

## Cooperative Monitoring Evaluation and Research Committee (CMER)

**June 26, 2012  
DNR/DOC Compound**

<b>Attendees</b>	<b>Representing</b>
*Baldwin, Todd (ph)	Kalispel Tribe of Indians
chesney, charles	Dept. of Natural Resources
*Hicks, Mark	Department of Ecology, CMER Co-chair
Hitchens, Dawn	Dept. of Natural Resources, CMER Coordinator
Hooks, Doug	Washington Forestry Protection Association
Hotvedt, Jim	Dept. of Natural Resources, AMPA
Kay, Debbie	Suquamish Tribe
Kurtenbach, Amy	Dept. of Natural Resources, Project Manager
*Kroll, AJ	Weyerhaeuser, LWAG Co-chair
*Lingley, Leslie	Dept. of Natural Resources
*Mendoza, Chris	Conservation Caucus Contractor, CMER Co-Chair
*Miller, Dick	Washington Farm Forestry Association
Roorbach, Ash	CMER Staff, Northwest Indian Fisheries Commission
Sturhan, Nancy	Northwest Indian Fisheries Commission
Schuett-Hames, Dave	CMER Staff, Northwest Indian Fisheries Commission

\* Indicates official CMER members and alternates; ph indicates attended via phone.

**Agenda change** – Mark Hicks suggested moving the settlement agreement agenda item before LEAN discussion.

### **CMER Information Management System (IMS) –**

Bruce Jones, Ron McFarlane & Marilu Koschak presented on the updates to IMS. The IMS is web-based, interactive, able to add layers (vegetation, roads, etc.) and reflects 20 CMER projects. The pilot year started out with 9 projects. CMER projects were selected based on recent work and completion stages. The plan is to look at older projects as directed by the TAG. CMER needs to organize an ad hoc committee to find and prioritize documents to load on the web site. CMER also needs to identify the hot projects for continuing the IMS. This where to find CMER IMS: <http://hammerhead.nwifc.org:8080/cmerviewer/>. User name: nwifc\cmer\_web & Password: m0ni70r.

### **Business Session:**

#### **Decisions**

➤ CMER Protocols & Standards: Chapter 3 & Decision Making Diagram – **CMER Approved**

Nancy Sturhan reported she received some comments on Chapter 3 from Leslie Lingley.

Mark Hicks conveyed to CMER members the intent is to update the chapters - while remembering this is a living document.

Leslie Lingley suggested the following edits to Chapter 3:

- ♦ FP Board or Forest Practices Board needs to be consistent throughout the document;
- ♦ Page 2 under roles & responsibilities – 1.2.1 need to add CMER core members are voting members;
- ♦ Line 192 – AMPA’s role; Coordinate and facilitate, as needed, dispute resolution. Need to add the same to the CMER Co-chairs

Amy Kurtenbach clarified section 1.2.6 The CMER Project Managers (PM) report to the Adaptive Management Project Administrator (AMPA). The project managers do not report to CMER.

CMER members agreed to adopt the change. The TAG will make the change. CMER members accepted the changes to Chapter 3.

Ash Roorbach added the major change in the guided decision making flow chart and narrative is based on CMER’s discussion last month. Mediation is the default mechanism and if it is not resolved then it goes to Arbitration step. The diagram was changed to reflect the two prong approach for resolving a technical dispute. This document reflects the changes CMER suggested.

Leslie Lingley suggested adding real abstention for voting purposes instead of using the word thumb sideways in the consensus as a decision making mechanism. She gave the example when a new SAG member joined, they did not have enough understanding to vote, so they abstained from voting. That abstained vote should be in the record.

CMER members agreed to this terminology.

Leslie Lingley suggested adding WAC 222.12.04 and board manual reference to show the tie to the rule and law on page 2, #1.

Jim Hotvedt added the board manual and WAC stipulate the dispute goes to Policy. CMER does not have a stage 2 dispute resolution process.

Mark Hicks added the TAG has developed an alternative proposal that mirrors the settlement agreement which would allow CMER to use stage 2 dispute resolution.

CMER members agreed to adopt the changes and the flow chart document. Chris Mendoza abstained from voting.

➤ **Settlement Agreement** – *What It Might Mean for CMER*

Chris Mendoza provided an overview. Settlement negotiations took place between the large industrial landowner, conservation and state caucuses (3 out of 6 caucuses). The tribes, counties, small forest landowners, were not part of the negotiations. They are being updated on what transpired now. The Policy Committee representation for decision-making was changed. The state caucus has a vote of two: one designee representing both WDFW and Ecology, and the Commissioner of Public Lands or designee. Each of the following are designated one vote: the eastside tribes, the westside tribes, the conservation caucus, the industrial forest landowners, the small forest landowners, the federal agencies and local government.

Policy process changes include that stage 1 dispute resolution does not last longer than two months and stage 2 does not last longer than three months. There is a line in the agreement that states this would also apply to CMER, but the Forest Practices Board needs to approve this change. Policy is developing the recommendations for the August FPB meeting and will need to work through a proposal initiation process. If this approach to the dispute resolution is adopted it will change what CMER just approved at today's meeting.

Mark Hicks added the main change in the dispute resolution process cuts it down to 5 months instead of 6 months and allows CMER to use stage 2 of the dispute resolution process.

Ash Roorbach added this gives CMER an idea of what the implications may be in terms of our process. CMER would be able to invoke stage 2 of the dispute resolution process and it somewhat simplifies the work. Stage 1 would happen earlier in the process.

Chris Mendoza added a master schedule of CMER projects was developed as part of the settlement agreement. This represents the priority of projects and the timeline to 2025. Priority 1 projects reflect the agreement of all caucuses; 2 reflect the next layer of agreement and so forth. The CMER work plan projects will be prioritized and budgeted based on Policy's input. Every four years the AMPA reports to Forest Practices Board on the status of the projects and there is a "trigger" in the agreement for the federal agencies to review and act if there are substantial delays and/or funding levels drop.

Mark Hicks added the funding piece in the settlement agreement reflects an agreement by the three parties to support attaining more funding to maintain or exceed 2005 funding level for the Adaptive Management Program.

Jim Hotvedt added the Forest Practices Board could make their own changes and Policy is developing the recommendations for the August FPB meeting.

- Coordinator's Corner: Meeting Notes December 2011& March 2012 - ***CMER approved the minutes without changes.***
- **LEAN** – *Final Report, Pilot discussions from SAGs, and Input on Process*

Jim Hotvedt reported the Strategica final report will be sent out electronically to CMER. The Forest Practices Board expects movement on the LEAN pilot. This month the co-chairs asked the SAGs to find out if they have projects that will fit the pilot approach. WETSAG identified they still need to have criteria to determine what are the functions of wetlands and it is difficult to do an effectiveness study without this answered. UPSAG identified the unstable slopes criteria project but did not meet so there was no discussion about their agreeing to a pilot project. CMER may want to discuss how to reinvigorate UPSAG. SAGE has been talking about working on a scoping doc and study design on Eastside Type N Riparian Effectiveness and agreed to be a pilot. SAGE wanted to stay connected to the progress of the work.

Chris Mendoza added UPSAG has not met since Jeff and Julie stepped down as co-chairs. CMER requests other UPSAG members look at this as an opportunity to step up and lead UPSAG as meetings are not occurring at all.

Amy Kurtenbach reported the co-chairs changed due to one getting a new job and the other having the role for seven years. They have not disbanded UPSAG but need to have other members organize the meetings. Julie is purposely not going to organize the meetings as she has not been matched with energy. We have not done a round table of all the SAGs for the LEAN pilot. WETSAG discussed two projects and wetlands mitigation was discussed. LWAG might have a project for implementation.

Chris Mendoza stated the Forest Practices Board approved three projects for CMER to pilot. This is stated in the Forest Practices Board motion.

Jim Hotvedt disagreed with Chris that the Forest Practices Board supported the three recommended by the consultant. It is up to CMER to implement the pilot and identify potential new projects as pilots as they begin. He saw the pilot project as open for CMER to decide and CMER is expected to implement the TWIG approach to see if it works. The Forest Practices Board is meeting in August and they have an expectation that CMER has done something.

Mark Hicks added CMER to look at the top priority projects to start a pilot and CMER cannot go down to the fourth order.

Debbie Kay asked about if outside funding was found do other projects bump up in funding.

Mark Hicks replied this is correct.

Mark Hicks moved for CMER to approve piloting the Eastside Type N Riparian Effectiveness for the LEAN/TWIG approach.

Leslie Lingley seconded the motion.

CMER members agreed to pilot the Eastside Type N Riparian Effectiveness project.

Todd Baldwin abstained from voting as he expected to get direction from Policy on which projects CMER will pilot.

Mark Hicks reiterated the Forest Practices Board directed CMER to do this through Policy.

CMER has developed the priority list based on CWA: 1 = current projects; 2= CWA not already implemented in 1; and 3= the three caucuses agreed to these projects.

### **Forming a TWIG Version 3:**

Steps:

1) Identify a new project and create an initial writing team to develop the project charter.

Greg Stewart & Mark Gauthier are interested in the **Eastside Type N Riparian Effectiveness** project. Amy Kurtenbach is part of the charter development.

- 2) Develop a draft charter. The initial writing team approved by CMER will develop a draft project charter that will include:
  - Project title,
  - Problem statement,
  - Critical questions,
  - Purpose statement, and
  - Interim qualifications (knowledge, skills, experience) needed in a TWIG.
    - The CMER staff assigned to the writing team is to put particular emphasis into reviewing the draft project charter from above and any other relevant documents, and using that information to assist in developing a list of draft skills and qualifications needed for TWIG members.
- 3) A list of potential TWIG members from CMER and the AMP cooperative research community will be attached to the charter.
- 4) CMER Review and Approval.
- 5) Policy review and approval of draft charter.
- 6) Charter will be revised as necessary to reflect the identified needs of Policy.
- 7) Final TWIG Membership Identified based on Qualifications and Availability.
- 8) Revise charter to reflect TWIG membership.
- 9) TWIG will finalize the Charter if Needed.
- 10) TWIG proceeds to develop study design under revised charter.
- 11) Maintain 2 way communication; flag steps as developed by AMPM.

Amy Kurtenbach identified the need for documenting time and flagging problems. The TWIG will need to develop a process for managing time; the unspoken truth about the LEAN process is to identify and document this. She is willing to be lead on this and suggested using some of her tools to show how much slippage occurs.

Mark Hicks motioned to adopt *Forming a TWIG Version 3* with some minor editorial corrections; ensure cross communications with interested parties; and have the project manager develop a flagging tool for documenting the process.

Todd Baldwin seconded it.

**CMER members approved the motion.**

### **Updates:**

Report from Policy June 7, 2012 Meeting:

- ♦ The Mass Wasting Effectiveness Monitoring Project: A Post- Mortem Examination of the Landslide Response to the 2007 Storm in SW Washington (Post Mortem Final Study)

Jim Hotvedt reported he inherited a work project about separating the issues on post mortem from Policy. The CMER co-chairs agreed to send a non-consensus report to Policy. Policy had a lot of discussion and decided to *designate the AMPA to define the specific process & technical issues in consultation with the CMER co-chairs regarding the Post Mortem study based on input of experts, authors, minority reporters, CMER PSM and Policy to enable Policy to recommend the best avenue before the July policy meeting.*

The task is really to look into the documented process and report back to Policy and identify issues that legitimately remain open for discussion. He will review if the authors only respond to the response matrix; everything else falls off. The only revisions to the document should have been what CMER approved.

Nancy Sturhan offered assistance to Jim Hotvedt.

Dick Miller asked about the technical issues that remain; what did the data show, how to interpret it and what to do with the results. The process stuff is wasting time. He suggested moving to a third party to deal with the technical issues.

Mark Hicks stated Policy has not decided on what they want to do; instead of hiring someone to do step one the AMPA is doing this step for them.

- ♦ Six Questions for the Evaluation of the Effectiveness of the Current TFW Shade Methodology for Measuring Attenuation of Solar Radiation of the Stream (Bull Trout Overlay Solar Report)

Mark Hicks reported Policy approved the six questions and agreed not to take any action with the report. They reserved it for when the companion temperature study is completed.

- ♦ BCIF dispute resolution options  
Policy will vote on this at their July 16<sup>th</sup> meeting.

## **LWAG**

- ♦ Tailed Frog Literature Review

Amy Kurtenbach reported CMER will see this at next month's meeting. The final report has yet to be submitted to ISPR. Marc Hayes may propose alternative ideas to the ISPR as this has been discussed several times at LWAG.

- ♦ Buffer Shade Study

Amy Kurtenbach relayed LWAG is working on comments with Jim McCracken. They are reviewing comments by tropic levels. LWAG plans to have this available in July for CMER approval to send to ISPR. Funding has been set aside for Julie Tyson to help Jim McCracken to move thru the ISPR.

## **RSAG**

- ♦ Bull Trout Overlay Temperature

Amy Kurtenbach reported RSAG provided all their comments in one package to Terrapin, the contractor. Terrapin will incorporate them in the report and the draft may be ready for CMER in July.

## **SAGE**

- ♦ Eastside Type N Characteristics Forest Hydrology Project

Amy Kurtenbach conveyed the contract was signed a week ago with Westfork Environmental. The contractor attended the SAGE meeting in June and gave a presentation. The contractor has hired the field crew for this season and holds a subcontract with Dan Miller.

## **WETSAG**

- ♦ Wetlands Literature Synthesis

Debbie Kay reported Dr. Adamus, the contractor, has completed the first draft. This draft synthesis will reflect the literature he has culled and will be ready in September.

## **CMER**

- ♦ CMER & SAG co-chairs

Chris Mendoza reported Mark Hicks will be gone in July and he will co-chair the CMER meeting since there are presently no approved candidates for the CMER co-chair position. His caucus is willing to have him continue as interim co-chair for CMER. He added he needed to step down by September if he was going to help co-chair WETSAG when Debbie Kay was on leave.

Mark Hicks added most of the SAGs are co-chaired by the tribes and this is recognized by CMER as substantial contributions.

## **CMER Report to Policy – Items to take to July 16, 2012 Meeting**

- ♦ The AMPA assignment on post-mortem study
- ♦ The formation of the TWIG process
- ♦ Clarification about the course of action to take with the unstable slopes criteria project

## **CMER/SAG Recap of Assignments**

- ♦ Co-chairs and the AMPA will follow up with SAGE about the LEAN pilot implementation on the Eastside Type N Riparian Effectiveness and the formation of the initial writing group.
- ♦ Jim Hotvedt and Mark Hicks will meet with other SAGs for LEAN potential pilots that were not originally on the list.

Meeting adjourned.