

# Cooperative Monitoring Evaluation and Research Committee (CMER)

**March 22, 2011  
DNR/DOC Compound**

<b>Attendees</b>	<b>Representing</b>
Almond, Lyle (ph)	Makah Tribe
*Baldwin, Todd (ph)	Kalispel Tribe, SAGE Co-Chair
chesney, charles	Dept. of Natural Resources
*Dieu, Julie	Rayonier, UPSAG Co-Chair
*Hicks, Mark	Department of Ecology, SRSAG Co-chair
Hitchens, Dawn	Dept. of Natural Resources, CMER Coordinator
Hotvedt, Jim	Dept. of Natural Resources, Adaptive Management Program Administrator
*Jackson, Terry	Washington Dept. of Fish & Wildlife, CMER Co-Chair
Kay, Debbie	Suquamish Tribe
Kurtenbach, Amy	Dept. of Natural Resources, Project Manager
*Kroll, A.J.	Weyerhaeuser, LWAG Co-Chair
*Lingley, Leslie	Dept. of Natural Resources
*Martin, Doug	Washington Forestry Protection Association
*Mendoza, Chris	Conservation Caucus Contractor, CMER Co-Chair
*Miller, Dick	Washington Family Forestry Association
Ols, Michael (ph)	Skagit River Systems Coop.
Phillips, Jeff	Skagit River Systems Coop.
Schuett-Hames, Dave	CMER Staff, Northwest Indian Fisheries Commission
Simmons, Ryan	Forest & Channel Metrics
Smith, Patrick	Washington Dept. of Fish & Wildlife
*Sturhan, Nancy	Northwest Indian Fisheries Commission
Veldhuisen, Curt	Skagit River Systems Coop.

\* Indicates official CMER members and alternates; ph indicates attended via phone & v indicates attended by video conferencing.

## **Agenda**

Dick Miller requested to add time to the agenda for discussion on using CMER data.

Curt Veldhuisen requested to have the UPSAG business item moved up in the agenda to account for travel time for some of the UPSAG members.

Curt also requested time for discussion about the roads sub-basin work and how to include some of the results in the board manual.

Terry Jackson suggested moving the CMER science session & task list discussion later in the agenda.

## **Science Session**

Ryan Simmons, Forest & Channel Metrics, presented on the NCASI-funded Culvert Test Bed Study that was initially developed by CMER but not funded by Policy and the Forest Practices Board. The objective of the study is to test the ability of wild cutthroat trout to pass through a culvert, in a laboratory setting, under a range of flow and slope conditions.

## **Business Session**

Terry Jackson reviewed the science session topics for the rest of the year. Jim Hotvedt suggested Kelly Burnett, USDA Forest Service Corvallis, Oregon, to present on systematic literature reviews. She is willing to come in July or August to talk to CMER. He also talked to AJ Kroll about presenting on different methods of statistical inference at a future meeting.

- CMER Meeting Notes January & February 2011 – ***CMER Approved both with suggested changes.***

Dawn Hitchens projected and reviewed the suggested changes submitted by Dick Miller. CMER members approved the minutes for both months with the suggested changes.

- FY2011 CMER Information Management Systems Project – *Update*

Nancy Sturhan asked for clarification of what remained to be approved. The table of contents and list of new projects was approved by CMER last fall, and the budget was approved last May.

CMER agreed that since the Board, Policy and CMER approved the budget, and the table of contents and the list of projects were approved last fall by CMER, there is no additional step for approval.

- UPSAG Mass Wasting Effectiveness Monitoring Project (Post-Mortem) Report to go to ISPR – ***CMER Delayed Decision for the April CMER meeting***

Jim Hotvedt provided an overview of the project. To date, this project has had more than the required number of reviews stated in the CMER protocols and standards manual with more than two major re-writes. The UPSAG & CMER reviews occurred last spring in May. The report was re-written last summer. The coordinated CMER & SAG review occurred in November on today's proposed re-written report. Since then, UPSAG has met with reviewers to address specific comments and has revised the report. A response matrix was also developed to show how specific comments were addressed. UPSAG is now requesting that the report be moved on to ISPR.

### **Points of Discussion:**

Doug Martin stated that the materials came too late (last Wednesday) for his review. He read the pdf document and stated that he needed more time to digest what is in the report. Doug has concerns with areas or statements that need to be more accurate.

Leslie Lingley stated that when she was in UPSAG, she noted issues and made requests for changes. She has reached a compromise so as not to hold this up for ISPR. She asked for clarification about the ISPR questions development and how the questions get sent. Specifically she is interested in the role of the ISPR review; if there are unresolved issues for the CMER reviewers, can those get sent to ISPR without censorship? She understands that they have to be technical questions. The CMER PSM states that reports are supposed to be sent two weeks before full CMER approval.

Terry Jackson shared that anyone can work with UPSAG to develop the ISPR technical questions. If there are disagreements, then they should be well documented and forwarded to CMER. If CMER is not able to resolve the dispute, then the dispute will be forwarded to Policy. The scientific disagreements should be resolved at the UPSAG and CMER levels. If there are

questions/concerns pertaining to the scientific credibility (i.e., data or statistical analyses, etc.) of the study, UPSAG may decide to draft those concerns into appropriate questions for ISPR.

Chris Mendoza stated that historically there was limited oversight of the AMPA, who forwards the questions to ISPR, concerning which questions were developed and agreed upon by the SAG and CMER reviewers and what actually got sent. Once the SAG has developed the questions with the CMER reviewers the AMPA sends them on to ISPR. This method has been successful as it provides full disclosure of how the questions were developed, who developed them, and what gets forwarded to ISPR.

Jim Hotvedt added that both the questions and the report go to ISPR, and he gave the roads sub-basin study as an example of what was sent to ISPR.

Dick Miller said that he had stated to UPSAG that two of their conclusions were inaccurate. Because UPSAG has a vested interest in resolving review comments or questions, he would like an objective third-party review. One way to facilitate this is to insert numbered lines in the document and have the questions referenced to those lines for ISPR review.

Amy Kurtenbach replied that the concerns expressed by Dick Miller have been shared with her as of today and that they need to be shared with UPSAG. This project has had numerous challenges; the main one has been the termination of the consultant. UPSAG pulled in another writer to complete the report. To call out individual numbered lines in the report reflects the fact that the scientific issues could not be worked out with CMER. To send it this way to ISPR for resolution is not the process; the ISPR is not to be used for dispute resolution as stated in the Adaptive Management Board Manual.

Chris Mendoza pointed out that CMER was getting ahead of the report approval and ISPR review process; developing the ISPR questions are done after approval of the report. CMER needs to consider the fact that UPSAG is requesting a vote at this meeting for CMER approval to forward the Mass Wasting Effectiveness Monitoring Project Report to ISPR. Following CMER approval, UPSAG will work with CMER reviewers on specific technical questions for ISPR, in addition to CMER's traditional eight standard questions that will accompany all reports.

Dick Miller agreed that CMER approve the report, as it is written now, with the request to have ISPR technical questions developed by CMER reviewers.

Chris Mendoza seconded the motion.

Julie Dieu asked if the ISPR questions are approved by CMER.

Jim Hotvedt replied that the questions are developed at the SAG level with the help of the CMER reviewers and do not need to be approved by CMER if there is agreement at the SAG level. However, they can be brought before CMER as a heads-up, before submitting them to ISPR.

Terry Jackson stated that the request is to approve the report to move to the ISPR stage. In the meantime UPSAG will work on ISPR questions and if CMER reviewers want to be involved in this they need to work with UPSAG. Then it all goes forward to ISPR. There is no re-write of the report. Can CMER approve the report to go to ISPR?

AJ Kroll replied that it seems CMER is delaying the inevitable. Instead of CMER going through a major re-dress process, CMER is moving it to the next stage to get whatever nuances moved along. He believes this report should be sent to the technical reviewers without being coached and not to use this step to adjudicate issues CMER has with this report.

Jim Hotvedt stated that independent review by professional publications has instructions for the reviewers.

AJ Kroll expressed that the instructions are in broad statements, not in numbered lines in the document for them to specifically review.

Doug Martin recommended that the original reviewers be brought back due to the volume and extent of the report and stated that he still had issues with what was written in the executive summary, content and results. These need to be addressed.

Leslie Lingley stated that CMER should not make any changes as this is the version that UPSAG has agreed to go to ISPR. Asking for changes means that this is not the same document that will go to ISPR.

Terry Jackson requested CMER to take a vote. Can CMER approve the UPSAG request to approve the report to send to ISPR?

Referring to the two-week advance mail out procedure in the PSM, AJ Kroll stated that he cannot approve sending the report now. He has two hard copies one is version 6 and the other is version 7 and he has not had the time to go through them since they were sent out. He suggested that CMER have this vote at the April meeting.

**CMER voted and reached non-consensus to forward the Mass Wasting Effectiveness Monitoring Project Report to Independent Scientific Peer Review (ISPR).**

Julie Dieu stated that she heard there are three CMER reviewers that have comments. She requested that they send their comments to UPSAG by end of business next Monday (March 28<sup>th</sup>) so UPSAG can talk about them next Tuesday (March 29<sup>th</sup>). AJ Kroll, Dick Miller and Doug Martin agreed they can meet this timeline.

Mark Hicks asked for the feedback of the comments addressed after UPSAG has reviewed them. Julie Dieu shared that UPSAG can do that after their meeting next Tuesday.

Curt Veldhuisen requested that the CMER coordinator send this feedback to the CMER reviewers.

Chris Mendoza shared that an outcome of next CMER meeting will be to approve the report to send to ISPR or potentially trigger the dispute resolution process outlined in the PSM.

Amy Kurtenbach shared that the UPSAG request will be revised, the ISPR questions will be developed, and both of these will go out in the next CMER mailing. This may not meet the two week requirement as stated in the PSM.

Chris Mendoza shared that he also read the two week review time before sending CMER reports to ISPR in the PSM, yet typically the CMER mailing is done only one week ahead prior to meeting. He suggested that since the ISPR questions still need to be developed prior to sending the report to ISPR, that non-consensus today does not necessarily delay the process so long as the report is approved in April along with the ISPR question.

UPSAG will bring both the Report and ISPR questions back to CMER in April for approval.

➤ Roads Sub-Basin Report Results to Update Board Manual

Curt Veldhuisen shared that the roads sub-basin phase one study wrapped up last year. UPSAG worked with Jim Hotvedt in developing six policy questions leading to an update to the Forest Practices board manual. This study was the first phase of monitoring in evaluating whether forest roads meet the numeric targets for hydrologic connectivity and sediment delivery to streams. When UPSAG and CMER finalized the report for Policy, they did not anticipate making recommendations based on the results or any potential Policy rule changes stemming from the first phase of a multi-phased project. Upon reflection, UPSAG found that they could add some clarification to the forest practices board manual in two areas: performance targets for sediment, and road/channel connectivity. The board manual is used as a guidance document. Currently, Forest Practices staff is updating Board Manual sections pertaining to RMAP and watershed analysis. Curt approached Marc Engel, then Policy, and received support. Policy asked UPSAG to have the draft language reviewed by CMER before bringing it forward. UPSAG would like to develop language for the board manual update and share this with CMER at the April meeting.

Terry Jackson added that CMER does not usually get involved in board manual updates; board manual updates typically go through a stakeholder process apart from CMER.

Julie Dieu replied that since this proposed update is based on a CMER study, Policy wanted CMER to first agree to the proposed language that would be coming forward from this study.

Curt Veldhuisen shared that he was given a June deadline date from Forest Practices Division.

➤ WETSAG Systematic Literature Review: Objectives & Questions – *CMER Approved*

WETSAG has revised the Wetlands Systematic Literature Review Objectives, Questions, and Methods document and the information will be used to complete the scope of work and the request for proposals (RFP). An RFP is currently being developed to hire a wetlands expert to complete the literature review.

Jim Hotvedt explained that systematic reviews have very specific questions to address and include the literature that answers the question in a systematic/targeted way. A literature review is broader in nature.

Terry Jackson motioned for CMER to approve the Wetlands Systematic Literature Review Objectives, Questions, and Methods document.

Mark Hicks seconded the motion.

**CMER reached consensus and approved this document.**

- SAGE Type N Characterization Project: Forest Hydrology Charter – *CMER provided contingent approval of the Charter*

SAGE is requesting CMER approval of the project charter. The next phase will be to develop an RFQQ and work through the process of contracting with an organization to do the field work this summer. This charter is similar in structure to the Soft Rock charter. This document brings forward all concerns and considerations to make sure this project is successful in the coming years. What is different in this charter is that it includes an appendix that lays out the project and technical teams, along with their affiliations.

#### Points of Discussion:

Several CMER members noted that they have some edits to provide.

CMER members discussed the level of detail in the document and how this is connected to commitment, the projected dates, and the signature page. CMER co-chairs expressed concern that by signing the charter, Policy and CMER co-chairs are agreeing to the details in the charter. If there is too much detail in the charter, it may be harder to expect that commitment. The fact that signatures are required in this document infers that it is more of a contractual agreement. If the intent of the charter is primarily for project management, then the signature page may not be necessary.

A workload assessment has not been done for CMER staff. What does that mean based on the commitments in the charter? The concern was also raised that there are CWA milestones identified that will not be met.

The project manager explained the urgency of getting this charter approved in a timely manner. She explained that the charter is needed to develop the RFQQ. This urgency was not understood by the CMER co-chairs and some other CMER members. Some had the understanding that the role of the charter was primarily for project management and to provide clarity of the expectations, roles and responsibilities. It was not understood why final approval of the charter was linked to development of an RFQQ. Project goals and objectives should have already been agreed upon apart from the charter.

CMER co-chairs expressed that they did not see the urgency of making a decision today and did not see the lack of approval as slowing project managers down for developing and implementing the RFQQ. Chris Mendoza shared that historically RFQQs have not been linked to charters and doing so would have unintended consequences that could further delay projects if charters were not approved by CMER. The budget in the charter has not yet been approved by Policy. In terms of process, CMER is interested in charters being a helpful management tool and since SAGs develop them, SAGs need to plan for CMER review and approval, particularly if they are going to require signatures. The review process of project charters need to be decoupled from budget or RFQQ timelines. It would be helpful for CMER to discuss what needs to be included in charters, what doesn't, and what items might be better included in other documents.

The AMPA emphasized that CMER needs to have this discussion later as the charter has been developed as a project management document. The charter is based on text from scoping documents or study designs, where the SAG and CMER have already agreed on the objectives and tasks. The rest of the elements in the document help inform the management of the project.

CMER members were asked to send their comments to Amy Kurtenbach. SAGE will revise the charter based on this feedback and will bring it back for CMER review at a later date. Mark Hicks, Chris Mendoza, and Terry Jackson will be sending in their comments.

Dick Miller made the motion that this charter be approved contingent on comments being sent to the project manager (Amy Kurtenbach) by Thursday (March 24<sup>th</sup>) and that Amy consult with SAGE for acceptance. If disagreements persist, resubmit to CMER for approval (with signature page).

Mark Hicks seconded the motion.

**CMER members approved the SAGE Type N Characterization Project: Forest Hydrology Charter contingent upon Mark Hicks, Terry Jackson, and Chris Mendoza's changes so long as they are not conflicting.**

➤ *CMER Budget – Update*

Jim Hotvedt shared some of the changes since the last CMER meeting. The figures for the Type N Experimental Buffer Treatment – Hard Rock, the Hardwood Conversion project, and the Wetlands project have been revised. The budget figures for the program support and administration have been revised. The funding source figures have been revised. The budget sheet that was shared at this CMER meeting will be used for the Policy budget meeting on April 7<sup>th</sup>.

➤ *Clean Water Act Assurances – Update*

Mark Hicks suggested giving CMER quarterly reports in alignment with the Forest Practices Board updates, rather than at every CMER meeting.

➤ *SRSAG Soft Rock Study - Update*

Chris Mendoza reported that this SAG is meeting bi-weekly to draft a study design. So far this remains on schedule.

➤ *CMER Report to Policy – Discussion on Items to take to Policy*

Terry Jackson reported that the budget retreat is scheduled for April 7<sup>th</sup>. The CMER work plan is currently with the editor and will be finalized along with the CMER Project Objectives and Targets table. CMER co-chairs will have an updated summary of current projects and will explain the major changes in the work plan. SAGs were reminded to make sure that key project scientific leads attend the budget retreat to answer technical questions on specific projects. The meeting will be held at the NRB in room 172.

➤ *Data sharing - Additional Agenda Item Request*

Dick Miller shared that several scientists have been invited to participate in the annual meeting of the Hardwood Commission (e.g., Murray, Bigley, Martin, & Miller). One of the main topics for discussion is a practical one - are hardwood-dominated stands projected to meet the desired future condition (DFC) target within the forest practices rules (pre-harvest and post-conversion)? One way of answering the question is to take the pre- and post-harvest stand data of the Hardwood Conversion (mixed conifer stands) project and run it through the DFC model. This small group would analyze this data and share the results at the annual meeting. Dick was asking for permission to use the raw data from the CMER Hardwood Conversion Study. This data has already been through QA/QC, but has not yet been incorporated into a final report, peer-

reviewed and approved by CMER. This analysis could be done by June 15<sup>th</sup>, if the permission is granted to use the data.

Points of Discussion:

Questions revolved around the data and the merits and results of the Hardwood Conversion project which is unfinished.

The concern was expressed about the process of data sharing. The data is public once the project is finalized and the data is owned by DNR. However, this project is not complete and will not be for another two years.

The concern was expressed about the precedent this sets for CMER. This proposal suggests taking CMER data and using it in a way that it was not originally intended in the study design. The analyses would be done outside of the CMER approved project and outside of the CMER framework. Taking the data, running other analyses, and drawing conclusions without going through the CMER review/approval process, could have unintended consequences. This is getting out ahead of the CMER study.

CMER needs to carefully consider sharing data early before a project is completed. CMER needs to review the ramifications of running analyses and informing results outside of CMER. CMER needs to be very clear about the ownership and make sure there are solid disclaimers about sharing data. CMER has rejected requests in the past (including requests from state lands, forest practices and private landowners). CMER does provide landowners with data from their own lands through MOUs.

Dick Miller will put together a logic table for CMER to discuss further at the next CMER meeting.

*CMER/SAG Recap of Assignments:*

*April CMER Meeting:*

- The Mass Wasting Effectiveness Monitoring Project (Post-Mortem) report and ISPR: UPSAG will review the three CMER reviewers' comments (due by end of business on Monday, March 28<sup>th</sup>), so that UPSAG can work to address them at their next meeting on March 29<sup>th</sup>. The outcome will be shared with CMER by email. The SAG request will be revised and the report, along with the ISPR questions, will be sent out for review two weeks prior to the April CMER meeting. CMER members were encouraged to be prepared for approval of the report or potentially trigger the dispute resolution process as outlined in the PSM at the next CMER meeting.
- UPSAG will have proposed language to be considered as an update for the board manual (from the Roads Sub-basin Study) for CMER's review.
- Dick Miller will pull together a logic table for CMER consideration regarding the use of CMER raw data from an incomplete project for a scientific presentation.

***Meeting Adjourned.***