TFW Policy co-chair nomination decision item next month (July).	Natalie Church
Post June 12 th Special TFW Policy to public TFW Policy website.	Natalie Church

Caucus Updates

- Brandon Austin gave a reminder that we are doing co-chair nominations this month.
- Cody Thomas read the following ground rules:
 - Take space and make space. Cultivate a safe space to ask questions, engage in open dialogue, and promote robust discussion.
 - Address the idea, not the person. Assume good intentions. When confronted with an opinion that you may disagree with, consider why a reasonable person would say that and take an organizational (not personal) view to address it.
- Court Stanley said there is a change in leadership, Eric has retired and there is an interim person now.
- Ken Miller apologized to Darin Cramer and others for getting them sick. Eastside trip salvage template, Patti Playfair resisting against alternate plan but is now considering it. SFL are doing their annual picnic.

Staff Updates

- The October TFW Policy meeting will be held in Spokane on September 24, 2024. It will be the same as it was last year, CMER will meet in the morning and TFW Policy will meeting in the afternoon. The second day has not officially been decided on whether we do a field trip or Structured Decision-Making.

Meeting Notes

Ken Miller gave a brief background of how he and Steve Barnowe-Meyer both voted. He explained that Dave Roberts has not been collecting participation grant money, but he will now, and Ken will be stepping back more, and Dave will step forward. He explained that Dave will be covering most of the topics today. He compared it to the state caucus (ECY and WDFW) having two for their vote. He

understands that his caucus will not take up too much time at meetings. Rico Vinh explained that he is confused why this is being brought up because he thought that this was decided when they worked on during the TFW Policy Manual. Brandon Austin suggested that this be discussed at the TFW Policy Manual workgroup later.

CMER Updates

A.J. Kroll, CMER co-chair, reviewed the CMER SAG Updates document and what was discussed at last month's CMER meeting.

Public Comments

Department of Natural Resources, Timber, Fish and Wildlife Committee

I appreciate the opportunity to address The Timber/Fish/Wildlife (TFW) Policy Committee. I am sending this letter regarding recent nonpermitted activities in Southwest Washington related to Chelatchie Bluffs Mine and Portland Vancouver Junction Railroad (PVJR).

Clark County is proposing designating a Surface Mining Overlay (SMO) on \approx 1000 acres of Tier 1 prime forestlands near Chelatchie Bluffs. The land in question, appeared in a 2005 DNR survey saying it had hypothetical deposits of rock. In 2011, Clark Co. convened a Mineral Lands Task Force, which declined to add these parcels to the gravel inventory. The County panel decided there was not sufficient gravel present. Yet in 2021, Granite Corp. applied for a SMO. In 2023, the Western Washington Growth Management Hearings Board ruled the SMO was invalid because the County did not conduct an Environmental Impact Statement (EIS). Clark County has appealed this decision, and it is currently in Appellate Court.

What does this have to do with TFW? WDFW's "Salmon Scape" indicates the presence of endangered steelhead and coho in Chelatchie Creek and its many tributaries, in the vicinity of the mine. It also indicates spawning of these species occurring in the same tributaries. WDFW was informed as early as 2021, that these streams were in potential danger of logging and subsequent mining. The area is a major recharge area for Cedar Creek and provides the majority of its flow. Cedar Creek also contains T&E species.

In late September of 2023, the PVJR destroyed many acres of timber and wetlands along a tributary of Chelatchie Creek, to provide a loading area for the mine. This was done with no permits. A Hydraulic Permit Approval (HPA) was not received by WDFW, nothing was sent to DNR or Washington's DoE. Trees were cut down, a road was built, and wetlands destroyed; all without permits or applications. Subsequently, DNR, WDFW, DOE, USACE, USF&WS, and EPA visited the site and confirmed the damage. EPA is leading the investigations and will assess damages.

My question is: what role did TFW play, or did not play, in this process? If not, why not? This is exactly the sort of action you were created to address. Were you aware of this? How can this be avoided in the future?

Citizens informed WDFW of the damage to wetlands and forest, but they claimed not to have jurisdiction. A lie -- since a Hydraulic Project Approval (HPA) was required. Just what is your role, and why did this breach occur? How do we effectively protect habitat? Since the damage is already done, DNR should address the breaking of state law (Forest Practice Act) and impose a severe fine for tree cutting, road building to harvest said trees, and wetland destruction. We must use this example to deter future habitat destruction.

An Environmental Impact Statement (EIS) is needed on this project, and we request TFW support having an EIS completed before any additional clearing or construction is initiated on this project.

I am a retired Civil Engineer and Geologist from the Corps of Engineers. Also spent over eight years as a Geologist with the US Forest Service and worked for Clark County as a Hydraulic Engineer and Hydrologist developing stormwater runoff master drainage plans.

Thank you for your time and attention.

Regards,

Albert O'Connor

Deep-Seated Landslide (DSL) Study Design

Brandon reminded Policy that the Prospective 6 Questions and the presentation from BGC Engineering are delivery-only. There should not be questions directed to the contractors. Theryn Henkel introduced BGC Engineering. Corey Froese and Corey Scheip from BGC Engineering gave a presentation on the Deep-Seated Landslide Project study design. BGC Engineering answered the technical questions asked by TFW Policy members. Darin Cramer said that he is okay with the study design his issue is with a few of the responses to the prospective 6 questions.

AMP Science Report

Tim Quinn, from the Habitat Program from Department of Fish and Wildlife, gave a brief update on the Adaptive Management Program Report. He explained that there is a delay on the report from Alex McIntruff and his team, but it is coming. The second part is cataloging CMER, they worked with Chris Mendoza with getting the historical information. Its part is factual and no interpretation of the information. The third part is examining other aspects of Adaptive Management. Darin Cramer asked if there is an estimated time of when the final report will be completed, Tim explained that the final report is June 2025. Darin stated that if Tim were to send the inventory report to him, he would be willing to review the information.

TFW Policy Co-chair Nominations

Cody Thomas explained that we are opening for nominations this month and then next month we will vote, and the new co-chair will start in August. Rico Vinh self-nominated, and Brandon Austin seconded his nomination. Darin Cramer explained that he tried to find someone from his caucus as a non-voting member and so far, he has been unsuccessful, but he will let everyone know if he does find someone.

Eastside Type N Riparian Effectiveness Project (ENREP) Extended Monitoring

Lori presented the ENREP extended monitoring request. The request is to extend monitoring additional 5 years beyond the study design previously approved by CMER, Independent Scientific Peer Review (ISPR) and TFW Policy for a total of 7 years post-harvest at the ENREP sites to monitor the persistence of the observed changes and the recovery dynamics. The request was initially discussed at CMER in March and there was no consensus for a recommendation to TFW Policy to continue this monitoring effort at that time. Dr. Tim Link, the Principal Investigator (PI) attended the April CMER meeting to provide additional details to inform discussion for CMER to consider a recommendation to TFW Policy, however there was no consensus for CMER support without completed the updated Prospective 6 Questions document.

TFW policy urged the Project Team and SAGE to try to have the materials completed in time for TFW Policy's June meeting. The P6Qs are presented for TFW Policy's consideration. The reason for the expedited review and approval of this request is because the monitoring would need to begin immediately to ensure continuity of data at the sites beyond the initial study design objectives and b/c this informs the discussion about the MPS to allow consideration of implications of the extension (cost, staffing, timelines, added certainty) in context of impacts to other priorities.

Background materials that are relevant to the discussion about the ENREP extended monitoring are provided with the AMPA memo. ENREP began scoping in 2012 and there are many documented discussions representing AMP participants collaboration, negotiations, and adjustments to meet the goals and objectives. There was an effort in 2019 to consider ways to reduce the overall cost of the project, yet after consideration it seems that the study elements remained as originally approved by CMER, ISPR, and TFW Policy which was based on at least 2 years of pre-harvest and 2 years of post-harvest monitoring to

achieve the study's objectives and purpose, as outlined in the charter, scoping document, and best available science alternatives analysis.

The Board requested a CMER/TFW Policy workgroup in 2019 to develop an extended monitoring request process. This process was approved by TFW Policy and delivered to the Board. There was also a request for the workgroup to develop a guidance document which was not completed. The extended monitoring process is not currently in the CMER Protocol Standards Manual (PSM). Therefore, this process will be finalized and added to the PSM to ensure that CMER is following a consistent and transparent process for these types of requests. The project team, SAGE, and CMER followed the Extended Monitoring process.

TFW Policy approved the existing ENREP study design with the understanding and agreement that 2 years post-harvest monitoring would be enough data to meet the study's objectives to inform TFW Policy on ENREP's critical questions to inform their decision-making process. CMER approved the updated ENREP Prospective 6 Questions document last month. TFW Policy now has the opportunity to consider approving extended monitoring to gather additional information that may help the AMP better understand recovery dynamics in these watersheds.

ENREP is a priority Clean Water Act (CWA) project, therefore any additional monitoring considerations should not delay completion of the 2-year post-harvest final report deadlines and the timelines for TFW Policy decisions based on the findings report outlined in the AMP Board Manual, Section 22.

Rico Vinh explained that his caucus sees it as a "nice to know" not a "need to know". Chris Briggs asked if he would be willing to discuss a more limited extension and Rico explained that the budget is not the only reason for not wanting to approve the extension. Darin Cramer suggested that this extension be one of the scenarios that the budget workgroup comes up with. Lori explained that we could identify funds in the MPS to continue monitoring for the rest of this fiscal year to keep the equipment on the ground until a consensus decision is made about the extended monitoring request. Cody Thomas suggested that his caucus has some of the same issues as conservation caucus and he said that he could see a compromise is keep the equipment on the ground and using structured decision-making to figure out if the extension is necessary. Rico explained that his caucus is concerned with the potential delay in the decision based on the approved study design, 2-years post harvest monitoring.

Court suggested to call a special TFW Policy meeting at the workgroup meeting to give the Conservation Caucus enough time to have a discussion with his caucus to come up with a compromise. Rico said that he should be able to meet with his caucus, but he will let everyone know either way. Natalie Church will post on the TFW Policy website that there will be a special meeting.

FY25-27 Master Project Schedule

Lori shared that for FY24, all General Funds State proviso (GF-S) funds have been expended for the research and monitoring projects. This is the first time that the AMP expenditures has remained consistent with the projected budget. In previous years there was a positive variance at the end of the fiscal years. Lori presented the FY25-27 MPS with three budget scenarios for TFW Policy consideration. The Forest Practices Board approved the draft FY2025-2027 biennium MPS, with the understanding that the Department of Natural Resources (DNR) would submit the Adaptive Management Program (AMP) legislative budget request of \$19,664,532 (a request for additional \$3.4 million dollar for the 25-27 biennium)) to provide on-going funding of the AMP and ensure the continuity of function as intended by existing laws and rules and as expected by key stakeholders and residents of the State of Washington. TFW Policy will need to make a decision at the July meeting for a recommendation to be forwarded to the Board at their August 2024 meeting.

The TFW Policy Budget Workgroup and the AMPA utilized the Contingency Plan to develop three MPS scenarios for the FY2026-2027 for TFW Policy consideration. All scenarios are based on current projections for GF-S and Forest and Fish Spending Account - AMP (Business and Occupation Tax surcharge). Based on operating budget projections, the revenue is forecast to be \$16,090,874 which results in a significant budget shortfall for the AMP.

Lori presented the 3 MPS scenarios. Scenario 1 is \$19,664,532 to fund the priorities of the AMP consistent with the 2023-2025 CMER Work Plan. This results in a \$3.4 million shortfall for the 2025-2027 biennium and will require the support of the AMP caucus' in the legislature. Scenario 2 implements the Contingency Plan options for cutting costs for potential budget shortfalls and has a \$944,825 budget deficit. Scenario 3 adds the following budget cuts added to the Scenario 2: removing funding for Westside Type F implementation, reducing state/NGO/County participation agreements (assuming cutting travel) by 20%, and removing Contingency Funds, CMER Science Conference, AMP Dashboard. Scenario 3 has a \$3,663 budget deficit.

Darin suggested that the Budget Workgroup develop two scenarios: one with all AMP priorities represented with full funding and the second scenario being the scenario with a balanced MPS at the current revenue projections along with a list of prioritized omissions to represent the MPS response to different levels of funding. The Budget Workgroup will meet on Wednesday, June 12th to develop the prioritized list and finalize the MPS for Policy consideration in July.

The follow projects expected to be completed in the 23-25 biennium, contingent upon succinct AMP review/approval process: Hard Rock Phase III – Amphibian Demographics - The Type N Experimental Buffer Treatment Project in Hard Rock Lithologies Amphibian Monitoring Phase III, Riparian Literature Synthesis Project, and Eastside Timber Habitat Evaluation Project (ETHEP).

TFW Policy needs to determine whether the AMP is in substantial compliance with the MPS schedule and if ongoing projects are adhering to timelines to inform the Board at their August 2024 meeting. All ongoing projects on the MPS are on track to be completed by FY 2040 or sooner. Lori asked if Policy would like any additional information to inform a deeper discussion of the AMP projects and the estimated projected completion timelines.

Alternate Harvest Prescriptions

Brandon Austin explained that there has been a workgroup meeting to discuss the Alternate Harvest Prescriptions. He explained that there is still some more to do but wanted to bring it forward. If any caucus have any feedback reach out to Brandon Austin, Marc Engel, and Chris Briggs before the next workgroup meeting, July 17.

Structured Decision-Making

Dan Ohlson, Philip Halterman, and Rae Failing from Compass Management reviewed the structured decision-making work plan. It was decided to review the work plan this month then seek approval of the work plan next month. In December and March, they would come back with substantial updates.

List of Attendees

Attendees	Representing
§Austin, Brandon*	WDFW/TFW Policy Co-chair
§ Briggs, Chris*	Department of Ecology

§Cramer, Darin	Large Industrial Landowner Caucus/WFPA
§Engel, Marc	DNR
§Miller, Ken	Small Forest Landowner/WFFA
§Purser, Rob	Skokomish Tribe/Westside Tribes
§Stanley, Court	WSAC
§Thomas, Cody	Eastside Tribe Caucus/UCUT
§Vinh, Rico	WCA/Conservation Caucus
Black, Jenelle	CMER Scientist/NWIFC
Bretherton, Welles	CMER Voting Member/Department of Ecology
Church, Natalie	Administrative Assistant/DNR
Clark, Lori	Adaptive Management Administrator
Failing, Rae	Compass Resources Management
Franquemont, Maggie	DNR
Freeman, Elise	CMER Scientist
Froese, Corey	BGC Engineering
Gleason, Abby	
Haltzman, Philip	Compass Resources Management
Hawkins, Tracy	DNR
Heimburg, John	WDFW
Henkel, Theryn	Supervisory Project Manager/DNR
Holy, Shae	Skokomish Trib
Hooks, Doug	WFPA
Kay, Debbie	CMER Member/WetSAG Co-chair
Kroll, A.J.	CMER Co-chair
Lower, Adam	Chehalis Tribe
McIntyre, Aimee	WDFW/CMER Voting Member
Mendoza, Chris	CMER Voting Member/Conservation Caucus
Murray, Joe	RSAG Co-chair
Ohlson, Dan	Compass Resources Management
Peters, Joseph	Squaxin Tribe
Prescott, Alexander	Project Manager/DNR
Roberts, Dave	Small Forest Landowner/WFFA
Roorbach, Ash	Westside Tribes/NWIFC
Rubin, Rachel	CMER Scientist/DNR
Scheip, Cory	BGC Engineering
Schofield, Jenny	Project Manager/DNR
Smith, Kendra	Skagit
Toledo, Anna	Project Manager/DNR
Weekes, Anne	Conservation Caucus

§TFW Policy Voting Member

*Department of Ecology and Department of Fish and Wildlife share the State Agency vote